



## The Daily Bulletin: 2023-06-01

### PUBLIC/HOUSE BILLS

H 130 (2023-2024) **ENERGY CHOICE/SOLAR DECOMMISSIONING RQMTS. (NEW)** Filed Feb 15 2023, *AN ACT TO (I) LIMIT CITIES AND COUNTIES FROM PROHIBITING CONSUMER CHOICE OF ENERGY SERVICE BASED UPON THE TYPE OR SOURCE OF ENERGY TO BE DELIVERED AND (II) REQUIRE RESPONSIBLE DECOMMISSIONING OF NEWLY SITED UTILITY-SCALE SOLAR PROJECTS UPON CESSATION OF OPERATIONS.*

Senate committee substitute to the 2nd edition makes the following changes.

Adds the following new content.

Enacts GS 130A-309.240, pertaining to decommissioning and restoration requirements for utility-scale solar projects, as part of new Part 2J (Management of Solar Energy Equipment) to Article 9 of GS Chapter 130A. Defines *photovoltaic module (PV module)* to mean the smallest nondivisible, environmentally protected assembly of photovoltaic cells or other photovoltaic collector technology and ancillary parts intended to generate electrical power under sunlight that is part of a utility-scale solar project. Also defines *cessation of operations, expansion or expanded, rebuild or rebuilt, recycle, and utility-scale solar project.*

Requires the owner of a utility-scale solar project to be responsible for proper decommissioning of the project upon cessation of operations and restoration of the property, as described below, including all costs, by no later than one year following cessation of operations. Requires the property to be restored: (1) as nearly as practicable to its condition before the utility-scale solar project was sited or (2) to an alternative condition agreed upon in a written contract or lease agreement between the landowner and the project owner; allows land that was cleared of trees for the project to be revegetated or reforested with seedlings. Specifies the following additional minimum steps to be taken in decommissioning a project: (1) Disconnect the solar project from the power grid. (2) Remove all equipment from the solar project, and collect and ship equipment for reuse, or recycle all of the components practicably capable of being recycled, including the PV modules; the entire solar module racking system; aboveground electrical interconnection and distribution cables no longer deemed necessary; subsurface cable no longer deemed necessary; any metal fencing; electrical and electronic devices, including transformers and inverters; and defined term *energy storage system batteries*. Components that will not be shipped for reuse, and are incapable of being recycled, must be properly disposed of in (i) an industrial landfill or (ii) a municipal solid waste landfill. Requires owners to register with the Department of Environmental Quality (Department) by the specified time frame and update the registration every five years. Sets out information that must be provided. Effective November 1, 2025, and applies to utility-scale solar projects constructed before or after that date.

Requires the owner to submit a decommissioning plan, by the specified time frame, containing six required elements (contact information, project narrative, information on equipment to be salvaged, information on how the property will be restored, cost estimate, and how the financial assurance requirement will be met) prepared by a professional engineer licensed in North Carolina for approval by the Department. Requires the owner of the project to establish financial assurance either by November 1, 2025 (or before starting construction if the project is constructed after November 1, 2025), and at least 90 days prior to the commencement of the project. Specifies that the financial assurance must be in an amount acceptable to the Department that will ensure that sufficient funds are available for decommissioning the project and restoration of the property. Effective November 1, 2025, and applies only to (1) utility-scale solar projects for which applications for certificates of public convenience and necessity are pending or submitted on or after the effective date of the act and (2) utility-scale solar projects that are generating solar energy or are interconnected to a transmission facility on the date this act becomes effective only if the project is rebuilt or expanded after the effective date of this act, in which case the project will be subject to the registration and decommissioning plan requirements of GS 130A-309.240(c) and (d).

Requires the Utilities Commission to develop and maintain a list of all utility-scale projects operating within the State and to provide the Department with an updated list on or before July 1 each year. Permits landowners and local governments to

establish more stringent requirements for decommissioning and financial assurance projects for their property/jurisdictions. Permits the Department to collect fees.

Requires the Department to adopt permanent rules establishing criteria to set the amount of financial assurance criteria and other rules as necessary setting criteria for decommissioning plans, registration fees, and any other matter it deems necessary by August 1, 2025. Requires quarterly reports to the specified NCGA committees on the implementation of the act starting December 1, 2023, through December 1, 2025.

