

Daily Bulletin

ACTIONS BY THE NORTH CAROLINA GENERAL ASSEMBLY

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Legislation Enacted

SL 2012-146 (H 494). [CONTINUOUS ALCOHOL MONITORING LAW CHANGES](#). AN ACT TO ALLOW THE USE OF CONTINUOUS ALCOHOL MONITORING SYSTEMS AS A CONDITION OF PRETRIAL RELEASE, AS A CONDITION OF PROBATION, TO MITIGATE PUNISHMENTS FOR IMPAIRED DRIVING OFFENSES, AND TO ENSURE COMPLIANCE WITH CHILD CUSTODY AND VISITATION ORDERS. Summarized in *Daily Bulletin* 3/29/11, 5/25/11, 6/8/11, and 7/2/12. Enacted July 12, 2012. Effective December 1, 2012.

Criminal Law, Procedure, and
Sentencing; Family Law;
Transportation

SL 2012-147 (S 227). [SCHOOL BUS CRASH REPORTS NAME DISCLOSURE](#). AN ACT TO PROVIDE THAT THE NAME AND ADDRESS OF A MINOR CHILD INVOLVED IN A SCHOOL BUS CRASH MAY BE DISCLOSED ONLY IN CERTAIN CIRCUMSTANCES. Summarized in *Daily Bulletin* 6/28/12 and 7/2/12. Enacted July 12, 2012. Effective October 1, 2012.

Education

SL 2012-148 (S 635). [MINORS/SENTENCING FOR 1ST DEGREE MURDER](#). AN ACT TO AMEND THE STATE SENTENCING LAWS TO COMPLY WITH THE UNITED STATES SUPREME COURT DECISION IN *MILLER V. ALABAMA*. Summarized in *Daily Bulletin* 7/2/12. Enacted July 12, 2012. Effective July 12, 2012.

Criminal Law, Procedure, and
Sentencing

SL 2012-149 (S 707). [SCHOOL VIOLENCE PREVENTION ACT](#). AN ACT TO ENACT THE SCHOOL VIOLENCE PREVENTION ACT OF 2012; LIMIT PRAYERS FOR JUDGMENT CONTINUED; AND END SUNSET FOR A PROVISION REGARDING AN LEA'S BASIS OF KNOWLEDGE ABOUT A CHILD WITH A DISABILITY. Summarized in *Daily Bulletin* 4/19/11, 6/7/11, 6/13/12, 6/18/12, and 7/2/12. Enacted July 12, 2012. Section 5 is effective on and after the date a magistrate is appointed by the chief district court judge to perform the function set forth in that section. Sections 3, 4, and 11 are effective December 1, 2012. The remainder is effective July 12, 2012. Sections 6–10 apply beginning with the 2012–13 school year.

Criminal Law, Procedure, and
Sentencing; Education

SL 2012-150 (H 203). [MORTGAGE SATISFACTION FORMS/NO FALSE LIENS](#). AN ACT TO PROVIDE AN ALTERNATIVE MORTGAGE SATISFACTION FORM THAT ALLOWS A SECURED CREDITOR TO INDICATE THAT THE UNDERLYING OBLIGATION HAS BEEN EXTINGUISHED; TO MAKE IT A CLASS I FELONY TO SIMULATE COURT PROCESS IN CONNECTION WITH THE COLLECTION OF A CLAIM,

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DEMAND, OR ACCOUNT, TO KNOWINGLY FILE A FALSE LIEN OR ENCUMBRANCE AGAINST THE REAL OR PERSONAL PROPERTY OF A PUBLIC OFFICER OR PUBLIC EMPLOYEE, OR TO FILE A FALSE SECURITY INSTRUMENT; AND TO PROVIDE THAT IT IS A VIOLATION OF THE RESIDENTIAL MORTGAGE FRAUD ACT FOR A PERSON TO KNOWINGLY FILE A DOCUMENT FALSELY CLAIMING THAT A MORTGAGE LOAN HAS BEEN SATISFIED OR DISCHARGED. Summarized in *Daily Bulletin* 3/1/11, 6/7/12, 6/19/12, 6/27/12, and 7/2/12. Enacted July 12, 2012. Sections 1, 2, and 7 are effective October 1, 2012. The remainder is effective December 1, 2012.

Banking and Finance; Criminal
Law, Procedure, and Sentencing;
Property, Land Use, and Housing

SL 2012-151 (S 191). [LME GOVERNANCE](#). AN ACT TO MAKE CHANGES IN GOVERNANCE OF LOCAL MANAGEMENT ENTITIES WITH RESPECT TO THE IMPLEMENTATION OF STATEWIDE EXPANSION OF THE 1915(B)/(C) MEDICAID WAIVER. Summarized in *Daily Bulletin* 6/26/12, 7/2/12, and 7/3/12. Enacted July 12, 2012. Effective July 12, 2012.

