



HOUSE BILL 369: Criminal Law Changes/WC Illegal Aliens

2013-2014 General Assembly

Committee:	Senate Judiciary I	Date:	June 26, 2014
Introduced by:	Reps. Waddell, Brody, Langdon, Dixon	Prepared by:	Susan Sitze
Analysis of:	PCS to Second Edition		Committee Counsel
	H369-CSSA-66		

SUMMARY: *The proposed committee substitute (PCS) for House Bill 369 would make changes to various criminal laws and amend the workers' compensation act to exclude from benefits under G.S. 97-29 and G.S. 97-30, and from vocational rehabilitation, illegal alien injured workers who obtained employment through misrepresentation of employment status.*

BILL ANALYSIS:

Section 1 of the PCS would amend G.S. 15A-145.5 (expunction after 15 years) to allow the expunction of Class H & I felonies involving methamphetamines or heroin.

Section 2 of the PCS amends various statutes to replace all statutory authorization for deferred prosecution with conditional discharge. This section becomes effective December 1, 2014. Deferred prosecution agreements filed before December 1, 2014 are not abated or affected by this section.

Section 3 of the PCS would create a separate offense for possession of marijuana drug paraphernalia punishable as a Class 3 misdemeanor. This section becomes effective December 1, 2014, and applies to offenses committed on or after that date.

Section 4 of the PCS would direct the Human Trafficking Commission to study the prevention of sexual abuse of children. The Commission shall report to the 2015 General Assembly.

Section 5 of the PCS would exclude workers who are not lawfully employable and who made a false representation of their work status to the employer from workers' compensation claims and would exclude all workers who are not lawfully employable from vocational rehabilitation, and from any compensation for total or partial incapacity if a physician indicates they are able to work in any capacity. This section is effective when it becomes law and applies to injuries arising on or after that date.

EFFECTIVE DATE: Except as noted above, this act is effective when it becomes law.

