

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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Phone 919.733.2484 ~ Fax 919.715.3464 ~ www.dailybulletin.unc.edu

House Legislative Day 50

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SUMMARIES OF BILLS FILED

Public Bills

HOUSE BILLS

H 867. [REPEAL REMOTE RETAILER CLICK-THROUGH](#) (=S 715). Filed 4/20/11. *TO REPEAL THE CLICK-THROUGH PROVISION AND TO ELIMINATE A REMOTE RETAILER'S OBLIGATION TO COLLECT SALES TAX BASED ON AFFILIATE CONTRACTS WITH NORTH CAROLINA RESIDENTS.*

Identical to S 715, filed 4/19/11.

Intro. by Starnes.

GS 105

Taxation

H 868. [APPOINTMENT OF COUNSEL FUNDS](#). Filed 4/20/11. *TO APPROPRIATE FUNDS TO INCREASE ACCESS TO COUNSEL IN CIVIL CASES.*

Appropriates \$150,000 from the General Fund to the NC State Bar for the 2010-11 fiscal year to provide \$50,000 grants to three judicial districts to establish a Provision of Counsel Committee in each district. Tasks each committee with determining to what extent counsel is needed in civil cases affecting basic human needs and the most efficient and effective method for doing so. Provides that each committee will consist of at least seven members, including the senior resident superior court judge, the chief district judge, and other specified members

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appointed by the senior resident superior court judge in consultation with the chief district court judge. Requires each committee to report to the General Assembly no later than April 1, 2012. Effective July 1, 2011.

Intro. by M. Alexander.

APPROP

Budget and Appropriations; Civil
Law and Procedure

H 869. AURORA FOSSIL MUSEUM SPECIAL PLATE. Filed 4/20/11. *TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE AURORA FOSSIL MUSEUM.*

Amends GS 20-81.12(b2) to authorize the issuance of a special license plate for the Aurora Fossil Museum in Aurora (Beaufort County), and provides that revenues derived from the special plate will be used for educational programs, enhancing collections, and ongoing operating expenses of the museum. Issuance of the plate is contingent on receipt of at least 300 applications for the plate. Makes conforming changes. Effective July 1, 2011.

Intro. by Cook.

GS 20

Transportation

SENATE BILLS

S 658. 21ST CENTURY TAX MODERNIZATION PLAN. Filed 4/19/11. *TO PROMOTE ECONOMIC DEVELOPMENT IN NORTH CAROLINA BY ESTABLISHING A SOUND STATE TAX STRUCTURE THAT REVISES THE EXISTING STRUCTURE ON A REVENUE-NEUTRAL BASIS, LOWERS ALL MAJOR TAX RATES, AND MAKES THE STRUCTURE SIMPLER, FAIRER, AND CONSISTENT WITH THE MODERN ECONOMY, AS RECOMMENDED BY PAST TAX STUDIES.*

Revises the existing state tax structure as the title indicates.

General Findings and Purpose. Notes general findings of the General Assembly including the finding that North Carolina's current tax structure has not been comprehensively revised since the Great Depression. Makes additional findings as to the basis for revising the current tax structure. Declares that the general purpose of this legislation is to promote economic development by adopting the comprehensive tax reform recommendations from numerous study committees with the tasks of developing a 21st Century tax policy for the state. Lists the objectives that will be achieved with the modernization of the tax structure.

Personal Tax Changes. Effective for taxable years beginning on or after January 1, 2012. Indicates specific findings and purpose supporting changes to the state's individual income tax system. Provides that it is the intent of Part II of this act, *Personal Tax Changes*, to promote economic development by establishing a broader individual income tax base and lowering individual income tax rates.

Recodifies the following statutes as indicated:

<u>Current Statute</u>	<u>Recodified Statute</u>
GS 105-133	GS 105-153.1
GS 105-134	GS 105-153.2
GS 105-134.1	GS 105-153.3
GS 105-134.5	GS 105-153.4
GS 105-151	GS 105-153.8
GS 105-152	GS 105-153.7
GS 105-151.11	GS 105-153.10
GS 105-151.29	GS 105-153.12
GS 105-151.31	GS 105-153.9

Repeals the following statutes: GS 105-134.2 through GS 105-134.4, GS 105-134.6 through GS 105-134.8, GS 105-151.1, GS 105-151.12 through GS 105-151.14, GS 105-151.18, GS 105-151.20, GS 105-151.21, GS 105-151.24 through GS 105-151.26, GS 105-151.28, and GS 105-151.32.

Amends the definitions listed in GS 105-134.1, recodified in this act as GS 105-153.3, to add a definition for *adjusted gross income*, as defined in section 62 of the Internal Revenue Code (Code, defined in GS 105-228.90). Deletes definitions for *educational institutions*, *retirement benefits*, *taxable income*, and *this state*. Makes technical and conforming changes.

Amends GS 105-134.5, recodified by this act as GS 105-153.4, to make conforming changes reflecting the deletion of GS 105-134.6 and 105-134.7 in this act and identifying *North Carolina taxable income* as meaning adjusted gross income (AGI) as modified in GS 105-153.5. Adds provision that a taxpayer must compute North Carolina taxable income based on the taxable year used in computing the taxpayer's income tax liability under the Code. Makes technical changes.

Amends Part 2 of GS Chapter 105, Article 4. Adds new GS 105-153.5 regarding modifications to AGI. Specifies required deductions and additions that a taxpayer must apply in calculating North Carolina taxable

income. Adds new GS 105-153.6 to provide for imposing an individual income tax for each taxable year on the North Carolina taxable income of an individual. Indicates the tax rate brackets for computing the percentages of the taxpayer's North Carolina taxable income. Provides that for taxable years beginning on or after January 1, 2013, the *over* and *up to* rate bracket minimum and maximum as set out in subsection (a) of proposed GS 105-153.6 and that are a dollar amount above zero are to be indexed for the taxable year in accordance with the cost-of-living adjustment used under section 1 of the Code to index federal rate brackets for that taxable year. Directs the Secretary of Revenue to publish the rate brackets set under this subsection. Also provides that the Secretary may provide tables to compute the amount of tax due for a taxable year under this Part.

Amends GS 105-152, recodified in this act as GS 105-153.7, regarding who must file an income tax return. Requires every resident whose North Carolina taxable income is more than the amount subject to the zero tax rate under GS 105-153.6 to file a return (was, every resident required to file an income tax return under the Code). Adds requirement that every nonresident individual receiving gross income during the taxable year derived from gambling activities in this state must file an income tax return. Makes additional technical and conforming changes. Amends: (1) GS 105-151, recodified in this act as GS 105-153.8 (tax credits for income taxes paid to other states by individuals); (2) GS 105-151.31, recodified in this act as GS 105-153.9 (earned income tax credit); and (3) GS 105-151.11, recodified in this act as GS 105-153.10 (credit for child care and certain employment-related expenses) to make technical and conforming changes. Amends subsection (c) of GS 105-153.10 to delete prohibition that there is no credit allowed under this section for the amount deducted from gross income in calculating taxable income under the Code.

Enacts new GS 105-153.11 (other tax credits) to provide the following tax credits: (1) allows a taxpayer eligible for the federal child tax credit under section 24 of the Code to take a credit against the tax imposed under Part 2 of GS Chapter 105, Article 4; (2) allows a tax credit for charitable contributions; (3) permits a tax credit for mortgage interest; and (4) allows a tax credit for medical expenses. Provides criteria for taking the specified credits and sets limitations on the amount of credit that may be taken.

Makes conforming changes to GS 105-154(d) (payment of tax on behalf of nonresident owner or partner), and GS 105-159 (federal corrections). Provides that despite the provisions of GS 105-163.15, no addition to tax may be made under that statute for a taxable year beginning on or after January 1, 2012, and before January 1, 2013, with regards to any underpayment of individual income tax to the extent that the underpayment was created or increased by this section.

Makes conforming changes to GS 105-160.2 and 105-160.3 regarding the taxable income of estates and trusts; and to GS 105-163.1 and 105-163.22 regarding withholding tax.

Effective January 1, 2012, makes additional conforming changes to GS 105-259(b), 105-277.3(d1), 105-309(d), 110-130.1(a), 113-77.9(d), 113A-231, 113A-232, 113A-233, and repeals GS 105-320(a)(16) and 113A-256(g).

Sales and Use Tax Changes. Except as otherwise provided, effective October 1, 2013. Provides specific findings by the General Assembly analyzing the state's retail sales and use tax. Provides that the intent of this Part is to establish a broader sales and use tax base and to lower the state general sales tax rate in order to promote economic development in the state. Makes substantial organizational changes to GS 105-164.4. Amends GS 105-164.4 to lower the state general sales tax rate from 4.75% to 4%, effective October 1, 2013, and to 3.5% effective October 1, 2014. Provides that the motor vehicle tax rate imposed under GS 105-187.3 applies to a retailer's net taxable sales of an aircraft or a boat, inclusive of all attached accessories and caps the tax at \$1,500 per article. Treats the sale of a manufactured or a modular home as if it were the sale of real property. Provides that a privilege tax is imposed on a retailer at the previously indicated percentage rates of the retailer's net taxable sales of tangible personal property, digital property, and services (was, retailer's net taxable sales or gross receipts, as appropriate). Identifies exemptions for tangible personal property, digital property, and services that are specifically exempted from the retail sales and use tax imposed under Article 5 of GS Chapter 105.

Repeals the following statutes: GS 106-507, GS 106-516 through GS 106-520, and GS 140-10.1.

Also expands the sales and use tax base by (1) including items commonly taxed in other states (including specified services), (2) including amusements as well as other entertainments currently subject to the privilege license tax, and (3) eliminating special interest exemptions.

Repeals GS 105-37.1, 105-38.1, and 105-40, referencing various provisions dealing with the privilege tax on entertainment. Organizes the provisions regarding accommodation rentals into new GS 105-164.4E. Eliminates the machinery and equipment tax.

Amends GS 105-164.13 to make changes and additions concerning commercial logging; sales to phone, radio, or television companies; sales to cable providers; sales to recycling facilities; and sales of specified mill machinery that is capital equipment; and sales of capital equipment. Enacts new GS 105-164.13E to provide an exemption for sales and use taxes paid by a datacenter that meets specified requirements. Provides that this

section expires for sales occurring on or after July 1, 2015. Repeals Article 5F of GS Chapter 105 and GS 105-164.13(5a).

Repeals GS 105-164.9 and makes conforming changes to GS 105-164.10, effective when the act becomes law. Also makes conforming changes to GS 105-164.44F and 105-164.44I effective October 1, 2013, regarding the percentages of the net proceeds of quarterly taxes collected to be distributed by the Secretary and amends those percentages again effective October 1, 2014.

Business Tax Changes. Provides specific findings by the General Assembly analyzing the state's corporate income and franchise tax. Provides that the intent of this Part is to promote economic development in the state by establishing a broader business tax base and lowering business tax rates. Amends GS 105-130.3 to phase down the corporate income tax (a percentage of the taxpayer's state net income) to 4% in 2013, to 3% in 2014, to 2% in 2015, and 1% in 2016. Repeals Part 1 of GS Chapter 105, Article 4, effective January 1, 2017. Adds new subdivision (2a) to GS 105-130.5(a) to provide that the portion of a financial institution's interest expense that is allocable to interest income exempt from taxation under Part 1 of GS 105, Article 4, is an addition to federal income to be used in determining state net income, effective January 1, 2013.

Amends GS 105-130.7A to include interest expense and royalty income reporting options (was, royalty income). Amends subsection (b) of this statute to add a definition for *interest expense*, effective for taxable years beginning on or after January 1, 2013.

Effective for taxable years beginning on or after January 1, 2014. Repeals GS 105-114, 105-114.1, 105-121.1, 105-122, 105-122.1, 105-125, and 105-127 through 105-129. Rewrites the title of Article 3 of GS Chapter 105 as *Business Privilege Tax* (was, Franchise Tax), replacing the franchise tax with a business privilege tax that includes all limited liability entities. Adds new section to Article 3 of GS Chapter 105. Identifies definitions as they apply in the Article. Provides that Article 3 as amended in this act imposes a privilege tax on a business entity for the privilege of doing business in this state in an organizational form that confers limited liability on one or more owners of the business entity. Imposes a business privilege tax on a business entity doing business in this state at the rate of \$1.50 per \$1,000 of the higher of the entity's adjusted net worth tax base, determined according to GS 105-114.5 and the entity's investment tax base, determined according to GS 105-114.6. Prohibits the tax payable by the business entity from being less than \$200 and provides that the tax paid by a holding company may not exceed \$75,000. Provides that the tax imposed by this section does not apply to a company subject to tax under GS 105-116 unless the tax imposed under that section is less than the tax imposed under this section. Provides that the business entity is not subject to the tax under this section at the end of the taxable year in which the entity is dissolved unless the Secretary finds that the business entity has engaged in business activities in the state that are not appropriate to winding up and liquidating its business. Provides guidelines regarding the adjusted net worth tax base of a business entity and its investment tax base. Provides for exclusions in calculating a business entity's tax liability; and provides for the determination of ownership after certain transfers by corporations and receipt of tax-free contribution of assets and the making of a tax-free distribution of assets involving a noncorporate business entity. Also addresses (1) apportionment by multistate business entities, (2) timing for submitting a return and payment of any tax imposed, (3) imposing an annual privilege tax on a seller who is not registered as a retailer and reported gross sales of at least \$5 million on the seller's most recent federal income tax return, and (4) business entities that are exempt from the privilege tax imposed by this Article.

Eliminates business tax credits. Repeals GS 105-129.16H effective for taxable years beginning on or after January 1, 2013. Moves the sunset date for the following provisions to January 1, 2013 (was, January 1, 2014): (1) Article 3D, Historic Rehabilitation Tax Credit, of GS Chapter 105; (2) Article 3H, Mill Rehabilitation Tax Credit; and (3) Credit for North Carolina State Ports Authority wharfage, handling, and throughput charges (GS 105-130.41 and 105-151.22). Repeals the following statutes effective for taxable years beginning on or after January 1, 2012: GS 105-130.22, 105-130.34, 105-130.36, 105-130.37, and 105-130.44.

Effective January 1, 2014, repeals Article 2 of GS Chapter 105, eliminating the state privilege license tax. Repeal of Article 2 applies to taxes payable under GS 105-41, 105-88, or 105-102.3 for taxable years beginning on or after July 1, 2014, and for taxes imposed under GS 105-102.6, applies to taxes imposed for calendar years beginning on or after January 1, 2013. Applies to obligations dealt in, bought, or discounted on or after January 1, 2014, for taxes payable under GS 105-83. Makes conforming changes, repealing GS 93-12(12), and GS 105-259(b)(4) to delete provisions referencing application of the state privilege license tax.

Makes technical and stylistic changes to the definitions that apply in Article 15, *North Carolina Consumer Finance Act*, of GS Chapter 53. Also adds a definition for *installment paper dealer* to mean a person who buys or discounts notes or other evidence of debt that is secured at the time the debt is incurred by personal property located in this state. Amends the definition for *person* to include an individual and a limited liability company (was, any person, a firm, a partnership, association, or corporation).

Amends GS 53-172(a) to provide that the business of making loans includes acting as an installment paper dealer and collecting a loan made by government regulated lender (was, acting as an installment paper dealer

and collecting a loan made by government regulated lender were not considered as being any other business within the meaning of this section). Makes conforming changes to GS 53-191.

Amends GS 95-47.2(d)(3)c to provide that a license for the operation of a private personnel service be denied if the employment service will be operated on the same premises as a (1) loan business that takes as security for repayment of the loans an assignment or wages or any other type of security; (2) a check cashing business regulated under Article 22 of GS Chapter 53; (3) a pawnbroker business regulated under GS Chapter 91A; or (4) a collection agency, as defined in GS 58-70-15.

Modifies the definition for *bank holding company* in GS 105-130.6A to mean a holding company with an affiliate that is engaged in the business of banking (was, that is subject to the privilege tax on banks).

Amends GS 16A-211(c) to prohibit a city from imposing a license, franchise, or privilege tax on a person engaged in an activity that was formally taxed by the state under the following repealed statutes: GS 105-41, attorneys at law and other professionals; GS 105-83, installment paper dealers; and GS 105-102.3, banks.

Effective January 1, 2014, amends GS 55-1-22 to eliminate filing fees for filing paper and electronic annual reports with the Secretary of State (Secretary). Amends GS 55-16-22 to clarify the annual reporting requirements, providing that the following businesses must file an annual report with the Secretary in the manner required by the Secretary: (1) a corporation that is incorporated under GS Chapter 55, (2) a corporation with a certificate of authority under GS Chapter 55 authorizing the corporation to transact business in this state, and (3) a company that is an insurance company regulated under GS Chapter 58. Specifies the content that must be in the annual report, sets a reporting due date, and identifies when an annual report is considered delinquent. Provides guidelines for dealing with an incomplete report. Makes numerous conforming changes in GS Chapter 105 to replace references to *franchise tax* with *privilege tax*, and references to *franchise or privilege tax* with *privilege tax*.

Effective January 1, 2013, amends GS 105-129.50 to add definitions for *development tier* and *establishments*. Amends the definition for *related person* to conform with the relationships set forth in 276(b) or 707(b) of the Code. Amends the eligibility requirements for the credit allowed a taxpayer under Article 3F, *Technology Development*, of GS Chapter 105. Repeals Article 3F for taxable years beginning on or after January 1, 2014. Amends GS 105-230 to provide that a business entity's right to do business may be suspended for noncompliance (was, charter suspended for failure to file a report). Also amends GS 105-232 providing the procedure for a business entity's authority to do business to be reinstated after a suspension for noncompliance. Adds a new GS 143B-437.08A regarding wage, health insurance and other standards applicable to economic development incentives. Modifies definitions in GS 143B-437.01(a1). Repeals GS 105-130.9(4); 105-259(b)(24), (37), and (38); and 105-269.13.

Balance State and Local Revenues. Provides specific findings by the General Assembly regarding shared taxes and revenues between the state and its local governments. Provides that the purpose of this Part is to reduce and simplify the commingling of revenues as much as practical and to provide better accountability and understanding for citizens by distinguishing state sources of revenue from local revenue sources.

