

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-356
HOUSE BILL 569**

AN ACT TO CREATE A JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE AND TO STUDY OTHER ISSUES RELATED TO DOMESTIC VIOLENCE AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON DOMESTIC VIOLENCE.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 120 of the General Statutes is amended by adding a new Article to read:

"Article 30.

"Joint Legislative Committee on Domestic Violence.

"§ 120-265. Creation and membership of Joint Legislative Committee on Domestic Violence.

The Joint Legislative Committee on Domestic Violence is established. The Committee consists of 16 members as follows:

- (1) Eight members of the Senate appointed by the President Pro Tempore of the Senate; and
- (2) Eight members of the House of Representatives appointed by the Speaker of the House of Representatives.

Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year, except the terms of the initial members, which begin on appointment and end on the day of the convening of the 2007 General Assembly. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee. A member continues to serve until his successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

"§ 120-266. Purposes and powers of Committee.

(a) The Joint Legislative Committee on Domestic Violence shall examine, on a continuing basis, domestic violence issues in North Carolina in order to make ongoing recommendations to the General Assembly on ways to reduce incidences of domestic violence and to provide additional assistance to victims of domestic violence. In this examination, the Committee shall:

- (1) Study the budget, programs, and policies of the Domestic Violence Commission to determine ways in which the General Assembly may improve the effectiveness of the Commission;
- (2) Study and evaluate the funding sources and needs of domestic violence programs providing services to domestic violence victims and programs providing treatment to domestic violence abusers;
- (3) Study legal services funding for domestic violence victims and explore additional sources of funding;
- (4) Explore sources of additional funding for all domestic violence programs, including visitation centers;

- (5) Examine current programs and explore new programs to provide effective services to domestic violence victims and treatment to domestic violence abusers;
- (6) Examine law enforcement and judicial responses to domestic violence;
- (7) Review data collected on domestic violence cases pursuant to G.S. 15A-1382.1;
- (8) Study the effectiveness of the Crime Victims Rights Act as it relates to domestic violence; and
- (9) Conduct any other studies, evaluations, or assessments necessary for the Committee to carry out its purpose.

(b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee.

"§ 120-267. Organization of the Committee.

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Committee on Domestic Violence. The Committee shall meet at least once a quarter and may meet at other times upon the joint call of the cochairs.

(b) A quorum of the Committee is nine members. No action may be taken except by a majority vote at a meeting at which a quorum is present. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

(d) The Committee cochairs may establish subcommittees for the purpose of making special studies pursuant to its duties and may appoint non-Commission members to serve on each subcommittee as resource persons. Resource persons shall be voting member of the subcommittee and shall receive subsistence and travel expenses in accordance with G.S. 138-5 and G.S. 138-6."

SECTION 2. The Administrative Office of the Courts, in consultation with the Department of Correction, Division of Community Corrections, shall study and review programs in this State, and other states, that utilize Global Positioning Satellite (GPS) technology to track criminal offenders. Based upon the study and review, the Administrative Office of the Courts shall make written recommendations to the Joint Legislative Committee on Domestic Violence and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee no later than July 1, 2006, for a pilot GPS program as a condition for pretrial release pursuant to G.S. 15A-534.1. The recommendations shall include whether the alleged victim of the charged offense should have a receiver for immediate and direct notification of a GPS tracking violation by the defendant.

SECTION 3. The Department of Correction, Division of Community Corrections, shall make a written report no later than January 1, 2007, to the Joint Legislative Committee on Domestic Violence and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on measures the Division is undertaking to address the issue of supervising domestic violence offenders.

SECTION 4. The Administrative Office of the Courts shall expand the Family Court Model to additional jurisdictions of the State, as resources allow, shall study the elements of the model that might be adopted without additional funding, and

implement those elements in jurisdictions where possible. The Administrative Office of the Courts shall also study the automation of court records to allow queries on civil, criminal, and juvenile matters.

The Administrative Office of the Courts shall report to the Joint Legislative Committee on Domestic Violence and the North Carolina Courts Commission no later than January 1, 2007, on the results of the studies, the recommendations of the Administrative Office of the Courts, and any steps requiring legislative action to implement the recommendations.

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 23rd day of August, 2005.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 1:40 p.m. this 7th day of September, 2005