



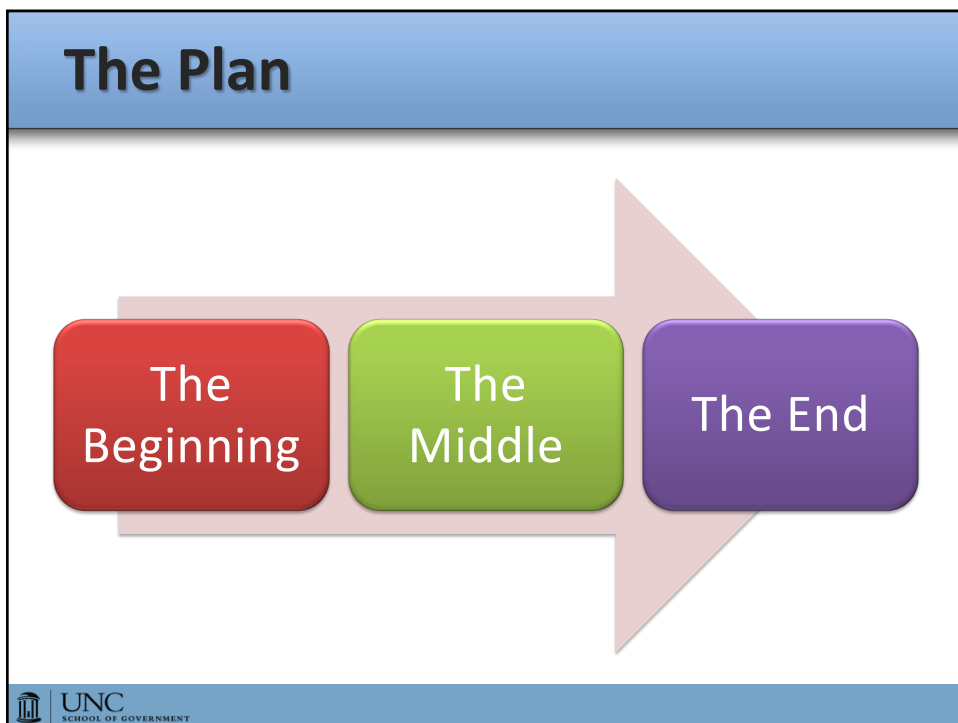
How An Idea Becomes A Law

New Member Orientation

January 7, 2021

 **UNC**
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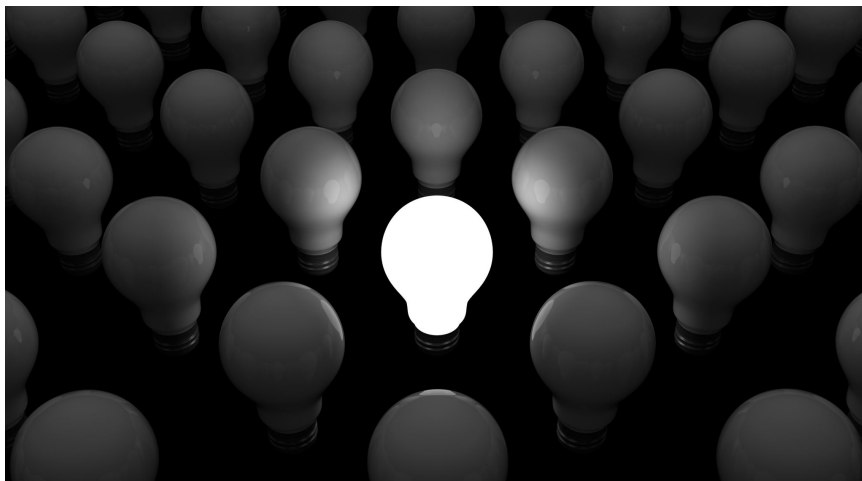


2

The Beginning



I have an idea...