Effective October 1, 2013. Repeals GS 105 -164.4(c)(3) as enacted by this act (provides that combined rate of tax applies to a retailer's net taxable sales of spirituous liquor other than mixed beverages. Adds new subsection (b) to GS 105-486 to provide that the net proceeds from sales of spirituous liquor cannot be allocated on a per capita basis; instead, requires the Secretary of Revenue to allocate these proceeds to the county from which the proceeds were collected, or if liquor sales are not authorized throughout the county to which the proceeds are allocated, the Secretary must distribute the proceeds on the basis of population only among the cities in that county in which the sale of liquor is authorized. Repeals GS 105-486(b).

Repeals GS 105-113.82, 115C-546.1, and 105-521. Makes technical changes to GS 108A-93 effective July 1, 2014.

Eliminates imposing local privilege license taxes on businesses by counties and cities. Prohibits a city or county from levying a privilege tax on a trade, occupation, profession, business, or franchise carried on within a city or a county unless authorized by the General Assembly to do so. Repeals GS 105-113.68(a)(6), 105-113.69, 105-113.70, 105-113.71, and Part 3 of Article 2C of GS Chapter 105.

Effective July 1, 2014, makes conforming changes to GS 153A-134 and 160A-194. Amends GS 153A-156 (counties) and 160A-215.1 (cities) to provide that motor vehicles subject to gross receipts tax are exempt from property tax under GS 105-275.

Account for Tax Expenditures in Budget. Notes the General Assembly's specific findings that a tax expenditure and an appropriation have the same effect on state funds but only appropriations are subject to annual review. States its finding that every tax expenditure should also be subject to regular review. Amends GS 143C-5-3 to require that the budget availability statement include tax expenditures and show the anticipated tax revenues that the state's tax structure would generate if not for the tax expenditures included in the tax structure.

Provides for omitting an estimate for a tax expenditure if neither the Department of Revenue nor the Fiscal research Division can provide an estimate for a tax expenditure.

Transitional Provisions and Effective Date. Directs the Revenue Laws Study Committee (Committee) to study the fiscal impact of the changes proposed by this act and to recommend any needed adjustments to the General Assembly. Specifies areas and issues that the Committee must address. Provides that this act does not affect the rights or liabilities of the state, a taxpayer, or another person that arise under a statute amended or repealed by this act before the effective date of the amendment or repeal of the statute. Additionally provides that the amendment or repeal of a statute does not affect the right to any refund or credit of a tax that accrued under the amended or repealed statute before the effective date of its amendment or repeal.

Except as otherwise indicated, this act is effective when it becomes law.

Intro. by Clodfelter, Jenkins. GS 16A, 53, 55, 57C, 59, 95, 105, Taxation; Local Government
108A, 110, 113, 113A, 115C,
143B, 143C, 153A, 160A

S 692. WORKERS' COMPENSATION ACT AMENDMENTS. Filed 4/19/11. *AMENDING THE WORKERS' COMPENSATION ACT.*

Amends the definition of injury in GS 97-2(6) to treat injuries to the extremities of the body like injuries to the back for the purposes of construing an "injury by accident." Adds new GS 97-2(22) to define "suitable employment" as rehabilitative employment that exists within the competitive job market that is procured for an employee prior to or after he or she reaches maximum medical improvement that offers an opportunity to restore the employee as soon as possible to pre-injury wage. Defines "rehabilitative employment" in GS 97-2(23) as employment not available in the competitive marketplace but nonetheless necessary to return an injured worker to suitable employment after he or she reaches maximum medical improvement.

Amends GS 97-18(e) to provide that an employee may, at any time where liability has previously been established, request modification or reinstatement of compensation, and that requests that are challenged by the employer or insurer shall be heard by the Industrial Commission on an expedited basis.

Adds new subsection GS 97-18.1(f) to set out a procedure for an expedited hearing for termination or suspension of compensation. Provides in new subsections GS 97-18.1(g) and (h) that the deputy commissioner's decision approving or disapproving the employer's application to terminate compensation must be rendered within five days of the hearing, and that the employer may only terminate or suspend compensation if its application is approved.

Amends GS 97-25 to provide that medical compensation to an employee must be provided by the employer or insurer (was, employer). Further provides that in order to change health care providers or select a provider of their own choosing, employees must show by a preponderance of the evidence that the selected provider is reasonably intended or required to effect a cure, give relief, or lessen the period of disability.

Adds new subsection GS 97-25.6(b) to set out the procedures through which an employer or insurer may communicate with an employee's authorized health care provider in cases of accepted compensability where the employee has chosen his or her own provider.

Adds new section GS 97-25.7 to require employers or insurers to provide vocational rehabilitation services in cases where an employee has not returned to employment paying the same or greater wages.

Raises the limit on compensation for loss of or permanent injury to any important external or internal organ or part of the body in GS 97-31(24) to \$50,000 (was, \$20,000).

Amends GS 97-32 to provide that orders suspending an employee's compensation based on an unjustified refusal to return to suitable employment must specify what actions the employee should take to end the suspension, and to further provide that those actions, if taken, will automatically result in reinstatement of the employee's compensation.

Adds new subsection GS 97-32.1(b) to provide for reinstatement of compensation for certain employees who return to rehabilitative or other employment prior to reaching maximum medical improvement.

Amends GS 97-53 to make changes to the rules for determining eligibility for compensation for compensable hearing loss, and adds new subdivision (30) covering myocardial infarction and other heart-related maladies of certain firefighters.

Adds new section GS 97-78.1 applying the standards of judicial conduct for judges to commissioners and deputy commissioners of the Industrial Commission. Amends GS 135-51 to allow a judicial retirement for commissioners and deputy commissioners serving on or after July 1, 2011, and makes conforming changes throughout GS Chapter 135. Adds new subsection GS 135-58(a7) to set out the formulae for calculating the retirement allowance for certain members who retire on or after July 1, 2011, after turning 65 or after completing 24 years or more of creditable service.

Transfers the Fraud Unit operating within the Industrial Commission to the Department of Insurance, with the Fraud Unit intact and with management functions to be performed under the direction of the Commissioner of Insurance.

Effective when it becomes law, except for the transfer of the Industrial Commission Fraud Unit, which is effective July 1, 2011.

Intro. by D. Berger, Daniel.

GS 97, 135

Employment and Retirement

S 709. ENERGY JOBS ACT. Filed 4/19/11. *TO INCREASE ENERGY PRODUCTION IN NORTH CAROLINA TO DEVELOP A SECURE, STABLE, AND PREDICTABLE ENERGY SUPPLY TO FACILITATE ECONOMIC GROWTH, JOB CREATION, AND EXPANSION OF BUSINESS AND INDUSTRY OPPORTUNITIES AND TO ASSIGN FUTURE REVENUE FROM ENERGY EXPLORATION, DEVELOPMENT, AND PRODUCTION OF ENERGY RESOURCES IN ORDER TO PROTECT AND PRESERVE THE STATE'S NATURAL RESOURCES, CULTURAL HERITAGE, AND QUALITY OF LIFE.*

Includes whereas clauses regarding offshore energy exploration. Appropriates any revenues and royalties paid to the state from offshore or onshore leasing, exploration, development, and production of energy resources as follows: (1) 25% to the General Fund, (2) 20% to the Highway Trust Fund, (3) 15% to the Community Colleges System Office, (4) 15% to the UNC Board of Governors, (5) 15% to the Department of Environment and Natural Resources (DENR), (6) 5% to the State Port Authority, and (7) 5% to the Department of Commerce.

Directs the Governor to contract with South Carolina and Virginia to increase exploration and production of domestic offshore energy resources, and to include four listed provisions in the agreement. Requires the Governor to report to the General Assembly before December 1, 2011, and at least every three months thereafter on progress and correspondence with the other states.

Directs DENR, with the Energy Jobs Council, to report to the Governor, General Assembly, and Joint Regulatory Reform Committee by May 1, 2012, on the commercial potential of onshore shale gas resources in the state and any necessary regulatory framework. Requires DENR to review all relevant state and federal laws and regulations, existing laws in other states, and to include four specified actions in the report.

Rewrites the title of GS Chapter 113B as *North Carolina Energy Policy and Jobs Act*. Amends GS 113B-1 to delete several legislative findings regarding energy conservation and include additional findings regarding domestic energy resources. Amends GS 113B-2, stating that the Energy Jobs Council (currently, the Energy Policy Council), located in the Department of Commerce, advises and makes recommendations to increase domestic energy exploration, development, and production in the state and region to promote economic growth and job creation. Makes conforming changes throughout GS Chapter 113B. Clarifies that the Energy Jobs Council (Council) and the State Energy Office will serve as central energy policy planning bodies. Makes conforming changes. Amends GS 113B-3, providing that the Council will consist of 9 members (rather than 16 members in the Energy Policy Council) as follows: the Secretary of Commerce and eight public members, appointed as specified. Requires that appointments be made by October 1, 2011, with all appointed members serving four-year terms. Makes additional conforming changes. Amends GS 113B-4, declaring the Secretary of Commerce as chair of the Council. Makes other conforming changes.

Amends GS 113B-6, providing that the Council's goal is to identify and utilize all domestic energy resources to ensure a stable energy supply and to protect the economy, promote job creation, and expand business opportunities while protecting natural resources, cultural heritage, and quality of life. Directs the Council to share duties with the State Energy Office as appropriate, and authorizes the Secretary of Commerce to delegate duties to the Council or the State Energy Office. Clarifies the four listed duties of the Council. Amends GS 113B-7, 113B-8, and 113B-9 to replace all references to the Energy Policy Council with references to the State Energy Office. Makes additional conforming changes to add the State Energy Office to various provisions of GS Chapter 113B. Amends GS 113B-12 (annual reports), requiring the State Energy Office, with the Council, to provide a comprehensive report on energy conditions in NC to specified parties every two years (rather than every year). Amends GS 113B-21(a), clarifying that a Legislative Committee on Energy Crisis Management will be created, with membership as detailed, upon the declaration of an energy crisis by the Governor.

Makes conforming changes to GS 114-4.2D, 143-58.5(c), and 143-345.13, replacing Energy Policy Council with Energy Jobs Council. Directs the Revisor of Statutes to make additional conforming changes, as necessary. Terminates the memberships of all members serving on the Energy Policy Council on the date the act becomes law. Directs the Secretary of State to provide copies of the ratified bill to the NC members of the U.S. Congress.

Intro. by Rucho, Brown, Tucker.

GS 113B, 114, 143

Energy and Utilities; Community and Economic Development

S 723. STRENGTHEN CONTROLLED SUB. REPORTING SYSTEM. Filed 4/19/11. *TO STRENGTHEN THE CONTROLLED SUBSTANCES REPORTING SYSTEM BY REQUIRING THE DEPARTMENT OF HEALTH AND*

HUMAN SERVICES TO UPDATE THE SYSTEM TO PROVIDE REAL-TIME PRESCRIPTION INFORMATION, BY REQUIRING DISPENSERS TO REPORT PRESCRIPTION INFORMATION WITHIN TWENTY-FOUR HOURS AFTER DISPENSING A PRESCRIPTION, AND BY REQUIRING PRESCRIBERS AND DISPENSERS TO REVIEW INFORMATION IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM PRIOR TO PRESCRIBING OR DISPENSING A CONTROLLED SUBSTANCE TO A PATIENT.

Amends GS 90-113.73 to require the NC Department of Health and Human Services (DHHS) to maintain an electronic reporting system that provides real-time prescription information for all Schedule II through Schedule V controlled substances (current law does not require the reporting system to be electronic or that the information be provided in real-time). Further amends this statute requiring the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services to adopt rules requiring dispensers to report information currently required under GS 90-113.73(b) within twenty-four hours after dispensing a prescription for a Schedule II through Schedule V controlled substance (current law does not require reporting within twenty-four hours). Amends Article 5E of GS Chapter 90 (the North Carolina Controlled Substances Act) to add a new GS 90-113.74A requiring that all dispensers and providers review all information in the DHHS controlled substances reporting system pertaining to a patient for the preceding 12-month period prior to prescribing or dispensing a controlled substance to that patient to determine if the prescription is medically necessary and appropriate (emergency situations in which immediate action necessary to preserve the life or health of a patient are exempt from this requirement). Effective December 1, 2011.

Intro. by Hise.

GS 90

Health, Social Services, and Aging

S 724. AN ACT TO IMPROVE PUBLIC EDUCATION. Filed 4/19/11. *TO IMPLEMENT VARIOUS EDUCATION REFORMS.*

Makes three amendments to existing public education law, states two uncodified goals of the General Assembly relating to public education, and directs the State Board of Education to conduct a study of high school graduation requirements. Specific provisions are as follows:

Amends GS 115C-296(b) to increase requirements for teacher preparation programs by requiring the State Board of Education (SBOE), in consultation with the UNC Board of Governors, to (1) increase the credit requirements and number of years required to complete a teacher preparation program, (2) require elementary education students to complete courses in teaching reading and mathematics that align with the SBOE's approach for teaching these subjects, and (3) require that all education students receive training in educational technology tools that measure and predict expected student improvement.

Amends GS 115C-205.27(a) to require school improvement teams to use the Education Value Added Assessment System (EVAAS) or a comparable system approved by the SBOE to appropriately place students in courses such as Algebra I (current law does not specifically reference student placement in courses such as Algebra I).

Amends GS 115C-105.41 to require local boards of education to adopt and implement plans to successfully transition at-risk students from elementary to middle school and from middle to high school.

States an uncodified goal of the General Assembly to phase in longer school days and extended school calendars in the 25 high schools identified by the SBOE as having the highest dropout rates in the state (charter schools and alternative schools would be exempt). Extended school days and longer school calendar requirements would also apply to those elementary and middle schools that move students into the 25 high schools with the highest dropout rate. Extended days and calendar would be implemented for the 2013-14 school year subject to available funding.

States an uncodified goal of the General Assembly to provide preschool programs to all at-risk children.

Directs the SBOE to reconsider high school graduation requirements for students who do not plan to continue education beyond high school and report study results to the Joint Legislative Education Oversight Committee by March 15, 2012.

Intro. by Stein, Tillman.

GS 115C

Education

S 725. CAMPAIGN FINANCE REFORM. Filed 4/19/11. *TO MAKE CHANGES TO THE CAMPAIGN FINANCE LAW.*

Amends GS Chapter 163 to make various changes to campaign finance laws as follows.

Amends GS 163-277 to repeal immunity from prosecution for persons who testify or produce documents pursuant to an investigation, trial, or other proceeding involving violations of Article 22 of GS Chapter 163 (Corrupt Practices and Other Offenses against the Elective Franchise).

Amends GS 163-278.19B to change the purpose for which allowable contributions may be made to political parties by persons otherwise prohibited from making contributions directly to political candidates by repealing the restriction that such contributions be limited to political party headquarters building funds, and instead allowing

contributions to political parties to be spent for liabilities of the political party. Liabilities of the political party shall not include staff salaries, electioneering communications, independent expenditures, contributions, or get-out-the-vote efforts.

Amends GS 163-278.34 to provide that any candidate for an elective office in the state (excluding federal offices) shall be jointly and severally liable for civil penalties assessed against the candidate's campaign committee by the State Board of Elections if the candidate's campaign committee has no monies with which to pay the civil penalty.

Amends GS 163-278.35 to expand requirements for preservation of campaign expenditure and contribution reports by requiring reports to be preserved for at least two years after the date of the last report filed with the appropriate board of elections (current law requires preservation for at least two years after the date of the election), and further requires that records to be preserved include any underlying documentation upon which the information in the last campaign finance report filed is based.

Repeals GS 163-278.13(e1) imposing a \$1,000 limit on contributions to candidates for superior and district court judge; effect of repeal is to include candidates for superior court judge and district court judge under the \$4,000 contribution limit in GS 163-278.13(a) and (b). Effective January 1, 2012, for elections held on or after that date.

Intro. by Hise, Goolsby.

GS 163

Elections Law

S 726. MULTIPLE BIRTH SIBLING CLASSROOM PLACEMENT (=H 831). Filed 4/19/11. *TO ALLOW PARENTS OR GUARDIANS TO MAKE THE DECISION REGARDING CLASSROOM PLACEMENT FOR MULTIPLE BIRTH SIBLINGS.*

Identical to H 831, filed 4/6/11.

Intro. by Hise.

GS 115C

Education

S 727. NO DUES CHECKOFF FOR SCHOOL EMPLOYEES. Filed 4/19/11. *TO ELIMINATE THE DUES CHECKOFF OPTION FOR ACTIVE AND RETIRED PUBLIC SCHOOL EMPLOYEES.*

Amends GS 143B-426.40A(g) (payroll deduction for payments to certain employees' associations) and GS 135-18.8 (deduction for payments to employees' or retirees' associations) to provide as title indicates. Effective July 1, 2011.

Intro. by Hise.

GS 135, 143B

Education; Employment and Retirement

S 728. MODIFY ABANDONED PROPERTY PROVISIONS. Filed 4/19/11. *TO LIMIT THE SCOPE OF THE REGULATION OF PROPERTY FINDER AGREEMENTS TO ONLY THOSE AGREEMENTS THAT INVOLVE PROPERTY THAT IS PRESUMED ABANDONED.*

Amends GS 116B-78 to clarify that property finder agreements covered by the statute are those whose primary purpose is to locate, deliver, or recover property presumed abandoned. Also clarifies that agreements are void and unenforceable if entered into during the period starting on the date the property was presumed abandoned and extending as specified. Effective October 1, 2011.

Intro. by Hise.

