

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 27

Short Title: In-Service Training/Magistrates. (Public)

Sponsors: Representative Clampitt.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 3, if favorable, Rules, Calendar, and Operations of the House

February 1, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO ENSURE THAT ALL MAGISTRATES RECEIVE THE EDUCATION
3 NECESSARY TO PERFORM THEIR JOBS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 7A-171.2(c) reads as rewritten:

6 "(c) In order to be eligible for renomination as a magistrate an individual shall have
7 successfully completed the ~~course~~ courses of basic training and annual in-service training for
8 magistrates prescribed by G.S. 7A-177."

9 **SECTION 2.** G.S. 7A-177 reads as rewritten:

10 **"§ 7A-177. Training course in duties of magistrate.**

11 ...

12 ~~(b) In addition to the basic training course required under subsection (a) of this section,~~
13 ~~continuing education courses shall be provided at such times and locations as necessary to assure~~
14 ~~that they are conveniently available to all magistrates without extensive travel to other parts of~~
15 ~~the State.~~

16 (b1) Except for the calendar year in which a magistrate completes the course of basic
17 training referenced in subsection (a) of this section, every magistrate shall annually and
18 satisfactorily complete a course of in-service training consisting of at least 12 hours in the civil
19 and criminal duties of a magistrate, including, but not limited to, the following subjects:

20 (1) Setting conditions of pretrial release.

21 (2) Impaired driving laws.

22 (3) Issuing criminal processes.

23 (4) Issuing search warrants.

24 (5) Technology.

25 The Administrative Office of the Courts is authorized to conduct the training required by this
26 subsection or contract with the School of Government at the University of North Carolina at
27 Chapel Hill or with any other qualified educational organization to conduct this training. The
28 training may be conducted in person or online. The Administrative Office of the Courts shall
29 adopt policies for the implementation of this subsection."

30 **SECTION 3.** This act becomes effective January 1, 2022.