The Idea: Price Gouging

THE COASTLINE NEWS

www.clnews.com COASTLINE CITY'S PREFERRED NEWS SOURCE - Since 1879

Hurricane Victims Victimized Twice



Hurricane Aimee leaves local residents stranded.

Price Gouging Floods

Coastline City - In the days following Hurricane Aimee, one of the worst natural disasters to hit Coastline City in the last century, hurricane victims are being victimized a second time, but this time, not by Mother Nature.

"These people ought to be thrown in jail," said Mayor Christine Wunche. "What they are doing is highway robbery."

North Carolina law already prohibits "excessive pricing" when the Governor has declared a disaster. The North Carolina Attorney General's Office is authorized to take action to stop the price gouging and seek refunds for

"I had to pay \$10 for a box of matches," said local librarian Mabel Grover. "It is unbelievable what some folks will do to

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Reading a Bill

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

S BILL DRAFT 2021-MM-542-1 [v1] D

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
12/9/2020 1:23:14 PM

Short Title: Disaster Victim Protection Act. (Public)

Sponsors: Senator Wall (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A
3 DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY.
4 The General Assembly of North Carolina enacts:
5 SECTION 1. G.S. 75-38 is amended by adding a new subsection to read:
6 "(g) A willful violation of this section is a crime and is punishable as a Class H felony."

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Reading a Bill

Sponsors: Senator Wall (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A
3 DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** G.S. 75-38 is amended by adding a new subsection to read:
6 "(g) A willful violation of this section is a crime and is punishable as a Class H felony."
7 **SECTION 2.** The Division of Emergency Management shall develop informational
8 materials to inform disaster victims about potential excessive pricing practices and post-disaster
9 price gouging scams. Informational materials shall be disseminated widely through print and
10 electronic means and shall be provided to the emergency management coordinator in each
11 county. The Division shall submit a report to the Joint Legislative Emergency Management
12 Oversight Committee by June 1, 2021, on the informational materials developed and
13 dissemination methods used.
14 **SECTION 3.** Section 1 of this act becomes effective October 1, 2021, and applies to
15 offenses committed on or after that date. The remainder of this act is effective when it becomes
16 law.



7

Step 1: The Idea

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

S BILL DRAFT 2021-MM-542-1a [v1] D

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
12/9/2020 1:23:14 PM

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14 **SECTION 3.** Section 1 of this act becomes effective October 1, 2021 and applies to
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16 law.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SENATE BILL 100 1

e: Disaster Victim Protection Act. (Public)

Senator Wall.

to: Judiciary I

January 7, 2021

A BILL TO BE ENTITLED
TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A
DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY.
The General Assembly of North Carolina enacts:
SECTION 1. G.S. 75-38 is amended by adding a new subsection to read:
1) A willful violation of this section is a crime and is punishable as a Class H felony."
SECTION 2. Attorney General shall develop informational materials to inform
disaster victims about potential excessive pricing practices and post-disaster price gouging
informational materials shall be disseminated widely through print and electronic means.

Draft Bill
Fiscal Memo
Incarceration Memo

Filed
Introduced
1st Reading
Referred to Committee



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LRS Summary of Filed Bill

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Bill: Disaster Victim Protection Act

Summary date: Jan 7 2021

Courts/Judiciary Criminal Justice Criminal Law and Procedure Government Public Safety and Emergency Management

Bill Information:

Senate Bill 100 (Public) Filed Thursday, January 7, 2021

AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY.

Intro. by Wall

View All Summaries for Bill

Tracking: Track Bill

GS 75

Bill summary

Amends GS 75-38 to make it a Class H felony to willfully sell or rent goods or services, during a declared state of emergency or a finding of abnormal market disruption, that are used as a result of an emergency or to sustain well-being with the knowledge and intent to charge an unreasonably excessive price. Effective for offenses committed on or after October 1, 2019.

Requires the Attorney General to develop print and electronic informational materials to inform disaster victims about excessive pricing and price gouging scams, with the materials provided to county emergency management coordinators. Requires the Attorney General to report to the Joint Legislative Emergency Management Oversight Committee by June 1, 2019, on the development and dissemination of materials.