GS 116B

Property, Land Use, and Housing

S 729. TECHNOLOGY TO CATCH UNINSURED MOTORISTS. Filed 4/19/11. *TO ALLOW LAW ENFORCEMENT AGENCIES AND OFFICERS TO USE ADVANCED ELECTRONIC VERIFICATION TECHNOLOGY TO IDENTIFY MOTOR VEHICLES BEING OPERATED ON THE PUBLIC STREETS AND HIGHWAYS AND PUBLIC VEHICULAR AREAS WITHOUT THE REQUIRED FINANCIAL RESPONSIBILITY.*

Includes whereas clauses regarding the risk of uninsured motorists. Enacts new GS 20-309.3, authorizing law enforcement agencies and officers to use electronic verification systems to identify motor vehicles operating on public streets and highways and vehicular areas without the required financial responsibility. Defines an electronic verification system as a mobile or fixed device with an electronically automated camera and sensor, capable of producing photographs of a vehicle violating the financial responsibility laws. Includes additional details on the verification system's standards and allowed use. Permits the Department of Transportation to post signs on state-maintained highways, notifying drivers about electronic verification systems. Makes a violation detected by the verification system a noncriminal violation, with a civil penalty of \$300, but no license points and no insurance points. Directs the Division of Motor Vehicles (DMV) to mail notice to the registered vehicle owner cited for a financial responsibility violation including the vehicle registration number and state; the date, time, and location of the violation; and the process to pay the penalty or contest responsibility for the violation. Specifies that the notice is deemed served five days after mailing. Allows the registered owner to contest responsibility for the violation by sending an affidavit to the DMV within 30 days after receiving the notification stating either (1) the

name and address of the person who had or may have had actual physical control of the vehicle at the time of the violation or (2) a statement that the vehicle was under the control of a person unknown to the owner, without the owner's permission, during the violation, and documentation showing the reported theft or loss. Specifies that the owner waives the right to contest responsibility by failing to pay the penalty or failing to respond within 30 days. Requires an officer to notify the DMV within 48 hours of the citation or arrest if the officer cites or arrests a vehicle owner who is also cited by a verification system for a financial responsibility violation. Directs DMV to establish an administrative hearing process to review challenges, and provides an appeals procedure.

Enacts new GS 20-309.4, making the results of a properly tested and calibrated electronic verification system admissible as prima facie evidence to establish that the vehicle operator failed to carry a policy of financial responsibility. Requires judicial notice of certain rules and procedures in proceedings involving electronic verification systems.

Amends GS 20-311, which specifies action allowed by DMV when the agency is notified of a financial responsibility lapse, to make the penalty amount for all lapses in financial responsibility \$300 (rather than varied amounts based on previous lapses). Clarifies that a revocation based on a failure to carry financial responsibility ends when the owner pays all assessed fines, penalties, and restoration fees, and obtains financial responsibility or transfers the vehicle. Also clarifies that the *minimum* revocation period based on the occurrence of an accident during a lapse of financial responsibility or the knowing operation of a vehicle without financial responsibility is 30 days. Specifies that the revocation period based on failure to respond ends when the owner responds; pays all assessed fines, penalties, and restoration fees; and obtains financial responsibility or transfers the vehicle. Requires the revocation notice to include notification that the owner's license is revoked until the owner complies with all applicable laws. Adds that a person may have his or her license restored after all fines, penalties, and fees have been paid. Makes other conforming changes.

Directs the Department of Crime Control and Public Safety to implement the use of electronic verification systems by January 1, 2012, and to request contract proposals for the technology that include six specified standards.

Specifies that prosecutions for offenses committed before the date the act becomes law are not abated or affected, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

Intro. by Goolsby, Brown, Meredith. GS 20 Transportation

S 730. TAXPAYER ACTION IF NO DOR DETERMINATION. Filed 4/19/11. *TO PROVIDE THAT FAILURE BY THE DEPARTMENT OF REVENUE TO ISSUE A FINAL DETERMINATION WITHIN THE REQUIRED TIME IS GROUNDS FOR A TAXPAYER TO SEEK A COURT ORDER COMPELLING THE ISSUANCE OF THE FINAL DETERMINATION.*

Amends GS 105-241.14, as the title indicates.

Intro. by Clodfelter. GS 105 Taxation

S 731. ZONING/DESIGN AND AESTHETIC CONTROLS. Filed 4/19/11. *PROVIDING FOR ZONING CONTROL OF STRUCTURAL DESIGN AND AESTHETICS IN DESIGNATED HISTORIC DISTRICTS.*

Adds new subsections GS 160A-381(g) and GS 153A-340(j) to provide that certain municipal and county subdivision and zoning regulations relating to building design elements may not be applied to residential structures containing four or fewer structures, except in areas designated as local historic districts or listed in the National Register of Historic Places, or when the regulations are required by applicable fire and life safety codes.

Intro. by Clodfelter. GS 153A, 160A Local Government; Property, Land Use, and Housing

S 732. REPORTING OF SCORES ON THE ASVAB TEST. Filed 4/19/11. *RELATING TO THE REPORTING OF SCORES ON THE ARMED SERVICES VOCATIONAL APTITUDE BATTERY (ASVAB) TEST.*

Amends GS 115C-12 adding among the powers and duties of the State Board of Education a duty to ensure that public schools administering the Armed Services Vocational Aptitude Battery (ASVAB) include among options for reporting student test results an option to not send the results to armed forces recruiters. Applies beginning with the 2011-12 school year.

Intro. by Kinnaird. GS 115C Education

S 733. MODIFY SMALL SCHOOL PROVISIONS. Filed 4/19/11. *TO CLARIFY THE TEACHER ALLOTMENT POLICY FOR GEOGRAPHICALLY ISOLATED SCHOOLS.*

Amends GS 115C-301 requiring the State Board of Education to allot additional classroom teachers to public schools containing grades K-12 that meet the criteria for geographic isolation. Geographic isolation means that

the school is either (1) located in a school administrative unit with an average daily membership of less than 1.5 students per square mile or (2) located in a school administrative unit for a county containing more than 150,000 acres of National Forest owned by the Federal Government and managed by the US Forest Service pursuant to GS 104-5. Additional teachers shall be allotted to geographically isolated schools on the basis of one classroom teacher per grade level. Effective July 1, 2011.

Intro. by Davis.

GS 115C

Education

S 734. ACCOMMODATIONS AND OCCUPANCY TAX CHANGES. Filed 4/19/11. *TO SIMPLIFY THE REPORTING AND REMITTANCE REQUIREMENTS FOR SALES TAX ON ACCOMMODATIONS AND LOCAL OCCUPANCY TAX.*

Makes changes to the reporting and remittance requirements for sales tax on accommodations and local occupancy taxes as follows:

Amends GS 105-164.4(a)(3) regarding the timing of notice for remittance of tax on gross receipts for accommodations rentals to provide that the time frame for a facilitator to provide notice to the retailer of tax due on the sales price shall be as agreed upon by the retailer and the facilitator (current law requires notice to be provided by the facilitator to the retailer within three days of the retailer notifying the facilitator when a rental marketed by the facilitator is completed). A facilitator that elects to remit the tax directly to the Department of Revenue instead of to the retailer is not subject to retailer notice requirements. Effective October 1, 2011.

Amends Article 5 of GS Chapter 105 to add a new GS 105-164.16A authorizing small facilitators to elect to pay tax on gross receipts for accommodations directly to the Department of Revenue instead of to the accommodation rental retailer. Defines a small facilitator as one whose cumulative gross receipts for the preceding calendar year do not exceed \$5 million, applies to payment of sales tax and local occupancy tax on rental accommodations marketed by the facilitator, and sets out administrative procedures for making the election and remitting payment of sales and local occupancy taxes. Effective October 1, 2011.

Amends GS 160A-215 and GS 153A-155 to make the effective date of a resolution adopted by the governing board of a city or county levying, repealing, or reducing a local occupancy tax either January 1 or July 1 and not earlier than 45 days after the resolution is adopted; requires the governing board to immediately deliver its resolution to the Secretary of Revenue; and changes the name of the tax authorized under this section from room occupancy tax to local occupancy tax. Effective October 1, 2011.

Effective January 1, 2013, amends Subchapter VIII of GS Chapter 105 governing collection and remittance of local government sales and use tax (renamed "state-administered local taxes") by creating a new Article 49 to require that local occupancy taxes be paid directly to the Secretary of Revenue at the same time and in the same manner as sales tax on rental accommodations, after which the Secretary would then remit the net proceeds of the local occupancy tax to the governing board of the taxing district in which the tax was paid; makes technical conforming changes to GS 105-164.16A, GS 105-228.90(b)(7), GS 160A-215, and GS 153A-155. Requires the Secretary to develop a local occupancy tax database.

Intro. by Hartsell.

GS 105, 160A, 153A

Taxation; Local Government

S 735. CONGRESSIONAL PLAN - ODELL SCHOOL. Filed 4/19/11. *TO REALIGN THE UNITED STATES CONGRESSIONAL DISTRICTS FOLLOWING THE RETURN OF THE 2010 FEDERAL DECENNIAL CENSUS.*

Proposes to amend GS 163-201 as title indicates; does not include specific descriptions of proposed realigned congressional districts. Effective January 1, 2012.

Intro. by Hartsell.

GS 163

Elections Law

S 736. NO STATE FUNDS FOR ABORTIONS. Filed 4/19/11. *TO PROHIBIT STATE FUNDS FROM BEING USED FOR ABORTIONS.*

Enacts new GS 143C-6-31 to prohibit state funds from being used to perform abortions or to fund entities that perform abortions.

Intro. by Daniel.

GS 143C

Health, Social Services, and Aging;
State Government

S 737. UI/FIVE-HOUR PUBLIC SERVICE REQUIREMENT. Filed 4/19/11. *REQUIRING THE PERFORMANCE OF FIVE HOURS OF VOLUNTEER PUBLIC SERVICE AMONG THE CONDITIONS REQUIRED FOR ELIGIBILITY TO RECEIVE UNEMPLOYMENT BENEFITS.*

Enacts new subsection (h) to GS 96-13, which details unemployment benefit eligibility conditions, providing that no individual is eligible for benefits in any week that the individual failed to perform volunteer public service as follows: (1) five hours per week during each week of the period beginning with the ninth week of benefit eligibility through the 52nd week of eligibility and (2) ten hours per week during each week of the period including and after

the 53rd week of eligibility. Directs the Employment Security Commission (Commission) to adopt rules to provide, at a minimum: (1) that only unpaid service to an incorporated nonprofit, an organized religious entity, or a governmental entity or public organization qualifies and (2) that written proof must be submitted weekly. Makes falsification of written proof punishable as a Class 3 misdemeanor. Provides an exemption due to personal illness or a documented family emergency, as detailed, provided the individual makes up the service hours in the following week. Allows disqualification after a failure to perform volunteer service to be adjudicated only on the argument that the individual actually performed the service. Makes a conforming change to GS 96-8(10), clarifying that an individual is considered unemployed as to the receipt of severance pay during any week the individual is performing volunteer public service, or is engaged in another activity under existing law. Includes whereas clauses. Applies to claims made on or after the act becomes law.

Intro. by Daniel, Soucek, Brock. GS 96

Employment and Retirement;
Health, Social Services, and Aging

S 738. LIABILITY INSURANCE REQUIRED FOR ABC PERMITS. Filed 4/19/11. *TO REQUIRE THAT ANY PERSON OR ESTABLISHMENT THAT HOLDS AN ALCOHOLIC BEVERAGE CONTROL PERMIT HAVE AT LEAST ONE MILLION DOLLARS IN LIABILITY INSURANCE.*

Enacts new GS 18B-123.A. to provide as title indicates. Provides for permit revocation upon lapse or cancellation of the insurance policy. Enacts new GS 18B-123.B., requiring an insurance company that issues a policy to an ABC permit holder to notify the Alcoholic Beverage Control Commission within 10 days of lapse or cancellation of the policy. Makes a conforming change to GS 18B-123, limiting the total amount of damages awarded under Article 1A of GS Chapter 18B to \$1 million per occurrence. Applies to all ABC permits issued, registered, or renewed on or after December 1, 2011.

Intro. by Goolsby.

GS 18B

Alcoholic Beverage Control

S 739. CONSOLIDATED CORPORATE TAX RETURNS. Filed 4/19/11. *TO PROVIDE MORE GUIDANCE ON CONSOLIDATED CORPORATE INCOME TAX RETURNS AND TO ALLOW CORPORATIONS TO CHOOSE TO FILE CONSOLIDATED RETURNS.*

Amends GS 105-130.6, clarifying that if the Secretary of Revenue finds that a corporation's report of net income does not disclose the corporation's true earnings in NC, due to payments to or charges by the parent, subsidiary, or affiliated corporation in excess of fair market value in intercompany transactions, then the Secretary may require the corporation to file a consolidated return of all operations of the parent corporation and all subsidiaries and affiliates, which eliminates those payments or charges. Clarifies that the Secretary's findings and conclusions, relating to determinations of income earned by a corporation, are presumed correct (currently, are presumed correct and will not be set aside unless shown to be plainly wrong).

Further amends GS 105-130.6, as amended by this act, allowing any parent, subsidiary, or affiliated corporation to elect to file a consolidated return of all operations of the parent corporation and all subsidiaries and affiliates, as specified. Provides that the return will be adjusted only if the Secretary determines that the return does not disclose the corporation's true earnings in the state due to payments to or charges by the parent, subsidiary, or affiliated corporation in excess of fair market value in intercompany transactions. Effective for taxable years beginning on or after January 1, 2012.

Directs the Secretary to propose rules specifying facts and circumstances under which the Secretary will require a corporation to file a consolidated or combined return, before September 1, 2011.

Unless otherwise indicated, the act is effective when it becomes law, and applies to current contested administrative law cases without a final decision.

Intro. by Goolsby.

GS 105

Taxation

S 740. ALLOW SURETY AGENT TO FILE MOTIONS/BAIL BONDS. Filed 4/19/11. *ALLOWING A BAIL AGENT ACTING ON BEHALF OF A SURETY COMPANY TO MAKE WRITTEN MOTIONS REGARDING SETTING ASIDE BAIL FORFEITURE AND RELIEF FROM FINAL JUDGMENT OF BAIL FORFEITURE UNDER THE LAWS PERTAINING TO CRIMINAL PROCEDURE.*

Amends GS 15A-544.5(d)(1) and 15A-544.8(c)(1) to add professional bondsmen or runners acting on their behalf and bail agents acting on behalf of an insurance company to the list of people who may make a written motion that a bond forfeiture be set aside or for relief from a judgment of forfeiture (was, the defendant and any surety). Effective December 1, 2011.

Intro. by Goolsby.

GS 15A

Criminal Law, Procedure, and
Sentencing

S 741. JURISDICTIONAL AMTS/ARBITRATION /SM CLAIMS CT. Filed 4/19/11. *TO INCREASE THE JURISDICTIONAL AMOUNTS IN THE GENERAL COURT OF JUSTICE, TO MAKE ARBITRATION MANDATORY IN CERTAIN CIVIL CASES, AND TO PROVIDE GUIDANCE TO THE COURT FOR THE ASSESSMENT OF COURT COSTS AND ATTORNEYS' FEES IN SMALL CLAIMS MATTERS WHEN AN ARBITRATOR'S DECISION IN FAVOR OF THE APPELLEE IS AFFIRMED ON APPEAL.*

Amends GS 7A-210 to increase the amount in controversy threshold for a small claim action to \$10,000 (was \$5,000). Amends GS 7A-243 to provide that the district court division is the proper division for civil actions in which the amount in controversy is \$20,000 or less and the superior court division is the proper division for actions in which the amount in controversy exceeds \$20,000 (was, \$10,000).

Amends GS 7A-37.1 to make nonbinding arbitration mandatory in all civil actions where claims do not exceed \$20,000, unless all parties to the action waive arbitration. Adds new subsection GS 7A-37.1(c2) to require a court to consider the fact that an arbitrator's decision in a small claim matter was affirmed by the court on appeal for trial de novo as a significant factor in favor of assessing all court costs and attorneys' fees against the appellant.

Effective July 1, 2011, and applies to actions filed on or after that date.

Intro. by Goolsby.

GS 7A

Courts; Civil Law and Procedure

S 742. VIDEO OF DWI STOPS AND CHEMICAL TESTS. Filed 4/19/11. *TO REQUIRE ALL BREATH-TESTING SITES AND LAW ENFORCEMENT VEHICLES ENGAGED IN TRAFFIC ENFORCEMENT TO BE EQUIPPED WITH A VIDEO RECORDING DEVICE AND TO REQUIRE THE RECORDING OF ALL IMPAIRED DRIVING OFFENSES AT THE INCIDENT SITE AND THE BREATH-TESTING SITE UNLESS SUCH RECORDING IS IMPOSSIBLE, AND TO REQUIRE A FEE BE ASSESSED TO A PERSON CONVICTED OF DRIVING WHILE IMPAIRED TO OFFSET THE COST OF OPERATING THE VIDEO RECORDING SYSTEMS.*

Adds new section GS 20-138.1A to require that persons charged with impaired driving offenses must have their conduct at the incident and breath-testing sites video recorded in a video that meets specified criteria. Provides that the video, which must not be disposed of until a final judgment is rendered, is admissible in a criminal, administrative, or civil proceeding by any party to the action. Further provides that a failure to produce the video recording does not constitute grounds for dismissal of an impaired driving offense if the arresting officer submits a sworn affidavit explaining the failure.

Tasks the Department of Transportation with purchasing, maintaining, and supplying necessary video equipment and tasks the Department of Crime Control and Public Safety with monitoring the equipment to ensure proper maintenance. Provides that the recording requirement is effective for a particular law enforcement vehicle or breath-testing site when that vehicle or site is equipped with a video recording device. Amends GS 7A-304 to require the court to order convicted defendants to pay a cost of \$300 in cases in which the arresting agency utilized a video recording system, unless the cost is waived or reduced by the court. Effective December 1, 2011, and applies to impaired driving offenses committed on or after that date.

Intro. by Goolsby.

GS 20, 7A

Transportation; Courts; Criminal Law, Procedure, and Sentencing

S 743. ENCOURAGE VOLUNTEER HEALTH CARE PROVIDERS. Filed 4/19/11. *TO ENCOURAGE THE PROVISION OF MEDICAL SERVICES TO INDIGENT PERSONS BY PROVIDING FOR A RETIRED LIMITED VOLUNTEER LICENSE AND BY BROADENING THE APPLICABILITY OF A LIMITED VOLUNTEER LICENSE.*

Amends GS 90-12.1A, authorizing the NC Medical Board (Board) to issue a "limited volunteer license" (rather than a military limited volunteer license) to an applicant with a license to practice medicine and surgery in another state who shows a letter establishing active licensure in the other state (deletes requirement that the person be authorized to treat personnel enlisted in the U.S. armed services or veterans). Adds that a limited volunteer license holder may not practice medicine and surgery within NC for more than 30 days per calendar year. Deletes requirement that limited license holders comply with continuing medical education requirements. Deletes provision related to retired limited volunteer licenses, and instead enacts new GS 90-21.1B, authorizing the Board to issue a "retired limited volunteer license" to an applicant who is a physician with an inactive license to practice medicine and surgery issued by NC or another state. Requires retired limited volunteer license holders to practice only at clinics treating indigent patients, and makes a violation of this provision a Class 3 misdemeanor, with a fine not less than \$25 and not more than \$50 for each offense. Provides additional details regarding continuing education requirements and timelines for licenses.

