



Office of the Secretary

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November 27, 2018

Honorable Co-Chairs Boles, Davis, and Randleman
Joint Legislative Oversight Committee on Justice and Public Safety

Honorable Co-Chairs Jordan and Wells
Joint Legislative Administrative Procedure Oversight Committee

Re: HB379

Dear Honorable Chairpersons,

Session Law 2018-69 (HB 379) provides that “[a]ll State agencies ... that have the power to define conduct as a crime in the North Carolina Administrative Code shall create a list of all crimes defined by the agency ... that are in effect or pending implementation. Each agency ... shall submit the list to the Joint Legislative Administrative Procedure Oversight Committee and the Joint Legislative Oversight Committee on Justice and Public Safety no later than December 1, 2018.”

The North Carolina State Bar is a state agency, but the State Bar is not empowered to define conduct as a crime, nor is there a crime defined in the State Bar’s Administrative Code. The legislature has defined the unauthorized practice of law to be a crime, but that definition resides in Chapter 84 of the North Carolina General Statutes.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to be "PB", with a long horizontal flourish extending to the right.

Peter Bolac
Assistant Executive Director
Legislative Liaison
North Carolina State Bar