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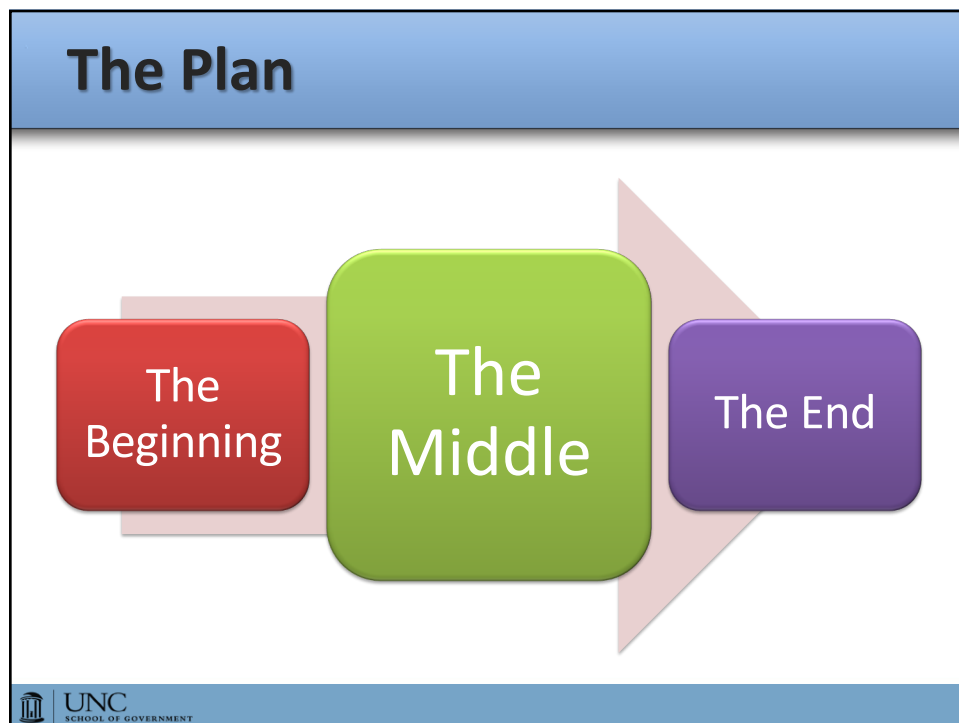
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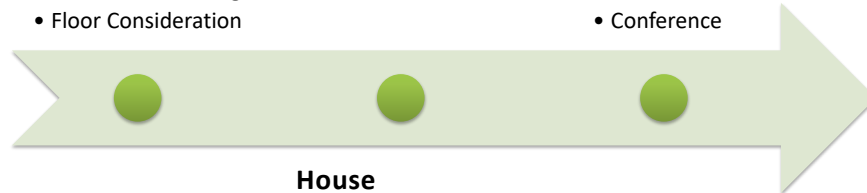
The Middle

Senate

- Committee Hearing
- Floor Consideration

Both

- Concurrence
- Conference



House

- Committee Hearing
- Floor Consideration

Step 2: Senate Committee Hearing

- ✓ SB100 1st ed.
- ✓ SB100 Fiscal Note
- ✓ SB100 Incarceration Note
- ✓ SB100 Committee Counsel Bill Summary
- ✓ SB100 Amendment

GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2021

S

SENATE BILL 100

1

Short Title: Disaster Victim Protection Act. (Public)
Sponsors: Senator Wall.
Referred to: Judiciary I

January 7, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A
3 DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY.
4 The General Assembly of North Carolina enacts:
5 **SECTION 1.** G.S. 75-38 is amended by adding a new subsection to read:
6 "(g) A willful violation of this section is a crime and is punishable as a Class H felony."
7 **SECTION 2.** Attorney General shall develop informational materials to inform
8 disaster victims about potential excessive pricing practices and post-disaster price gouging
9 scams. Informational materials shall be disseminated widely through print and electronic means
10 and shall be provided to the emergency management coordinator in each county. The Attorney
11 General shall submit a report to the Joint Legislative Emergency Management Oversight
12 Committee by June 1, 2021, on the informational materials developed and dissemination methods
13 used.
14 **SECTION 3.** Section 1 of this act becomes effective October 1, 2021 and applies
15 to offenses committed on or after that date. The remainder of this act is effective when it becomes
16 law.

