



The Daily Bulletin: 2013-02-19

PUBLIC/HOUSE BILLS

H 4 (SL 2013-2) (2013-2014) [UI FUND SOLVENCY & PROGRAM CHANGES](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO ADDRESS THE UNEMPLOYMENT INSURANCE DEBT AND TO FOCUS NORTH CAROLINA'S UNEMPLOYMENT INSURANCE PROGRAM ON PUTTING CLAIMANTS BACK TO WORK.*

A BILL TO BE ENTITLED AN ACT TO ADDRESS THE UNEMPLOYMENT INSURANCE DEBT AND TO FOCUS NORTH CAROLINA'S UNEMPLOYMENT INSURANCE PROGRAM ON PUTTING CLAIMANTS BACK TO WORK. Enacted February 19, 2013. Effective July 1, 2013.

Intro. by Howard, Warren, Starnes, Setzer.

GS 58, GS 96, GS 97, GS 120

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**Budget/Appropriations, Employment and Retirement,
General Assembly, Department of Commerce, Office of State
Budget and Management, Office of State Controller**

H 13 (2013-2014) [STATE AGENCY PROPERTY USE/BIENNIAL REPORT](#). Filed Jan 30 2013, *AN ACT TO (1) REQUIRE STATE AGENCIES TO BIENNIALLY REPORT TO THE DEPARTMENT OF ADMINISTRATION AND TO THE PROGRAM EVALUATION DIVISION ON THEIR USE OF REAL PROPERTY; (2) REQUIRE STATE AGENCIES TO REPORT ANNUALLY THE AMOUNT OF REVENUE GENERATED DURING THE PREVIOUS CALENDAR YEAR FROM THE LEASING OF SPACE ON AGENCY PROPERTY; (3) IMPROVE THE OVERSIGHT AND MANAGEMENT OF STATE-OWNED SUBMERGED LANDS, INCLUDING INITIATING A PROCESS TO INVENTORY CLAIMS ON STATE-OWNED SUBMERGED LANDS; AND (4) CLARIFY THE INFORMATION THAT MUST BE PROVIDED TO THE STATE BUREAU OF INVESTIGATION CONCERNING MISUSE OF STATE PROPERTY.*

House Amendment #2 makes the following changes to the 1st edition, as amended.

Requires each state agency to report annually on or before February 1, the amount of revenue generated from leasing space on property owned by or allocated to the state agency during the previous year, to the Chairs of the House Appropriations Committee, the Chairs of the Senate Appropriations/ Base Budget Committee, and the Fiscal Research Division of the General Assembly (was, required the Department of Public Instruction to report on the revenue generated by DPI's leasing of space on residential school campuses during the previous year).

Intro. by Howard, W. Brawley, Moffitt, Wray.

GS 143, GS 143C

[View summary](#)

**General Assembly, State Agencies, Department of
Administration, Department of Public Instruction**

H 119 (2013-2014) [NATURAL GAS/RATE ADJUSTMENT MECHANISM](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE UTILITIES COMMISSION TO ADOPT, IMPLEMENT, MODIFY, OR ELIMINATE A RATE ADJUSTMENT MECHANISM FOR NATURAL GAS LOCAL DISTRIBUTION COMPANY RATES.*

Amends Article 7 of GS Chapter 62 by enacting new GS 62-133.7A, allowing the Utilities Commission (Commission) to adopt, use, adjust, or eliminate the rate mechanism utilized for natural gas local distribution companies so that such companies can recover the expenses of complying with federal gas pipeline safety standards. Such adjustment is only allowed when the Commission finds it to be in the public's interest.

Intro. by Hager, Millis, Moffitt, Arp.

