

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE DRS35041-LHf-57 (01/29)

Short Title: Law Officer Record Clandestine Drug Labs. (Public)

Sponsors: Senator Tillman.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT A LAW ENFORCEMENT OFFICER WHO IS NOTIFIED BY THE SBI OF THE EXISTENCE OF A CLANDESTINE DRUG LABORATORY RECORD THAT NOTICE IN THE OFFICE OF THE REGISTER OF DEEDS.

The General Assembly of North Carolina enacts:

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

"Article 5E.

"Clandestine Drug Labs.

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

(a) The following definitions apply in this section:

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

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

(3) SBI. – State Bureau of Investigation.

(b) When the SBI responds to a report of a possible clandestine drug lab and determines the existence and location of the lab, the SBI Clandestine Laboratory Response Team shall post a warning at the lab site and shall also generate letters to the property owner, the county health director, and appropriate law enforcement officer advising them that a clandestine drug lab was discovered at that location. Upon receipt of the notice, the law enforcement officer shall file in the office of the register of deeds a copy of the letter and a written notice signed by the law enforcement officer advising the public that a clandestine drug lab was discovered on the property. The register of

1 deeds shall record the letter and signed notice and index it in the grantor index under the
2 names of the owners of the property. No recording fee shall be charged.

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

11 **SECTION 2.** This act becomes effective July 1, 2007.