LRS Summary of Amendment

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Bill Summary for S 100 (2021-2022)

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Bill: Disaster Victim Protection Act

Summary date: Jan 7 2021

Court/Judiciary Criminal Justice Criminal Law and Procedure Government Public Safety and Emergency Management

Bill Information:

Senate Bill 100 (Public) Filed Thursday, January 7, 2021

AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY.

Intro. by Wall

View All Summaries for Bill

Tracking: Track Bill

GS 75

Bill summary

Senate committee amendment makes the following changes to the 1st edition.

Further amends GS 75-38 by requiring the Attorney General to create and maintain a database of individuals who have violated the statute (have charged excessive prices during states of disaster, states of emergency, or abnormal market disruptions). Specifies database requirements, including that it available to the public in a searchable format and that a person's name remain on the database for five year following a violation.

Makes conforming long title changes.

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Step 3: Senate Floor Consideration

- ✓ SB100 2nd ed. engrossed
- Amendment adopted in Senate committee is incorporated into bill text*
- now becomes 2nd edition of bill*

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

S

SENATE BILL 100

Second Edition Engrossed 1/7/21

Short Title: Disaster Victim Protection Act. (Public)

Sponsors:

Referred to:

January 7, 2021

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY AND TO REQUIRE THE ATTORNEY GENERAL TO DEVELOP AND MAINTAIN A DATABASE ON PERSONS AND BUSINESSES FOUND TO HAVE ENGAGED IN EXCESSIVE PRICING DURING A DECLARED STATE OF EMERGENCY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 75-38 reads as rewritten:

"(a) A willful violation of this section is a crime and is punishable as a Class H felony.

(b) The Attorney General shall develop and maintain a database of all persons found to have violated this section. The database shall be made available to the public in a searchable format and shall include the name of the person, date of violation, and a brief description of the nature of the violation. A person's name shall remain on the database for five years after the date of the most recent violation.

SECTION 2. The Attorney General shall develop informational materials to inform disaster victims about potential excessive pricing practices and post-disaster price gouging scans. Informational materials shall be disseminated widely through print and electronic means and shall be provided to the emergency management coordinator in each county. The Attorney General shall submit a report to the Joint Legislative Emergency Management Oversight Committee by June 1, 2021, on the informational materials developed and dissemination methods used.

SECTION 3. Section 1 of this act becomes effective October 1, 2021 and applies to offenses committed on or after that date. The remainder of this act is effective when it becomes law.

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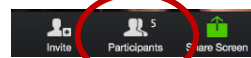
Senate Vote on SB 100: 2nd Reading



Lt. Governor Mark Robinson

Time to Vote!

- Click on “Participants” to show list of people in the Zoom room



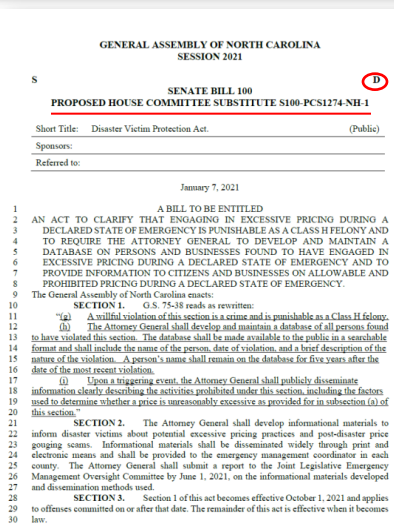
- At the bottom of the list, click on “Yes” or “No”