[GS 62](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 120 (2013-2014) [BLDING CODES: LOCAL CONSISTENCY/EXEMPT CABLE \(NEW\)](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE APPROVAL FROM THE NORTH CAROLINA BUILDING CODE COUNCIL BEFORE A UNIT OF LOCAL GOVERNMENT MAY REQUIRE BUILDING INSPECTIONS IN ADDITION TO THOSE REQUIRED BY THE BUILDING CODE; TO SPECIFY THE FREQUENCY AND EFFECTIVE DATES OF CODE UPDATES; AND TO EXEMPT CABLE TELEVISION EQUIPMENT INSTALLATION FROM BUILDING CODE REQUIREMENTS.*

Amends GS 153A-360 (regarding counties) and GS 160A-420 (regarding cities) to require that local government units obtain approval from the North Carolina Building Code Council (Council) prior to requiring regular, routine inspections for one-and-two-family dwellings that are in addition to the specific inspections required by the North Carolina Building Code (NC Building Code). Directs the Council to review all requests from a county or city government and render a decision in a timely manner. Provides that the added subsections to GS 153A-360 and GS 160A-420 do not limit the authority of local governments to require inspections when there are unforeseen or unique circumstances that require immediate action.

Amends GS 143-138(d) to provide that the Council may periodically revise and amend the NC Building Code on its own motion or on application from any citizen, state agency, or political subdivision of the state. Additionally, specifies the frequency with which the Council must update provisions of the NC Building Code and the effective dates for those NC Building Code updates. Directs the Council to publish in the North Carolina Register and post on the Council's web sitespecific commentaries providing explanatory material on NC Building Code provisions no later than the effective date of the revisions as specified in this subsection.

Includes a severability clause that provides that if any provision of this act is deemed invalid, that invalidity does not affect the application of the other provisions of this act.

Effective July 1, 2013.

Intro. by Hager, W. Brawley, Cotham, Arp.

[GS 143, GS 153A, GS 160A](#)

[View summary](#)

[Building and Construction, Local Government](#)

H 122 (2013-2014) [AMEND INTERLOCUTORY APPEALS/FAMILY LAW](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO INTERLOCUTORY APPEALS AS RELATED TO FAMILY LAW.*

Enacts GS 50-19.1, allowing appeals from an order or judgment arising from claims for absolute divorce, divorce from bed and board, child custody, child support, alimony, or equitable distribution when the order or judgment can otherwise be considered final, as described in GS 1A-1, Rule 54(b), but for other pending claims in the same action. This right to appeal is not forfeited if a party fails to immediately appeal. Appeals pursuant to this section do not prevent the trial court from retaining jurisdiction over other claims in the action.

Amends GS 7A-27(d), making conforming and technical changes related to the enactment of GS 50-19.1 as well as creating an appeal of right directly to the Court of Appeals for actions or proceedings that are described in GS 50-19.1.

Intro. by Glazier, Stevens.

[GS 7A, GS 50](#)

[View summary](#)

[Civil Procedure, Family Law](#)

H 123 (2013-2014) [CUMBERLAND DIST CT JUDGES/MAGISTRATES FUNDS](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR TWO ADDITIONAL DISTRICT COURT JUDGES FOR DISTRICT COURT DISTRICT 12 AND TWO ADDITIONAL MAGISTRATES FOR CUMBERLAND COUNTY.*

Amends GS 7A-133 to increase the number of Cumberland County district court judges from 10 to 12 and the number of magistrates in the county from 19 to 21. Appropriates \$318,788 from the General Fund to the Judicial Department for the 2013-14 fiscal year and the 2014-15 fiscal year to fund the additional district court judges. Appropriates \$90,939 from the General Fund to the Judicial Department for 2013-14 and 2014-15 for the additional magistrate positions.

Requires the Governor to appoint the additional district court judges, with successors elected in the 2014 election for four year terms.

Effective July 1, 2013.

Intro. by Glazier, Szoka, Lucas, Floyd.

[APPROP, GS 7A](#)

[View summary](#)

[Court System, Department of Justice](#)

H 124 (2013-2014) [CHILD ADVOCACY CENTER FUNDS](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS.*

Appropriates \$600,000 for 2013-14 from the General Fund or from any available federal Block Grant funds to the Department of Health and Human Services to be allocated equally among the state's 24 fully certified child advocacy centers. Effective July 1, 2013.

Intro. by Glazier, Horn, Earle.

[APPROP](#)

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[Budget/Appropriations, Department of Health and Human Services](#)

H 125 (2013-2014) [PUBLIC AGENCY COMPUTER CODE NOT PUBLIC RECORD](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CERTAIN TYPES OF PROPRIETARY COMPUTER CODE ARE NOT A PUBLIC RECORD.*

Amends GS 132-1.1 to provide that proprietary computer code written by a North Carolina government agency or its subdivision for use by a state agency or its subdivision is not a public record as defined in GS 132-1.