Enacts GS 130A-309.241 requiring the Department and the Department of Commerce to identify existing incentives and grant programs to encourage research and development on recycling and reuse of PV modules and to facilitate growth of the State's PV module recycling and reuse industry. Enacts GS 130A-309.242 creating the Utility-Scale Solar Management Fund consisting of revenue from the proceeds of the fee imposed on owners of utility-scale solar projects. Allows the money in the Fund to be used to implement provisions related to decommissioning. Enacts GS 130A-309.243 permitting enforcement of the act under the remedies provision of GS Chapter 130A, including any appeals taken as part of an enforcement action.

Makes conforming changes to GS 130A-309.06 (pertaining to the powers and duties of the Department).

Requires the Public Staff of the Utilities Commission to identify existing laws that do not require ratepayer contribution or governmental appropriations that would enable recovery of the costs of decommissioning for utility-scale solar facilities not subject to a financial assurance requirement pursuant to GS 130A-309.240, a requirement of local government with jurisdiction over the property where the facility is located, or a lease or other binding contract and to compile a list in consultation with the Department of all utility-scale solar projects operating within the State as of the effective date of the act and to report this information to the NCGA by no later than January 1, 2025.

Specifies rules of construction pertaining to existing contracts. Contains severability clause.

Amends the act's titles.

**Intro. by Arp, Saine, Wray, Miller.**

**GS 130A, GS 153A, GS 160A**

[View summary](#)

**Environment, Energy, Government, State Agencies,  
Department of Environmental Quality (formerly DENR),  
Local Government, Public Enterprises and Utilities**

H 186 (2023-2024) [DIV. OF JUVENILE JUSTICE MODS.-AB](#) Filed Feb 22 2023, *AN ACT TO MODIFY THE TRANSFER PROCESS FOR JUVENILES WHO ALLEGEDLY COMMITTED CERTAIN FELONIES, TO MODIFY THE CONFIDENTIALITY OF CERTAIN INFORMATION CONCERNING JUVENILES UNDER INVESTIGATION, TO MODIFY THE INTERROGATION PROCEDURES FOR CERTAIN JUVENILES, TO MODIFY THE SERVICE OF SUMMONS FOR JUVENILE PETITIONS, TO CLARIFY THE PROCESS FOR COURT-ORDERED EVALUATIONS FOR JUVENILES, TO CLARIFY MINORITY SENSITIVITY TRAINING FOR LAW ENFORCEMENT PERSONNEL, TO CLARIFY JUVENILE DETENTION TRANSFER, AND TO MAKE VARIOUS TECHNICAL AND CONFORMING CHANGES, AS RECOMMENDED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF JUVENILE JUSTICE.9 DIVISION OF JUVENILE JUSTICE.*

Senate committee substitute to the 5th edition makes the following changes.

Inserts the following into the act, and now organizes the act into parts.

Part I.

Amends one of the notice options under GS 7B-2200.5(a) (transfer of jurisdiction of a juvenile at least 16 years of age to superior court) to require a return of a true bill of indictment from the grand jury as provided in GS 15A-630 instead of a finding of a court on a bill of indictment. Makes conforming changes to GS 7B-2200 and GS 7B-2202(a).

Part II.

Names this part of the act "Lyric and Devin's Law." Makes technical changes to new GS 7B-3103 (disclosure of information about juveniles for public safety reasons).

Part III.

Amends GS 7B-2101 regarding juvenile interrogation procedures as follows. Requires juveniles who are at least 16 and in custody to be advised, prior to questioning, that the juvenile has a right to have a caretaker present during questioning (in addition to current law that includes the rights to: have a parent, guardian, or custodian present for questioning, applicable to all juveniles, to remain silent, to consult with an attorney, and to be informed that any statement can and may be used against them). Defines *caretaker* as any person other than a parent, guardian, or custodian who has responsibility for the health and welfare of the juvenile in a residential setting; includes stepparent; foster parent; adult member of the household; adult entrusted with the juvenile's care; potential adoptive parent during a visit or trial placement with a juvenile in custody of the county department; house or cottage parent who has primary responsibility for supervising a juvenile's health and welfare in a residential child care facility or residential educational facility; or employee or volunteer of a division, institution, or school operated by the Department of Health and Human Services. Specifies that if a juvenile age 16 or older requests that a parent, guardian, or custodian be present during questioning, then law enforcement must make a reasonable effort to contact the parent, guardian, or custodian; allows a caretaker to be present during questioning if one of those individuals is not available.