Health, Social Services, and Aging

SL 2012-152 (H 462). [CONTINGENCY CONTRACTS FOR AUDITS/ASSESSMENTS](#). AN ACT TO LIMIT USE OF CONTINGENT-BASED CONTRACTS FOR AUDIT OR ASSESSMENT PURPOSES. Summarized in *Daily Bulletin* 6/7/12, 6/12/12, and 6/18/12. Enacted July 12, 2012. Effective July 1, 2012.

Taxation

SL 2012-153 (S 910). [SALE OF A MINOR/FELONY OFFENSE](#). AN ACT TO CREATE THE CRIMINAL OFFENSE OF UNLAWFUL SALE, SURRENDER, OR PURCHASE OF A MINOR; TO REQUIRE THE NORTH CAROLINA CONFERENCE OF DISTRICT ATTORNEYS TO CONDUCT A STUDY TO DETERMINE WHAT OTHER MEASURES MAY BE NEEDED TO STOP THIS TYPE OF CRIMINAL ACTIVITY; TO CLARIFY WHEN, TO WHOM, AND UNDER WHAT CIRCUMSTANCES THE IDENTITY OF A PERSON REPORTING CHILD ABUSE OR NEGLECT MAY BE RELEASED; TO CLARIFY WHAT INFORMATION THE DIVISION OF SOCIAL SERVICES IS REQUIRED TO MAINTAIN IN THE FOSTER CARE REGISTRY AND UNDER WHAT CIRCUMSTANCES INFORMATION IN THE REGISTRY MAY BE WITHHELD. Summarized in *Daily Bulletin* 5/29/12, 6/11/12, 6/27/12, 6/28/12, and 7/2/12. Enacted July 12, 2012. Sections 5 and 8 are effective July 12, 2012. Sections 6 and 7 are effective October 1, 2012. The remainder is effective December 1, 2012.

Criminal Law, Procedure, and
Sentencing

SL 2012-154 (H 54). [HABITUAL MISDEMEANOR LARCENY](#). AN ACT TO PROVIDE THAT IF A DEFENDANT HAS FOUR OR MORE PRIOR LARCENY CONVICTIONS, A SUBSEQUENT LARCENY OFFENSE IS A FELONY. Summarized in *Daily Bulletin* 2/8/11, 3/9/11, 5/11/11, 5/16/11, 5/23/12, and 7/2/12. Enacted July 12, 2012. Effective December 1, 2012.

Criminal Law, Procedure, and
Sentencing

SL 2012-155 (H 614). [ENACT VOLUNTEER HEALTH CARE SERVICES ACT](#). AN ACT ALLOWING REGISTERED SPONSORING ORGANIZATIONS TO ARRANGE FOR THE VOLUNTARY PROVISION OF HEALTH CARE SERVICES IN THIS STATE, RELIEVING PROVIDERS OF VOLUNTARY HEALTH CARE SERVICES FROM ADDITIONAL LICENSURE REQUIREMENTS, AND PROVIDING LIMITED PROTECTION FROM CIVIL LIABILITY TO PERSONS PROVIDING VOLUNTARY HEALTH CARE SERVICES IN ASSOCIATION WITH SPONSORING ORGANIZATIONS. Summarized in *Daily Bulletin* 6/7/12 and 6/14/12. Enacted July 12, 2012. Effective January 1, 2013.

Health, Social Services, and Aging

SL 2012-156 (S 426). [PUBLIC FINANCE LAWS/MUNICIPAL SERVICE DIST.](#) AN ACT TO MAKE CLARIFICATIONS AND MODIFICATIONS TO THE PUBLIC FINANCE STATUTES OF NORTH CAROLINA FOR THE IMPROVEMENT OF VARIOUS FINANCING STRUCTURES AND THE TERMS AND PROVISIONS OF THE FINANCING STRUCTURES AND TO AUTHORIZE A RESOLUTION ESTABLISHING A MUNICIPAL SERVICE DISTRICT TO BECOME EFFECTIVE UPON A DATE SPECIFIED IN THE RESOLUTION IF SPECIAL OBLIGATION BONDS ARE ANTICIPATED TO BE AUTHORIZED FOR A PROJECT. Summarized in *Daily Bulletin* 3/24/11, 5/10/11, 5/18/11, and 6/19/12. Enacted July 12, 2012. Effective July 12, 2012.

Local Government

SL 2012-157 (H 1105). [MODIFY TAXATION OF HOA PROPERTY.](#) AN ACT TO SIMPLIFY THE COLLECTION OF PROPERTY TAXES THAT ARE DUE ON PROPERTY OWNED BY CERTAIN NONPROFIT HOMEOWNERS ASSOCIATIONS. Summarized in *Daily Bulletin* 6/19/12, 6/20/12, and 6/21/12. Enacted July 12, 2012. Section 1 is effective for taxes imposed for taxable years beginning on or after July 1, 2012. The remainder is effective July 1, 2012.