Makes a conforming change to GS 90-13.1, exempting applicants for retired limited volunteer licenses from license fees. Amends GS 90-13.2, specifying that retired limited volunteer license holders must pay an annual registration fee of \$25 to the Board, and limited volunteer license holders will pay no registration fee. Makes a conforming change.

Intro. by Goolsby.

GS 90

Health, Social Services, and Aging

S 744. TRANSPARENCY IN THE COST OF HEALTH CARE. Filed 4/19/11. *TO ALLOW EMPLOYERS ACCESS TO INFORMATION ABOUT THEIR GROUP HEALTH PLANS.*

Enacts new Part 8, *Reporting of Group Claims Information to Employers*, to Article 50 of GS Chapter 58. Provides that an employer is entitled to claim information for its employee group health plan from its health benefits provider, including information covering the 36 months prior to the employer's request, as specified in six provisions. Provides additional details concerning certain information requested by the employer. Specifies that an employer is entitled to request and receive information under Part 8 up to two years after termination of the contract with the health care benefits provider. Defines "protected health information" as the term is defined in the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Directs a health care benefits provider to provide the required information within 30 days of the employer's request, as detailed. Prohibits a health care benefits provider from disclosing protected health information if the health insurance issuer is prohibited from disclosing the information under any state or federal law that imposes more stringent privacy restrictions than HIPAA. Requires that the issuer notify the plan, plan sponsor, or plan administrator that the information is being withheld, and provide the plan, plan sponsor, or plan administrator categories of claim information that the issuer determined are subject to more stringent privacy restrictions, if the issuer withholds information. Specifies that a health care benefits provider is not required to provide a report more than twice in a 12 month period. Allows employers to request additional information from the health care benefits provider, as specified. Authorizes governmental entities to request reports from health care benefits providers; states that these reports are confidential and not a public record. Clarifies that a health care benefits provider issuer that releases information, including protected health information, under Part 8 does not violate a standard of care and is not civilly or criminally liable. Specifies the penalty for failure to comply with Part 8. Effective October 1, 2011.

Intro. by Goolsby.

GS 58

Health, Social Services, and Aging

S 745. BEER FRANCHISE LAW CLARIFICATIONS (=H 764). Filed 4/19/11. *TO PRESERVE THE THREE-TIER DISTRIBUTION SYSTEM FOR MALT BEVERAGES IN NORTH CAROLINA BY CLARIFYING PROVISIONS OF THE BEER FRANCHISE LAW TO PROVIDE: A FRANCHISE AGREEMENT APPLIES TO ALL SUPPLIER PRODUCTS UNDER THE SAME BRAND NAME; A WHOLESALER MUST SELL MALT BEVERAGES TO ALL RETAILERS IN ITS TERRITORY AT THE SAME PRICE AT THE TIME OF DELIVERY; PROHIBITED ACTS OF SUPPLIERS WITH RESPECT TO THEIR DEALINGS WITH WHOLESALERS; GOOD CAUSE FOR TERMINATION MAY NOT BE MODIFIED BY AN AGREEMENT THAT DEFINES GOOD CAUSE IN A MANNER DIFFERENT THAN PROVIDED BY STATE LAW; CERTAIN ACTS THAT DO NOT AMOUNT TO GOOD CAUSE FOR TERMINATION OF A FRANCHISE; REMEDIES FOR A SUPPLIER'S WRONGFUL TERMINATION OF A FRANCHISE; INCLUSION OF A WHOLESALER MERGER, THE FACTORS THAT MAY BE CONSIDERED BY THE SUPPLIER IN APPROVING A MERGER OR TRANSFER, AND REMEDIES FOR UNLAWFUL REFUSAL TO APPROVE A MERGER OR TRANSFER; THE BEER FRANCHISE LAW MAY NOT BE WAIVED BY AN AGREEMENT CONTRARY TO STATE LAW; AND MEDIATION OF DISPUTES ARISING UNDER THE BEER FRANCHISE LAW.*

Identical to H 764, filed 4/6/11.

Intro. by Allran.

GS 18B

Alcoholic Beverage Control

S 746. COURTS COMMISSION CHAIRS. Filed 4/19/11. *TO AUTHORIZE THE GOVERNOR TO APPOINT COCHAIRS FOR THE NORTH CAROLINA COURTS COMMISSION.*

Amends GS 7A-509, as the title indicates. Requires that the Governor consult with the Chief Justice before appointing cochairs instead of a single chair.

Intro. by Clodfelter.

GS 7A

Courts

S 747. OFFSHORE WIND JOBS AND ECONOMIC DEVELOPMENT. Filed 4/19/11. *TO ENCOURAGE THE DEVELOPMENT OF THE STATE'S OFFSHORE WIND ENERGY RESOURCES AND TO ATTRACT JOBS AND ECONOMIC DEVELOPMENT.*

Requires the NC Utilities Commission (Commission), by rule or by order, to require certain public utilities to enter into a long-term contract for one or more qualifying offshore wind generators (defined as a facility located in federal waters with at least 50% of the facility within the administrative boundaries of NC as defined by the federal Department of the Interior) with a total nameplate capacity of 2,500 megawatts, with the first facility producing electricity by December 31, 2017 or as close as practically possible to that date. Tasks the Commission with developing a process for drafting and issuing a request for proposals for contracts to construct offshore wind generators, and tasks the Department of Commerce with evaluating each proposal to determine its costs and

benefits to the state. Requires the Commission to decide which proposals to approve, if any, by October 31, 2012, and then to require participating electric utilities to enter into contracts to purchase the output according to a specified formula. Allows participating electric utilities to retain or sell any renewable energy certificates, air emission credits, or offsets associated with the project, and to charge an increment or decrement as a rider to its rates to offset costs associated with the law's requirements.

Amends GS 105-164.14B to add wind energy property manufacturing to the list of business types eligible for certain tax refunds under that law. Provides that the minimum investment requirement for a wind energy property manufacturing facility to qualify for a tax refund is \$10 million in a development tier one area and \$50 million for all other facilities. Amends the sunset provision in GS 105-164.14B to provide that only certain portions of that section will be repealed for sales made on or after January 1, 2013, and to provide that the new provision related to wind energy property manufacturing will be repealed for sales made on or after January 1, 2022.

Effective January 1, 2014, amends GS 105-129.16l to provide that certain wind energy property (was, renewable energy property) is eligible for a tax credit. Makes conforming changes and extends the sunset provision for the wind energy property credit to January 1, 2020 (was, January 1, 2014).

Aside from the provision related to the wind energy property tax credit, effective when the act becomes law.

Intro. by Hartsell, Stein, Bingham.

GS 105

Taxation; Community and Economic Development; Agriculture, Environment, and Natural Resources

S 748. INCREASE DRIVERS LICENSE RESTORATION FEE. Filed 4/19/11. *TO INCREASE THE FEE FOR THE RESTORATION OF DRIVERS LICENSES REVOKED FOR IMPAIRED DRIVING TO PROVIDE FUNDING FOR THE FORENSIC TESTS FOR THE ALCOHOL BRANCH OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.*

Amends GS 20-7(ii) to use \$40 (rather than \$25) of the \$100 restoration fee to fund a statewide chemical alcohol testing program administered by the Forensic Tests for Alcohol Branch of the Chronic Disease and Injury Section of the Department of Health and Human Services. Deletes provision appropriating funds from the restoration fee deposited in the General Fund to the UNC Board of Governors. Effective July 1, 2011.

Intro. by Rabon, Harrington, Jones.

GS 20

Transportation

S 749. MODIFY WEIGHT LIMITS FOR FARM OPERATIONS. Filed 4/19/11. *TO PROVIDE FOR INCREASED TRANSPORTATION EFFICIENCY FOR BRINGING AGRICULTURAL PRODUCTS TO A MARKETPLACE BY MODIFYING THE TYPES OF ITEMS THAT MAY BE TRANSPORTED BY A FARMER WITHOUT HAVING TO PAY A REGISTRATION FEE FOR A TRAILER OR SEMITRAILER; TO MODIFY THE REGISTRATION REQUIREMENTS FOR PROPERTY HAULING VEHICLES TO ENSURE THEY ARE REGISTERED FOR THE MAXIMUM WEIGHT ALLOWABLE FOR THE VEHICLE BEING OPERATED; AND TO MODIFY THE EXCEPTIONS TO THE MAXIMUM WEIGHT ALLOWED ON LIGHT ROADS FOR A PERSON TRANSPORTING AGRICULTURAL PRODUCTS AND RESIDUALS.*

Amends GS 20-51(6) to add livestock, live poultry, animal waste, herbicides, fungicides, and seeds to the list of items that, when transported by farmers under certain circumstances, exempt the trailer or semitrailer on which they are transported from requirements of registration and certificate of title.

Adds new subsection (m) to GS 20-88 to provide that any vehicle weighing more than the limits in GS 20-118(b), as authorized by certain exceptions set out in GS 20-118(c), must be registered for the maximum weight allowed for that vehicle's axle configuration, or be subject to the penalties set out in GS 20-118(e). Makes conforming changes throughout GS 20-118.

Amends GS 20-118(c) to include within the exceptions to the maximum weight allowed on light-traffic roads live poultry transported from a farm to a processing plant or market (was, first market); and water, fertilizer, herbicides, fungicides, seeds, fuel, and animal waste transported to or from a farm by a farm vehicle. Exempts certain vehicles not in excess of a single-axle weight of 26,000 pounds (was 22,000 pounds), a tandem-axle weight of 44,000 pounds (was, 42,000 pounds), or a gross weight of 90,000 pounds, that are transporting meats, live poultry, livestock, apples, Christmas trees, water, fertilizer, herbicides, fungicides, seeds, fuel, and animal waste while not operating on interstate highways from the weight limit and penalty provisions of GS 20-118. Makes additional conforming and clarifying changes.

Effective October 1, 2011, and applies to offenses committed on or after that date.

Intro. by Rabon, Tucker, Rouzer.

GS 20

Transportation; Agriculture, Environment, and Natural Resources

S 750. DOT BID RESPONSES NOT PUBLIC/CONTRACT AWARDED. Filed 4/19/11. TO PROVIDE THAT BIDS AND DOCUMENTS RELATED TO BIDS AND CONTRACTS FOR PROJECTS OFFERED FOR BID BY THE DEPARTMENT OF TRANSPORTATION ARE NOT PUBLIC RECORDS UNTIL THE CONTRACT FOR THE PROJECT IS AWARDED.

Amends GS 136-28.5 to provide as the title indicates. Effective for bids and documents submitted for advertisements and requests for proposals that are advertised or requested on or after July 1, 2011.

Intro. by Rabon. GS 136 Transportation

S 751. STATUTORY CAP FOR MOTOR FUEL EXCISE TAX RATE. Filed 4/19/11. TO PROVIDE A STATUTORY CAP FOR THE VARIABLE COMPONENT OF THE MOTOR FUEL EXCISE TAX RATE.

Amends GS 105-449.80 to set a 15 cent per gallon cap on the variable component of the fuel tax. Applies to taxes imposed on or after July 1, 2011.

Intro. by Rouzer, Rabon, Harrington. GS 105 Taxation; Transportation

S 752. ELIMINATE DOUBLE-WEIGHTED SALES APPORTIONMENT. Filed 4/19/11. TO MODIFY THE APPORTIONMENT FORMULA FOR INCOME TAX BY ELIMINATING THE DOUBLE WEIGHTING OF THE SALES FACTOR.

Amends GS 105-130.4(i) as the title indicates. Effective for taxable years beginning on or after January 1, 2011.

Intro. by Mansfield. GS 105 Taxation

S 753. TAX BOAT & AIRCRAFT SALES AT GENERAL RATE. Filed 4/19/11. TO ELIMINATE THE CAP ON AND SPECIAL THREE PERCENT SALES TAX RATE APPLIED TO THE SALES PRICE OF AN AIRCRAFT OR BOAT SOLD AT RETAIL AND IMPOSE THE GENERAL RATE OF TAX ON THOSE SALES.

Repeals GS 105-164.4(a)(1b), as title indicates. Effective for sales made on or after July 1, 2011.

Intro. by Mansfield. GS 105 Taxation

S 754. CAREGIVER RELIEF ACT. Filed 4/19/11. AMENDING THE LABOR LAWS TO PROVIDE RELIEF FOR CAREGIVERS IN THIS STATE.

Adds new Article 24, *Caregiver Relief Act*, to GS Chapter 95. Provides under state law for caregivers who provide direct care to certain family members to take leave time in instances where leave would not be available to the caregivers under federal law. Provides that the following definitions apply under this proposed Article: (1) *Department* is the Department of Labor, (2) *FMLA*—the federal Family and Medical Leave Act of 1993, 29 USC § 2601, et seq., as amended, (3) *eligible employee*—as defined in the FMLA at 29 USC § 2611(2), as amended, (4) *grandchild*—the child of a biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis to the employee, and (5) *grandparent*—the parent of a parent as defined by 29 USC § 2611(7) as amended. Under federal law, the FMLA specifies the family members for which an eligible employee may take leave to provide care; this act provides that an employer required to comply with the FMLA is to provide the same leave to an eligible employee for certain family members in need of care as identified in this statute whose need for care does not support leave under the FMLA. Provides that an eligible employee who takes leave under this provision is entitled to the same protections and rights that an eligible employee is entitled to under the FMLA, 29 USC §§ 2614 and 2615. Provides that any right or obligation under this Article is enforceable by a civil action in addition to any other remedies at law or equity. Provides that this Article applies to all employers in the state who are subject to the FMLA. Makes a conforming change to GS 95-241(a). Effective January 1, 2012, and applies to covered and eligible employees on or after that date. Includes several *whereas clauses*.

Intro. by McKissick. GS 95 Health, Social Services, and Aging

S 755. ED. EMPLOYEES ASS'N./EQUAL ACCESS ACT. Filed 4/19/11. TO ENACT THE EQUAL ACCESS ACT.

Establishes the Equal Access Act. Enacts new GS 115C-335.9 to prohibit a local school administrative unit or a school from: (1) granting access to employee's physical or electronic mailboxes to an education employee association unless access is given to all education employee associations operating in the local school administrative unit; (2) permitting an education employee association to attend orientations to recruit members unless it allows all education employee associations operating in the local school administrative unit to attend; (3) giving an educational employee association preferential treatment; (4) endorsing one education employee association over another; and (5) referring to days or breaks in a school calendar by the name of an employee education association. Prohibits a school from discouraging or prohibiting an employee from joining an

organization or showing preference towards any educational association. Applies beginning with the 2011-12 school year.

Intro. by Tucker.

GS 115C

Education

S 756. AMEND BAIL LAW/PRETRIAL RELEASE PROGRAMS. Filed 4/19/11. *TO AMEND THE STATE'S BAIL LAWS WITH REGARD TO PRETRIAL RELEASE PROGRAMS, TO ELIMINATE UNSECURED APPEARANCE BOND AS A PRETRIAL RELEASE CONDITION, TO AMEND HOUSE ARREST AND ELECTRONIC MONITORING AS A CONDITION OF PRETRIAL RELEASE, AND TO PROVIDE THAT NO STATE OR LOCAL FUNDS MAY BE APPROPRIATED TO OR USED FOR THE SUPPORT OF A PRETRIAL RELEASE PROGRAM.*

Amends GS 15A-534(a) to eliminate execution of an unsecured appearance bond as a possible condition of pretrial release, and makes conforming changes. Amends GS 15A-534(a)(5) to provide that electronic monitoring as a condition of pretrial release need not necessarily include house arrest (was, house arrest with electronic monitoring). Places a \$1,000 minimum amount on the secured appearance bond that must be executed in conjunction with a condition requiring electronic monitoring. Provides that defendants required to execute a secured bond may elect to be placed in a pretrial release program as provided in new GS 15A-534.7.

Amends GS 15A-534(a)(3) to limit the condition to releases into the custody of a designated person (was, person or organization). Adds new section GS 15A-534.7 to govern custody releases to organizations, making clear that only judges (and not magistrates or other judicial officials) have authority to place a defendant in the custody of a pretrial release program. Makes a parallel change to GS 15A-535(b) to provide that judges (was, judicial officials) may order defendants to be supervised by pretrial release programs. Provides in GS 15A-534.7 that a defendant may only be released to a pretrial release program if he or she executes a secured bond and if the judge determines that he or she is indigent and entitled to appointed counsel. Prohibits the expenditure of state or local government funds on any pretrial release program or its activities, except to cover any contractual obligations entered into by the program prior to July 1, 2011. Makes other conforming and technical changes, and makes a conforming change to GS 15A-536(b).

Effective December 1, 2011, and applies to criminal actions to determine pretrial release conditions on or after that date, except that new GS 15A-534.7(d) is effective July 1, 2011.

Intro. by Clary, East, Jones.

GS 15A

Criminal Law, Procedure, and Sentencing

S 757. INTERSCHOLASTIC SPORTS/CONCUSSIONS. Filed 4/19/11. *TO ENSURE THAT STUDENT ATHLETES WITH CONCUSSIONS OR SYMPTOMS OF HEAD INJURIES DO NOT CONTINUE TO PARTICIPATE IN INTERSCHOLASTIC SPORTS.*

Amends GS 115C-12(23), which details the State Board of Education's (SBOE) power to adopt rules for interscholastic athletic activities, to add that the rules must provide the following: (1) all employees or volunteers instructing or training members of a school athletic team must receive annual training on recognizing the symptoms of a concussion and seeking proper medical care for a concussion, with training completed before the beginning of the sport season, if possible; and (2) a member of a school athletic team is not allowed to participate in any athletic event or training on the day the member is diagnosed with a concussion or exhibits signs consistent with a concussion after an observed or suspected blow to the head or body; allows the member to participate on a subsequent day only if the team member no longer exhibits signs of a concussion and receives a medical release. Includes whereas clauses. Applies beginning in the 2011-12 school year.

