

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 786

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H786-AMD-42 [v.7]

Page 1 of 3

Comm. Sub. [YES]
Amends Title [YES]
Third Edition

Date _____, 2013

Representative B. Brown

1 moves to amend the bill on Page 1, Lines 2 through 4, by rewriting the lines to read: "AN ACT
2 TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO STUDY MEASURES FOR
3 ADDRESSING THE PROBLEM OF ILLEGAL IMMIGRATION IN THIS STATE; AND TO
4 CLARIFY WHICH EMPLOYERS ARE SUBJECT TO THE STATE'S E-VERIFY LAWS.";
5 and

6
7 on Page 2, Line 1, through Page 12, Line 4, by deleting the lines and substituting the following:
8 "SECTION 1.(a) The Department of Public Safety, in conjunction with the
9 agencies and industries described in subsection (b) of this section, shall study the potential
10 impact on public safety, the State economy, and illegal immigration to this State of adopting
11 any or all of the following measures:

- 12 (1) Increasing the penalties for crimes related to the possession, manufacture, or
13 sale of false drivers licenses and other identification documents.
- 14 (2) Creating a rebuttable presumption against the pretrial release of
15 undocumented aliens who commit serious crimes.
- 16 (3) Requiring a secured appearance bond as a condition of pretrial release for
17 undocumented aliens who have committed serious crimes.
- 18 (4) Requiring undocumented alien prisoners to reimburse the State for the cost
19 of their incarceration after conviction of a crime.
- 20 (5) Establishing standards of reasonable suspicion to guide law enforcement
21 officers in conducting immigration status checks when conducting a lawful
22 stop, detention, or arrest.
- 23 (6) Prohibiting the use of consular documents from being considered a valid
24 means of establishing a person's identity by a justice, judge, clerk,
25 magistrate, law enforcement officer, or other State official.
- 26 (7) Implementing a process for undocumented aliens to obtain a temporary
27 driving privilege. This portion of the study shall:
 - 28 a. Examine the impact that such a process would have on highway
29 safety, insurance rates, and claims for accidents that occur at the
30 hands of the uninsured.
 - 31 b. Estimate the number of individuals who would seek to obtain a
32 temporary driving privilege through such a process.



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- 1 c. Determine whether there are adequate insurance products available to
2 insure individuals who obtain the temporary driving privilege.
3 d. Examine any other matters that the Division of Motor Vehicles
4 deems relevant.

5 (8) Adopting measures that have been adopted in other States to combat the
6 problem of illegal immigration.

7 **SECTION 1.(b)** In conducting the study required by this section, the Department
8 of Public Safety shall consult with the Department of Insurance, the Division of Motor
9 Vehicles, the Department of Commerce, representatives of the service and agricultural
10 industries, representatives of the immigrant community, and any other agencies, institutions, or
11 individuals that the Department deems appropriate.

12 **SECTION 1.(c)** The study shall examine the potential impact of the measures
13 described in subsection (a) of this section:

- 14 (1) On the State economy.
15 (2) On the community of lawful immigrants in this State.
16 (3) On the provision of social services.
17 (4) On tax collection.
18 (5) On law enforcement.
19 (6) In light of the impact of similar measures enacted in other States on these
20 areas.
21 (7) In light of their relation to the uncertainty that all businesses, including the
22 high-tech, agriculture, hospitality, and other service sectors endure under our
23 current federal system. The Department of Commerce shall be the lead
24 coordinating agency for purposes of this subdivision.

25 **SECTION 1.(d)** The Department of Public Safety shall report its findings and
26 recommendations to the Chairs of the Joint Legislative Oversight Committee on Justice and
27 Public Safety no later than March 1, 2014. The Department of Public Safety may use funds
28 available to contract for services related to this study."; and

29
30 on Page 12, Line 6 by deleting the line; and

31
32 on Page 12, Lines 7, 15, 23, 28, 34, 38, and 48, by deleting "**SECTION 8.**" and substituting
33 "**SECTION 2.**"; and

34
35 on Page 12, Line 46, by deleting "year-round." and substituting "10 months per year."; and

36
37 on Page 12, Line 49 through Page 16, Line 50, by deleting the lines; and

38
39 on Page 17, Line 1, by deleting the line; and

40
41 on Page 17, Line 2-9, by rewriting the lines to read:

42 "**SECTION 3.** This act is effective when it becomes law.".

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**