Provides that this act is effective when it becomes law and applies to public records existing before, on, or after that date.

Intro. by Conrad, Hanes, Lambeth.

[GS 132](#)

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[State Agencies, Public Records and Open Meetings](#)

H 126 (2013-2014) [JOINT RESOLUTION REQUESTING BALANCED BUDGET](#). Filed Feb 19 2013, *A JOINT RESOLUTION REQUESTING CONGRESS TO SUBMIT AN AMENDMENT TO THE STATES TO REQUIRE A BALANCED FEDERAL BUDGET.*

As title indicates.

Intro. by Jones, Stone, Collins, Hager.

[JOINT RES](#)

[View summary](#)[Budget/Appropriations](#)**PUBLIC/SENATE BILLS**

S 99 (2013-2014) [NORTH CAROLINA BENEFIT CORPORATION ACT](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA BENEFIT CORPORATION ACT.*

Adds new Article 18, *The North Carolina Benefit Corporation Act* (Benefit Corporation Act), to GS Chapter 55. Provides that new Article 18 applies to all benefit corporations and defines benefit corporations to mean a domestic corporation that elects to become subject to the Benefit Corporation Act and that has not terminated its status as a benefit corporation under proposed GS 55-18-22 (*termination of benefit corporation status*). Provides additional details regarding the application and effect of the Benefit Corporation Act.

Provides definitions for the terms used in the Benefit Corporation Act. Defines general public benefit to mean the material positive impact on society and environment, as measured from a third-party standard, arising from the business and operations of a benefit corporation. Defines specific public benefit purpose to mean a corporate purpose conferring any particular benefit on society or the environment. Requires that the formation of a benefit corporation adhere to the provisions of the other Articles in GS Chapter 55 but that the articles of incorporation for the benefit corporation must state that it is a benefit corporation. Provides that a benefit corporation is not entitled to claim an exemption from any property tax imposed under Subchapter II of GS Chapter 105.

Requires heightened voting requirements for some actions and changes within a benefit corporation that are in addition to provisions of other Articles in GS Chapter 55. Provides process for a domestic corporation to elect to become a benefit corporation under proposed Article 18. Includes process for termination of benefit corporation status. Directs that the purpose of a benefit corporation must be to create general public benefit and that this purpose is in addition to any lawful business purpose.

Includes accountability provisions setting standards of conduct for directors of a benefit corporation. Requires that the board of directors of a benefit corporation designate by resolution one director who is an independent person to be the benefit director. Delineates the powers, duties, rights, and immunities specific to the Benefit Director. Allows for the designation of a benefit officer and provides for the officer's duties. Provides that the benefit director may serve as the benefits officer at the same time as serving as the benefit director.

Limits enforcement of the duties of directors under the Benefit Corporation Act to only in a benefit enforcement proceeding. Provides guidelines for commencing or maintaining a benefit enforcement proceeding.

Requires that a benefit corporation prepare an annual benefit report to be sent to each shareholder. Additionally requires the benefit corporation to post its annual benefit report on the public portion of its web site for a period of five years; however, permits redaction of information regarding compensation paid to directors and any financial or proprietary information included in the benefit report.

Requires the annual report that must be submitted by a benefit corporation to the Secretary of Revenue, or to the Secretary of State under GS 55-16-22, to include the most recent benefit report delivered to shareholders, but allows omission of the information regarding compensation paid to directors and any financial or proprietary information included in the benefit report.

Makes a conforming change to GS 55-13-02(a), which concerns shareholders' dissenting rights.
Effective October 1, 2013.

Intro. by Brunstetter, Kinnaird.[GS 55](#)[View summary](#)[Corporation and Partnerships](#)

S 100 (2013-2014) [EMS IMMUNITY FROM CIVIL LIABILITY](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO LIMIT THE LIABILITY OF EMERGENCY MEDICAL SERVICES PERSONNEL.*

Enacts new section, GS 131E-161.1, limiting the liability of emergency medical personnel in cases where personal injury or death occur as a result of an act or omission in the performance of their duties. Emergency medical personnel are only liable

for damages in cases where there is gross negligence, wanton conduct, or intentional wrongdoing.