Intro. by Graham.

GS 115C

Education

S 758. DOMESTIC VIOLENCE/FUNDING AMENDMENTS (=H 178). Filed 4/19/11. *TO AMEND THE NORTH CAROLINA DOMESTIC VIOLENCE CENTER FUND AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON DOMESTIC VIOLENCE.*

Identical to H 178, filed 2/23/11.

Intro. by Graham.

GS 50B

Budget and Appropriations; Family Law; Criminal Law, Procedure, and Sentencing

S 759. EQUAL EDUCATION OPPORTUNITY TAX CREDIT. Filed 4/19/11. *TO STUDY METHODS OF INCREASING EQUALITY OF OPPORTUNITY FOR NONPUBLIC SCHOOL EDUCATION FOR FINANCIALLY CHALLENGED FAMILIES BY ENACTING TAX BENEFITS TO OFFSET TUITION EXPENSES.*

Requires the Revenue Laws Study Committee to study methods of providing tax benefits in a manner and amount that offsets tuition to allow low or moderate income families to send their children to nonpublic schools or public schools that charge tuition. Requires a report to the 2012 Regular Session of the General Assembly.

Authorizes the creation of a subcommittee and allows for the participation of an individual designated by the Local Government Commission as an ex officio member.

Intro. by Graham.

STUDY

Education; Taxation

S 760. GANG PREVENTION/REPORTING FUNDS. Filed 4/19/11. *TO APPROPRIATE FUNDS FOR GANG PREVENTION AND IMPROVED GANG REPORTING.*

Appropriates \$10 million for 2011-12 from the General Fund to the Governor's Crime Commission as title indicates. Effective July 1, 2011.

Intro. by Graham.

APPROP

Budget and Appropriations

S 761. CONSUMER FINANCE ACT AMENDMENTS (=H 810). Filed 4/19/11. *TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO INCREASE CONSUMER ACCESS AND CREDIT MARKET PARITY.*

Identical to H 810, filed 4/6/11.

Intro. by East.

GS 53

Business and Commerce; Banking and Finance

S 762. ASSAULT ON LAW ENFORCEMENT & EM WORKER/FELONY. Filed 4/19/11. *TO MAKE THE CRIMINAL OFFENSE OF SIMPLE ASSAULT A FELONY RATHER THAN A MISDEMEANOR WHEN THE SIMPLE ASSAULT IS COMMITTED AGAINST A LAW ENFORCEMENT OFFICER, A FIREFIGHTER, OR EMERGENCY PERSONNEL AND TO INCREASE THE PENALTY FOR ASSAULT AGAINST CERTAIN EMERGENCY PERSONNEL IF THE ASSAULT IS WITH A DEADLY WEAPON OR INFLICTS SERIOUS BODILY INJURY.*

Enacts new GS 14-33.3 to make it a Class I felony to assault a law enforcement officer discharging their official duties. Amends GS 14-34.6 to make it a Class I felony (was, Class A1 misdemeanor) to assault an emergency medical technician, medical responder, emergency department nurse or physician, or a firefighter while carrying out their official duties. Also makes it a Class H felony (was, Class I felony) if the individual inflicts serious bodily injury or uses a deadly weapon other than a firearm. Amends GS 14-288.9 to make it a Class I felony (was, Class 1 misdemeanor) to assault emergency personnel. Applies to offenses committed on or after December 1, 2011.

Intro. by Brock.

GS 14

Criminal Law, Procedure, and Sentencing

S 763. DAM REMOVAL/MODIFY BASIN PLAN & NUTRIENT GOAL. Filed 4/19/11. *TO REQUIRE MODIFICATION OF A BASINWIDE MANAGEMENT PLAN AND NUTRIENT REDUCTION GOAL TO AVOID IMPAIRMENT OF WATER USES IN THE BASIN IF A DAM IS REMOVED FROM THE RIVER PURSUANT TO A PERMIT ISSUED BY THE ARMY CORPS OF ENGINEERS AND TO PROVIDE THAT THE PARTY PERMITTED TO REMOVE THE DAM SHALL NOT BE REQUIRED TO MITIGATE THE CHANGE IN NUTRIENT TRANSPORT OR BE DENIED A WATER QUALITY CERTIFICATION ON THAT BASIS.*

Enacts new subdivision (3) to GS 143-215.8B(b), which provides for basinwide water quality management plans, to provide as title indicates.

Intro. by Brock.

GS 143

Agriculture, Environment, and Natural Resources

S 764. NO CREDIT FOR OBSCENE FILMS. Filed 4/19/11. *TO REQUIRE ADDITIONAL OVERSIGHT OF THE TAX CREDIT FOR QUALIFYING EXPENSES OF A PRODUCTION COMPANY AND TO LIMIT THE CREDIT FOR COMPENSATION OF INDIVIDUALS RECEIVING PAYMENT TO FIVE HUNDRED THOUSAND DOLLARS.*

Amends GS 105-130.47 and GS 105-151.29, which authorize corporate income tax and individual income tax credits for film production companies, to impose additional oversight requirements and restrictions on the award of the credit by (1) limiting the credit for a qualifying expense of a production company for compensation of individuals to \$500,000 (was \$1 million); (2) prohibiting the award of a tax credit of any amount for a feature film with a rating of "NC-17" by the Motion Picture Association of America; (3) requiring the Secretary of Revenue to consult with the NC Film Office in determining the amount of qualifying expenses for eligible production companies; (4) adding to the items to be included by the Department of Revenue in the economic incentives report the identity of production companies claiming the credit and the title of the film production for which the credit is claimed; and (5) requiring the NC Film Office to determine whether a film production is eligible for the credit, including whether the production satisfies the requirements of the GS 105-130.47 or GS 105-151.29 and whether the film has serious artistic merit, and to issue a preapproval certificate that is reviewed by the

Department of Revenue after the production is completed to determine whether the final film product differs substantially from the production as described in the preapproval certificate.

Effective for taxable years beginning January 1, 2011. Amends GS 105-151.29

Intro. by Brock. GS 105 Taxation

S 765. NO FIREARMS QUESTIONS DURING MEDICAL EXAMS. Filed 4/19/11. *TO PROHIBIT HEALTH CARE PROVIDERS FROM QUESTIONING PATIENTS ABOUT LAWFUL ACTIVITY RELATED TO FIREARMS AND AMMUNITION WHEN PROVIDING HEALTH CARE TO PATIENTS AND TO AUTHORIZE THE IMPOSITION OF A FINE ON HEALTH CARE PROVIDERS WHO ENGAGE IN THE PROHIBITED CONDUCT.*

Amends GS Chapter 90 by adding a new Article 11 (GS 90-21.75 et seq.) that prohibits health care providers from refusing to treat or accept a referral for a patient based on either lawful conduct by the patient relating to firearms and ammunition or refusal by the patient to disclose information about lawful conduct relating to firearms and ammunition. The new article further prohibits health care providers from questioning a patient about lawful conducting relating to firearms and ammunition unless the health care provider has first advised the patient about the purpose of the questions and the patient's right to not answer the questions. Prohibitions do not apply if the health care provider reasonably believes the patient poses an imminent threat to self or others, the patient has brought a firearm and ammunition into an area where such are prohibited, the patient volunteers information in the absence of any question from the health care provider, or the health care provider reasonably believes that disclosure of the information is necessary to diagnose or treat a specific illness or injury. Violations of the article are grounds for disciplinary action by the health care provider's licensing board or other regulatory authority, and imposition of a civil fine of up to \$250 for nonwillful violations and \$500 for willful violations. Effective October 1, 2011.

Intro. by Brock. GS 90 Health, Social Services, and Aging

S 766. NOTARIZED CONSENT FOR MINOR'S ABORTION. Filed 4/19/11. *TO REVISE THE PROCEDURES PERTAINING TO PARENTAL CONSENT FOR A MINOR TO OBTAIN AN ABORTION.*

Amends GS 90-21.7 to require that written consent for a minor's abortion given by an individual legally authorized to do so shall be either signed at the facility where the abortion is to be performed or notarized. The physician performing the abortion must retain a copy of the consent in the minor's medical records. Effective October 1, 2011.

Intro. by Brock. GS 90 Health, Social Services, and Aging

S 767. PUBLIC CONTRACTS/MULTIPLE AWARD (=H 713). Filed 4/19/11. *AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO USE MULTIPLE AWARD SCHEDULE CONTRACTS FOR THE PURCHASE OF ALL GROUND MAINTENANCE, CONSTRUCTION, AND FORESTRY EQUIPMENT.*

Identical to H 713, filed 4/6/11.

Intro. by Brock, Rouzer. GS 143 State Government

S 768. STANDARDS FOR ELECTRONIC PRESCRIPTIONS. Filed 4/19/11. *TO ESTABLISH STANDARDS FOR TRANSMITTING ELECTRONIC PRESCRIPTIONS FOR CONTROLLED SUBSTANCES TO PHARMACIES AND TO ESTABLISH STANDARDS FOR ELECTRONIC PRESCRIBING SOFTWARE AND HARDWARE.*

Amends GS Chapter 90 to add a new Article 5G to establish standards for prescribing controlled substances electronically. GS 90-113.91 sets out requirements for electronically transmitting a prescription for a controlled substance to a pharmacy to include (1) a valid medical relationship between the prescriber and the patient, (2) certain identifying information about the prescribing practitioner and the practitioner's electronic signature, (3) transmitting the prescription to a pharmacy of the patient's choice, (4) protections against an intervening person intercepting the electronic transmittal, and (5) transmitting the prescription directly from the practitioner to the pharmacy. GS 90-113.92 sets out five specific requirements for the software or hardware to be used when electronically transmitting prescriptions for controlled substances. Includes applicable definitions. Effective October 1, 2011.

Intro. by Brock. GS 90 Health, Social Services, and Aging

S 769. ABORTION—WOMAN'S RIGHT TO KNOW ACT (=H 854). Filed 4/19/11. *TO REQUIRE A TWENTY-FOUR-HOUR WAITING PERIOD AND THE INFORMED CONSENT OF A PREGNANT WOMAN BEFORE AN ABORTION MAY BE PERFORMED.*

Identical to H 854, filed 4/6/11.

Intro. by Brock, Harrington, Daniel. GS 90 Health, Social Services, and Aging

S 770. BIRTH CERTIFICATE/STILLBORN INFANTS. Filed 4/19/11. *TO AUTHORIZE THE ESTABLISHMENT OF A CERTIFICATE OF BIRTH RESULTING IN STILLBIRTH.*

Adds new subsection (d) to GS 130A-114 to provide that either parent of a stillborn child may apply for a certificate of birth resulting in stillbirth, which must be based upon information available from the fetal death report. Provides that the certificate may not include any reference to the name of the stillborn child if the fetal death report does not include a name and the parent does not elect to provide a name. Requires that the certificate clearly indicate that it is not proof of a live birth. Provides that no certificate may issue for a fetal death that occurred prior to July 1, 2002 unless the application is accompanied by a certified copy of the fetal death report. Directs the Department of Health and Human Services to use available funds to implement this act.

Intro. by Brock.

GS 130A

Health, Social Services, and Aging

S 771. SINGLE TRIP PERMITS/ MODULAR HOMES. Filed 4/19/11. *TO PROVIDE FOR THE ISSUANCE OF A SINGLE TRIP PERMIT BY THE DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORT AND DELIVERY OF SIXTEEN-FOOT-WIDE MANUFACTURED AND MODULAR HOMES SUBJECT TO CERTAIN RULES ADOPTED BY THE DEPARTMENT OF TRANSPORTATION.*

Adds a new subsection (b2) to GS 20-119 to provide as the title indicates. Provides that the terms manufactured home and modular home have the same meanings as they are defined in GS 105-164.3. Effective October 1, 2011.

Intro. by Brock.

GS 20

Transportation

S 772. CONSOLIDATE ETHICS, ELECTIONS, AND LOBBYING. Filed 4/19/11. *TO CONSOLIDATE ETHICS, ELECTIONS, AND LOBBYING UNDER THE STATE BOARD OF ETHICS AND ELECTIONS ENFORCEMENT.*

Consolidates numerous provisions in GS Chapters 163, 138A and 120C into a new GS Chapter 163A, the State Elections and Ethics Act; makes substantive changes to these laws; and creates a new Board of Elections and Ethics Enforcement with jurisdiction over ethics, elections, and lobbying laws. Authority currently vested respectively in the State Ethics Commission, State Board of Elections, and Secretary of State for oversight and enforcement of ethics requirements for state officials, elections, and lobbying is transferred to the new Board of Elections and Ethics Enforcement for all provisions within GS Chapters 163, 138A, and 120C that are recodified within the new Chapter 163A. Specific provisions are as follows:

New Provisions:

- (1) Creates new Chapter 163A titled the "State Elections and Ethics Act" and creates GS 163A-100 setting out the title of the act.
- (2) Definitions - GS 163A-101 provides definitions applicable to Chapter 163A by recodifying existing definitions under Chapter 138A (GS 138A-3) and Chapter 120C (GS 129C-100).
- (3) Application to Lieutenant Governor – GS 163A-102 clarifies the status of the Lieutenant Governor as either a legislator or a public servant for purposes of Chapter 163A (recodifies GS 138A as GS 163A-102 with no substantive changes).
- (4) Application to candidates for certain offices – GS 163A-103 applies certain articles of Chapter 163A to candidates for office of legislator and Council of State.
- (5) State Board of Elections and Ethics Enforcement established – Article 2 of Chapter 163A establishes the State Board of Elections and Ethics Enforcement (GS 163A-200) consisting of 9 members appointed by the Governor and the General Assembly upon recommendation of the Speaker of the House and President Pro Tempore of the Senate, and providing for terms of office, filing of vacancies, and limitations on eligibility to serve (GS 163A-201). Also provides for administrative matters relating to meetings (GS 163A-202) and staff and offices (GS 163A-203). Requires the Board to report to the General Assembly by May 1, 2012, and by February 1, 2013, on any necessary statutory changes.
- (6) State Board of Elections and Ethics Enforcement powers and duties – GS 163A-204 vests the board with the authority to oversee and enforce Chapter 163A governing ethical requirements for persons covered under the act, lobbying, and elections. Imposes duties on the board specific to implementation of and compliance with the Chapter.
- (7) Education programs – GS 163A-208 requires the State Board of Elections and Ethics Enforcement to develop and implement an ethics and lobbying education awareness program; offer mandatory ethics and lobbying education to public servants and, jointly with the Legislative Ethics Committee, to legislators and legislative employees; make ethics education programs available to lobbyists and lobbyist principals; provide general information about ethics and lobbying laws, including advisory opinions issued by the board; provide specific training to county boards of elections for voter registration; and provide elections training for county boards of elections, county directors of elections, chief judges, and judges.

- (8) Requests for Advice – GS 163A-209 authorizes the State Board of Elections and Ethics Enforcement to render advice on specific questions involving the meaning and application of Chapter 163A to various officials, candidates, organizations, and individuals requesting advisory opinions on ethics, lobbying, or elections laws; keeps confidential requests for advice and any information associated with the request.
- (9) Enforcement – GS 163A-210 makes violations of ethical standards and economic interest disclosure requirements by persons subject to those requirements grounds for disciplinary action or subject to removal from office or sanctions depending on the office. Makes violations of lobbyist and lobbyist principals reporting and registration requirements and prohibitions and restrictions a Class 1 misdemeanor. Authorizes the board to levy civil fines of up to \$5,000 per violation. Retains existing penalties for violations of election and campaign finance laws.
- (10) Powers of the Chair – GS 163A-212 vests certain powers to the chair of the board in order to carry out the board's duties and responsibilities.
- (11) Executive Director – 163A-215 creates the position of Executive Director of the State Board to be appointed by the board and responsible for staffing and administration.

Modifications to GS Chapter 120 governing lobbying:

- (1) Registration requirements for lobbyists and lobbyist principals – retains these requirements by recodifying Article 2 of Chapter 120C as Article 3 of Chapter 163A.
- (2) Prohibitions and restrictions on lobbyists and lobbyist principals – retains these prohibitions and restrictions by recodifying Article 3 of Chapter 120C as Article 4 of Chapter 163A.
- (3) Reporting requirements for lobbyists, lobbyist principals, and solicitors – retains these requirements by recodifying Article 4 of Chapter 120C as Article 5 of Chapter 163A.
- (4) State agency and local government liaison personnel – retains provisions governing these personnel by recodifying Article 5 of Chapter 120C as Article 6 of Chapter 163A.
- (5) Exemptions to lobbying laws – retains these exemptions by recodifying Article 7 of Chapter 120C as Article 7 of Chapter 163A.
- (6) Reporting certain additional expenditures for lobbying – retains these requirements by recodifying Article 8 of Chapter 120C as Article 8 of Chapter 163A.
- (7) General provisions, and violations and enforcement - repeals Article 1 (general provisions) and Article 6 (violations and enforcement) of Chapter 120C; provisions relating to violations and enforcement detailed in the new Chapter 163A.

Modifications to GS Chapter 138A, the State Government Ethics Act:

- (1) General provisions – repeals Article 1 of Chapter 138A.
- (2) State Ethics Commission abolished – repeals various sections of Article 2 of Chapter 138A that establish the State Ethics Commission (GS 138A-6, -7), authorize its powers and duties (GS 138A-10), provide for requests for advice to the Commission (GS 138A-13), require the Commission to provide ethics education (GS 138A-14), and relate to administrative matters such as meetings (GS 138A-8) and staff (GS 138A-9).
- (3) Publication of names of covered persons and boards – retains this requirement by recodifying GS 138A-11 as GS 163A-205.
- (4) Inquiries and investigations into alleged violations – retains this provision by recodifying GS 138A-12 as GS 206.
- (5) Duties of heads of state agencies to ensure compliance with ethics laws – retains this requirement by recodifying GS 138A-15 as GS 163A-12.
- (6) Public disclosure of economic interests – retains these requirements by recodifying Article 3 of Chapter 138A as Article 9 of Chapter 163A.
- (7) Ethical standards for persons covered under the State Government Ethics Act – retains these requirements by recodifying Article 4 of Chapter 138A as Article 10 of Chapter 163A.
- (8) Violations – repeals Article 5 of Chapter 138A (violations); provisions related to violations are detailed in the new Chapter 163A.