Effective December 1, 2023, and applies to offenses committed on or after that date.

Makes conforming changes to act's long title. Makes organizational changes.

**Intro. by Davis, Pyrtle, Carson Smith, A. Jones.**

[GS 7B, GS 114, GS 153A](#)

[View summary](#)

**Courts/Judiciary, Juvenile Law, Delinquency, Government, State Agencies, Department of Public Safety, Local Government, Health and Human Services, Health**

H 344 (2023-2024) [MENTAL HEALTH LIC. FAIR PRACTICE STDS. \(NEW\)](#) Filed Mar 9 2023, *AN ACT TO MAKE REGULATORY CHANGES AND CREATE OVERSIGHT REQUIREMENTS TO THE DIVISION OF HEALTH SERVICE REGULATION'S MENTAL HEALTH LICENSURE AND CERTIFICATION SECTION*

Senate committee substitute replaces the entire 1st edition with the following.

Includes whereas clauses.

Directs the Division of Health Service Regulation (DHSR) of the Department of Health and Human Services (DHHS) to establish a quality dashboard that addresses mental health, intellectual and developmental disabilities, and substance use services (MH/IDD/SUS) agency performance and identifies trends and outcomes of DHSR reviews. Lists dashboard requirements, beginning January 31, 2024, including monthly publishing and distribution of mandatory data points such as the number of licenses granted, number of citations by class of violation, and number of disciplinary actions by type. Requires DHSR publish the following data to its website on a quarterly basis beginning January 31, 2024: (1) a statement on how well it is complying with the statutory requirement of GS 122C-24.1 that reports of violations be sent to facilities within 15 working days of the investigation; (2) number of informal appeals and number of contested cases filed pursuant to the provisions of GS Chapter 150B; (3) number of contested cases dismissed, number of contested cases upholding agency action, number of contested cases overturning agency action, and number of contested cases where agency action was upheld in part and overturned in part.

Requires DHSR to make the following regulatory changes to promote transparency and enhanced communication with providers: (1) Establish a workgroup in collaboration with providers to address ongoing concerns identified by the agency and providers. Specifies that the discussions can include clarification of clear rules of engagement and standard operation procedures. (2) Make available annual training to providers and solicit feedback on topics and scheduling as identified by the workgroup. (3) Align its review process to reflect technology in electronic health records and accept documentation presented through the electronic health record. Also authorizes submission of hard copies of records to DSHR, but requires the agency to accept both forms of records.

Requires the Mental Health Commission to adopt or amend any rules necessary to implement the provisions of the act.

Appropriates \$150,000 from the General Fund to DHR in nonrecurring funds to implement the act.

Effective October 1, 2023.

Makes conforming changes to act's long and short titles.

**Intro. by Willis, Clemmons, Lambeth, Jeffers.**

**APPROP**

[View summary](#)

**Government, Budget/Appropriations, State Agencies,  
Department of Health and Human Services, Health and  
Human Services, Health, Health Care Facilities and Providers,  
Public Health, Mental Health**

H 741 (2023-2024) **MODIFY/NONPROFITS & CHARITABLE SOLICITATION**. Filed Apr 18 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA NONPROFIT CORPORATIONS ACT AND TO MODIFY CERTAIN REQUIREMENTS GOVERNING CHARITABLE SOLICITATION*.

House committee substitute to the 1st edition makes the following changes.

Allows the Secretary of State to waive, until January 1, 2027 (was, January 1, 2026), the fee under GS 55A-1-22(a)(17) that is to be paid by a corporation seeking reinstatement following administrative dissolution for delinquent filing.

Changes the effective date of Section 2 of the act, which enacts new GS 55A-16-22.1 (concerning corporations' annual reports to the Secretary of State); makes conforming changes to GS 55A-1-22, GS 55A-14-20, GS 55A-14-22; and provides for the above mentioned fee waiver, from January 1, 2025, to January 1, 2026.

