



# SENATE BILL 821: GSC Technical Corrections 1.

2016-2017 General Assembly

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<b>Committee:</b>	Senate Judiciary I	<b>Date:</b>	June 13, 2016
<b>Introduced by:</b>	Sen. Hartsell	<b>Prepared by:</b>	Brad Krehely, Susan L. Sitze, and Susan Barham, Legislative Analysis Division Staff
<b>Analysis of:</b>	PCS to First Edition S821-CSMN-11		

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**SUMMARY:** *Senate Bill 821 (proposed committee substitute) makes technical changes recommended by the General Statutes Commission and various other changes to State law.*

*Part I of the PCS for this bill (Sections 1-14.1) contains technical changes recommended by the General Statutes Commission. Part II of the PCS contains additional technical amendments and changes to State law.*

[As introduced, this bill was identical to H1064, as introduced by Rep. Bryan, which is currently in House Judiciary IV.]

## **BILL ANALYSIS:**

### **PART I. General Statutes Commission Recommendations**

Part I of the proposed committee substitute for this bill contains corrections of a technical nature that are recommended by the General Statutes Commission.

*Sections 1-14.1* are technical changes recommended by the General Statutes Commission.

### **PART II. Other Amendments**

*Section 15 (a-k)* would make essentially the same amendment to various statutes that list the institutions in which funds are authorized to be deposited. The list covers monies subject to an interpleader action; occupational licensing and proprietary school provisions that authorize the assigning of a savings account or CD in lieu of a bond; funds of the North Carolina Real Estate Commission; and time share deposits that were not addressed in S.L. 2015-93. With three exceptions, the amendments change a list of specific types of institutions to the phrase used in S.L. 2015-93, "federally insured depository institution lawfully doing business in this State." The three exceptions are statutes that currently include trust companies, which are only federally insured under some circumstances. To avoid inadvertently excluding trust companies, and to update the terminology, the phrase "federally insured depository institution or trust institution authorized to do business in this State" was used in these three statutes.

*Section 16(a-h)* would amend the statutes already amended by Section 15 to include trust companies in the ones that do not currently include them.

*Section 17* would create an exemption for chorionic gonadotropin from the list of Schedule III controlled substances when administered by injection for veterinary use by or upon the order of a licensed veterinarian.

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**Section 18** -- In 2014, the General Assembly enacted G.S. 90-113.22A, which separated the possession of marijuana paraphernalia from the possession of all other drug paraphernalia. Section 18 would add the new separate offense to the statute authorizing the conditional discharge of a first offense of possession of drug paraphernalia so that a first offense of possession of marijuana paraphernalia will continue to be eligible for conditional discharge.

**Section 19** would correct the name of a State department.

**Section 20** would repeal Section 1 of 2015-52, which requires the Department of Health and Human Services to provide information to the Program Evaluation Division. PED in turn is required to report to the Joint Legislative Program Evaluation Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services on certain criteria to be used in determining whether provision of overnight respite services in an adult day care setting is a worthwhile service. Permanent provision for such services has, however, been provided through the enactment of G.S. 131D-6.1.

## **PART II. Effective Date.**

**Section 21** would provide for the bill to be effective when it becomes law.