Taxation

SL 2012-158 (S 42). [MECH. LIENS/PVT LIEN AGENT.](#) AN ACT TO REQUIRE PERSONS FURNISHING LABOR OR MATERIALS IN CONNECTION WITH CERTAIN IMPROVEMENTS TO REAL PROPERTY TO GIVE WRITTEN NOTICE TO THE DESIGNATED LIEN AGENT OF THE OWNER OF THE IMPROVED REAL PROPERTY TO PRESERVE THEIR LIEN RIGHTS. Summarized in *Daily Bulletin* 6/20/12, 6/21/12, and 6/27/12. Enacted July 12, 2012. Effective April 1, 2013.

Property, Land Use, and Housing

SL 2012-159 (H 989). [PERMANENT LICENSE PLATES.](#) AN ACT TO LIMIT ELIGIBILITY FOR PERMANENT REGISTRATION PLATES TO GOVERNMENTAL ENTITIES, AND TO REFORM THE PROCESS BY WHICH ELIGIBLE ENTITIES APPLY FOR AND ARE ISSUED PERMANENT REGISTRATION PLATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION, BUT TO CONTINUE TO ALLOW CIVIL AIR PATROLS, INCORPORATED EMERGENCY RESCUE SQUADS, RURAL FIRE DEPARTMENTS, AND LOCAL CHAPTERS OF THE AMERICAN NATIONAL RED CROSS TO BE ELIGIBLE FOR PERMANENT REGISTRATION PLATES. Summarized in *Daily Bulletin* 5/16/12 and 6/12/12. Enacted July 12, 2012. Effective July 1, 2012.

Transportation

SL 2012-160 (H 737). [STRENGTHEN CHILD SAFETY LAWS/CARE FACILITIES.](#) AN ACT TO STRENGTHEN THE LAWS REGARDING THE SAFETY OF CHILDREN IN CHILD CARE FACILITIES. Summarized in *Daily Bulletin* 4/6/11, 6/6/12, and 6/19/12. Enacted July 12, 2012. Effective January 1, 2013.

Children and Juvenile Law

SL 2012-161 (S 647). [MUTUAL INSURANCE HOLDING COMPANIES.](#) AN ACT TO PROVIDE FOR THE CREATION OF MUTUAL INSURANCE HOLDING COMPANIES AND TO CHANGE THE TIME PERIOD FOR FIRE CODE INSPECTIONS OF PUBLIC BUILDINGS. Summarized in *Daily Bulletin* 4/18/11, 6/8/11, 6/19/12, and 6/27/12. Enacted July 12, 2012. Effective July 12, 2012.

Business and Commerce

SL 2012-162 (S 836). [IMPROVE PROPERTY INSURANCE RATE MAKING.](#) AN ACT TO IMPROVE THE RATE-MAKING PROCESS BY REQUIRING THE DEPARTMENT OF INSURANCE TO ACCEPT PUBLIC COMMENT ON ALL PROPERTY INSURANCE RATE FILINGS, BY PROVIDING THE COMMISSIONER WITH THE POWER TO SPECIFY THE APPROPRIATE RATE LEVEL OR LEVELS BETWEEN THE CURRENT RATE AND THE FILED RATE UPON A FINDING THAT A RATE FILING DOES NOT COMPLY WITH APPLICABLE LAW, BY PROVIDING THAT THE COST OF REINSURANCE BE INCLUDED AS A FACTOR IN RATE MAKING AND REQUIRING CERTAIN SUPPORTING INFORMATION ON REINSURANCE COSTS IN A FILING, BY REQUIRING THAT THE RATE BUREAU CREATE A RATING PLAN FOR A PROPERTY INSURANCE POLICY THAT EXCLUDES COVERAGE FOR THE PERILS OF WINDSTORM AND HAIL, AND BY REQUIRING THAT THE RATE BUREAU AND THE DEPARTMENT OF INSURANCE STUDY THE FAIRNESS AND EFFICACY OF THE CURRENT PROPERTY INSURANCE GEOGRAPHIC RATE TERRITORIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON PROPERTY INSURANCE RATE MAKING. Summarized in *Daily Bulletin* 5/21/12, 6/6/12, and 6/11/12. Enacted July 12, 2012. Sections 4 and 5 are effective December 1, 2012. Sections 6 and 7 are effective July 12, 2012. The remainder is effective July 1, 2012.

Business and Commerce

SL 2012-163 (S 521). [RULE IN DUMPOR'S CASE/BROKER PRICE OPINIONS.](#) AN ACT ABOLISHING THE RULE IN DUMPOR'S CASE AND CONCERNING BROKER PRICE OPINIONS. Summarized in *Daily*

Bulletin 4/5/11, 5/2/11, and 6/20/12. Enacted July 12, 2012. Effective October 1, 2012. Rule-making authority granted by this act to the N.C. Real Estate Commission is effective July 1, 2012.

Property, Land Use, and Housing

SL 2012-164 (S 444). [NONAPPROPRIATED CAPITAL PROJECTS](#). AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS. Summarized in *Daily Bulletin 3/29/11, 6/6/12, 6/14/12, and 6/20/12*. Enacted July 12, 2012. Effective July 12, 2012.