Deletes the proposed changes to the following statutes which would have no longer required that applications for the relevant licenses be signed under oath: (1) GS 131F-6, concerning licenses for a charitable organization or sponsor; (2) GS 131F-15, concerning licenses for a fund-raising consultant; and (3) GS 131F-16, concerning licenses for solicitors.

**Intro. by Warren, Lofton, Howard, Reives.**

**GS 55A, GS 131F**

[View summary](#)

**Business and Commerce, Corporation and Partnerships,  
Nonprofits**

## PUBLIC/SENATE BILLS

S 747 (2023-2024) **ELECTIONS LAW CHANGES**. Filed Jun 1 2023, *AN ACT TO MAKE VARIOUS CHANGES REGARDING ELECTIONS LAW*.

Part I.

Amends GS 163-231(b)(1) to require absentee ballots to be received by the county board of elections by 7:30 p.m. rather than by 5:00 p.m. on the day of the statewide primary or general election or county bond election. Removes the requirement that absentee ballots received after 7:30 by the county board of elections on the day of the statewide primary or general election or county bond election be accepted if the ballots are postmarked with a date on or before the date of the statewide primary or general election or county bond election and received by the county board of elections no later than three days after the election by 5:00 pm. Makes conforming changes to GS 163-232.1(a). Amends (b)(2) to allow for absentee ballots not received by that specified time to be accepted if, in lieu of being required by federal law, the State Board of Elections has extended the closing time of the polls for every poll in the county pursuant to state law, whereby the ballots must be received by the closing time as extended by the State Board in order to be counted. Also requires absentee ballots to be accepted after the stated deadline if the ballots are received in accordance with Article 21A of GS Chapter 163, Uniform Military and Overseas Voters

Act (was, if the ballots issued under Article 21A are received by the county board no later than the end of business on the business day before the canvass conducted by the county board). Makes conforming changes to the statutory cross references to this provision in GS 163-234 and GS 163-89.

Modifies the county boards' duty to prepare a certified list of absentee ballots received on or after election day pursuant to GS 163-232.1. Now requires the list to contain all absentee ballots returned to the county board to be counted, which have been approved by the county board and not included on the certified list of executed absentee ballots received before 7:30 p.m., the time provided in GS 163-231(b) on the day of the statewide primary or general election or county bond election. Makes conforming changes to the county chairman's certification of the list. Makes language gender neutral.

Amends GS 163-234 by requiring that only absentee ballots returned to the county board by 5:00 p.m. on the day before election day in a properly executed container-return envelope or absentee ballots received pursuant to GS 163-231(b)(2) must be counted (removes the specification that this requirement is except to the extent federal law requires otherwise). Requires the county board to also comply with GS 163-230.1 (simultaneous issuance of absentee ballots with application) in counting absentee ballots received pursuant to GS 163-231(b)(2). Makes language gender neutral.

Amends GS 163-89 to specify that an absentee ballot received by the county board under GS 163-231(b)(1) may be challenged on the day of any statewide primary or general election or county bond election beginning no earlier than noon and ending no later than 5:00 p.m., or by the chief judge at the time of closing of the polls (was, applicable to the absentee ballot of any voter).

Amends GS 163-227.10 by adding the requirement that each county board and the State Board publish on its website and on materials sent to voters the date by which absentee ballots are available for voting.

Amends GS 163-230.1 by adding that each county board and the State Board must publish on its website and on materials sent to voters the date by which a completed request form for an absentee application and absentee ballots must be received.

Enacts new GS 163-232.2 setting out the following reporting requirements. Requires each county board to report the following to the State Board during each day of the one-stop early voting period: (1) the number of absentee ballots that have been spoiled due to the voter voting in person at a one-stop voting site and (2) the number of outstanding absentee ballots. Requires each county board of elections to report, from the day after the day of the election through the day after the receipt deadline for absentee ballots, to the State Board by 5:00 p.m. each day: (1) the number of absentee ballots that have been counted, (2) the number of outstanding absentee ballots, and (3) the number of voted provisional ballots. Requires the State Board to publish each report on its website daily.

