

April 26, 2001

**H 1402. ADDRESS CONFIDENTIALITY PROGRAM/FUNDS.** *TO ESTABLISH AN ADDRESS CONFIDENTIALITY PROGRAM FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL OFFENSES, AND STALKING AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.* Creates the cited program in provisions substantially identical to provisions contained in S 1057, introduced 4/5/01 (but dropped in the committee substitute for that bill). Appropriates \$115,000 for 2001-2002 and \$86,500 for 2002-2003 from General Fund to Dep't of the Secretary of State to implement the act. Effective July 1, 2001.

**Intro. by Jeffus.**

Ref. to Judiciary II	GS 1A, 15C, APPROP
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August 15, 2002

**H 1402. ADDRESS CONFIDENTIALITY PROGRAM.** Intro. 4/26/01. House committee substitute makes the following changes to 1st edition. Places program responsibility primarily with the Attorney General (was, the Secretary of State). Specifies additional information required to be submitted with an application for the program, including evidence that the applicant is a victim, a statement that the victim has or will confidentially relocate in North Carolina, and a statement about existing court action or orders involving the applicant. Creates an "Address Confidentiality Program authorization card" for participants. Requires the Attorney General to send notices of cancellation if a participant is dropped from the program, with an appeal procedure to be created outside the contested case provisions of the Administrative Procedures Act. Places burden on program participants to notify agencies to use a substitute address, and creates a waiver provision for agencies that wish not to participate in the confidentiality program. Specifies several types of agencies that must continue to use actual addresses, rather than substitute addresses: boards of elections, tax assessors and collectors, registers of deeds, and local schools for purposes of admission and assignment. Makes conforming changes in nondisclosure provisions to accommodate these types of agencies. Bars anyone from knowingly and intentionally obtaining a program participant's actual address, and bars Attorney General's employees from disclosing actual addresses. Increases maximum fine for violation to \$2,500 (was, \$500). Directs Attorney General to designate agencies to provide counseling and shelter services to victims. Broadens the scope of liability protection to include all state agents involved with the program but provides an exception for liability protection for acts of bad faith or malice. Deletes appropriation of funds. Changes effective date to Jan. 1, 2003. Makes other technical and conforming changes.

August 27, 2002

**H 1402. ADDRESS CONFIDENTIALITY PROGRAM.** Intro. 4/26/01. House committee substitute makes the following changes to 2nd edition. Provides that no General Fund appropriations shall be used to implement this act; Attorney General and agencies may implement the act only with funds from the settlement of the case entitled State of Florida v. Nine West Group, Inc. and John Does 1-500, or other grants or nonappropriated funds. Amends proposed GS 15C-3 to add certified and registered mail to class of mail that Attorney General is required to forward to program participants. Amends proposed GS 15C-4 to remove references to a person making application on behalf of another. Makes other clarifying and conforming changes.

September 24, 2002

**H 1402. ADDRESS CONFIDENTIALITY PROGRAM.** Intro. 4/26/01. Senate committee substitute makes the following changes to 3rd edition. Changes the bill's provision with respect to limited immunity. The bill generally provides that the state and its agencies and their officers, officials, and employees are immune from liability to anyone harmed by actions taken under this bill. The 3<sup>rd</sup> edition limited that liability to situations in which the entity or individual was acting in good faith and without malice. This committee substitute replaces that limitation with another one: the Attorney General may determine that an employee's actions resulting in harm were not within the course and scope of the employee's duties, and in that case the employee is subject to suit as an individual.

