



## The Daily Bulletin: 2013-03-06

### PUBLIC/HOUSE BILLS

H 10 (2013-2014) [REMOVE ROUTE RESTRICTION FOR NC 540 LOOP](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE THE RESTRICTION ON THE TURNPIKE AUTHORITY'S SELECTION OF A CORRIDOR LOCATION FOR THE SOUTHEAST EXTENSION PROJECT OF N.C. 540.*

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

Amends GS 136-89.183 to remove the following projects from those that the Turnpike Authority is authorized to design, establish, purchase, construct, operate, and maintain: (1) Gaston East-West Connector (Garden Parkway), (2) Cape Fear Skyway, and (3) bridge more than two miles long going from the mainland to a peninsula bordering Virginia. Makes conforming changes. Amends GS 136-176 to remove the funds appropriated for the Mid-Currituck Bridge and the Garden Parkway. Amends GS 105-187.9 to increase the amount of funds that are to be transferred to the Mobility Fund by a corresponding amount. Makes conforming changes to the act's long title.

**Intro. by Stam, Dollar.**

[GS 105, GS 136](#)

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[Transportation, Department of Transportation](#)

H 23 (2013-2014) [DIGITAL LEARNING COMPETENCIES/SCHOOL EMP'EEES](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT DIGITAL TEACHING AND LEARNING STANDARDS FOR TEACHERS AND SCHOOL ADMINISTRATORS.*

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

Deletes the requirement that teacher licensure renewal must include at least two continuing education credits in high-quality, integrated digital teaching and learning. Instead, requires only that digital teaching and learning be integrated into the requirements for licensure renewal.

**Intro. by Horn, Johnson, Saine, Tolson.**

[GS 115C](#)

[View summary](#)

[Elementary and Secondary Education](#)

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.*

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

Amends GS 143-138(d) to require that the Building Code Council (Council) publish in the NC Register and on its website explanatory material on the Council's amendments to the Code (was, explanatory material on Code provisions) no later than the effective date of the described six-year revisions (was, no later than the effective date of the three or six year revisions). Requires that Code interpretations made by the Department in writing or through email and all appeal decisions by the Council be published in the NC Register at least semiannually and also be posted on the Council's website within two business

days. Deletes the requirement that the Council revise provisions of the building code that apply to all structures other than those subject to the code for one- and two-family dwellings at least every three years, with the first year revision having been required to become effective January 1, 2016, and every three years thereafter.

Amends GS 143-138 to exempt structures supporting cable television from the building code requirements.

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

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

[View summary](#)

[Building and Construction, Local Government](#)

H 147 (2013-2014) [AMEND ADOPTION LAWS](#). Filed Feb 21 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND VARIOUS LAWS PERTAINING TO ADOPTION.*

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

Amends GS 7B-909 to provide a review of a department's or agency's plan for a juvenile must be scheduled for a hearing within six months of accepting a relinquishment of a juvenile for adoption under the provisions of Part 7 GS Chapter 48, Article 3 unless one of the the described actions in subsections (a)(1) or (a)(2) is true (was, clarified that a review of a department's or agency's plan for a juvenile must be scheduled for a hearing in a court session whenever either of the the described actions in subsections (a)(1) or (a)(2) have occurred).

Amends subsection (a)(1) to provide that the juvenile has become the subject of an adoption decree and substantively moves the proposed content of (a)(1) from the 1st edition to (a)(2), regarding when only one parent has relinquished for adoption and the other parent's consent for relinquishment cannot be obtained.

Provides that notification of the court under this section is by a petition for review or a motion for review (was, by a petition for review) if the court is exercising jurisdiction over the juvenile.

Amends GS 48-3-702 regarding procedures for relinquishment to provide that an individual before whom a relinquishment is signed and acknowledged must certify that the parent, guardian, or minor to be adopted who is executing the relinquishment has been advised that counseling services are available (was, may be) through the agency to which the relinquishment is given (was, through county departments of social services or licensed child-placing agencies).

Makes technical corrections.

**Intro. by Jordan, Stevens, Glazier.**

[GS 7B, GS 48, GS 50](#)

[View summary](#)

[Civil Law, Family Law](#)

H 149 (2013-2014) [CAYLEE'S LAW/REPORT MISSING CHILDREN](#). Filed Feb 26 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO FAIL TO REPORT THE DISAPPEARANCE OF A CHILD TO LAW ENFORCEMENT, TO INCREASE THE CRIMINAL PENALTY FOR CONCEALING THE DEATH OF A CHILD, TO INCREASE THE CRIMINAL PENALTY FOR MAKING A FALSE, MISLEADING, OR UNFOUNDED REPORT TO A LAW ENFORCEMENT AGENCY OR OFFICER FOR THE PURPOSE OF INTERFERING OR OBSTRUCTING AN INVESTIGATION INVOLVING A MISSING CHILD OR CHILD VICTIM OF A CLASS A, B1, B2, OR C FELONY, AND TO MAKE IT A CLASS 1 MISDEMEANOR FOR A PERSON TO FAIL TO REPORT THE ABUSE, NEGLECT, DEPENDENCY, OR DEATH DUE TO MALTREATMENT OF A JUVENILE OR TO PREVENT ANOTHER PERSON FROM MAKING SUCH REPORT.*

House committee substitute to the 1st edition makes the following changes. Amends GS 14-225(b) to make it a Class H felony if the deliberately misleading (was, misleading) report relates to an investigation involving the disappearance of a child or child victim of a Class A, B1, B2, or C felony. Amends GS 7B-301 to make it a Class 1 misdemeanor for a social services director to knowingly fail (was, fail) to notify the State Bureau of Investigation of a report of sexual abuse of a juvenile in a child care facility.