YES ✓

NO ✕

Step 4: House Committee Hearing

- ✓ SB100 Proposed House Committee Substitute
- ✓ SB100 Committee Counsel Bill Summary
- ✓ SB100 Fiscal Memo



LRS Summary of House PCS

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Bill Information:

Senate Bill 100 (Public) Filed Thursday, January 7, 2021
AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY.
Intro. by Wall

View: All Summaries for Bill Tracking: Track Bill

GS 75

Bill summary

House committee substitute makes the following changes to the 2nd edition.
Amends GS 75-38 by adding a requirement that the Attorney General, upon a triggering event, publicly disseminate information describing the activities prohibited by the statute, including the factors used to determine whether a price is unreasonably excessive.
Makes conforming long title changes.

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Step 5: House Floor Consideration

- ✓ SB100 House Committee Substitute
Adopted in committee – now becomes 3rd ed. of bill
- ✓ SB100 House Committee Substitute Fiscal Note

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

S

SENATE BILL 100
Second Edition Engrossed 1/7/21
House Judiciary 1 Committee Substitute Adopted 1/7/21

Short Title: Disaster Victim Protection Act. (Public)

Sponsors:

Referred to:

January 7, 2021

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT ENGAGING IN EXCESSIVE PRICING DURING A DECLARED STATE OF EMERGENCY IS PUNISHABLE AS A CLASS H FELONY AND TO REQUIRE THE ATTORNEY GENERAL TO DEVELOP AND MAINTAIN A DATABASE ON PERSONS AND BUSINESSES FOUND TO HAVE ENGAGED IN EXCESSIVE PRICING DURING A DECLARED STATE OF EMERGENCY AND TO PROVIDE INFORMATION TO CITIZENS AND BUSINESSES ON ALLOWABLE AND PROHIBITED PRICING DURING A DECLARED STATE OF EMERGENCY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 75-38 reads as rewritten:

"(a) A willful violation of this section is a crime and is punishable as a Class H felony.

(b) The Attorney General shall develop and maintain a database of all persons found to have violated this section. The database shall be made available to the public in a searchable format and shall include the name of the person, date of violation, and a brief description of the nature of the violation. A person's name shall remain on the database for five years after the date of the most recent violation.

(c) Upon a triggering event, the Attorney General shall publicly disseminate information clearly describing the activities prohibited under this section, including the factors used to determine whether a price is unreasonably excessive as provided for in subsection (a) of this section.

SECTION 2. The Attorney General shall develop informational materials to inform disaster victims about potential excessive pricing practices and post-disaster price gouging scams. Informational materials shall be disseminated widely through print and electronic means and shall be provided to the emergency management coordinator in each county. The Attorney General shall submit a report to the Joint Legislative Emergency Management Oversight Committee by June 1, 2021, on the informational materials developed and dissemination methods used.

SECTION 3. Section 1 of this act becomes effective October 1, 2021 and applies to offenses committed on or after that date. The remainder of this act is effective when it becomes law.

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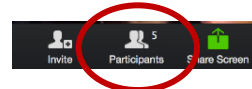
House Vote on SB 100: 2nd Reading



Speaker Tim Moore

Time to Vote!

- Click on “Participants” to show list of people in the Zoom room



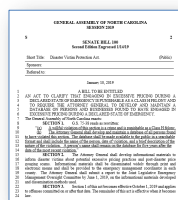
- At the bottom of the list, click on “Yes” or “No”