Budget and Appropriations;
Education

SL 2012-165 (S 105). [INCREASE PENALTIES/MURDER AND DWI DEATHS](#). AN ACT TO INCREASE THE PENALTY FOR CERTAIN SECOND DEGREE MURDERS TO CLASS B1 FELONIES, AND CREATE A GRADUATED SCALE OF PENALTIES FOR DEATHS CAUSED BY DRIVING WHILE IMPAIRED. Summarized in *Daily Bulletin 2/22/11, 4/20/11, and 6/25/12*. Enacted July 12, 2012. Effective December 1, 2012.

Criminal Law, Procedure, and
Sentencing

SL 2012-166 (H 320). [WATER RESOURCES FLEXIBILITY](#). AN ACT TO PROVIDE FLEXIBILITY FOR CERTAIN WATER RESOURCES PROJECTS. Summarized in *Daily Bulletin 6/28/12*. Enacted July 12, 2012. Effective July 1, 2012.

Budget and Appropriations; Local
Government

SL 2012-167 (H 457). [MUNICIPAL ELECTRIC UTILITIES/RATE HEARINGS](#). AN ACT PROVIDING THAT THE EASTERN JOINT MUNICIPAL POWER AGENCY SHALL HOLD A PUBLIC MEETING PRIOR TO CHANGING RATES AND THE MUNICIPAL ELECTRIC UTILITIES THAT ARE MEMBERS OF THE EASTERN POWER AGENCY SHALL HOLD A PUBLIC HEARING BEFORE CHANGING ELECTRIC RATES. Summarized in *Daily Bulletin 3/23/11, 6/8/11, and 6/28/12*. Enacted July 12, 2012. Effective October 1, 2012.

Energy and Utilities; Local
Government

SL 2012-168 (S 141). [LAW ENFORCEMENT/VARIOUS OTHER CHANGES](#). AN ACT TO CREATE NEW FIRST DEGREE TRESPASS OFFENSES, TO MAKE VARIOUS CHANGES REGARDING THE PROCEDURES FOR A MOTION FOR APPROPRIATE RELIEF, TO AMEND THE PROCEDURE FOR IMMEDIATE LICENSE REVOCATIONS FOR PROVISIONAL LICENSEES CHARGED WITH CERTAIN CRIMINAL MOVING VIOLATIONS, TO CLARIFY THAT CERTAIN CHANGES TO PAYABLE ON DEATH CONTRACTS DID NOT CHANGE THE PROCEDURES FOR CREATING THOSE CONTRACTS, TO ESTABLISH A RESEARCH AND PLANNING SECTION WITHIN THE DEPARTMENT OF PUBLIC SAFETY, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO DESIGNATE ITS RESEARCH AND PLANNING SECTION AS THE SINGLE STATE AGENCY RESPONSIBLE FOR THE COORDINATION AND IMPLEMENTATION OF REENTRY POLICY INITIATIVES, TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CONTINUE ITS EFFORTS TO ASSIST OFFENDERS IN SUCCESSFULLY REENTERING SOCIETY, AND TO EXTEND THE TIME FOR LOCAL FORENSIC SCIENCE LABS TO OBTAIN ACCREDITATION AND FOR CERTAIN FORENSIC SCIENTISTS TO OBTAIN CERTIFICATION. Summarized in *Daily Bulletin 6/19/12, 6/27/12, and 6/28/12*. Enacted July 12, 2012. Section 1 is effective September 1, 2012. Section 2 is effective December 1, 2012. Section 3 is effective October 1, 2012. The remainder is effective July 12, 2012.

Courts; Criminal Law, Procedure,
and Sentencing

SL 2012-169 (H 572). [ACCOUNTABILITY FOR PUBLICLY FUNDED NONPROFITS](#). AN ACT TO PROVIDE GREATER ACCOUNTABILITY FOR NONPROFIT ENTITIES THAT RECEIVE PUBLIC FUNDING. Summarized in *Daily Bulletin 3/31/11, 5/16/11, 5/19/11, and 6/28/12*. Enacted July 12, 2012. Effective October 1, 2012.

Business and Commerce

SL 2012-170 (H 1173). [ABSCONDING PROB. VIOLATORS FORFEIT BENEFITS](#). AN ACT TO PROVIDE THAT A PROBATION VIOLATOR WHO ABSCONDS OR OTHERWISE WILLFULLY AVOIDS ARREST AFTER THE ISSUANCE OF A WARRANT SHALL FORFEIT ANY PUBLIC ASSISTANCE BENEFITS UNTIL SURRENDERING TO THE COURT. Summarized in *Daily Bulletin* 5/29/12, 6/20/12, and 6/28/12. Enacted July 12, 2012. Section 1 is effective October 1, 2012. The remainder is effective July 12, 2012.

