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## **Rep. Larry D. Hall**

NC House 29<sup>th</sup> District

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Majority Whip

# **The Raleigh Report**

**From the Office of Representative Larry D. Hall**

*December 14, 2009*

Throughout the most recent legislative session, I worked with my colleagues in the House of Representatives on initiatives that we believe will improve life in North Carolina. Some of these new laws went into place at the beginning of this month and I wanted to share some information about them with you. These laws cover everything from texting while driving to the regulation of some dangerous reptiles. They are intended to make you and your families more secure, to protect our children and to make sure those who do violate our laws are properly punished.

You can access the full list by visiting the General Assembly's website at [www.ncleg.net](http://www.ncleg.net) and opening the document 2009 Legislation Effective Dates. If you have questions or concerns please contact me. I'm pleased to do what I can to help.

Additionally, I am pleased to inform you that I have been appointed by the Governor to the Innovation Council and our first meeting will be in January 14, 2010. I will keep you informed of our work.

Thanks for your interest in the work of the General Assembly and for your support in these difficult times.

**Children -** Judges now have more sentencing flexibility to aid attempts to collect child support ([SB 817 – S.L. 2009-335](#)). The law is intended to increase child support collections by giving judges greater discretion to sentence those who commit criminal contempt by failing to

comply with an order to pay child support.

\_Children in North Carolina would be further protected from cyber bullying under a new state law that went into effect pm December 1, 2009 ([HB 1261 – S.L. 2009-551](#)). The legislation makes cyber bullying a criminal offense punishable as a Class 1 Misdemeanor.

\_Taking indecent liberties with a student would be added to the list of sex offenses that require registration under the sex offender and public protection registration program under a new state law ([HB 209 – S.L. 2009-498](#)).

\_Sex offenders are now prevented from driving a bus with children under a new state law ([HB 1117 – S.L. 2009-491](#)). Under the law, the Division of Motor Vehicles can not issue or renew the driver’s license needed to transport children to registered sex offenders.

\_The Nicolas Adkins School Bus Safety Act is a new state law that allows evidence from automated camera and video recording systems to be used to find and prosecute drivers who pass stopped school buses ([HB 440 – S.L. 2009-147](#)). The law is named for a 16-year-old student killed in Rockingham County earlier this year after a driver who passed his stopped school bus struck him with her car.

\_The fine for first-time violators of the state's child labor has been doubled from \$250 to \$500 under a new state law ([HB 23 – S.L. 2009-351](#)). The law also creates a \$1,000 penalty for further violations. In addition, the state Department of Labor is now authorized to fine a company up to \$14,000 for workplace safety violations that injure a worker younger than 18, which is twice as much as the previous maximum fine. There are regulations already in place that bar young workers from performing a host of hazardous jobs, and this legislation is meant to act as a stronger deterrence against employer violations.

**Transportation -** The statewide ban on texting while driving is now in effect ([HB 9 – S.L. 2009-135](#)). Under the legislation, it is unlawful to use a mobile telephone for e-mail or text messaging while operating a vehicle on a public street, highway, or public vehicular area. The intent of the legislation is to improve safety on North Carolina’s roads and highways. Violators of the law are subject to a \$100 fine plus court costs. As one of the primary sponsors of this law I hope it will lead to safer roads, especially during this busy holiday season.

\_It is prohibited to cover the state name, year sticker, or month sticker on a license plate by a license plate frame under a new state law ([HB 67 – S.L. 2009-456](#)). Violators will be issued warnings for the first year, and after that could face a \$100 fine. Additionally, the Joint Legislative Transportation Oversight Committee and Revenue Laws Study Committee to study the issuance of special plates.

\_A person convicted of habitual impaired driving is now eligible to petition for a hearing to restore driving privileges after 10 years without any traffic or criminal convictions under a new state law ([HB 1185 – S.L. 2009-369](#)).

**Animals -** Large constricting snakes and crocodiles have now been added to the list of reptiles of a venomous or poisonous nature that are already regulated under current law ([SB 307 – S.L. 2009-344](#)). State law now regulates the handling, ownership and sale of large constricting snakes and crocodiles, in addition to the hazardous reptiles that are already regulated under existing law.

\_A new state law provides the same protections to search and rescue animals as those provided to law enforcement agency animals and animals that assist the disabled ([HB 1098 – S.L. 2009-460](#)). Under the legislation, any person who knows or has reason to know that an animal is a search and rescue animal and who willfully kills that animal will be guilty of a Class H felony.

**Criminal Law -** Storing and preserving DNA and biological evidence related to crimes is now the responsibility of the law enforcement agency investigating the offense ([HB 1190 – S.L. 2009-203](#)). Previously, clerks of court were responsible for storing such evidence, but bill supporters argued that law enforcement is better equipped for the job.

\_The manufacture, sale, distribution, or possession of the plant *Salvia Divinorum* is now unlawful ([SB 138 – S.L. 2009-538](#)). For a first or second offense under this section, the offender must pay a fine of at least \$25. Subsequent offenses will result in a Class 3 misdemeanor. The legislation exempts researchers, nursery owners and landscapers.

\_Probation officers are now allowed to access certain offenders' juvenile records under a new state law ([SB 920 – S.L. 2009-372](#)). The law also makes warrantless searches and drug screening regular conditions of supervision.

\_Removing, destroying, or circumventing the operation of an electronic monitoring device is a criminal offense under a new state law ([SB 713 – S.L. 2009-415](#)).

\_Picketing that is directed at a single residence and done so in a way that would cause fear or substantial emotional distress is now prohibited under state law ([HB 885 – S.L. 2009-300](#)).

**Community Visits & Meetings Calendar -** Here are some of the activities I recently attended.

11-20 - State Economic Development Board Meeting - Winston Salem, NC

11-22 - Durham, NAACP Census Forum - Greater Emanuel Church - Durham

11-25 - Changing a Generation Family Thanksgiving Meal Distribution - Collin's Exxon Durham

11-29 - Dedication of Royal Ice Cream Parlor Historic Marker - Roxboro St.- Durham

12-01 - Joint Finance Committee Meeting for Tax Reform - Legislature - Raleigh

12-05 - Union School Opening - Union Baptist Church - Durham

12-9 - Jobs & Economic Growth Forum - Durham City Hall

## **Larry D. Hall**

*Please remember that you can listen to interim committee meetings and press conferences on the General Assembly's website at [www.ncleg.net](http://www.ncleg.net). Once on the site, select "Audio," and then make your selection – House Chamber, Senate Chamber, Appropriations Committee Room or Press Conference Room. A calendar of meetings is also available on the site*