Effective for causes of action arising on or after July 1, 2013.

Intro. by Gunn.

GS 131E

[View summary](#)

Civil Law, Public Safety and Emergency Management

S 101 (2013-2014) [WC/INFLATION INDEXING FOR ORGAN INJURY/LOSS \(NEW\)](#). Filed Feb 19 2013, *AN ACT TO ACCOUNT FOR INFLATION BY ADJUSTING THE MAXIMUM AMOUNT OF COMPENSATION PERMITTED UNDER THE WORKERS' COMPENSATION ACT FOR THE LOSS OF, OR PERMANENT INJURY TO, ANY IMPORTANT EXTERNAL OR INTERNAL ORGAN AND TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF SAID COMPENSATION IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.*

Identical to [H 92](#), filed 2/12/13.

Amends GS 14-17(a) to clarify that a person under the age of 18 at the time of a first-degree murder committed by means as specified in subsection (a) is to be punished in accordance with Part 2A of Article 81B of GS Chapter 15A (Sentencing for Minors Subject to Life Imprisonment Without Parole).

Amends GS 15A-1340.17(c) to specify that on the Prior Record Level chart, a Class A felony includes life imprisonment with parole or without parole, or death as established by statute (was, without parole or death).

Amends GS 74-54(b), GS 74-54.1(c), and GS 74-67, deleting references to the North Carolina Mining and Energy Commission and replacing them with Commission, referencing the Interstate Mining Commission.

Makes additional technical changes and corrections to various provisions in the General Statutes.

Intro. by Hartsell.

GS 14, GS 15A, GS 74, GS 90B, GS 120, GS 122C, GS 136, GS 140, GS 160A, GS 163

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Transportation, Criminal Law and Procedure, Corrections (Sentencing/Probation), Energy, Local Government, Cultural Resources and Museums, Elections, Health Care Facilities and Providers, Social Services

S 102 (2013-2014) [PUBLIC INFRASTRUCTURE OVERSIGHT COMMISSION](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE JOINT LEGISLATIVE PUBLIC INFRASTRUCTURE OVERSIGHT COMMISSION.*

Adds a new Article 12Q to GS Chapter 120 to establish the 24-member Joint Legislative Public Infrastructure Oversight Commission (Commission).

Designates the membership of the Commission. Provides that there will be seven public members, with various specified areas of expertise, appointed to the Commission by the President Pro Tempore of the Senate (2), the Speaker of the House of Representatives (2), and the Governor (3). Requires that the public members must also be residents of North Carolina. Provides for the appointment of three Senate members by the President Pro Tem and three members by the Speaker, each of whom is to designate one of their appointees as a co-chair for the Commission. Specifies further membership.

Provides for the organization and functioning of the Commission, specifying term lengths of two years except for ex-officio members or their designees who serve until they are no longer in office or are replaced with another designee. Requires at minimum quarterly meetings and establishes that vacancies are to be filled in the same manner in which the original appointment was made.

Enunciates findings to support the need for the state to develop a comprehensive statewide policy and goals for the development and financing of public infrastructure.

States that the purpose of this Commission is to (1) inventory the assessments conducted by state agencies, local governments, and other entities; (2) develop a comprehensive statewide policy with short-term and long-term solutions for meeting critical infrastructure needs; and (3) identify dedicated sources of funding and methods to leverage private capital, including an infrastructure bank, to finance those needs.

Provides that the Commission has the powers of a joint commission under GS 120-19 and GS 120-19.1 through GS 120-19.4. Specifies what the Commission is authorized to do in conducting its duties. Directs the Commission to report annually by April 1 to the chairs of the House of Representatives and Senate Appropriations, the House of Representatives and Senate Finance Committees, and to the Governor. Provides that report may contain any legislation needed to implement a recommendation of the Commission.

Intro. by Hartsell.