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

SL 2012-171 (S 525). [CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES](#). AN ACT RELATING TO CRITICAL ACCESS BEHAVIORAL HEALTH AGENCIES. Summarized in *Daily Bulletin* 6/13/12 and 7/2/12. Enacted July 12, 2012. Effective July 12, 2012.

Health, Social Services, and Aging

SL 2012-172 (H 853). [END CT. ORDERS/EST. LOCAL INTAKE PROCEDURES](#). AN ACT TO AMEND LOCAL INTAKE PROCEDURES FOR RECEIVING DELINQUENCY AND UNDISCIPLINED COMPLAINTS UNDER THE LAWS PERTAINING TO UNDISCIPLINED AND DELINQUENT JUVENILES, TO AUTHORIZE MONITORING OF COUNTY DETENTION CENTERS BY THE DEPARTMENT OF PUBLIC SAFETY, TO AMEND LAWS ON STATE STANDARDS FOR JUVENILE DETENTION AND LOCAL JAILS, TO CORRECT REFERENCES TO THE AGENCY RESPONSIBLE FOR JUVENILE DETENTION, AND TO PROVIDE PROCEDURES FOR REVIEW OF JUVENILES ON PROTECTIVE SUPERVISION. Summarized in *Daily Bulletin* 4/8/11, 6/20/12, and 6/28/12. Enacted July 12, 2012. Sections 3 and 5 are effective October 1, 2012. Section 4 is effective January 1, 2013. The remainder is effective July 12, 2012.

Children and Juvenile Law; Courts

SL 2012-173 (H 1085). [STATE HEALTH PLAN/ STATUTORY CHANGES](#). AN ACT TO, FOR THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, WHICH COVERS RETIREES WITHIN THE RETIREMENT SYSTEM, (1) AMEND THE DEFINITION OF "DEPENDENT CHILD" IN ORDER TO COMPLY WITH THE AFFORDABLE CARE ACT, (2) LIMIT ENROLLMENT WITHOUT A QUALIFYING EVENT TO THE ANNUAL ENROLLMENT PERIOD, (3) REPEAL THE OPTIONAL PROGRAM OF LONG-TERM CARE BENEFITS, AND (4) MAKE A CLARIFYING CHANGE RELATED TO COINSURANCE. Summarized in *Daily Bulletin* 5/23/12, 6/6/12, and 6/12/12. Enacted July 12, 2012. Sections 3(a)–(d) and 3(f) are effective January 1, 2013. The remainder is effective July 1, 2012.

Health, Social Services, and Aging

SL 2012-174 (H 1073). [MODIFY UNCHCS BOARD](#). AN ACT TO MODIFY THE COMPOSITION AND APPOINTMENT PROCESS FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE UNIVERSITY OF NORTH CAROLINA HEALTH CARE SYSTEM. Summarized in *Daily Bulletin* 5/22/12 and 6/27/12. Enacted July 12, 2012. Effective July 12, 2012.

Education; Health, Social Services,
and Aging; State Government

SL 2012-175 (H 1052). [MECHANICS LIENS/PAYMENT BOND REFORMS](#). AN ACT TO MAKE VARIOUS AMENDMENTS TO NORTH CAROLINA'S MECHANICS LIEN AND PAYMENT BOND LAWS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION'S MECHANICS LIENS ON REAL PROPERTY COMMITTEE. Summarized in *Daily Bulletin* 5/22/12, 6/13/12, 6/20/12, 6/26/12, and 6/27/12. Enacted July 12, 2012. Sections 1–3 and 5–11 are effective January 1, 2013. The remainder is effective July 12, 2012.

Business and Commerce; Taxation

SL 2012-176 (H 1044). [MOTORCYCLE INSURANCE DISCOUNT/MILITARY](#). AN ACT TO ALLOW MEMBERS OF THE MILITARY WHO HAVE TAKEN A COMPARABLE MOTORCYCLE SAFETY PROGRAM PROVIDED BY FEDERALLY CERTIFIED INSTRUCTORS TO RECEIVE THE SAME MOTORCYCLE INSURANCE DISCOUNT AS CITIZENS WHO COMPLETE THE MOTORCYCLE SAFETY INSTRUCTION PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MILITARY AFFAIRS. Summarized in *Daily Bulletin* 5/22/12 and 6/19/12. Enacted July 12, 2012. Effective October 1, 2012.

Military and Veterans Affairs;

Transportation

SL 2012-177 (S 951). [TRANSFER CERTAIN CORRECTIONAL FACILITIES](#). AN ACT TO TRANSFER THE CLEVELAND COUNTY CORRECTIONAL FACILITY TO CLEVELAND COUNTY COMMUNITY COLLEGE AND TO TRANSFER THE HAYWOOD CORRECTIONAL CENTER TO THE HAYWOOD COUNTY BOARD OF COMMISSIONERS. Summarized in *Daily Bulletin* 5/30/12, 6/20/12, 6/25/12, and 6/26/12. Enacted July 12, 2012. Effective July 1, 2014.

