



**NORTH CAROLINA POLICE BENEVOLENT ASSOCIATION, INC.
A DIVISION OF SOUTHERN STATES PBA, INC.**

SSPBA History of Legislation In North Carolina

The **SSPBA** has sponsored, authored or directly supported more local and state legislation in North Carolina than all the other NC law enforcement groups combined.

Of 93 pro-labor and work improvement law enforcement bills sponsored, supported or authored by **SSPBA** in the North Carolina General Assembly since 1989:

38 were ratified into law.

17 were passed by the full House, Senate, or Committee; and

3 were defeated.

No other North Carolina law enforcement groups or other employee organization come close to providing this level of legislative support for working law enforcement professionals on issues designed to improve law enforcement labor and work life conditions.



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Following is a history of **SSPBA**'s legislative activities in the North Carolina General Assembly.

NCPBA STATE LEGISLATIVE HISTORY

PBA Legislative efforts; sponsored and supported PBA bills before the North Carolina General Assembly.

1989

HB1149 Communicable Disease (Aids/Hepatitis) Testing to Protect Law Enforcement Officers.
Rep. David Balmer, Means Committee - Requires suspect who exposes officer to be tested by judicial order within 24 hours. **Passed/Ratified (CH. 0499)**

HB1228 Law Enforcement Retirement Benefits for Probation/Parole Officers.
Rep. Thomas Hardaway

Attempt to Repeal Asheville Civil Service Law - PBA led opposition on this issue. **Defeated/Failed**

1990

HB2380 Law Enforcement Officer 25 Year Retirement.
SB1541 Rep. Dan Blue (Wake County), Senator Ted Kaplan

HB2366 Retiree COLA Increase/Retirement Formula Increase.
SB1598 Rep. Marie Colton, Senator Helen Marvin - **Passed/Ratified (CH.1077)**

HB2267 Supplement Local Retirement, Expand 401(k) Participation.
Rep. Marie Colton - **Passed/Ratified (CH. 0948)**

HB2404 Parole Restructure for Offenders Who Commit 1st & 2nd Degree Murder.
Rep. Mickey Michaux
PBA worked with Attorney General Lacy Thornburg to expand restrictions of

early release of murderers and provided notification requirement of parole hearings to District Attorney, victims, their families and arresting law enforcement agencies.

HB2375 1990 Omnibus Drug Act.
Rep. Larry Justice - **Passed/Ratified (CH. 1039)**

1991

HB305 Amend Armed Robbery Statute Closing Loophole in Statute.
Rep. David Balmer - **Passed House**

HB1123 Law Enforcement Protection Act or Kill Law Officer Capital Crime. No Parole/Death Penalty
Rep. Larry Justice - **Passed House**

HB1100 Law Officer Discipline/Professional Standards Act.
Rep. Bob Hensley & Peggy Stamey.

HB474 OSHA Penalties Extended to Local and State Agencies/Government.
Rep. Harry Payne - **Passed House**

HB947 Law Officer 25 Year Retirement/Unreduced Benefits.
SB404 Rep. Bob Hensley, Senator Beverly Purdue

HB98 28 Year Retirement State Officers.
Rep. Leo Mercer

HB899 Law Officer Death Benefit Expanded to Part-Time/Auxiliary Officers.
Rep. Daniel Devane

1992

HB366 Local Government Employees Retirement System/Creditable Sick Leave (LGERS).
Rep. Gordon Greenwood - **Passed/ Ratified (CH. 0753)**

HB380 Local Government Retirees Benefits into Parity.
Rep. Marie Colton

HB367 TSERS/LGERS Retirement Late Fee Penalty to Employers.
Rep. Gordon Greenwood - **Passed/ Ratified (CH. 0585)**