[GS 120](#)

[View summary](#)

Local Government, State Government, General Assembly, Department of Administration, Department of Commerce, Department of Environmental Quality (formerly DENR), Department of Transportation, Public Enterprises and Utilities

S 103 (2013-2014) [AMEND ASSESSMENTS FOR INFRASTRUCTURE NEEDS \(NEW\)](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND AND AMEND THE AUTHORITY COUNTIES AND CITIES HAVE TO USE SPECIAL ASSESSMENTS TO ADDRESS CRITICAL INFRASTRUCTURE NEEDS.*

Makes clarifying changes to GS 153A-210.2(c) (regarding counties) and GS 160A-239.2(c) (regarding cities) as to identifying the property to be assessed. Provides that in selecting a method to allocate the costs in accordance with benefits conferred, the board of commissioners (GS Chapter 153A, counties) and the city council (GS Chapter 160A, cities) may provide that the benefits conferred are measured on the basis of the use of the lot or parcel of land and provide for assessments to be adjusted when there is a change in use, if the total amount of the assessments is sufficient to pay the costs of the project after the adjustments have been made.

Amends GS 153A-210.3(a) (counties) and GS 160A-239.3(a) (cities) to clarify the guidelines under which a board or council may impose a special assessment. Specifies methodology for determining whether the petition for the project to be financed has been signed by a majority of owners and for determining if the assessed value represented by the owners signing the petition constitutes at least 66% of the assessed value of all real property to be assessed.

Effective when the act becomes law and applies to special assessments imposed on or after that date.

Intro. by Hartsell.

[GS 153A, GS 160A](#)

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Local Government

S 104 (2013-2014) [ELIMINATE CRITICAL INFRASTRUCTURE SUNSET](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE SUNSET FOR SPECIAL ASSESSMENTS FOR CRITICAL INFRASTRUCTURE NEEDS.*

Amends Section 5 of S.L. 2008-165, to provide as title indicates.

Intro. by Hartsell.

[UNCODIFIED](#)

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Local Government

S 105 (2013-2014) [ADD TOWNS TO SHP](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF ELIZABETHTOWN AND THE TOWN OF MATTHEWS TO ENROLL ITS EMPLOYEES AND DEPENDENTS IN THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.*

Amends GS 136-32(f) as the title indicates.

Intro. by Tillman.

[GS 136](#)

[View summary](#)

[Transportation, Local Government, Elections](#)

S 106 (2013-2014) [HOME BIRTH FREEDOM ACT](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CERTIFIED PROFESSIONAL MIDWIVES LICENSING ACT.*

Enacts new Article 10B, Certified Professional Midwives, to GS Chapter 90. Prohibits any person from practicing or offering to practice midwifery, on or after January 1, 2014, without a license, as provided in new Article 10B. Exempts the following circumstances from the licensure requirement: (1) an individual approved to practice midwifery under Article 10A (Midwifery Practice Act), (2) a physician licensed to practice medicine, (3) the performance of medical acts by a physician assistant or nurse practitioner as specified, (4) the practice of nursing by a registered nurse as allowed under Article 9A (Nursing Practice Act), (5) the rendering of childbirth assistance in emergency situations, and (6) individuals present or assisting the certified professional midwife during the birth process as specified.

Sets forth the General Assembly's findings and includes definitions applicable to Article 10B. Defines certified professional midwife as a person with national certification from the North American Registry of Midwives (NARM). Defines midwifery as the act of providing prenatal, intrapartum, postpartum, newborn, and interconceptional care, but not the practice of medicine by a physician licensed to practice medicine when engaged in the practice of medicine, the performance of medical acts by a physician assistant or nurse practitioner when performed in accordance with the rules of the North Carolina Medical Board, the practice of nursing by a registered nurse engaged in the practice of nursing, or the rendering of childbirth assistance in an emergency situation.

Creates a seven-member North Carolina Council of Certified Professional Midwives (Council), with members appointed by the Secretary of Health and Human Services and initial members appointed on or before October 1, 2013. Details Council member requirements and term limits and includes provisions for compensation, meeting procedures, and Council administration. Enumerates 13 powers and duties of the Council, in consultation with the Division of Health Service Regulation, Department of Health and Human Services, and with guidance from the National Association of Certified Professional Midwives Standards of Practice.