Modifications to GS Chapter 163, Election Laws:

- (1) State Board of Elections abolished – repeals various sections of Article 3 of Chapter 163 that establish the State Board of Elections (GS 163-19), authorize the Board of Election's powers and duties and those of its Chairman (GS 163-22, -23), and relate to administrative matters (GS 163-20, -21, -28) and staff (GS 163-23, -27). Transfers to the new Board of Ethics and Elections Enforcement (a) the responsibility to provide notification on littering restrictions by recodifying GS 163-22.3 as GS 163A-211; (b) the power to maintain order during its proceedings by recodifying GS 163-24 as GS 163A-213; (c) the authority to assist in litigation by recodifying GS 163-25 as GS 163A-214; and (d) emergency powers by recodifying GS 163-27.1 as GS 163A-216.

- (2) Remaining provisions of Chapter 163 - all remaining articles within GS Chapter 163 governing timing of primaries and elections, county boards of elections, precinct election officials, voter qualifications and registration, elections administration, political parties, voting and balloting, campaign finance, the North Carolina Public Campaign Fund, electioneering, municipal elections, and judicial elections are all retained and recodified as articles within GS Chapter 163A.
Effective July 1, 2011.

Intro. by Brock.

GS 163, 163A, 120C, 138A

Ethics and Lobbying; Elections
Law

S 773. CITY/COUNTY ELECTRONIC NOTICE. Filed 4/19/11. *TO ALLOW ALL CITIES AND COUNTIES TO GIVE ELECTRONIC NOTICE OF PUBLIC HEARINGS.*

Enacts new GS 160A-81.2 (cities) and new GS 153A-52.2 (counties) to allow cities and counties to adopt ordinances providing that any notice of a public hearing the local government is required by law to publish or advertise may be published by electronic means, including on the local government's website, as specified. Requires the local government to file a copy of any notice published by electronic means in the notice book. Specifies that these ordinances will not supersede any state law or local act requiring notice by mail to certain persons or signage.

Enacts new GS 160A-78.1 and GS 153A-48.1 to require the local government to file a true copy of each published notice in a notice book separate from the ordinance book or minute book in the designated office.

Amends GS 159-1(b)(5) to make a conforming change to the definition for *publish* in the Local Government Finance Act. Repeals SL 2003-81, 2003-161, 2007-86, and 2008-5 (providing for electronic notice in several local governments), but specifies that any ordinance adopted under those acts remains valid until amended or repealed.

Effective October 1, 2011.

Intro. by Brock.

GS 153A, 160A, 159

Local Government

S 774. UPDATE ELECTRONIC PRESCRIPTION RULES. Filed 4/19/11. *TO REQUIRE THE BOARD OF PHARMACY TO ADOPT ADDITIONAL RULES RELATING TO ELECTRONIC PRESCRIPTIONS.*

Amends GS 90-85.32 as the title indicates. Prescribes what the rules adopted by the Board of Pharmacy are to require with regards to electronic prescribing software and hardware, practitioners, covering entities, including an insurer or pharmacy benefits manager, and prior authorization forms. Directs the Board of Pharmacy to propose rules consistent with this act within 90 days of the effective date of the act. Effective October 1, 2011.

Intro. by Brock.

GS 90

Health, Social Services, and Aging

S 775. REGULATE ABORTION FACILITIES. Filed 4/19/11. *TO ESTABLISH LICENSURE REQUIREMENTS AND A LICENSING FEE FOR ABORTION FACILITIES AND TO ESTABLISH PENALTIES FOR ABORTION FACILITIES THAT VIOLATE LICENSING REQUIREMENTS.*

Enacts new Part 6A, *Abortion Facility Licensure Act*, to Article 6 in GS Chapter 131E to establish licensing requirements for abortion facilities. Includes definitions applicable to Part 6A. Prohibits any person from establishing, operating, or maintaining an abortion facility without first applying for a license and submitting the required information and an application fee of \$750 to the Department of Health and Human Services (DHHS). Defines *abortion facility* as any building in which a medical or surgical procedure causes an abortion, provided the facility performs at least 100 abortions per calendar year; includes abortion clinics, but does not include facilities providing overnight accommodations for patients. Authorizes the Secretary of DHHS to deny the application if: (1) the applicant has been convicted of a felony or of two or more misdemeanors involving moral turpitude, as specified; (2) the licensure status or record of the applicant in any other relevant state indicates that licensing the applicant in NC would be detrimental to the public; or (3) the applicant has insufficient resources to operate and conduct the facility as required. Requires facilities seeking licensure to meet three criteria. Provides for DHHS access to facility premises and information, periodic review of licensees, license terms, a renewal fee of \$300, and provisional licenses. Requires a licensee to post the license on the premises in a conspicuous place, and to make available for inspection a registry of all staff physicians. Requires any corporation operating an abortion facility to have a licensed physician actively engaged in the practice of medicine at the facility as an officer or director.

Details procedures for denying, suspending, or revoking a license after notice and opportunity for a hearing. Includes hearing procedures, and permits an applicant or licensee to challenge DHHS's decision by filing a contested case under the Administrative Procedure Act. Requires the applicant to file a statement of ownership with specified information as a condition for a new or renewed license, and to renew the statement every six

months. Requires each licensee to file an attested financial statement, and specifies that no public funds will be spent on any patient in a facility or paid to any facility that failed the file the required statement.

Directs the owner/operator of the facility to submit architectural drawings and specifications to DHHS for approval before beginning new construction or alterations to an existing facility. Requires DHHS to inspect each licensed facility at least four times in a fiscal year. Includes additional provisions relating to facility inspections.

Directs the Medical Care Commission to adopt rules, including rules for the receipt and investigation of complaints regarding any abortion facility or any physician practicing in the facility. Makes any person operating a facility without a license guilty of a Class 1 misdemeanor and liable for a \$10,000 fine. Specifies that each day of a continuing violation constitutes a separate offense. Makes operating a facility in violation of Part 6A a public nuisance subject to abatement. Includes a severability clause.

Applies to all abortion facilities seeking initial or renewal licensure on and after October 1, 2011, including currently certified abortion clinics.

Intro. by Brock.

GS 131E

Health, Social Services, and Aging

Local Bills

None

ACTION ON BILLS

April 20, 2011

- NOTES**
1. Digests appearing under "Summaries of Bills Filed" are for bills stamped with today's filing date.
 2. Amendments and committee substitutes adopted today are summarized following the chamber action.
 3. Subscribers can find the digest of every version of each bill online at www.dailybulletin.unc.edu.
 4. The dates on which previous amendments or committee substitutes were adopted are listed below bill numbers.
 5. The action "Cal Pursuant Rule 36b" indicates that the bill has been reported by committee and is awaiting calendaring.
 6. Enacted bills are indicated by #, failed bills by *. Actions that change a bill are indicated by HA or SA.

PUBLIC BILLS

H0098	Breweries to Sell Malt Beverages on Premises.	HA Reptd Fav Com Substitute
	04-20-11	H Cal Pursuant Rule 36(b)
H0138	Amend Health Insurance Risk Pool Statutes.	H Ratified
	03-02-11	
H0139	Limit Contributions by State Vendors.	H Serial Referral to Judiciary Stricken
H0171	Municipal Self-Annexations.	H Ratified
	03-16-11	
H0200	Appropriations Act of 2011.	H Withdrawn From Com
		H Re-ref Com On Finance
H0215	Unborn Victims of Violence Act/Ethen's Law.	H Ratified
	03-23-11, 03-24-11, 04-11-11	
H0217	Inspection Requirements Salvaged Vehicles.	HA Reptd Fav Com Substitute
		H Cal Pursuant Rule 36(b)
		H Placed On Cal For 4/21/2011
	04-20-11	
H0219	Sex Offender Registry Amendments.	S Reptd Fav
	03-09-11	
H0268	Implenmentation of Reclaimed	S Reptd Fav Com Substitute

Water Rules.	SA Com Substitute Adopted
	S Placed On Cal For 4/20/2011
	S Passed 2nd & 3rd Reading
	H Rec To Concur S Com Sub
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 4/20/2011
	H Concurred In S/Com Sub
	H Ratified
03-31-11, 04-06-11, 04-20-11	
H0270 Amend Conditions of Probation.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
03-17-11, 03-23-11, 04-20-11	
H0297 Hold on to Your Drivers License.	HA Reptd Fav Com Sub 2
	H Cal Pursuant Rule 36(b)
04-06-11, 04-20-11	
H0302 Charitable Licensing Exemption Clarification.	S Rec From House
	S Passed 1st Reading
	S Ref To Com On Mental Health & Youth Services
04-14-11	
H0306 Miscellaneous Service/Process Amendments.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
H0316 Modify NCGA Police Powers.	SA Amend Adopted 1
	S Passed 2nd & 3rd Reading
	S Engrossed
03-16-11, 03-17-11, 04-07-11, 04-20-11	
H0332 Clarify Development Moratoria Authority.	H Postponed To 4/26/2011
H0333 Adopt Official State Sport.	H Reptd Fav
	H Cal Pursuant Rule 36(b)
H0336 Amend Weight Requirements-Certain Vehicles.	S Reptd Fav Com Substitute
	SA Com Substitute Adopted
03-29-11, 04-20-11	
H0385 2011 Omnibus Labor Law Changes.-AB	H Reptd Fav
	H Cal Pursuant Rule 36(b)
	H Placed On Cal For 4/21/2011
H0386 Real Estate License Law Amendments.-AB	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
04-20-11	
H0397 DHHS Penalties and Remedies Revision.-AB	HA Reptd Fav Com Substitute
	H Re-ref Com On Finance
04-20-11	
H0407 Modify ATV Helmet Use Requirements.	SF Failed 2nd Reading
	S Reconsidered 2nd Reading
	S Passed 2nd & 3rd Reading
03-22-11	
H0417 Extend Time For Site Of Low/Mod. Inc. Housing.	H Reptd Fav
	H Re-ref Com On Finance
H0422 No High-Speed Rail Money from Federal Gov't.	HA Reptd Fav Com Substitute
	H Re-ref Com On Commerce and Job Development
04-20-11	
H0423 Enact First Evaluation Program.	HA Reptd Fav Com Substitute
	H Cal Pursuant Rule 36(b)
04-20-11	
H0427 Run and You're Done.	S Rec From House

	S Passed 1st Reading
	S Ref To Com On Judiciary II
04-07-11, 04-19-11	
H0432 Swine in Transport/Regulate Feral Swine.	S Reptd Fav Com Substitute SA Com Substitute Adopted S Re-ref Com On Finance
04-06-11, 04-20-11	
H0436 Economic Disclosures for Sanitary Districts.	S Rec From House S Passed 1st Reading S Ref To Com On State and Local Government
04-14-11	
H0492 Stormwater/Isolated Popl. Growth in County.	S Rec From House S Passed 1st Reading S Ref To Com On Agriculture/Environment/Natural Resources
H0497 Clarify Definition of General Contractor.	H Reptd Fav H Cal Pursuant Rule 36(b)
H0571 Prepaid Wireless/Point of Sale Collection.	H Withdrawn From Com H Re-ref Com On Public Utilities
H0587 North Carolina Jobs Bill.	H Assigned To Commerce and Job Development Subcommittee on Business and Labor
H0637 Adoption Law Changes.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 4/21/2011
04-20-11	
H0648 Improve Enforcement/General Contractor Laws.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b)
04-20-11	
H0659 Capital Procedure/Severe Mental Disability.	HA Reptd Fav Com Substitute H Re-ref Com On Appropriations
04-20-11	
H0660 No In Person Service Required/ 50C Orders.	H Reptd Fav H Cal Pursuant Rule 36(b) H Placed On Cal For 4/21/2011
H0706 Alimony/Postseparation Support Changes.	H Reptd Fav H Cal Pursuant Rule 36(b)
H0719 Suspension Removed When Eligibility Met.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b)
04-20-11	
H0734 Require Photo ID/Food Stamps Program.	HA Reptd Fav Com Substitute H Re-ref Com On Finance
04-20-11	
H0736 Amend Law Re: School Discipline.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b)
04-20-11	
H0769 High School to Work Partnership.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b)
04-20-11	
H0779 Electronic Recording/ Custodial Interrogations.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b)
04-20-11	
H0792 Gfeller-Waller Concussion Awareness Act.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b)

04-20-11
H0802 Child Support Order Stayed By Appeal. S Rec From House
S Passed 1st Reading
S Ref To Com On Rules and Operations of the Senate

H0803 Allow Court to Assess Atty Fees/50C Orders. HA Reptd Fav Com Substitute
H Cal Pursuant Rule 36(b)
H Placed On Cal For 4/21/2011

04-20-11
H0810 Consumer Finance Act Amendments. H Serial Referral to Finance Stricken

H0821 Allow DOT to Use Recycled Asphalt. H Passed 2nd & 3rd Reading

H0829 Streamline Education Planning Responsibility. HA Reptd Fav Com Substitute
H Cal Pursuant Rule 36(b)

04-20-11
H0846 Expand Access/Death Certificate/Adult Adoptee. H Reptd Fav
H Cal Pursuant Rule 36(b)
H Placed On Cal For 4/21/2011

H0857 Sex Offenders/Electronic Monitoring. HA Reptd Fav Com Substitute
H Cal Pursuant Rule 36(b)
H Placed On Cal For 4/21/2011

04-20-11
H0868 Appointment of Counsel Funds. H Filed

H0869 Aurora Fossil Museum Special Plate. H Filed

S0031 Clarify Penalty Unauth. Practice of Medicine. H Conf Com Appointed

03-03-11, 04-07-11
S0033 Medical Liability Reforms. HA Amend Adopted 1
HA Amend Adopted 3
HA Amend Adopted 2
H Amend Failed 4
HA Amend Adopted 5
H Amend Failed 6
H Passed 2nd Reading
H Amend 7 Offered
H Amendment Withdrawn 7
H Passed 3rd Reading
H Ordered Engrossed

03-01-11, 03-02-11, 04-19-11, 04-20-11
S0075 Promote Electricity Demand Reduction. H Amend Failed 1
H Passed 3rd Reading

03-15-11
S0105 Increase Penalty/2nd Degree Murder. HA Reptd Fav Com Substitute
H Cal Pursuant Rule 36(b)

04-20-11
S0110 Permit Terminal Groins. H Postponed To 4/26/2011

03-09-11, 03-14-11, 04-19-11
S0130 Wine Distribution Territories. HA Reptd Fav Com Substitute
H Cal Pursuant Rule 36(b)

03-29-11, 04-20-11
S0141 Concealed Carry/DA, Ass't DA, Investigator. S Passed 2nd & 3rd Reading

04-13-11
S0146 Suspend Plastic Bag Ban/ S Ratified

Supply Disruption.
04-19-11
S0275 Official Herring Festival. S Concurred In H/com Sub
04-13-11
S0323 State Hlth Plan/
Appropriations & Transfer ll. HA Amend Adopted 1
H Passed 3rd Reading
H Ordered Engrossed
S Rec To Concur H Com Sub
S Placed On Cal For 4/20/2011
S Failed Concur In Com Sub
S Conf Com Appointed
H Conf Com Appointed

03-24-11, 04-19-11, 04-20-11
S0346 Exempt Cooking Schools from
Food Regulations. H Assigned To Commerce and Job
Development

03-31-11
S0381 NC Family & Consumer Sciences
100th. S Withdrawn From Com
S Placed On Cal For 4/26/2011
S0397 Expunge Nonviolent Offense by
Minor. S Passed 2nd & 3rd Reading

S0406 Repeal Crossbow Purchase
Permit Requirement. S Ratified

S0414 Allow Attorneys' Fees in
Business Contracts. SA Amend Adopted 1
S Passed 2nd Reading

04-11-11, 04-20-11
S0433 Local Human Services
Administration. SA Amend Adopted 1
S Amendment Withdrawn 2
S Amend Failed 3
S Passed 2nd Reading

04-06-11, 04-20-11
S0434 Directed Trustee and Trust
Protector. S Passed 2nd & 3rd Reading

04-19-11
S0449 Task Force on Fraud Against
Older Adults. S Reptd Fav Com Substitute
SA Com Substitute Adopted

04-20-11
S0451 Extend Reporting on Baby
Boomer Preparations. S Reptd Fav

S0461 Amend Weight Limits for Farm
Products. S Reptd Fav Com Substitute
SA Com Substitute Adopted

04-20-11
S0464 Debt Reduction Act of 2011. H Withdrawn From Com
H Cal Pursuant Rule 36(b)

S0472 Norwood Water Lines. S Passed 2nd & 3rd Reading

04-19-11
S0474 Photo ID for Certain
Controlled Substances. SA Amend Adopted 1
S Passed 2nd & 3rd Reading
S Engrossed

04-19-11, 04-20-11
S0648 Amend Law Re: School
Discipline. S Passed 1st Reading
S Ref To Com On Education/
Higher Education

S0649 Core Sound Waterfowl Museum
Special Plate. S Passed 1st Reading
S Ref To Com On Finance

S0650 Spending Reduction With
Medical House Arrest. S Passed 1st Reading
S Ref To Com On Judiciary II