YES ✓

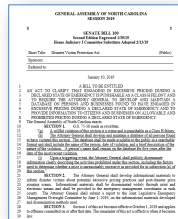
NO ✕

Step 6: Concurrence / Conference

Senate Version



House Version

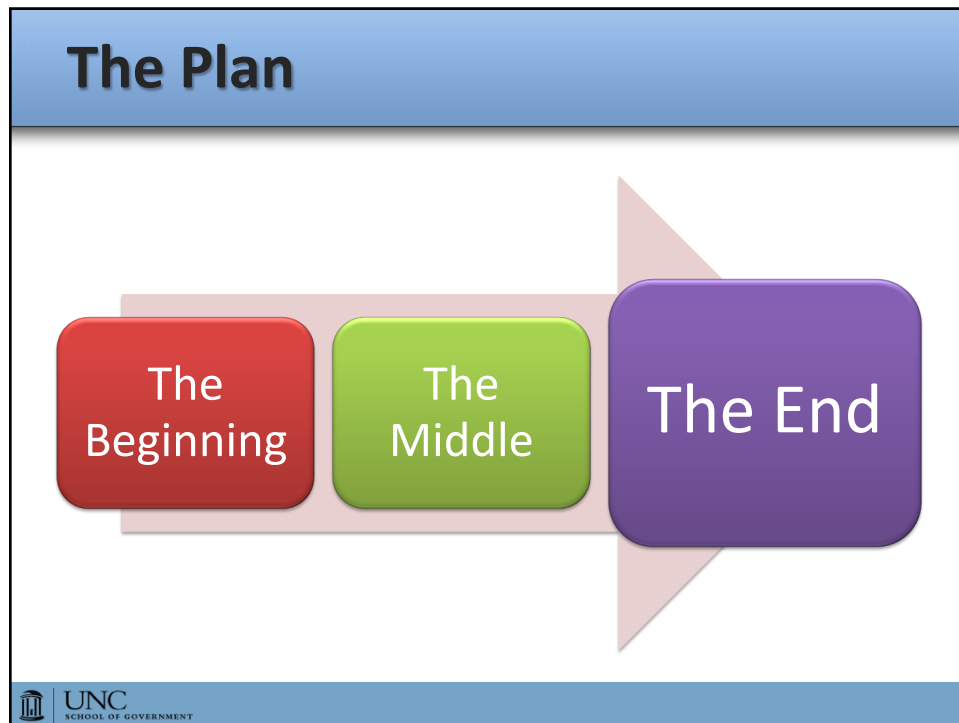


Concur

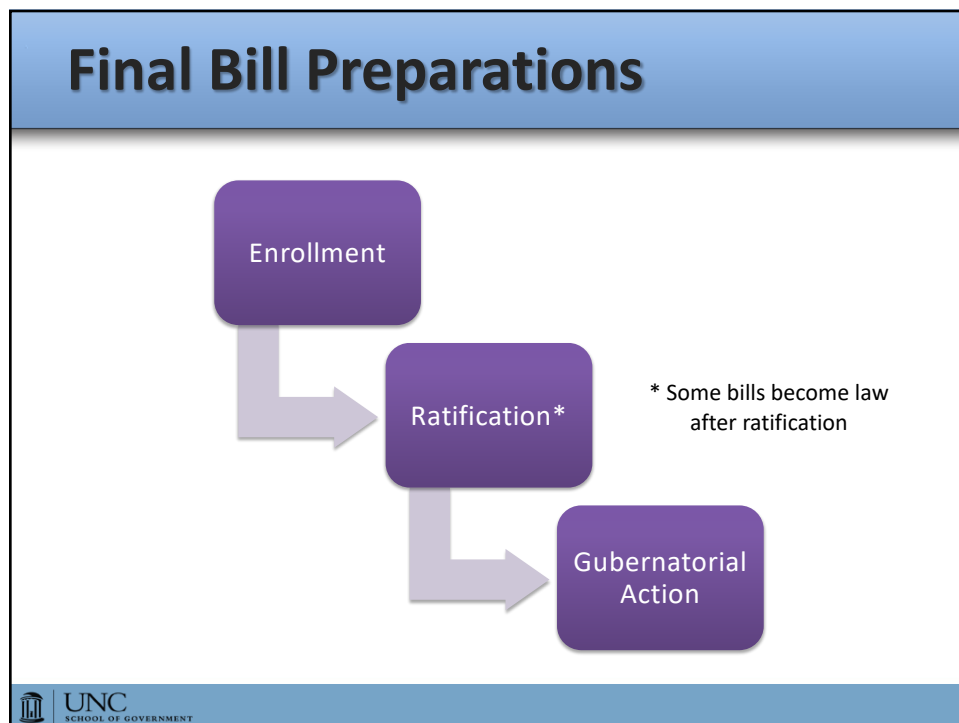


Fail to Concur





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Not Subject to Veto

- Joint Resolutions
- Appointment
- Redistricting
- Local bills, subject to limited exceptions
- U.S. Constitution
 - Approve amendment
 - Convention to propose amendment
- N.C. Constitution
 - Must be submitted to the people for a vote

Gubernatorial Action

Options

- Sign
- Veto, subject to override by 3/5 of the members of each chamber present and voting
- Decline to act

Timelines

- 10 days when NCGA in session
- 30 days when NCGA adjourned

Recent History

Biennium	Bills Vetoed	Vetoed Overridden	Law w/out Signature
2009-10	1	0	1
2011-12	19	11	18
2013-14	3	2	4
2015-16	3	2	5
2017-18	28	23	16
2019-20	25	0	4

Once a Bill Becomes Law

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SESSION LAW 2020-77
SENATE BILL 488

MAKE CHANGES TO VARIOUS DIVISION OF MOTOR VEHICLES

Assembly of North Carolina enacts:

VISION OF MOTOR VEHICLES TO DISTRIBUTE PLATES THROUGH COMMISSION CONTRACT
ON 2. G.S. 20-79.1 is amended by adding a new subsection
is authorized to enter into agreements to utilize contract
the Division under G.S. 20-63(h) to distribute temporary
led in this section. The Division must provide compensation

- Session Law Assignments
 - Numbering starts over each year
 - Assigned in order in which a bill becomes law
 - Applicable to all public and local bills
 - All are published in the Session Laws; necessary changes are made to the General Statutes

Continued Oversight

Legislative Oversight Commissions

- Nonstanding Committees
- Select Committees (one chamber)
- Task Forces

Program Evaluation Division

- Evaluations
- Measurability Assessments
- Work Plan