## Part II.

Amends GS 163-22, GS 163-33, and GS 163-37 by specifying that nothing in GS Chapter 160 authorizes (1) the State Board of Elections, (2) a county board of elections, or (3) a county board of commissioners to accept private monetary donations, directly or indirectly, for conducting elections or employing individuals on a temporary basis.

## Part III.

Amends GS 9-3, adding United States citizenship to the qualifications of prospective jurors.

Adds to GS 9-6 to require all applications for excuses from jury duty to be made on a form developed and furnished by the Administrative Office of the Courts (AOC), with applications to allow specification for the reason(s) for excusal based on disqualification, including noncitizenship status. Authorizes the chief district court judge to delegate the authority to receive, hear, and pass on applications for excuses from jury duty to the clerk of superior court, after consultation with and the consent of the superior court clerk. Makes clarifying changes and makes language gender neutral.

Makes clarifying and conforming changes to GS 9-6.1 regarding requests to be excused from jury duty. Adds the clerk of superior court to those individuals with whom a request to be excused, deferred, or exempted from jury duty may be filed.

Enacts GS 9-6.2 to require the clerk of superior court to retain the name and address provided by each person who requests to be excused from jury duty on the basis of disqualification, along with the reason for that request, for the remainder of the biennium as described in GS 9-2. Provides that the records are not public record and authorizes their destruction at the end of each biennium. Requires the clerk to quarterly electronically report to the State Board of Elections persons disqualified due to lack of US citizenship with personal information from the master jury list and the date of disqualification. Directs the State

Board of Elections to use the information to conduct efforts to remove names from lists of registered voters pursuant to GS 163-82.14. Deems records retained by the State Board of Elections public records, subject to state and federal law. Requires the State Board of Elections to retain the electronic records for four years, and authorizes destruction when they are no longer public records. Specifies that the statute has no effect on State and local authorities to determine a person's eligibility to vote. Makes conforming changes to the clerk's recordkeeping duties regarding excusals under GS 9-6.

Adds a new subsection to GS 163-82.14 regarding list maintenance. Directs the State Board of Elections to review the voter registration and citizenship status of each person identified in a clerk's quarterly report of jury duty disqualifications based on US citizenship and distribute to each county board of elections a report of the persons identified who are registered to vote in that county, including the clerk's electronic file and the results of the Board's review. Excludes persons who since attained US citizenship, unless the individual voted prior to attaining citizenship, whereby the State Board is required to furnish its investigation to the district attorney for prosecution. Requires county boards of elections to, within 30 days' receipt of a report, give 30 days' written notice to the voter at the voter's registration address and mailing address and remove the individual's name from its registration records if the voter makes no objection; requires notice to the voter of removal and indication of the removal based on noncitizenship status in the statewide computerized voting registration system. Requires entering a challenge if an objection is received within 30 days of the notice, with the notice to the county board of elections by the receipt of the report from the State Board constituting prima facie evidence of noncitizenship, rebuttable by proof of citizenship following excusal or federal documentation of citizenship. Deems county records public records, subject to state and federal law. Requires the State Board of Elections and county boards of elections to retain the electronic records for four years and authorizes destruction when they are no longer public records. Makes clarifying and organizational changes to the statute.

Directs the AOC to amend the Rules of Recordkeeping to implement the act. Specifies that the act does not exempt AOC records from public records laws, except as provided in GS 9-6.2, as enacted.

Effective January 1, 2024.

#### Part IV.

Amends GS 163-230.1 to require that absentee ballots be subject to public inspection.

#### Part V.

Amends GS 163-229 to require the barcode on a container-return envelope for absentee ballots to be affixed by the county board of elections. Amends GS 163-237 by making it a Class 1 misdemeanor for anyone other than the State Board or county board of elections, or their employees, to affix or print a barcode on an absentee ballot, absentee container-return envelope, or an absentee ballot request form.

#### Part VI.

Amends GS 163-22 by requiring the State Board of Elections to ensure that election records are retained and preserved for the greater of 22 months after an election or as otherwise specified in federal law. Sets out this same requirement for county boards of elections in GS 163-33. Makes conforming changes to GS 163-88.1 (concerning the preservation of challenged ballots), GS 163-233 (concerning retention of applications for absentee ballots), and GS 163-234 (concerning retention of container-return envelopes and absentee ballots).