S0651	Service Agreements/Allow Reserve Account.	S	Passed 1st Reading
		S	Ref to Commerce. If fav, re-ref to Finance
S0652	Ignition Interlock Hearing Evidence.	S	Passed 1st Reading
		S	Ref To Com On Judiciary II
S0653	Eliminate Agency Final Decision Authority.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0654	WC/Adjust Organ Injury Benefit Annually.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0655	Dentistry Management Arrangements.	S	Passed 1st Reading
		S	Ref To Com On Health Care
S0656	Right to Choose Physical Therapist.	S	Passed 1st Reading
		S	Ref To Com On Insurance
S0657	Voting Integrity.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0658	21st Century Tax Modernization Plan.	S	Passed 1st Reading
		S	Ref To Com On Finance
S0659	WC/Taxi Driver/Independent Contractor.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0660	LRC Study Consolidating Local Special Dists.	S	Passed 1st Reading
		S	Ref To Com On Program Evaluation
S0661	License Plate Agency Contracts.	S	Passed 1st Reading
		S	Ref To Com On Program Evaluation
S0662	Midwifery Licensing Act.	S	Passed 1st Reading
		S	Ref To Com On Health Care
S0663	Study Child Support Guidelines.	S	Passed 1st Reading
		S	Ref To Com On Program Evaluation
S0664	Law Enforcement Officer Fairness Act.	S	Passed 1st Reading
		S	Ref To Com On Rules and Operations of the Senate
S0665	ASU Wind Demonstration Project.	S	Passed 1st Reading
		S	Ref To Com On Agriculture/Environment/Natural Resources
S0666	Cap Motor Fuel Tax at Current Rate.	S	Passed 1st Reading
		S	Ref To Com On Finance
S0667	Permit Advertising on School Buses.	S	Passed 1st Reading
		S	Ref To Com On Rules and Operations of the Senate
S0668	Water/Wastewater Central Database.	S	Passed 1st Reading
		S	Ref To Com On Agriculture/Environment/Natural Resources
S0669	Dix Property-Mental Health Trust Fund.	S	Passed 1st Reading
		S	Ref To Com On Mental Health & Youth Services
S0670	Revise Membership/Hearing Aid Fitters Board.	S	Passed 1st Reading
		S	Ref To Com On Health Care
S0671	Smart Grid Job Creation and Retention Act.	S	Passed 1st Reading
		S	Ref to Commerce. If fav, re-ref to Finance
S0672	Study/Radiologist Assistant Licensure.	S	Passed 1st Reading
		S	Ref To Com On Appropriations/Base Budget
S0673	Cinco De Mayo Resolution.	S	Passed 1st Reading

	S	Ref To Com On Rules and Operations of the Senate
S0674 Civil Justice System Reforms.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I
S0675 Require Community Service/ Work First Program.	S	Passed 1st Reading
	S	Ref To Com On State and Local Government
S0676 Clarify Water & Well Rights/ Private Property.	S	Passed 1st Reading
	S	Ref To Com On Agriculture/ Environment/Natural Resources
S0677 NC Conservation Trust Fund Commission.	S	Passed 1st Reading
	S	Ref To Com On Agriculture/ Environment/Natural Resources
S0678 Automotive Glass Repair/Ins. Coverage.	S	Passed 1st Reading
	S	Ref To Com On Insurance
S0679 Strengthen Prohibition on Cockfighting.	S	Passed 1st Reading
	S	Ref To Com On Judiciary II
S0680 Constitutional Convention/ Hydrocarbons.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0681 Require Quid Pro Quo for Agency Rule Making.	S	Passed 1st Reading
	S	Ref to Commerce. If fav, re-ref to Judiciary I
S0682 Tax Deduction for Sharing Health Care Costs.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0683 Residential Building Inspections.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0684 Post-Release Supervision/Sex Offenders.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I
S0685 Modify Regulation of Proprietary Schools.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0686 2011 President Pro Tem Appointments Bill.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0687 State Retirement Changes.	S	Passed 1st Reading
	S	Ref To Com On Pensions & Retirement and Aging
S0688 Recognize Billy Graham as Native Son.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0689 Mountain Snow Days.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0690 Require Electronic Monitoring/ Abuse Offenders.	S	Passed 1st Reading
	S	Ref To Com On Judiciary II
S0691 Increase DMV Fees/Mobility Fund Revenue.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0692 Workers' Compensation Act Amendments.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0693 Honor Ralph Campbell.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0694 Energy Independence & Job Creation in NC.	S	Passed 1st Reading
	S	Ref to Commerce. If fav, re-

		ref to Finance
S0695	Energy Efficiency Required for REPS.	S Passed 1st Reading
		S Ref To Com On Commerce
S0696	Address Primary Care Shortage.	S Passed 1st Reading
		S Ref To Com On Appropriations/ Base Budget
S0697	Patient Advocacy & Protection Act.	S Passed 1st Reading
		S Ref To Com On Rules and Operations of the Senate
S0698	Modify COPA Agreement/Mission Health.	S Passed 1st Reading
		S Ref To Com On Rules and Operations of the Senate
S0699	Div. of Criminal Information (DCI) Changes.	S Passed 1st Reading
		S Ref To Com On Judiciary II
S0700	Modify Terms of Community College Trustees.	S Passed 1st Reading
		S Ref To Com On Education/ Higher Education
S0701	TSERS/LGERS Return of Contributions.	S Passed 1st Reading
		S Ref To Com On Pensions & Retirement and Aging
S0702	Director and Officer Insurance for Treasurer.	S Passed 1st Reading
		S Ref To Com On Insurance
S0703	NC Rural Electrification Authority/Funds.	S Passed 1st Reading
		S Ref To Com On Appropriations/ Base Budget
S0704	Eliminate Weight Requirements/ Farm Trucks.	S Passed 1st Reading
		S Ref To Com On Transportation
S0705	Require NC Use-Value Ad Bd Manual for PUV.	S Passed 1st Reading
		S Ref To Com On Finance
S0706	Legal Services.	S Passed 1st Reading
		S Ref To Com On Judiciary I
S0707	School Violence Prevention Act.	S Passed 1st Reading
		S Ref To Com On Judiciary II
S0708	Improve Enforcement/General Contractor Laws.	S Passed 1st Reading
		S Ref To Com On Commerce
S0709	Energy Jobs Act.	S Passed 1st Reading
		S Ref To Com On Commerce
S0710	Swine and Poultry Waste RECs.	S Passed 1st Reading
		S Ref To Com On Agriculture/ Environment/Natural Resources
S0711	Eliminate Film Industry Production Credit.	S Passed 1st Reading
		S Ref To Com On Finance
S0712	Adjust Quarterly Reporting.	S Passed 1st Reading
		S Ref To Com On Judiciary I
S0713	Spirituos Liquor Sales/ Tastings-Distilleries.	S Passed 1st Reading
		S Ref To Com On Rules and Operations of the Senate
S0714	Satellite Early Voting Minimum Times.	S Passed 1st Reading
		S Ref To Com On Judiciary I
S0715	Repeal Remote Retailer Click-Through.	S Passed 1st Reading
		S Ref To Com On Finance
S0716	Study Statewide Property Insurance Structure.	S Passed 1st Reading
		S Ref To Com On Insurance
S0717	Photo I.D. For SNAP Recipients.	S Passed 1st Reading
		S Ref To Com On Agriculture/ Environment/Natural Resources

S0718 Prescription Integrity Act.	S	Passed 1st Reading
	S	Ref To Com On Health Care
S0719 Equalize Income Tax Paid By Small Businesses.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0720 Eliminate Credits for Exporting Cigarettes.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0721 Eliminate Discounts For Timely Reports.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0722 Tax Fines and Forfeitures to County of Crime.	S	Passed 1st Reading
	S	Ref To Com On Judiciary II
S0723 Strengthen Controlled Sub. Reporting System.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I
S0724 An Act to Improve Public Education.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0725 Campaign Finance Reform.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I
S0726 Multiple Birth Sibling Classroom Placement.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0727 No Dues Checkoff for School Employees.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0728 Modify Abandoned Property Provisions.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0729 Technology to Catch Uninsured Motorists.	S	Passed 1st Reading
	S	Ref To Com On Insurance
S0730 Taxpayer Action if No DOR Determination.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0731 Zoning/Design and Aesthetic Controls.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0732 Reporting of Scores on the ASVAB Test.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0733 Modify Small School Provisions.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0734 Accommodations and Occupancy Tax Changes.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0735 Congressional Plan - Odell School.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I
S0736 No State Funds for Abortions.	S	Passed 1st Reading
	S	Ref To Com On Appropriations/ Base Budget
S0737 UI/Five-Hour Public Service Requirement.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0738 Liability Insurance Required for ABC Permits.	S	Passed 1st Reading
	S	Ref To Com On Insurance
S0739 Consolidated Corporate Tax Returns.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0740 Allow Surety Agent to File Motions/Bail Bonds.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I
S0741 Jurisdictional Amts/ Arbitration/Sm Claims Ct.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I
S0742 Video of DWI Stops and Chemical Tests.	S	Passed 1st Reading
	S	Ref To Com On Judiciary I

S0743 Encourage Volunteer Health Care Providers.	S	Passed 1st Reading
	S	Ref To Com On Health Care
S0744 Transparency in the Cost of Health Care.	S	Passed 1st Reading
	S	Ref To Com On Health Care
S0745 Beer Franchise Law Clarifications.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0746 Courts Commission Chairs.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0747 Offshore Wind Jobs and Economic Development.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0748 Increase Drivers License Restoration Fee.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0749 Modify Weight Limits for Farm Operations.	S	Passed 1st Reading
	S	Ref To Com On Transportation
S0750 DOT Bid Responses Not Public/ Contract Awarded.	S	Passed 1st Reading
	S	Ref To Com On Transportation
S0751 Statutory Cap for Motor Fuel Excise Tax Rate.	S	Passed 1st Reading
	S	Ref To Com On Transportation
S0752 Eliminate Double-Weighted Sales Apportionment.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0753 Tax Boat & Aircraft Sales At General Rate.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0754 Caregiver Relief Act.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0755 Ed. Employees Ass'n./Equal Access Act.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate
S0756 Amend Bail Law/Pretrial Release Programs.	S	Passed 1st Reading
	S	Ref To Com On Judiciary II
S0757 Interscholastic Sports/ Concussions.	S	Passed 1st Reading
	S	Ref To Com On Education/ Higher Education
S0758 Domestic Violence/Funding Amendments.	S	Passed 1st Reading
	S	Ref To Com On Appropriations/ Base Budget
S0759 Equal Education Opportunity Tax Credit.	S	Passed 1st Reading
	S	Ref to Education/Higher Education. If fav, re-ref to Finance
S0760 Gang Prevention/Reporting Funds.	S	Passed 1st Reading
	S	Ref To Com On Appropriations/ Base Budget
S0761 Consumer Finance Act Amendments.	S	Passed 1st Reading
	S	Ref To Com On Commerce
S0762 Assault on Law Enforcement & EM Worker/Felony.	S	Passed 1st Reading
	S	Ref To Com On Judiciary II
S0763 Dam Removal/Modify Basin Plan & Nutrient Goal.	S	Passed 1st Reading
	S	Ref To Com On Agriculture/ Environment/Natural Resources
S0764 No Credit For Obscene Films.	S	Passed 1st Reading
	S	Ref To Com On Finance
S0765 No Firearms Questions During Medical Exams.	S	Passed 1st Reading
	S	Ref To Com On Rules and Operations of the Senate

S0766	Notarized Consent for Minor's Abortion.	S	Passed 1st Reading
		S	Ref To Com On Health Care
S0767	Public Contracts/Multiple Award.	S	Passed 1st Reading
		S	Ref To Com On Commerce
S0768	Standards for Electronic Prescriptions.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0769	Abortion-Woman's Right to Know Act.	S	Passed 1st Reading
		S	Ref To Com On Health Care
S0770	Birth Certificate/Stillborn Infants.	S	Passed 1st Reading
		S	Ref To Com On Health Care
S0771	Single Trip Permits/Modular Homes.	S	Passed 1st Reading
		S	Ref To Com On Transportation
S0772	Consolidate Ethics, Elections, and Lobbying.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0773	City/County Electronic Notice.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0774	Update Electronic Prescription Rules.	S	Passed 1st Reading
		S	Ref To Com On Judiciary I
S0775	Regulate Abortion Facilities.	S	Passed 1st Reading
		S	Ref To Com On Health Care

LOCAL BILLS

H0017	Wayne Board of Education Vacancies.	S	Passed 2nd & 3rd Reading
H0026	Henderson County Fire Districts.	S	Passed 3rd Reading
H0068	Tax Certification - Add Counties.	H	Ratified
	03-09-11		
H0140	Oak Island/Recall Officials.	S	Passed 2nd & 3rd Reading
	03-07-11		
H0204	Edgecombe Co. Tourism Development Authority.	H	Reptd Fav
		H	Cal Pursuant Rule 36(b)
		H	Placed On Cal For 4/21/2011
H0224	Foxfire Village Assessment Validated.	H	Reptd Fav
		H	Cal Pursuant Rule 36(b)
		H	Placed On Cal For 4/21/2011
H0266	Wake Local Energy Efficiency.	H	Reptd Fav
		H	Cal Pursuant Rule 36(b)
		H	Placed On Cal For 4/21/2011
	04-07-11		
H0365	Pink Hill Elections.	H	Ratified
	03-31-11		
H0460	Rockingham/Trespassing on Private Land.	H	Passed 2nd Reading
		HA	Amend Adopted 1
		H	Passed 3rd Reading
		H	Ordered Engrossed
	04-20-11		
H0488	PRTF/Extend Nashville Waiver.	S	Rec From House
		S	Passed 1st Reading
		S	Ref To Com On State and Local Government
H0537	Wilkes Fire Tax Dist. Boundaries.	H	Reptd Fav
		H	Cal Pursuant Rule 36(b)
		H	Placed On Cal For 4/21/2011

04-14-11	H0545 Amend Moore County Occupancy Tax.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 4/21/2011
04-20-11	H0645 General Assembly Meet in Capitol.	HA Reptd Fav Com Substitute H Cal Pursuant Rule 36(b) H Placed On Cal For 4/20/2011
04-20-11	S0082 Town of Atkinson/Charter Amendment.	S Ratified
	S0083 Wilson School Board.	S Rec To Concur H Com Sub S Placed On Cal For 4/21/2011
04-14-11	S0182 Carteret/Greenville Email Subscription Lists.	S Concurred In H/com Sub
04-07-11, 04-11-11	S0273 Wake Municipalities Energy Efficiency.	S Passed 2nd & 3rd Reading
04-19-11	S0281 Municipal Service District/ Streets.	H Reptd Fav H Cal Pursuant Rule 36(b)
03-29-11		

SUMMARIES OF AMENDMENTS AND COMMITTEE SUBSTITUTES

HOUSE BILLS

H 98. [BREWERIES TO SELL MALT BEVERAGES ON PREMISES](#). Filed 2/15/11. House committee substitute makes the following changes to 1st edition. Retains GS 18B-1104(6) (which was repealed in the 1st edition) allowing holder of a brewery permit to give its products to its employees and guests for consumption on its premises. Amends GS 18B-1104(7) to allow for the sale of a brewery's malt beverages at the brewery in areas where the sale of any type of alcoholic beverage is authorized by law. Makes other conforming and technical changes to the 1st edition.

Alcoholic Beverage Control

H 217. [INSPECTION REQUIREMENTS SALVAGED VEHICLES](#). Filed 3/2/11. House committee substitute makes the following changes to 1st edition. Deletes all provisions of 1st edition and replaces it with *AN ACT TO AMEND THE INSPECTION REQUIREMENTS FOR USED VEHICLES SOLD ON A SALVAGE TITLE BY DEALERS*. Amends GS 20-183.4C(a)(2) by allowing a used vehicle sold on a salvage title where no repairs have been made to the vehicle after issuance of the salvage title to be sold without inspection by a dealer.

Transportation

H 268. [RECLAIMED WATER RULES/ STORM DEBRIS CLEANUP \(NEW\)](#). Filed 3/9/11. Senate committee substitute makes the following changes to 3rd edition. Adds a Part II to authorize the expedited cleanup of storm-related debris. Allows the disposal, temporary storage, and burning of storm-related debris from the date that the state of emergency was declared by the Governor under Executive Order No. 87 through June 1, 2011 in spite of any state laws regarding permitting requirements for handling or disposing of solid waste, or prohibitions on open burning related to protecting air quality. Provides that the provisions allowing the cleanup of storm-related debris are not to be construed as (1) allowing the improper or unpermitted storage, disposal, or burning of hazardous waste; (2) removing the need for a burn permit as required under Article 4C of GS Chapter 113, (3) allowing any activity that violates federal law, and (4) allowing any activity that causes an imminent threat to public health or safety. Makes a conforming change to the title to reflect the additional bill content.

APA/Rule Making; Agriculture,
Environment, and Natural
Resources

H 270. AMEND CONDITIONS OF PROBATION. Filed 3/9/11. Senate committee substitute makes the following changes to 3rd edition. Amends the regular condition of probation in GS 15A-1343(b)(16) to provide that a probation officer may only instruct a probationer to supply a breath, urine, or blood specimen for purposes directly related to the probation supervision.

Criminal Law, Procedure, and
Sentencing

H 297. HOLD ON TO YOUR DRIVERS LICENSE. Filed 3/9/11. House committee substitute makes the following changes to 2nd edition. Amends subsection GS 75-62.1(b) to provide that a business may request and copy a person's driver's license but must return it immediately (deletes requirements that the copy be required by contract and made during business hours).

Business and Commerce;
Transportation

H 316. MODIFY NCGA POLICE POWERS. Filed 3/9/11. Senate amendment makes the following changes to 4th edition. Changes waiver of Legislative Services Commission rules by the Speaker of the House and the President Pro Tempore of the Senate from being applicable to any elected officer of either chamber to only applying to the House and Senate Sergeant-At-Arms.

General Assembly

H 336. AMEND WEIGHT REQUIREMENTS--CERTAIN VEHICLES. Filed 3/10/11. Senate committee substitute makes the following changes to 2nd edition. Provides that no additional weight allowances as found in section GS 20-118 shall apply for the gross weight, single-axle weight, and tandem-axle weight, and that the tolerance allowed by subsection GS 20-188(h) is inapplicable.

Transportation

H 386. REAL ESTATE LICENSE LAW AMENDMENTS. Filed 3/16/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.

Property, Land Use, and Housing

H 397. DHHS PENALTIES AND REMEDIES REVISION. Filed 3/16/11. House committee substitute makes the following changes to 1st edition.