How Do I Keep Up?

- SOG's Legislative Reporting Service
 - Summaries of all filed bills, amendments, committee substitutes and conference reports
 - Daily Bulletin: all of the summaries and legislative actions for each legislative day
 - Ability to perform customized searches, create a favorites folder (with a free account)
 - Weekly Status Reports

How Do I Keep Up?

<http://lrs.sog.unc.edu>

The screenshot displays the UNC School of Government Legislative Reporting Service website. The main header reads "UNC SCHOOL of GOVERNMENT" and "Legislative Reporting Service". Below this, there's a section for "Frequently Asked Question Download" with a link to "Download the 2020 LRS FAQ". A "2019: Open Access" section mentions that starting January 1, users do not need to log in to view the Daily Bulletin, Bills and Bill Summaries. A "Tools" section is also visible.

The main content area features the "NORTH CAROLINA GENERAL ASSEMBLY" header with navigation links: HOUSE, SENATE, AUDIO, CALENDARS, COMMITTEES, BILLS & LAWS, and DIVISIONS. Below this, it shows "House Bill 250" for the "2019-2020 Session". A red circle highlights the "VIEW BILL DIGEST" link. Other links include "VIEW AMENDMENTS AND SUBSTITUTES", "FISCAL NOTE", "EDITION", "Filed", "Edition 1", and "Edition 2".

On the right side, there's a "Last Action:" section with a link to "Ref To Com". Below that, "Sponsors:" lists "Dobson; Lan" and "Brisson; Fan". "Attributes:" lists "Public; Text I". "Counties:" lists "No counties". "Statutes:" lists "108A, 110, 1" and "143-548, 48". "Keywords:" lists "CHILD CUS".

At the bottom, there's a "Legislative Reporting Service Daily Bulletin Online" section with a description of the service and a list of benefits.

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Questions?



Christine Wunsche

Director

SOG Legislative Reporting
Service

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