**Intro. by Hastings, J. Bell, Jordan, Schaffer.**[GS 7B, GS 14, GS 110](#)[View summary](#)[Criminal Law and Procedure, Abuse, Neglect and Dependency](#)

H 161 (2013-2014) [MANDATORY RETIREMENT AGE FOR MAGISTRATES](#). Filed Feb 26 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MANDATORY RETIREMENT AGE FOR MAGISTRATES*.

House committee substitute makes the following change to the 1st edition. Changes the effective date to January 1, 2015.

**Intro. by Glazier, McGrady, Jordan.**[GS 7A](#)[View summary](#)[Court System](#)

H 180 (2013-2014) [MECHANICS LIENS/TECHNICAL CORRECTIONS](#). Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL CORRECTIONS TO THE LAWS GOVERNING MECHANICS LIENS*.

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

Amends GS 44A-11.1, stating that the article is applicable to any improvement to real property for which the costs of the undertaking are \$30,000 or more at the time of the original building permit or in cases in which no building permit is required at the the time the contract for the improvements is entered into by the owner.

Amends GS 44A-11.2, changing GS 44A-11.2(b1) to GS 44A-11.2(c), and changing language to state that potential lien claimants making requests who did not receive the lien agent contact information, and who has not furnished labor, labor, materials, rental equipment, or professional design or surveying services at the site of the improvements, or who last furnished labor, materials, rental equipment, or professional design or surveying services at the site of the improvements prior to the posting of the contact information for the lien agent, have no obligation to give notice to the lien agent until the claimant has received the contact information from the owner.

Adds that an internet web site approved by the designated lien agent to transmit information is an acceptable form of written notice to the designated lien agent.

Provides in GS 44A-11.2(n)(i) that a potential lien claimant may perfect a claim of lien if a Notice to Lien Agent is received by the specified lien agent no later than 15 days after first furnishing labor or materials.

Deletes that, for specified claimants, they may perfect a lien if they submit a Notice to Lien Agent within 15 days of receiving the lien agent's contact information or within 15 days of being designated as the lien agent.

Makes technical, conforming, and clarifying changes throughout GS 44A-11.2.

Amends GS 44A-23, making technical and conforming changes.

Amends GS 58-26-45, making technical and conforming changes.

Amends Section 8 of the act, the implementation clause, to provide that Sections 1, 2, 4, 5, and 7 of the act apply to improvements to real property affected for which the first furnishing of labor or materials at the site of the improvements is on or after April 1, 2013. Section 3 applies to notices of claims of lien filed on or after April 1, 2013. Section 6 applies to improvements to real property for which the first building permit is obtained on or after April 1, 2013.

**Intro. by Stevens.**[GS 44A, GS 58](#)[View summary](#)[Building and Construction, Property and Housing](#)

H 235 (2013-2014) [PARENT'S CONSENT REQUIRED TO QUIT SCHOOL](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENT'S CONSENT BEFORE A CHILD DROPS OUT OF SCHOOL.*

Amends GS 115C-378 as the title indicates. Requires a parent, guardian, or custodian of a child between the ages of 7 and 18 years (was, 7 and 16 years) to ensure that the child continuously attends school as assigned unless the child graduates from high school or drops out of school under new subsection (a1) to GS 115C-378.

New subsection (a1) provides the criteria that must be met before a child between 16 and 18 years old may drop out of school. Requires that the child and the child's parent, custodian, or guardian attend a final counseling session where a written statement encouraging the child to stay in school is presented and signed by the child and the child's parent, guardian, or custodian. Prescribes that the statement must also include information on (1) the academic skills that the child has not yet acquired, (2) the difference in earning power between a high school graduate and a high school dropout, and (3) the educational alternatives available to the child.

Makes conforming changes to GS 115C-238.66(3) and GS 116-235(b)(2).

Amends the definition for *undisciplined juvenile* in GS 7B-1501(27) and GS 143B-805(20). Provides that an undisciplined juvenile includes a person 16 or 17 years of age who has not dropped out of school in accordance with GS 115C-378(a1), is unlawfully absent from school, and meets one or more of the criteria for the definition of undisciplined juvenile under current law.

Effective when the act becomes law and applies beginning with the 2013-14 school year.