Amends GS 122C-24.1(a), which provides for penalties and remedies for facilities licensed under the Mental Health, Developmental Disabilities, and Substance Abuse Act, to clarify that, for a Type A2 Violation, the Department of Health and Human Services (DHHS) may or may not assess a penalty, taking into consideration compliance history, preventative measures, and facility response to previous violations (previous edition stated that no penalty would be assessed if the violation was corrected within the required time frame). Expands and clarifies the explanation for "Past Corrected Type A1 or Type A2 Violation" to mean either (1) the violation was not previously identified, or (2) the violation was discovered and reported by the facility; requires the violation to be corrected in either case. Directs DHHS to consider five factors when determining whether or not to assess a penalty for the violation. Makes similar changes to GS 131D-34 (concerning adult care homes) and GS 131E-129 (concerning health care facilities).

Amends GS 122C-24.1(g), clarifying that any penalty imposed by DHHS commences on the date of the letter of notification of the penalty amount. Amends GS 131D-34(c1), clarifying that DHHS must make a written record of factors supporting the initial penalty available to affected parties, including the family member who serves as a responsible party or those persons with legal authority on behalf of the affected residents. Amends GS 131D-34(f), clarifying that any penalty imposed by DHHS commences on the date the violation was identified. Amends GS 131E-129(a)(1)e., requiring the person making the findings to send a report of findings to the facility within 15 working days (rather than 10 working days) for a Type A1 Violation. Makes additional clarifying changes.

Health, Social Services, and Aging

H 422. FEDERAL RAIL MONEY/REPORT, CONSULT, APPROVE. (NEW). Filed 3/21/11. House committee substitute makes the following changes to 1st edition. Deletes all provisions of the 1st edition and replaces it with *AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO REPORT THE ACCEPTANCE OF ALL*

FEDERAL RAIL FUNDS AND TO CONSULT WITH THE GENERAL ASSEMBLY PRIOR TO ACCEPTING FUNDS FOR CERTAIN PROJECTS. Amends GS 136-44.36 to add a new subsection (b) placing certain requirements on the acceptance of federal funds by the NC Department of Transportation (DOT) for rail programs as follows: (1) requires DOT to report to the General Assembly (either the Joint Legislative Commission on Governmental Operations or the Senate and House Transportation Appropriation Subcommittees, depending on whether the General Assembly is in session) certain project details including the amount of federal funds, the amount of any state matching funds, and expected annual maintenance and operational costs to the State for the next 25 years; and (2) requires DOT to consult with the General Assembly (either the Joint Legislative Commission on Governmental Operations or the Senate and House Transportation Appropriation Subcommittees, depending on whether the General Assembly is in session) prior to accepting federal funds if the cost to the State is reasonably expected to exceed \$3 million. If consultation is required, failure of the appropriate committee or committees of the General Assembly to hold a meeting with DOT within 90 days of a written request is deemed a waiver of the consultation requirement. Effective April 1, 2011.

Transportation

H 423. ENACT FIRST EVALUATION PROGRAM. Filed 3/22/11. House committee substitute makes the following changes to 1st edition. Provides that a master's level certified clinical addiction specialist is only authorized to conduct the initial examination of individuals meeting the criteria of GS 122C-281(a). Makes a conforming change.

Health, Social Services, and Aging

H 432. SWINE IN TRANSPORT/REGULATE FERAL SWINE. Filed 3/22/11. Senate committee substitute makes the following changes to 2nd edition.

Requires the Board of Agriculture to adopt rules to charge any swine owner a fee for the official form of identification required to transport swine (was, provided that the Board may adopt such rules). Amends GS 113-291.1 to provide that any person convicted of unlawfully taking bear (was, bear or wild boar) is punishable as provided by GS 113-294(c1).

Agriculture, Environment, and
Natural Resources; Animal Law

H 460. ROCKINGHAM/TRESPASSING ON PRIVATE LAND. Filed 3/23/11. House amendment makes the following changes to 1st edition.

Changes the terms of imprisonment for second or subsequent offenses on posted or nonposted lands from 30 days to 20 days.

Rockingham

H 545. AMEND MOORE COUNTY OCCUPANCY TAX. Filed 3/30/11. House committee substitute makes changes to the 1st edition to be summarized in tomorrow's *Daily Bulletin*.

Moore

H 637. ADOPTION LAW CHANGES. Filed 4/5/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.

Family Law

H 645. AUTHORIZE ADULT DAY/OVERNIGHT RESPITE PROGRAM. Filed 4/5/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.

General Assembly

H 648. IMPROVE ENFORCEMENT/GENERAL CONTRACTOR LAWS. Filed 4/5/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.

Business and Commerce; Local
Government; Property, Land Use,
and Housing

H 659. CAPITAL PROCEDURE/SEVERE MENTAL DISABILITY. Filed 4/6/11. House committee substitute makes changes to the 1st edition to be summarized in tomorrow's *Daily Bulletin*.

Criminal Law, Procedure, and
Sentencing

H 719. [SUSPENSION REMOVED WHEN ELIGIBILITY MET](#). Filed 4/6/11. House committee substitute makes the following changes to 1st edition. Substitutes the word “person” for the word “student” throughout the bill.
Transportation

H 734. [REQUIRE PHOTO ID/FOOD STAMPS PROGRAM](#). Filed 4/6/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.
Health, Social Services, and Aging

H 736. [AMEND LAW RE: SCHOOL DISCIPLINE](#). Filed 4/6/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.
Education

H 769. [HIGH SCHOOL TO WORK PARTNERSHIP](#). Filed 4/6/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.
Education

H 779. [ELECTRONIC RECORDING/CUSTODIAL INTERROGATIONS](#). Filed 4/6/11. House committee substitute makes changes to 1st edition to be summarized in tomorrow's *Daily Bulletin*.
Criminal Law, Procedure, and Sentencing

H 792. [GFELLER-WALLER CONCUSSION AWARENESS ACT](#). Filed 4/6/11. House committee substitute makes the following changes to 1st edition. Amends GS 115C-12(23) to require the State Board of Education to adopt rules governing interscholastic athletic activities conducted by local boards of education. Adds first responders to the list of people who must sign a concussion and head injury information sheet before they may participate in interscholastic athletic activities. Substitutes “interscholastic athletic activities” for “extracurricular athletic activities” and “student” for “athlete” in multiple instances in GS 115C-12(23).
Education; Health, Social Services, and Aging

H 803. [ALLOW COURT TO ASSESS ATTY FEES/50C ORDERS](#). Filed 4/6/11. House committee substitute makes the following changes to 1st edition. Changes the bill title to now read *AN ACT ALLOWING A COURT TO ASSESS ATTORNEYS' FEES IN CIVIL NO-CONTACT ORDERS*. Changes amendment to GS 50C-5(b)(7) to authorize the court to award assessment of attorney's fees to either party (1st edition authorized assessing attorney's fees only when a no-contact action is brought without a factual basis). Changes the effective date to October 1, 2011.
Civil Law and Procedure

H 829. [STREAMLINE EDUCATION PLANNING RESPONSIBILITY](#). Filed 4/6/11. House committee substitute makes the following changes to 1st edition. Deletes all provisions of the 1st edition without changing the title of the bill and replaces it with the following:

Amends GS 115C-47(18) to authorize local boards of education to consolidate plans and reports to reduce paperwork unless prohibited by federal law or grants, and relieves local boards of education of the responsibility for developing an additional plan on a matter if it finds that its school improvement plan adequately covers that matter.

Repeals GS 115C-102.6C which requires local boards of education to adopt technology plans subject to approval by the State Board of Education.

Repeals GS 115C-102.6D(d) which restricts local school administrative units from accessing technology-related funds from the State School Technology Fund unless the local board of education's technology plan has been approved by the State Board of Education.

Amends GS 115C-102.7 by repealing subsection (c) which requires the Department of Public Instruction to randomly check local school technology plans to ensure implementation of those plans as approved by the State Board of Education and to report noncompliant local school administrative units to the State Board of Education.

Amends GS 115C-105.47 (b) to eliminate the requirement that local boards of education submit their safe school plans to the State Board of Education. Effective beginning with the 2011-12 school year.
Education

H 857. SEX OFFENDERS/ELECTRONIC MONITORING. Filed 4/6/11. House committee substitute makes the following changes to 1st edition. Adds a new provision amending GS 15A-531(5a), which pertains to house arrest with electronic monitoring as a condition of pretrial release, to include a description of an “active” monitoring device. Adds a new provision amending GS 15A-1340.11(4a), which defines house arrest with electronic monitoring for Structured Sentencing purposes, to require that covered offenders wear an active electronic monitoring device as described in the amended subsection. Amends the 1st edition by allowing the Department of Correction until March 1, 2012 (was, January 1, 2012) to replace existing monitoring equipment for sex offenders with equipment that can place exclusion zones around K-12 schools in the state.

Criminal Law, Procedure, and
Sentencing

SENATE BILLS

S 33. MEDICAL LIABILITY REFORMS. Filed 2/2/11. House amendments make the following changes to 4th edition. Amendment #1 deletes GS 90-21.19A (allowing periodic payments rather than lump-sum payments of certain medical malpractice damages awards), and amends new GS 90-21.19B to require a verdict or award of damages in a medical malpractice case to specify what amount, if any, is awarded only for noneconomic damages (was, noneconomic damages, present economic damages, future economic damages, loss of future earnings, and loss of future household services). Amendment #2 changes the definition of noneconomic damages in GS 90-21.19(b)(2) by removing the reference in the 4th edition to damages for physical impairment and disfigurement, and by adding an exclusion for damages to compensate for scars or disfigurement, loss of use of a body part, permanent injury, or death. Amendment #3 changes amendment #2 by deleting its reference to “scars” in the definition of noneconomic damages. Amendment #5 amends GS 1A-1, Rule 42(b)(3), to add that the court may, for good cause shown, order a single trial for the issues of liability and damages in a tort action in which a plaintiff seeks in excess of \$150,000.

Health, Social Services, and Aging;
Courts; Civil Law and Procedure;
Employment and Retirement

S 105. INCREASE PENALTY/CERTAIN 2ND DEGREE MURDER (NEW). Filed 2/22/11. House committee substitute makes the following changes to 1st edition. Changes the bill title to read *AN ACT TO INCREASE THE PENALTY FOR CERTAIN SECOND DEGREE MURDERS TO CLASS B1 FELONIES*. Amends GS 14-17 by making as a new subsection (a) the existing definition of murder in the first degree and retains the punishment of first degree murder as a Class A felony. Creates a new subsection (b) that defines murder in the second degree as any murder other than that which is defined as first degree murder. Makes punishable as a B1 felony any second degree murder committed with hatred, ill will, spite, or with a condition of mind which prompts a person to take the life of another intentionally, or to intentionally inflict serious bodily harm which proximately results in death without just cause, excuse, or justification. Makes all other second degree murders punishable as Class B2 felonies. Makes a conforming deletion in subsection (a).

Criminal Law, Procedure, and
Sentencing

S 130. WINE DISTRIBUTION TERRITORIES. Filed 2/24/11. House committee substitute makes the following changes to 2nd edition. Exempts retail permit holder private label brands from the provisions of GS 18B-1203(b).
Alcoholic Beverage Control

S 323. STATE HLTH PLAN/ APPROPRIATIONS & TRANSFER II. Filed 3/10/11. House amendment makes the following changes to 3rd edition.

The previous edition charged a monthly premium for all active members of the State Health Plan for Teachers and State Employees. The amendment charges no premium for active members in the Basic Plan, and allows a charge for the Standard Plan up to the listed monthly premium rates (rates increased from previous edition) for partially contributory coverage. Increases the appropriations from the General Fund and the Highway Fund to the State Health Plan Reserve as follows: \$11,725,587 for 2011-12 and \$109,480,158 for 2012-13 from the General Fund, and \$547,194 for 2011-12 and \$5,109,074 for 2012-13 from the Highway Fund. Specifies that premium rates for contributory coverage may increase by up to 5.43% (rather than 5.2%) in 2011-12 and by up to an additional 5.43% (rather than 5.2%) for 2012-13. Increases employer contribution rates and amounts for 2011-13 with effective dates of July 1, 2011, and July 1, 2012. Makes conforming changes to restore language for

noncontributory coverage for certain active employees and to allow certain surviving spouses to participate on a partially contributory basis.

Budget and Appropriations; Health,
Social Services, and Aging

S 346. EXEMPT COOKING SCHOOLS FROM FOOD REGULATIONS. Filed 3/15/11. House committee substitute makes the following changes to 2nd edition. Broadens the definition of a bona fide cooking school to include schools that provide (was, primarily provide) courses or instruction on food preparation techniques that participants can replicate in their homes.

Health, Social Services, and Aging

S 414. ALLOW ATTORNEYS' FEES IN BUSINESS CONTRACTS. Filed 3/23/11. Senate amendment makes the following changes to 2nd edition.

Amends proposed GS 6-21.6 to clarify that reciprocal attorneys' fees provisions in business contracts are valid and enforceable for the recovery of reasonable attorneys' fees and expenses only if all parties to the business contract sign the contract. Adds a provision stating that the award of reasonable attorneys' fees may not exceed the amount in controversy.

Business and Commerce

S 433. LOCAL HUMAN SERVICES ADMINISTRATION. Filed 3/28/11. Senate amendment makes the following changes to 2nd edition. Amends 153A-77 to require that all consolidated county human services agencies comply with all applicable federal laws, rules, and regulations requiring the establishment of merit personnel systems.

Local Government; Health, Social
Services, and Aging

S 449. TASK FORCE ON FRAUD AGAINST OLDER ADULTS. Filed 3/29/11. Senate committee substitute makes the following changes to 1st edition. Adds the Senior Tarheel Legislature to the entities from which representatives are to be included on the Task Force on Fraud Against Older Adults.

Health, Social Services, and Aging;
Criminal Law, Procedure, and
Sentencing

S 461. AMEND WEIGHT LIMITS FOR FARM PRODUCTS. Filed 3/30/11. Senate committee substitute makes the following changes to 1st edition. Makes technical changes only.

Transportation; Agriculture,
Environment, and Natural
Resources

S 474. PHOTO ID FOR CERTAIN CONTROLLED SUBSTANCES. Filed 3/30/11. Senate amendment makes the following changes to 2nd edition. Provides that nothing in GS 90-106.1 applies to the dispensation of controlled substances to employees of a health care facility when the controlled substances are delivered to a facility for the benefit of its residents or patients.

Health, Social Services, and Aging

Legislation Enacted

SL 2011-41 (H 162). EXEMPT SMALL AG PROCESSING FROM PERMIT REQ. AN ACT TO EXEMPT CERTAIN ACTIVITIES RELATED TO SMALL-SCALE PROCESSING OF AGRICULTURAL PRODUCTS FROM WASTEWATER PERMIT REQUIREMENTS. Summarized in *Daily Bulletin* 2/22/11 and 3/30/11. Enacted April 19, 2011. Effective April 19, 2011.

Agriculture, Environment, and
Natural Resources

SL 2011-42 (H 234). JUROR QUALIFICATIONS/DISABILITIES. AN ACT TO AMEND THE QUALIFICATIONS FOR PROSPECTIVE JURORS IN ORDER TO ALLOW HEARING-IMPAIRED PERSONS TO SERVE AS JURORS AND TO PROVIDE FOR PERSONS WITH DISABILITIES TO APPLY FOR EXEMPTIONS FROM JURY DUTY. Summarized in *Daily Bulletin* 3/3/11, 3/16/11, 3/22/11, and 4/5/11. Enacted April 19, 2011. Effective July 1, 2011.

Courts

SL 2011-43 (S 154). [ABOLISH HIGHER EDUCATION BOND OVERSIGHT COMM.](#) AN ACT TO ABOLISH THE HIGHER EDUCATION BOND OVERSIGHT COMMITTEE, WHICH HAS COMPLETED ITS WORK. Summarized in *Daily Bulletin* 3/1/11. Enacted April 19, 2011. Effective April 19, 2011.

Education

SL 2011- 44 (S 82). [TOWN OF ATKINSON/CHARTER AMENDMENT.](#) AN ACT AMENDING THE CHARTER OF THE TOWN OF ATKINSON TO ALLOW THE QUALIFIED VOTERS OF THE ENTIRE TOWN TO ELECT THE TOWN OFFICERS, TO CHANGE THE NAME OF THE GOVERNING BODY, AND TO EXTEND THE TERM OF OFFICE OF THE MEMBERS OF THE GOVERNING BODY FROM TWO TO FOUR YEARS AND STAGGERING THOSE TERMS. Summarized in *Daily Bulletin* 2/17/11. Enacted April 20, 2011. Effective April 20, 2011.

Pender

SL 2011-45 (H 68). [TAX CERTIFICATION—ADD COUNTIES.](#) AN ACT TO AUTHORIZE ALAMANCE, BRUNSWICK, BUNCOMBE, AND YANCEY COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY. Summarized in *Daily Bulletin* 2/9/11 and 3/9/11. Enacted April 20, 2011. Effective April 20, 2011.

Brunswick; Buncombe; Alamance;
Yancey

SL 2011-46 (H 365). [PINK HILL ELECTIONS.](#) AN ACT TO AMEND THE CHARTER OF THE TOWN OF PINK HILL TO PROVIDE A FOUR-YEAR TERM FOR THE MAYOR AND STAGGERED FOUR-YEAR TERMS FOR THE TOWN COMMISSIONERS, SUBJECT TO A REFERENDUM. Summarized in *Daily Bulletin* 3/15/11 and 3/31/11. Enacted April 20, 2011. Effective April 20, 2011.

Lenoir

SL 2011-47 (S 146). [SUSPEND PLASTIC BAG BAN/SUPPLY DISRUPTION.](#) AN ACT TO SUSPEND THE BAN ON PLASTIC BAGS IN CERTAIN COASTAL AREAS DUE TO A DISRUPTION IN THE SUPPLY OF PAPER BAGS BECAUSE OF THE SEVERE TORNADOS. Summarized in *Daily Bulletin* 4/19/11. Enacted April 20, 2011. Effective April 16, 2011.

Business and Commerce;
Agriculture, Environment, and
Natural Resources; Emergency
Services

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Notes

None

NEXT SESSIONS

April 21, 2011

HOUSE convenes at 1:00 p.m.

SENATE convenes at 11:00 a.m.