Cleveland; Haywood

SL 2012-178 (S 803). [RETIREMENT ADMINISTRATIVE CHANGES](#). AN ACT TO MAKE CHANGES TO ADMINISTRATION OF THE STATE RETIREMENT SYSTEMS. Summarized in *Daily Bulletin* 5/16/12, 6/6/12, 6/20/12, 6/26/12, and 6/27/12. Enacted July 12, 2012. Effective July 1, 2012.

Employment and Retirement; State Government

SL 2012-179 (S 755). [ED. EMPLOYEES ASSN./EQUAL ACCESS ACT](#). AN ACT TO ENACT THE EQUAL ACCESS ACT. Summarized in *Daily Bulletin* 4/20/11, 6/8/11, and 6/5/12. Enacted July 12, 2012. Effective July 12, 2012.

Education

SL 2012-180 (S 133). [MODERNIZE JURY LIST PROCEDURES](#). AN ACT TO ELIMINATE OBSOLETE PROVISIONS FROM, AND MAKE CLARIFYING CHANGES TO, THE LAWS GOVERNING PREPARATION AND STORAGE OF JURY LISTS, AND TO EXEMPT PERSONS WHO HAVE BEEN LAWFULLY SUMMONED FOR JURY SERVICE FROM PAYING FERRY TOLLS TO TRAVEL TO AND FROM THEIR HOMES AND THE SITE OF THAT SERVICE. Summarized in *Daily Bulletin* 6/21/12, 6/26/12, and 6/27/12. Enacted July 12, 2012. Effective July 12, 2012.

Courts

SL 2012-181 (H 1114). [NCEMPA/USE OF RATE REVENUE](#). AN ACT PROVIDING THAT THE CITIES AND TOWNS THAT ARE MEMBERS OF THE NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY SHALL USE REVENUE DERIVED FROM RATES FOR ELECTRIC SERVICE FOR PAYING THE DIRECT AND INDIRECT COSTS OF OPERATING THE ELECTRIC SYSTEM, TRANSFERRING AMOUNTS THAT REPRESENT A RATE OF RETURN ON THE INVESTMENT IN THE ELECTRIC SYSTEM, AND MAKING DEBT SERVICE PAYMENTS, AND TO MAKE CLARIFYING CHANGES TO THE AMOUNT OF THE RETURN ON INVESTMENT TRANSFER. Summarized in *Daily Bulletin* 5/23/12 and 6/6/12. Enacted July 12, 2012. Section 1 is effective July 1, 2014. The remainder is effective July 12, 2012.

Energy and Utilities

SL 2012-182 (S 699). [COURTS AND INVESTIGATIONS](#). AN ACT TO CLARIFY THE NAME OF THE DIVISION OF CRIMINAL INFORMATION; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO PROMULGATE RULES FOR USAGE OF THE CRIMINAL INFORMATION NETWORK; TO ALLOW THE DIVISION OF CRIMINAL INFORMATION TO ASSESS FEES FOR SETUP, ACCESS TO, AND USE OF THE CRIMINAL INFORMATION NETWORK; TO RECODIFY THE EXISTING SUPERIOR COURT DISTRICTS USING 2010 GEOGRAPHY; AND TO ALLOW SHARING OF CONFIDENTIAL INVESTIGATORY INFORMATION BETWEEN THE STATE ETHICS COMMISSION AND THE LEGISLATIVE ETHICS COMMITTEE. Summarized in *Daily Bulletin* 4/19/11 and 6/21/12. Enacted July 12, 2012. Effective July 12, 2012, except as otherwise provided.

Criminal Law, Procedure, and Sentencing; State Government; Elections Law; Courts; Ethics and Lobbying; General Assembly

SL 2012-183 (S 738). [SOLE SOURCE ED. REQUIREMENTS/BAIL BONDSMEN](#). AN ACT TO PROVIDE FOR THE PRE-LICENSING AND CONTINUING EDUCATION OF BAIL BONDSMEN AND RUNNERS. Summarized in *Daily Bulletin* 6/27/12. Enacted July 12, 2012. Effective October 1, 2012.

Business and Commerce; Courts

SL 2012-184 (H 1077). [PPP PILOT TOLL PROJECT/FERRY TOLLS](#). AN ACT TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO A PILOT PUBLIC-PRIVATE PARTNERSHIP TOLL

PROJECT. Summarized in *Daily Bulletin* 5/23/12, 6/26/12, 6/27/12, 7/2/12, and 7/3/12. Enacted July 16, 2012. Effective July 16, 2012.

