



SENATE BILL 584: Criminal Law Reform.

2019-2020 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	May 1, 2019
Introduced by:	Sens. Wells, Daniel	Prepared by:	Susan Sitze
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 584 would phase out local ordinances for legislatively regulated criminal offenses, and amend the effective date for a rule that creates a new criminal offense.*

CURRENT LAW AND BACKGROUND:

G. S. 14-4 authorizes counties, cities, towns, and metropolitan sewerage districts to create crimes through local ordinances. Generally, a violation of a local ordinance is a Class 3 misdemeanor).

S.L. 2018-69 required cities and towns that have enacted an ordinance pursuant to G. S. 14-4 to “create a list of applicable ordinances with a description of the conduct subject to criminal punishment in each ordinance” and submit it to the General Assembly by December 2018.

BILL ANALYSIS:

Senate Bill 584 would:

- Create a sunset provision on conviction and punishment for violation of a local ordinance.
- Require legislative review of newly created criminal offenses.
- Provide that no person can be convicted of a crime unless it appears in the Criminal Law Chapter, the Motor Vehicle Chapter, or the Controlled Substance Act of the General Statutes unless the person has actual knowledge that the behavior constitutes a crime.
- Amend the rule-making procedure to set the effective date of rules that create a new criminal offense on either the 31st legislative day or the day of adjournment of the next regular session, whichever occurs first.

EFFECTIVE DATE: This is effective when it becomes law.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578