- HB574 Law Enforcement Study - Blank Bill (contained language to eliminate
SB444 separation allowance (**PBA OPPOSED**).
Both Bills successfully opposed and blocked without action.
- HB442 Parole Notification 30 Days in Advance of Parole Consideration for Prisoners
Convicted of 1st and 2nd Degree Murder, 1st Degree Rape or 1st Degree Sexual
Offence.
(Carryover from original effort with Attorney General and victim's groups on
HB2404 from 1990 Session.) - **Passed/ Ratified (CH. 0288)**
- HB381 OSHA Changes (Civil Penalties Increase to Comply with Federal Changes).
Rep. Charles Beall - **Passed/ Ratified (CH. 0329)**
- HB837 Political Pressure/Discipline or Termination of State Employees Illegal.
Rep. Walter Jones - **Passed/ Ratified (CH. 0505)**
- HB1013 Local Workers Political Activity.
SB767 Protest employees off duty conduct.
Rep. Toby Fitch, Senator William Martin - **Passed/ Ratified (CH. 0619)**
- SB955 Senate Joint Resolute LRC Study Law Enforcement. Issues include statewide
carry of firearms.
Senator Beverly Perdue
- 1992**
- HB500 Law Officer Discipline Act.
Rep. Bob Hensley - House Committee Defeat by one vote
- HB501 Law Officer's 25 Year Retirement.
Rep. Bob Hensley
- HB503 Off Duty Officer/Statewide Concealed Weapon Carry.
Rep. Bob Hensley - Passed House 2nd Reading 54 - 52, 3rd Reading Failed
- HB1068 PBA/Criminal Justice Commission Member.
Rep. Billy Richardson - Passed House Committee
- HB1100 Kill Law Officer/Capital Crime, No Parole/Death Penalty.
Rep. John Nichols

HB1386 OSHA Fines on Public Agencies/Employees (carry over from HB474 which passed House in 1992).
Rep. Toby Fitch - **Passed/ Ratified (CH. 1020)**

SB925 Felony to Attempt to Elude Police.
Senator Frank Ballance - **Passed Senate**

Bills Successfully **OPPOSED** by PBA resulting from the Government Performance Audit: Committee (GPAC).

HB338 Abolish DMV Enforcement.
SB291 **Defeated/Failed**

HB373 Recommend Cap on Law Enforcement Retirement Benefits.
Defeated/Failed

HB374 Phase Out ALE Division.
SB416 **Defeated/Failed**

SB291 Eliminate 401(k) and Separation Allowance Provision of Law Enforcement Retirement.
Defeated/Failed

SB294 Repeal of Highway Patrol Merit Pay.
Defeated/Failed

SB305 Repeal of Longevity Pay Benefit.
Defeated/Failed

1994

HB110 Kill Law Officer/Capital Crime Incorporated into SB 2
Representative John Nichols - 1st Degree Murder, no parole.
SB 2 HCS **Passed/Ratified (CH. 5021)**

SB906 Worker's Compensation Reform Eliminates Officer Loss of Claim From Reoccurring - Sen. F. Odom - Work Related Injury and Eliminates Officer having to apply through employer enabling application directly to Industrial Commission.
Passed/ Ratified (CH. 0679)

SB940 Charitable Solicitation Rewrite - Senator Sandy Sands. Tightened law on disclosure that supports PBA's process over other solicitation group procedure.
Passed/ Ratified (CH. 0759)

HB748 Motor Vehicle Window Glazing/Threat to Officer Safety.
Rep. Sam Ellis - **Passed/ Ratified (CH. 0683)**

1995

HB760 Law Officer Discipline Act.
Representatives Bob Hensley and Carolyn Russell

HB147 Officer Duty Weapon Carry for Law Enforcement Officers.
Rep. Bob Hensley (reintroduced from prior sessions - incorporated into HB 90)
Passed/ Ratified (CH. 398)

SB53 Sex Offender Registration.
Sen. Fountain Odom
PBA supported per request including former Senator Linda Gunter
Passed/ Ratified (CH. 0545)

HB434 Felony to Attempt to Elude Arrest.
Rep. Joe Kiser
Mirrors SB925 which passed Senate in 1992. **Passed House** 101-7/ Passed
Senate J-I Committee/ Passed Senate Floor second reading/ 3rd reading Failed.

HB765 Felony to Assault Law Officer - Change to Class F Felony.
Rep. Jean Preston

SB4 Require Alternative Punishment .
Request of PBA by Bill Sponsor Senator Charlie Albertson - Removes, closes
loophole of defendant's right to choose punishment rather than judge over
probation.
**Passed/Ratified (CH. 0429) Amended NC Constitution under Section 1
Article XI**

1996

HB 811 New Capital Crime/Repeal Life Review.
Representative Larry Justus - Repeal provisions of automatic parole review after
serving 25 years of a life sentence without parole. 1996 continued.