Transportation

SL 2012-185 (H 1074). **STOP WASTE, FRAUD, AND ABUSE IN GOVT. ACT.** AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE DISABILITY INCOME PLAN OF NORTH CAROLINA TO PROVIDE PROTECTION AND REMEDIES FOR REPORTING VIOLATIONS OF RETIREMENT LAW; TO ESTABLISH GUIDELINES FOR FRAUD INVESTIGATIONS THAT WILL ENHANCE THE DEPARTMENT OF STATE TREASURER'S CAPABILITY TO PREVENT AND DETECT FRAUD, WASTE, AND ABUSE; TO MAKE IT A CLASS 1 MISDEMEANOR TO FRAUDULENTLY RECEIVE A DECEDENT'S MONTHLY DISABILITY BENEFIT; AND TO CLARIFY THE APPOINTMENT OF THE MEDICAL BOARD. Summarized in *Daily Bulletin* 5/23/12, 6/13/12, 6/20/12, and 6/27/12. Enacted July 16, 2012. Section 3(a) is effective December 1, 2012. The remainder is effective July 1, 2012.

Employment and Retirement; State Government

SL 2012-186 (H 177). **CLEAN ENERGY TRANSPORTATION ACT.** AN ACT TO: (1) CREATE AN INTERAGENCY TASK FORCE TO STUDY THE FEASIBILITY AND DESIRABILITY OF ADVANCING THE USE OF ALTERNATIVE FUELS BY STATE AGENCIES AND THE DEVELOPMENT OF ASSOCIATED FUELING INFRASTRUCTURE; (2) ESTABLISH CRITERIA FOR THE OPERATION OF ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT STATE-OWNED REST STOPS ALONG THE HIGHWAYS AND; (3) AMEND THE ENERGY JOBS ACT OF 2011 IF THE ENERGY JOBS ACT OF 2011 BECOMES LAW. Summarized in *Daily Bulletin* 6/7/12 and 6/11/12. Enacted July 16, 2012. Sections 2(a)–(d) are effective March 1, 2013. The remainder is effective July 16, 2012.

Agriculture, Environment, and Natural Resources

SL 2012-187 (S 810). **REGULATORY REFORM ACT OF 2012.** AN ACT TO (1) REESTABLISH THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (1A) MODIFY APPOINTMENTS TO THE MINING AND ENERGY COMMISSION; (2A) MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE ADMINISTRATIVE PROCEDURES ACT; (2B) MAKE CONFORMING CHANGES TO THE STATE PERSONNEL ACT; (3) EXTEND THE EFFECTIVE DATE FOR CHANGES TO FINAL DECISION-MAKING AUTHORITY IN CERTAIN CONTESTED CASES; (4) LIMIT THE PERIOD DURING WHICH RECORDS OF UNCLAIMED PROPERTY MUST BE MAINTAINED; (5A) DIRECT AGENCIES TO SUBMIT A REPORT ON NOTICE GIVEN BEFORE AUDITING OR EXAMINING A BUSINESS TO THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE; (5B) LIMIT STATE AGENCY IDENTITY THEFT REPORTING REQUIREMENTS; (5C) REQUIRE THE DEPARTMENT OF LABOR TO PROVIDE NOTICE PRIOR TO INSPECTIONS; (6) CLARIFY THAT THE DISCHARGE OF WASTE INTO WATERS OF THE STATE DOES NOT INCLUDE THE RELEASE OF AIR CONTAMINANTS INTO THE OUTDOOR ATMOSPHERE; (7) AUTHORIZE RATHER THAN REQUIRE THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES FOR THE TESTING OF WATER FROM NEW DRINKING WATER WELLS FOR CERTAIN VOLATILE ORGANIC COMPOUNDS; (7A) CLARIFY APPLICATION OF CERTAIN NUTRIENT RULES TO SMALL WASTEWATER DISCHARGES; (8) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRACK AND REPORT ON PERMIT PROCESSING TIMES; (9) DELAY THE EFFECTIVE DATE FOR COMPLIANCE WITH WADING POOL FENCING REQUIREMENTS FROM JULY 1, 2012, TO JANUARY 1, 2013; (10) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE DURATION OF PERMITS FOR SANITARY LANDFILLS AND THE PERIOD IN WHICH THOSE PERMITS ARE REVIEWED; (11) AMEND THE CRITERIA FOR DESIGNATION AS A PORT ENHANCEMENT ZONE; (12) EXEMPT CERTIFIED ROADSIDE FARM MARKETS FROM CERTAIN BUILDING CODE REQUIREMENTS; AND (13) ALLOW THE PERMITTING OF MOBILE FOOD UNITS THAT MEET THE SANITATION REQUIREMENTS OF A COMMISSARY. Summarized in *Daily Bulletin* 5/17/12, 5/24/12, 5/30/12, 5/31/12, 6/4/12, 6/14/12, 6/20/12, and 6/21/12. Enacted July 16, 2012. Effective July 16, 2012, except as otherwise provided.

APA/Rule Making; Property, Land Use, and Housing; Business and Commerce; Agriculture, Environment, and Natural

Resources; Health, Social Services,
and Aging

SL 2012-188 (H 1021). [JUSTICE REINVESTMENT CLARIFICATIONS](#). AN ACT TO CLARIFY CERTAIN PROVISIONS OF THE JUSTICE REINVESTMENT ACT. Summarized in *Daily Bulletin* 5/21/12, 6/6/12, and 6/26/12. Enacted July 16, 2012. Sections 5–7 are effective December 1, 2012. The remainder is effective July 16, 2012.