Lists the following requirements for licensure as a certified professional midwife: (1) a completed application; (2) certification from NARM and currently holds the title of certified professional midwife; (3) graduated from or completed a midwifery program or school that is either approved by the Council or a Midwifery Education and Accreditation Council accredited school, on or after December 31, 2016; (4) submits proof to the Council of current cardiopulmonary resuscitation certification and neonatal resuscitation certification; (5) has read, understands, and agrees to practice under Article 10B; and (6) pays required fees. Lists 10 responsibilities of a licensed certified professional midwife, including the responsibility to provide care for the healthy woman who is expected to have a normal pregnancy, labor, birth, and postpartal phase in the setting of the mother's choice and the responsibility to order routine antepartal or postpartal screening or lab analysis at a licensed facility and inform the parents about newborn screening. Directs a midwife licensed under Article 10B to display the license at all times in a conspicuous place where the midwife is practicing. Sets forth provisions for license renewal, periods of lapsed licensure, and granting inactive status. Authorizes the Council to grant a license to a person residing in North Carolina licensed, certified, or registered to practice as a certified professional midwife in another jurisdiction if that jurisdiction's standards are substantially equivalent and the person submits an application and required fees. Directs the Council to set all fees under Article 10B and to pay all expenditures out of funds from the fees or other funds. Allows the Council to discipline applicants or licensees, after a hearing, under seven specified circumstances.

Allows a certified professional midwife licensed under Article 10B to receive third-party reimbursement from private agencies providing coverage for maternity and obstetrical care. Specifies that a managed care organization or insurance company may not require a patient to use a certified professional midwife instead of a licensed physician or nurse practitioner. Authorizes the Council to apply to superior court to enjoin violations of Article 10B. Provides that no health care provider will be liable for an injury to a woman or infant arising during childbirth and resulting from an act or omission by a licensed certified professional midwife.

Intro. by Goolsby, Clodfelter, Bingham.

[GS 90](#)

[View summary](#)

[Occupational Licensing, Health Care Facilities and Providers](#)

S 107 (2013-2014) [DECriminalize Direct Entry Midwifery](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT ALLOWING CERTIFIED PROFESSIONAL MIDWIVES TO PROVIDE CERTAIN MIDWIFERY SERVICES WITHOUT BEING SUBJECT TO CRIMINAL PENALTY.*

Enacts new section, GS 90-178.10, allowing individuals that hold current ministerial or tocological certifications from an organization accredited by the Institute for Credentialing Excellence to provide services described in 42 U.S.C. § 1396r-6(b)(4)(E)(ii)(1) related to pregnancy, including prenatal, delivery, and postpartum services.

Intro. by Goolsby, Clodfelter, Bingham.

[GS 90](#)

[View summary](#)

[Health Care Facilities and Providers](#)

S 108 (2013-2014) [BUILDING INSPECTIONS/LOCAL CONSISTENCY](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE APPROVAL FROM THE NORTH CAROLINA BUILDING CODE COUNCIL BEFORE A UNIT OF LOCAL GOVERNMENT MAY REQUIRE BUILDING INSPECTIONS IN ADDITION TO THOSE REQUIRED BY THE BUILDING CODE AND TO SPECIFY THE FREQUENCY AND EFFECTIVE DATES OF CODE UPDATES.*

Identical to [H 120](#), filed 2/12/13.

Amends GS 153A-360 (regarding counties) and GS 160A-420 (regarding cities) to require that local government units obtain approval from the North Carolina Building Code Council (Council) prior to requiring regular, routine inspections for one-and-two-family dwellings that are in addition to the specific inspections required by the North Carolina Building Code (NC Building Code). Directs the Council to review all requests from a county or city government and render a decision in a timely manner. Provides that the added subsections to GS 153A-360 and GS 160A-420 do not limit the authority of local governments to require inspections when there are unforeseen or unique circumstances that require immediate action.

Amends GS 143-138(d) to provide that the Council may periodically revise and amend the NC Building Code on its own motion or on application from any citizen, state agency, or political subdivision of the state. Additionally, specifies the frequency with which the Council must update provisions of the NC Building Code and the effective dates for those NC Building Code updates. Directs the Council to publish in the North Carolina Register and post on the Council's web site, specific commentaries providing explanatory material on NC Building Code provisions no later than the effective date of the revisions as specified in this subsection.