Amends GS 163-166.12 to require type of identification proof submitted by an individual who has registered to vote by mail on or after January 1, 2003, and has not previously voted in an election that includes a ballot item for federal office in North Carolina (whether voting in person or via absentee ballot) to be listed on the voter rolls that are publicly available. Deletes the provision allowing the county board of elections to dispose of the tendered copy of identification proof as soon as the type of proof is noted in the voter registration records.

#### Part VII.

Amends GS 163-166.8 (assistance to voters) to require precinct officials to keep a log of any person who provides assistance to a voter under the statute that includes the name and address of the person rendering assistance as well as a place for their signature.

#### Part VIII.

Enacts new GS 163-82.6B allowing a person who is qualified to register to vote to register in person and then vote at a one-stop voting site in their county of residence during the one-stop voting period. Requires, however, that the individual vote by provisional ballot and that the ballot be counted under only in one of the following circumstances: (1) upon verification of the individual's address, in accordance with procedures under GS 163-82.7 (concerning verification of qualifications and address of voter registration applicant and denial or approval of application) with the verification done by first-class mail or (2) upon providing a copy of a current utility bill, bank statement, government check, paycheck, or other government document showing the voter's name and address at the county board of elections where the voter resides before polls close on election day.

Part IX.

Amends GS 163-182.15 by requiring the State Board of Elections to submit an annual report on any changes made to elections records after certification of elections, including the rationale and time of those revisions, to the specified NCGA committees.

Part X.

Amends the procedure for challenging an absentee ballot set forth in GS 163-89(b) to allow any registered voter of the same county (currently, same precinct) as the absentee voter to challenge that voter's absentee ballot.

Part XI.

Changes the procedure for voting absentee ballots in GS 163-231(a) to now require that the two witnesses to an absentee ballot also print their names on the application and certificate as witnesses (currently, two witnesses only need to sign the ballot). Makes conforming changes to the form of the container-return envelope (GS 163-229(b)(3)).

Part XII.

Adds an additional signature verification step to voting absentee ballots under GS 163-231 by requiring the State Board of Elections (Board) to mandate that the county boards of election use verification software to check the signature of voters noted on executed absentee ballots before those ballots are accepted by county boards.

Part XIII.

Amends GS 163-227.6(a) to now require precinct officials serving at one-stop voting places to be allocated in the same manner as those allocated at voting places on election day.

Part XIV.

Amends GS 163-90.2(c) to also require the Board, when appealing a decision of a county board of elections on a challenge to ballot(s), to take that appeal to the Superior Court of the county where the challenge originated. (Currently, all parties must take an appeal to the Superior Court of the county where the offices of the deciding county board are located.)

Part XV.

Amends GS 163-274(b) (election related misdemeanors) to make it a Class 1 misdemeanor for any person to impersonate a chief judge, judge of election, or other election officer while in the discharge of duties in the registration of voters or in conducting any primary or election. Effective December 1, 2023, and applies to offenses committed on or after that date.

Part XVI.

Amends GS 163-166.01 (hours for voting) to require that if the statutory poll closing time of 7:30 pm on election day is extended by court order in one county, the poll closing time must be extended on election day in all counties by an equal amount of time.

Part XVII.

Amends GS 163-275 (listing felonies related to elections) to require the State Bureau of Investigation (SBI) to investigate alleged violations of any said crimes. Makes conforming changes to GS 143B-919 (authorized SBI investigations). Effective August 1, 2023, and applies to violations occurring on or after that date.

Part XVIII.

Amends GS 163-45 (poll observers designated by the political parties) to allow observers relieved after serving no less than four hours to serve an additional four hours during the same primary or election day at any voting place in that same county upon designation by the party chair.

Part XIX.

Removes the requirement in current law (GS 163-47) that, on the day of each primary and general and special election, the precinct chief judge and judges must remain at the voting place from the time fixed by law for the commencement of their duties there until they have completed all those duties, and they cannot separate nor can any one of them leave the voting place except for unavoidable necessity.

Part XX.

Enacts GS 163-213.1, which requires a two-factor authentication process for absentee ballots cast by mail. Requires the Board to use that process before an executed absentee ballot is opened and counted by elections officials.

Part XXI.