Criminal Law, Procedure, and
Sentencing

SL 2012-189 (H 1181). [STUDY MUNICIPAL LOCAL OPTION SALES TAX](#). AN ACT TO AUTHORIZE THE REVENUE LAWS STUDY COMMITTEE TO STUDY WHETHER MUNICIPALITIES SHOULD HAVE THE AUTHORITY TO LEVY A LOCAL OPTION SALES TAX FOR BEACH NOURISHMENT AND TO STUDY THE TAXATION AND VALUATION OF LEASEHOLD INTERESTS IN EXEMPT REAL PROPERTY. Summarized in *Daily Bulletin* 6/13/12 and 6/27/12. Enacted July 16, 2012. Effective July 16, 2012.

General Assembly; Local
Government; Taxation

SL 2012-190 (S 821). [STUDY AND AMEND FISHERIES LAWS](#). AN ACT TO (1) DIRECT THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, AND THE DEPUTY SECRETARY FOR TRANSIT OF THE DEPARTMENT OF TRANSPORTATION TO JOINTLY STUDY FEES ASSOCIATED WITH THE ISSUANCE OF COASTAL FISHING LICENSES AND THE NUMBERING AND TITLING OF VESSELS; (2) DIRECT THE EXECUTIVE DIRECTOR OF THE WILDLIFE RESOURCES COMMISSION, THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND THE COMMISSIONER OF AGRICULTURE TO JOINTLY STUDY THE REORGANIZATION OF FISHERIES MANAGEMENT IN THE STATE; (3) MAKE IT UNLAWFUL TO TAKE MENHADEN OR ATLANTIC THREAD HERRING WITH A PURSE SEINE NET DEPLOYED BY A MOTHER SHIP AND ONE OR MORE RUNNER BOATS IN COASTAL FISHING WATERS; (4) AMEND THE MARINE FISHERIES COMMISSION ADVISORY COMMITTEES; AND (5) PROVIDE THAT A SUPERMAJORITY OF THE MARINE FISHERIES COMMISSION IS REQUIRED TO OVERRIDE A RECOMMENDATION OF THE DIVISION OF MARINE FISHERIES REGARDING OVERFISHING OR REBUILDING OF FISH STOCKS. Summarized in *Daily Bulletin* 5/17/12, 6/11/12, 6/20/12, and 6/25/12. Enacted July 16, 2012. Sections 4(a) and (b) are effective July 1, 2012. Sections 3(a) and (b) are effective January 1, 2013. The remainder is effective July 16, 2012.

Agriculture, Environment, and
Natural Resources

SL 2012-191 (H 1023). [EXPUNCTION/NONVIOLENT OFFENSES](#). AN ACT TO ALLOW FOR EXPUNCTION OF NONVIOLENT FELONIES OR NONVIOLENT MISDEMEANORS AFTER FIFTEEN YEARS FOR PERSONS WHO HAVE HAD NO OTHER CONVICTIONS FOR FELONIES OR MISDEMEANORS OTHER THAN TRAFFIC VIOLATIONS UNDER THE LAWS OF THE UNITED STATES, THIS STATE, OR ANY OTHER JURISDICTION, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION. Summarized in *Daily Bulletin* 5/21/12, 6/13/12, 6/18/12, and 6/19/12. Enacted July 16, 2012. Effective December 1, 2012.

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H 153	NO PUBLIC RETIREMENT FOR CONVICTED FELONS.	*H	06-29-2012	Pres.	To Gov.	6/29/2012
H 244=	STATE HEALTH PLAN/ADD SCHOOLS; WHISTLEBLOWERS.	*H	07-03-2012	Pres.	To Gov.	7/3/2012
H 585	VEHICLE EMISSIONS INSPECTIONS.	*H	07-03-2012	Pres.	To Gov.	7/3/2012
H 799	LICENSURE BY ENDORSEMENT/MILITARY/SPOUSES.	*H	07-03-2012	Pres.	To Gov.	7/3/2012
H 819	COASTAL MANAGEMENT POLICIES.	*H	07-03-2012	Pres.	To Gov.	7/3/2012
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S 655= DENTISTRY MANAGEMENT ARRANGEMENTS.	*S 06-29-2012 Pres. To Gov. 6/29/2012
S 847= GSC TECHNICAL CORRECTIONS/OTHER CHANGES.	*S 07-03-2012 Pres. To Gov. 7/3/2012

'\$' indicates the bill is an appropriations bill.

'*' indicates that the text of the original bill was changed by some action.

'=' indicates that the original bill is identical to another bill.

NEXT SESSIONS

January 30, 2013

HOUSE convenes at 12:00 p.m.

SENATE convenes at 12:00 p.m.