

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 1925

Short Title: Law Officer Record Clandestine Drug Labs.

(Public)

Sponsors: Senator Tillman.

Referred to: Rules and Operations of the Senate.

May 25, 2006

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT A LAW ENFORCEMENT OFFICER WHO IS
3 NOTIFIED BY THE SBI OF THE EXISTENCE OF A CLANDESTINE DRUG
4 LABORATORY RECORD THAT NOTICE IN THE OFFICE OF THE REGISTER
5 OF DEEDS.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. Chapter 90 of the General Statutes is amended by adding a
8 new Article to read:

9 "Article 5 E.

10 "Clandestine Drug Labs.

11 "**§ 90-113.65. Law enforcement officer must file notice of clandestine drug lab.**

12 (a) The following definitions apply in this section:

13 (1) Law enforcement officer. – The sheriff, chief of police, or other law
14 enforcement officer or the representative of the sheriff, chief of police,
15 or other law enforcement officer.

16 (2) Responsible party. – The property owner, lessee, operator, or other
17 person in control of the property who has knowledge that the property
18 has been used for a clandestine drug lab.

19 (3) SBI. – State Bureau of Investigation.

20 (b) When the SBI responds to a report of a possible clandestine drug lab and
21 determines the existence and location of the lab, the SBI Clandestine Laboratory
22 Response Team shall post a warning at the lab site and shall also generate letters to the
23 property owner, the county health director, and appropriate law enforcement officer
24 advising them that a clandestine drug lab was discovered at that location. Upon receipt
25 of the notice, the law enforcement officer shall file in the office of the register of deeds
26 a copy of the letter and a written notice signed by the law enforcement officer advising
27 the public that a clandestine drug lab was discovered on the property. The register of
28 deeds shall record the letter and signed notice and index it in the grantor index under the
29 names of the owners of the property. No recording fee shall be charged.

1 (c) When the local health department determines that the property has been
2 decontaminated pursuant to the rules adopted under G.S. 130A-284, the county health
3 director shall notify the responsible party and the appropriate law enforcement officer
4 that the decontamination process is complete. The responsible party may file a copy of
5 the decontamination notice received from the local health department with the office of
6 the register of deeds. The register of deeds shall record the notice of decontamination
7 and index it in the grantor index under the names of the owners of the property. The
8 register of deeds may charge a filing fee under G.S. 161-10."

9 **SECTION 2.** This act becomes effective July 1, 2006.