Requires that a person knowingly cast a vote at any primary or election without having their rights of citizenship restored for a Class I felony under GS 163-275 to be established (currently, no mental state requirement).

Part XXII.

Amends GS 163-124 by excluding from the statute, which includes requirements for declaration of intent and petitions for write-in candidates in partisan elections, special district elections and nonpartisan board of education elections.

Amends GS 163-182.4 to provide that county boards of elections have jurisdiction over offices of municipalities (was, offices of municipalities unless the municipality has a valid board of election). Adds the requirement that the State Board of Elections, when voters in more than one county cast ballots for a municipal office, to prepare a composite abstract upon the completion of the canvass by the county boards and deliver it to all county boards responsible for canvassing votes for the contest, and each of those county boards must issue a certificate of nomination or election.

Amends GS 163-2301 by adding the following. Requires that when an absentee by mail ballot container-return envelope contains a curable deficiency, the county board of elections must promptly notify the voter of the deficiency and how the voter may cure the deficiency. Specifies that curable deficiencies are those that can be cured with supplemental documentation or attestation provided by the voter, including when: (1) the voter did not sign the voter certification, (2) the voter signed the application in the wrong place on the application, or (3) the voter failed to include with the container-return envelope a photocopy of required identification or affidavit. Considers any container-return envelope with a curable deficiency that is transmitted to the county board to be timely if cure documentation is received in accordance with the requirements of GS 163-231(b) (which sets out requirements to be met when returning the sealed container-return envelope containing completed absentee ballots to the county board of elections who issued those ballots). Allows notification to be provided to voters by county board staff and specifies that it is not required to be performed at an absentee meeting. Amends GS 163-234 by making conforming changes.

Amends GS 163-210 (pertaining to presidential election results and casting of the State's votes for President and Vice-President). Changes the day that presidential/vice-presidential electors must be present in the old Hall of the House of Representatives in the State Capitol in the City of Raleigh to vote on behalf of the State for President and Vice-President from noon on the first Monday after the second Wednesday in December next after their election to noon of the first Tuesday after the second Wednesday in December next after their election. Now requires the Governor to send to the Archivist of the United States either three duplicate original certificates, or one original certificate and two authenticated copies of the Certificates of Ascertainment, under the great seal of the State setting forth the names of the persons chosen as presidential electors for this State and the number of votes cast for each by the most expeditious method available, rather than by registered mail. Requires the Certificates of Ascertainment to contain a security feature for purposes of verifying their authenticity.

Amends GS 163-213(d) (proclamation before electors' meeting day controls) to remove requirement that a proclamation of a Presidential Elector be made before noon on the day set for the meeting of the Presidential Electors by federal law for that proclamation to control over an appointment made by the General Assembly or the Governor. Now, proclamation can be made any time before the day set for the meeting of the Presidential Electors.

**Intro. by Hise, P. Newton, Daniel.**[GS 9, GS 143B, GS 163](#)[View summary](#)[Courts/Judiciary, Court System, Administrative Office of the Courts, Criminal Justice, Criminal Law and Procedure, Government, Elections, State Agencies, State Board of Elections, Local Government](#)

## LOCAL/HOUSE BILLS

H 247 (2023-2024) [AVERY TOWNS/DEED RECORD./DELINQUENT TAXES. \(NEW\)](#) Filed Mar 1 2023, *AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF CROSSNORE, THE TOWN OF BEECH MOUNTAIN, AND THE TOWN OF SEVEN DEVILS.*

AN ACT TO REQUIRE THE REGISTER OF DEEDS OF AVERY COUNTY TO REFUSE RECORDATION OF A DEED FOR PROPERTY SUBJECT TO DELINQUENT MUNICIPAL PROPERTY TAXES FOR THE TOWN OF CROSSNORE, THE TOWN OF BEECH MOUNTAIN, AND THE TOWN OF SEVEN DEVILS. SL 2023-25. Enacted June 1, 2023. Effective October 1, 2023.