HB 970 Drug Testing Provisions.
Representative Robin Hayes
Passed/Ratified (CH. 0383)

- SB411 Add PBA To NC Criminal Justice Education and Training Standards Commission.
Sen. Tony Rand
- SB1214 Felony Assault on a Law Enforcement Officer.
HB1204 Sen. Frank Ballance - Would make assault on a LEO a Class H Felony.
SB 1214 Passed Senate Judiciary Committee
HB1204 -Representative Michael Decker, *Passed House*
- 1997**
- HB 616 Standardize Law Enforcement Discipline.
SB 540 Rep. Wilma Sherrill and Sen. Brad Miller
- HB 958 Amend Concealed Weapons Law.
Rep. Foyle Hightower, Resolved confusion of alleged Attorney General's opinion that off-duty officers could be charged with trespassing for carrying concealed weapon onto property posted for no weapons. **Passed/Ratified (CH. 238)**
- HB 584 Felony Eluding Arrest.
Representatives Mary Jarrell and Ronnie Sutton
Passed House, Passed Senate J Committee (as amended)
- HB 955 Add PBA as NCCJETSC Member.
SB 353 Representatives Mia Morris and Phil Baddour
Senator Tony Rand
- HB 433 Exempt Sworn and Retired Law Enforcement Officers from Requirements of
SB 325 Concealed Handgun Permit.
Rep. Wib Gulley, Senator Fountain Odom **Passed/Ratified (CH. 0274)**
- SB 673 An Act to Amend Law Enforcement Retirement System to Include Jailers.
Sen. Fountain Odom **Passed/Ratified (CH. 144)**
- SB 15 Aggravating Factor/Injure Officer.
HB 137 Sen. Ballance, Albertson, Dalton, Gulley, Miller - Rep. Brawley, Smith - Adds proximate cause of injury to a law enforcement correctional or detention officer as a factor of an assault offense. SB 15 *Passed Senate Judiciary Committee*
HB 137 *Passed House*
- HB 1035 20 Year LEO Retirement.
Reps. Hardy, Buchanan

1998

- SB1463 1998 Retirement Benefit Act. - Increases retirement formula.
Sen. Tommy Jenkins
- SB1464 Increase Retiree Death Benefit.
Sen. Tommy Jenkins - *Passed Senate Pensions & Retirement Committee*
- SB353 Add PBA Member To NCJTSC.
Sen. Tony Rand
Continuation of previous bills Senators Beverly Purdue and Rand made bill special provision in the Senate Budget. Stopped by House Leadership due to PBA's efforts on behalf of member Algie Toomer. (Toomer went on to win PBA sponsored case at NC State Court of Appeals.)
- SB78 State Employee Work Place Harassment - Senator Ballance/Rep. Kiser -
HB 122 Requires rewarding of reasonable attorney's fees and witness fees against state agencies in cases won by employee.
Passed/ Ratified (CH. 135)

1999 - 2000

- HB968 Amend Contested Case Procedures in Administrative Hearings.
Rep. Martin Nesbitt.
Gives some binding authority to administrative law judges and strengthens procedural due process for state LE and Correctional Officers trial DeNovo.
Passed/Ratified (CH. 190)
- SB242 Increase Retirement COLAs.
HB229 Senator Jim Philips,Rep. Mickey Michaux
- SB369 Asheville Anti-Discrimination Act.
HB447 Sen. Steve Metcalf - **Passed/Ratified (CH. 206)**
- SB532 Asheville Civil Service Board. (Amended)
Sen. Charles Carter - **Passed/Ratified (CH. 303)**
- SB538 Standardize Law Enforcement Discipline.
HB817 Sen. Brad Miller - Defeated J II Committee by one vote
- SB561 Law Officers' 25 Year Retirement.
HB816

2001 - 2002

- HB4 Law Officer's 25 Year Retirement.
Rep. Bob Hensley and Dan Blue
- HB5 Law Enforcement Officer's Discipline Act.
Rep. Bob Hensley
- HB825 Correctional Officers 28 Year Retirement.
Rep. Leslie Cox
Favorable Report - House Committee
- HB 80 Increase Local Retirement Benefits.
Rep. Russell Tucker
- HB 81 Increase Death Benefit/Local Officers.
Rep. Russell Tucker
- SB 260 Review State Government Employment.
HB 409 Senator Luther Jordan
To provide across the board analysis in hiring, pay, promotion, and retention of state employees.
- SB 1238 Withdrawal Retirement Service.
Sen. Charlie Albertson
Allows officers who withdrew contributions from the retirement system to purchase back service time toward retirement. Increased the Death Benefit for local law enforcement and other employees.
Passed/Ratified (CH. 153)