Includes a severability clause that provides that if any provision of this act is deemed invalid, that invalidity does not affect the application of the other provisions of this act.

Effective July 1, 2013.

Intro. by Apodaca, Hunt, Ford.

[GS 143, GS 153A, GS 160A](#)

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[Building and Construction, Local Government](#)

S 109 (2013-2014) [CITIZENS UNITED RESPONSE](#). Filed Feb 19 2013, *A JOINT RESOLUTION REQUESTING THAT CONGRESS PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO OVERTURN THE UNITED STATES SUPREME COURT RULING IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION CONCERNING CORPORATE CAMPAIGN SPENDING.*

As title indicates.

Intro. by Kinnaid.

[JOINT RES](#)

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[Constitution, Elections](#)

S 110 (2013-2014) [AMEND PERMANENT RULES / RESOLUTIONS](#). Filed Feb 19 2013, *A SENATE RESOLUTION TO AMEND THE PERMANENT RULES OF THE SENATE CONCERNING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS, REFERRAL OF RESOLUTIONS, AND STANDING COMMITTEES.*

Amends Senate Rule 40(b1), as contained in Senate Resolution 1 of the 2013 Regular Session, providing that simple resolutions and any Senate or House joint resolutions will be read for the first time in their regular order. After the first reading, the Chairman of the Committee on Rules and Operations of the Senate may refer the resolution to a committee or place it at the end of Tuesday's calendar.

Current Senate Rules provide for the first reading of resolutions to occur during the Senate's next session that occurs on a Tuesday and then placed at the end of that day's calendar.

Intro. by Apodaca.

[SENATE RES](#)

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[General Assembly](#)

LOCAL/HOUSE BILLS

H 98 (2013-2014) [JOHNSTON COUNTY SCHOOLS/CALENDAR FLEXIBILITY](#). Filed Feb 12 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOHNSTON COUNTY PUBLIC SCHOOLS TO CONTINUE TO OPERATE TWO SCHOOLS UNDER THE ALTERNATIVE CALENDAR IN EFFECT FOR THE PAST FOUR YEARS.*

House committee substitute makes the following changes to the 1st edition. Clarifies that the South Smithfield Elementary School and the West Smithfield Elementary School, both Johnston County public schools, operate on modified calendars.

Intro. by Langdon, Daughtry.

[Johnston](#)

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[Elementary and Secondary Education](#)

H 121 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR IN CERTAIN COUNTIES.*

Amends GS 115C-84.2(d) to provide additional flexibility to local boards of education in Haywood, Madison, and Yancey counties to set the opening and closing dates for their public schools under subdivision (a)(1) of GS 115C-84.2. Provides that this act is effective when it becomes law and applies only to Haywood, Madison, and Yancey County schools beginning with the 2013-14 school year.

Intro. by Presnell.

Haywood, Madison, Yancey, GS 115C

[View summary](#)[Elementary and Secondary Education](#)**ACTIONS ON BILLS****PUBLIC BILLS****H 4: UI FUND SOLVENCY & PROGRAM CHANGES.***Signed by Gov. 2/19/2013**Ch. SL 2013-2***H 13: STATE AGENCY PROPERTY USE/BIENNIAL REPORT.***House: Amend Adopted A2**House: Passed 3rd Reading**House: Ordered Engrossed***H 18: YOUTH SKIN CANCER PREVENTION ACT.***House: Serial Referral To Regulatory Reform Stricken***H 29: METHAMPHETAMINE/OFFENSE/PENALTIES.***House: Reptd Fav**House: Cal Pursuant Rule 36(b)**House: Placed On Cal For 02/20/2013***H 66: CAPTIVITY LICENSE AND PERMIT AMENDMENTS.-AB***Senate: Withdrawn From Com**Senate: Re-ref Com On Rules and Operations of the Senate***H 77: BOARD OF LAW EXAMINERS/UPDATE EXPENSE LAW.***House: Passed 2nd Reading***H 82: IRC UPDATE.***House: Amend Failed A1**House: Passed 2nd Reading***H 114: NO SS# REQ/ABSOLUTE DIVORCE (NEW).***House: Passed 1st Reading**House: Ref To Com On Judiciary Subcommittee C***H 115: STATE MINIMUM WAGE/INFLATION INCREASES.***House: Passed 1st Reading**House: Ref to the Com on Commerce and Job Development, if favorable, Finance***H 117: REVISE LAWS FOR UNOCCUPIED SCHOOL BUSES.***House: Passed 1st Reading**House: Ref to the Com on Transportation, if favorable, Education***H 118: CONSULAR DOCUMENTS NOT ACCEPTABLE AS ID.***House: Passed 1st Reading**House: Ref To Com On Judiciary Subcommittee C*