**Intro. by Greene.**[Avery, Watauga](#)[View summary](#)[Development, Land Use and Housing, Property and Housing](#)

## LOCAL/SENATE BILLS

S 379 (2023-2024) [ALLOW CHANGES/RESIDENT DISTRICTS/JOHNSTON CO.](#) Filed Mar 27 2023, *AN ACT TO ALLOW THE JOHNSTON COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE THEIR RESIDENCY DISTRICTS.*

AN ACT TO ALLOW THE JOHNSTON COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE THEIR RESIDENCY DISTRICTS. SL 2023-24. Enacted June 1, 2023. Effective June 1, 2023, and applies to elections held on or after the 2024 election cycle.

**Intro. by Sawrey.**[Johnston, GS 153A](#)[View summary](#)[Government, Elections](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

**H 87: [PROBATION MODIFICATIONS/SHERIFF AUTHORITY. \(NEW\)](#)***House: Cal Pursuant 36(b)**House: Placed On Cal For 06/06/2023***H 103: [GSC TECHNICAL CORRECTIONS 2023.](#)***House: Cal Pursuant 36(b)*

*House: Placed On Cal For 06/06/2023*

**H 116: MODIFY LAWS AFFECTING DISTRICT ATTORNEYS.**

*House: Pres. To Gov. 6/1/2023*

**H 130: ENERGY CHOICE/SOLAR DECOMMISSIONING RQMTS. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Finance*

**H 140: CIVILIAN TRAFFIC INVESTIGATORS/PILOT. (NEW)**

*Senate: Withdrawn From Com*

*Senate: Re-ref to State and Local Government. If fav, re-ref to Rules and Operations of the Senate*

**H 259: 2023 APPROPRIATIONS ACT.**

*House: Conf Com Appointed*

**H 344: MENTAL HEALTH LIC. FAIR PRACTICE STDS. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Rules and Operations of the Senate*

**H 346: REORGANIZATION & ECONOMIC DEVELOPMENT ACT.**

*House: Pres. To Gov. 6/1/2023*

**H 347: SPORTS WAGERING/HORSE RACING WAGERING. (NEW)**

*Senate: Amend Tabled A2*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

**H 412: MODIFY PROPERTY TRANSFER TO PENDER COUNTY.**

*House: Ratified*

**H 580: EXPAND DAY/EMPLOYMENT OPTIONS/IDD.**

*House: Serial Referral To Rules, Calendar, and Operations of the House Stricken*

*House: Withdrawn From Com*

*House: Re-ref to the Com on Health, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House*

**H 747: NO WORK REQUIREMENT EXEMPTION/FNS BENEFITS.**

*Senate: Withdrawn From Com*

*Senate: Re-ref to Health Care. If fav, re-ref to Rules and Operations of the Senate*

**S 100: AUTHORIZE HAW RIVER STATE TRAIL.**

*Senate: Ratified*

**S 291: QRIS/STAR RATING SYSTEM REFORM.**

*Senate: Ratified*

**S 331: CONSUMER FINANCE ACT AMENDMENTS.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Finance, if favorable, Rules, Calendar, and Operations of the House*

**S 364: NONDISCRIMIN & DIGNITY IN STATE WORK. (NEW)**

*House: Regular Message Sent To Senate*

**S 512: GREATER ACCOUNTABILITY FOR BOARDS/COMMISSIONS.**

*House: Regular Message Sent To Senate*

**S 729: CBBC WORKING GROUP CHANGES.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Pensions and Retirement, if favorable, Rules, Calendar, and Operations of the House*

**S 746: CONFIRM CHARLOTTE MITCHELL/UTILITIES COMM.**

*Senate: Ratified*

*Senate: Ch. Res 2023-8*

**S 747: ELECTIONS LAW CHANGES.**

*Senate: Filed*

**LOCAL BILLS****H 247: AVERY TOWNS/DEED RECORD./DELINQUENT TAXES. (NEW)**

*House: Ratified*

*House: Ch. SL 2023-25*

**S 18: STANLY CTY AIRPORT AUTHORITY/MEMBERS & LEASES.**

*Senate: Concurred In H Amend S18v2*

*Senate: Ordered Enrolled*

**S 208: GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.**

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

**S 248: NASH BD. OF EDUC/NO. OF MEMBERS/DISTRICTS. (NEW)**

*House: Regular Message Sent To Senate*

**S 379: ALLOW CHANGES/RESIDENT DISTRICTS/JOHNSTON CO.**

*Senate: Ratified*

*Senate: Ch. SL 2023-24*

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