2003

- SB54 Law Enforcement Officer Discipline Act.
Sen. Eric Reeves
- SB53 25 Year Retirement for Law Enforcement Officer.
HB 151 Rep. Tim Moore, Mickey Michaux, Sen. Eric Reeves - Passed House Committee
- HB1030 Handgun Permit Waiver for Retired Law Enforcement Officers.
Rep. Rick Glazer (carryover from prior PBA legislation)
Passed/ Ratified (CH.379)

HB1031 LEO Creditable Services Workers' Compensation (Loophole).
Rep. Rick Glazer and Rick Eddins - Provides that employers shall contribute to officer retirement fund while officer is on Workers' Comp. due to injury.
Passed House Committee

SB424 Tuition Waiver for Children of Disabled Public Safety Workers.
Sen. Fletcher Hartsell Jr.
Passed/ Ratified (CH. 230)

HB1170 Enhance Local Retirement Benefit.
Rep. Larry Bell, increase (LGERS) retirement multiplier 1.82 - 1.85 %.)
Passed/ Ratified (CH. 319)

HB1181 Workplace Safety/Multiple Violation.
Rep. Goodwin - Requires re-inspection of work place with reported violation.
Passed/ Ratified (CH. 174)

HB306 Enhance State Retirement Benefits.
Rep. Larry Bell

SB938 Increase Line of Duty Death Benefit.
Sen. John Kerr

2004

HB1711 Law Enforcement Officer Creditable Services/Workers' Compensation (Loophole).
Rep. Rick Glazer and Rick Eddins (resubmitted from past session HB1031)

HB1707 Purchase Military Service/Local Retirement.
Rep. Rick Glazer and Rick Eddins

SB 1359 Durham City/County 25 Year Law Enforcement Retirement.
Sen. Jeanne Lucas

HB1513 Increase Local Government Death Benefit.
Rep. Larry Bell (from prior PBA legislative effort)
Passed/ Ratified (CH. 136)

HB1624 Increase Retirees Contributory Death Benefit.
Rep. Larry Bell - **Passed/ Ratified (CH. 147)**

- SB1067 Death Benefit/Probation and Parole Officers.
Sen. John Kerr
To include Probation/Parole Officers in LEO Death Benefit Act.
- HB1554 Assault on Law Officer/Emerging Personnel Increase to a Felony.
SB1150 Rep. Dewey Hill, Sen. R.C. Soles
- 2005-2006**
- HB142 25 Year Retirement for Law Enforcement Officers – Representatives Tim Moore
SB 149 and Mickey Michaux (The Mark Tucker Act) In consolidation with all other law
enforcement groups including Chiefs and Sheriffs.
- HB 1504 Law Officer Discipline Act.
Representative Grier Martin, Defeated in House Judiciary IV Committee
- HB 447 LEO Creditable Service/Workers' Compensation (Loophole).
Representatives Rick Glazier and Rick Eddins. Requires agency to continue law
enforcement officer retirement benefits when LEO seriously injured in the line of
duty. Carryover from previous two sessions **Passed/Ratified. (CH. 2006-29)**
- HB 1401 Concealed Carry By Law Enforcement Officers.
Representative Folwell (Brings NC into compliance with Federal Law
Enforcement Officers Safety Act of 2004. Final chapter in PBA's quest for
complete state-wide gun carry for LEO's. **Passed/Ratified. (CH. 337)**
- HB 1279 Speeding to Elude Arrest a Felony .
Representative Hill – An improvement on a long supported PBA legislative effort
to tougher penalties on the suspect who eludes law enforcement by use of a motor
vehicle. If someone dies as a result of eluding police, suspect is guilty of Class H
Felony, if aggravating factors involved, a Class E Felony.
Passed/Ratified (CH. 341)
- HB 402 Military Buy Back.
Representatives Rick Glazier and Rick Eddins. Restores original cost figures for
officers to purchase years of military service time toward their law enforcement
retirement. Favorable House Committee Report, eligible in short session 2006.
- HB 1459 Public Safety Employer-Employee Cooperation Act.
Representative Martha Alexander. Meet and confer bill supported jointly with NC
Association of Professional Fire Fighters.

SB 148

Death Benefit for Part-Time Law Enforcement Officers.

Senator Doug Berger (Carryover from 1991 PBA legislative efforts – HB 899)

Provides the LEO line-of-duty death benefit to part-time and/or auxiliary law enforcement officers. **Passed/Ratified (CH. 376)**