H 119: NATURAL GAS/RATE ADJUSTMENT MECHANISM.

House: Filed

H 120: BLDING CODES: LOCAL CONSISTENCY/EXEMPT CABLE (NEW).

House: Filed

H 122: AMEND INTERLOCUTORY APPEALS/FAMILY LAW.

House: Filed

H 123: CUMBERLAND DIST CT JUDGES/MAGISTRATES FUNDS.

House: Filed

H 124: CHILD ADVOCACY CENTER FUNDS.

House: Filed

H 125: PUBLIC AGENCY COMPUTER CODE NOT PUBLIC RECORD.

House: Filed

H 126: JOINT RESOLUTION REQUESTING BALANCED BUDGET.

House: Filed

H 127: ARTS EDUCATION AS A GRADUATION REQUIREMENT.

House: Filed

H 128: REVOLVING DOOR FOR LOBBYIST REGISTRATION.

House: Filed

S 4: NO N.C. EXCHANGE/NO MEDICAID EXPANSION.

Senate: Failed Concur In H Com Sub

Senate: Conf Com Appointed

House: Conf Com Appointed

S 54: TIME FOR RECORDING FORECLOSURE NOTICE.

Senate: Reptd Fav

S 97: PROPERTY TAX/DEANNEXATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 98: REQUIRE PULSE OXIMETRY NEWBORN SCREENING.

Senate: Passed 1st Reading

Senate: RefTo Com On Health Care

S 99: NORTH CAROLINA BENEFIT CORPORATION ACT.

Senate: Filed

S 100: EMS IMMUNITY FROM CIVIL LIABILITY.

Senate: Filed

S 101: WC/INFLATION INDEXING FOR ORGAN INJURY/LOSS (NEW).

Senate: Filed

Senate: Filed

S 102: PUBLIC INFRASTRUCTURE OVERSIGHT COMMISSION.

Senate: Filed

S 103: AMEND ASSESSMENTS FOR INFRASTRUCTURE NEEDS (NEW).*Senate: Filed***S 104: ELIMINATE CRITICAL INFRASTRUCTURE SUNSET.***Senate: Filed***S 105: ADD TOWNS TO SHP.***Senate: Filed**Senate: Filed**Senate: Filed***S 106: HOME BIRTH FREEDOM ACT.***Senate: Filed***S 107: DECRIMINALIZE DIRECT ENTRY MIDWIFERY.***Senate: Filed***S 108: BUILDING INSPECTIONS/LOCAL CONSISTENCY.***Senate: Filed***S 109: CITIZENS UNITED RESPONSE.***Senate: Filed***S 110: AMEND PERMANENT RULES / RESOLUTIONS.***Senate: Filed***LOCAL BILLS****H 98: JOHNSTON COUNTY SCHOOLS/CALENDAR FLEXIBILITY.***House: Reptd Fav Com Substitute**House: Cal Pursuant Rule 36(b)**House: Placed On Cal For 02/20/2013***H 116: CARRBORO OFFICE OF ALDERMAN.***House: Passed 1st Reading**House: Ref to the Com on Government, if favorable, Finance***H 121: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.***House: Filed***S 56: WALLACE/SATELLITE ANNEXATIONS.***Senate: Reptd Fav***S 95: TABOR CITY ELECTION.***Senate: Passed 1st Reading**Senate: Ref To Com On State and Local Government***S 96: 32ND SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Passed 1st Reading**Senate: Ref To Com On State and Local Government*

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