**Intro. by Lambeth, Whitmire, Brandon, Ramsey.**

[GS 116, GS 115C, GS 7B, GS 143B](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 236 (2013-2014) [PERM. REG. PLATES/SOLID WASTE AUTHORITIES \(NEW\)](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO REGIONAL SOLID WASTE MANAGEMENT AUTHORITIES.*

Amends GS 20-84(b), as title indicates.

**Intro. by McElraft.**

[GS 20](#)

[View summary](#)

[Transportation, Department of Transportation](#)

H 237 (2013-2014) [FRANKLIN COUNTY VIM CLINIC FUNDS](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE FRANKLIN COUNTY VOLUNTEERS IN MEDICINE CLINIC, INC.*

Appropriates \$51,000 for 2013-14 from the General Fund to Franklin County Volunteers in Medicine Clinic Inc. to provide medical services to those in need in Franklin County and surrounding areas. Effective July 1, 2013.

**Intro. by Richardson.**

[APPROP](#)

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[Budget/Appropriations, Health](#)

H 238 (2013-2014) [MAINTAINING WATER & SEWER FISCAL HEALTH](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT THE FISCAL HEALTH OF NORTH CAROLINA'S WATER AND SEWER SYSTEMS.*

Identical to [S 207](#), filed 3/6/13.

Amends GS 159-181 by adding a new subsection giving the Local Government Commission (Commission) authority to impound the books and records of the water and/or sewer enterprise system of any unit of local government or public authority, assume full control of all its affairs, or take any lesser actions deemed necessary by the Commission when, for three consecutive fiscal years, the audited financial statements show that the unit or public authority meets any one of the following three criteria:

- (1) The system experienced negative working capital.
- (2) The system experienced a quick ratio of less than 1.0.
- (3) The unit or public authority experienced a net loss of revenue in the enterprise system using the modified accrual budgetary basis of accounting.

Before the Commission assumes full control of an enterprise system, it must find that the impact of the three criteria above threatens the financial stability of the unit or public authority and that corrective changes in its operation of the system have not been made after the unit or public authority receives notice and warning from the Commission, which may come before the end of the three-year period. When a Commission takes action pursuant to this authority, it is vested with the powers of the governing board as the Commission deems necessary.

Defines *working capital* for the purposes of this subsection as current assets, such as cash, inventory, and accounts receivable, less current liabilities, determined by generally accepted accounting principles, and *quick ratio of less than 1.0* as meaning the ratio of liquid assets, cash, and receivables to current liabilities is less than 1.0.

Effective July 1, 2013.

**Intro. by Cleveland, Dockham.**

[GS 159](#)

[View summary](#)

**Public Health, Public Enterprises and Utilities**

H 239 (2013-2014) [NONRESIDENT SCHOLARSHIPS/OUT-OF-STATE TUITION](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE LAW THAT AUTHORIZES IN-STATE TUITION STATUS FOR OUT-OF-STATE STUDENTS WHO ARE AWARDED FULL SCHOLARSHIPS.*

As the title indicates, repeals GS 116-143.6. Provides that the repeal of GS 116-143.6 does not affect full scholarships received prior to the effective date of this act except that a student's eligibility for in-state tuition under GS 116-143.6 is limited to a cumulative total of eight academic semesters.

**Intro. by Cleveland, Malone.**

[GS 116](#)

[View summary](#)

**Higher Education**

H 240 (2013-2014) [INSURANCE TECHNICAL/CLARIFYING CHANGES.-AB](#) Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO EXPAND THE CHOICES FOR HEALTH INSURANCE IN NORTH CAROLINA BY EXEMPTING HEALTH INSURANCE COMPANIES FROM OUTDATED RISK EXPOSURE REQUIREMENTS; TO REMOVE A PHOTO IDENTIFICATION REQUIREMENT FOR NEW DOMESTIC COMPANIES; TO HELP MORTGAGE GUARANTY COMPANIES ADJUST THEIR CAPITAL AND SURPLUS REQUIREMENTS; TO REVISE CERTAIN RISK-BASED CAPITAL REQUIREMENTS IN ORDER TO MAINTAIN NORTH CAROLINA'S NAIC ACCREDITATION; TO CLARIFY CONSUMER CHOICE IN HOMEOWNER'S COVERAGE FOR WIND AND HAIL; TO CLARIFY THE CERTIFICATION REQUIREMENTS FOR AN ACTUARY WHO PRESENTS A SCHEDULE OF PREMIUM RATES; TO SHORTEN CERTAIN TIME PERIODS FOR AN EXTERNAL REVIEW BY THE COMMISSIONER OF CERTAIN INSURER DETERMINATIONS; TO EXPAND ACCESS OF COVERAGE TO BUSINESSES WHO NEED BLANKET ACCIDENT AND HEALTH COVERAGE; TO MAKE CERTAIN CONFORMING CHANGES RELATED TO THE RENAMING OF THE OFFICE OF MANAGED CARE PATIENT ASSISTANCE PROGRAM AS HEALTH INSURANCE SMART NC; TO AMEND THE DEFINITION OF PRIVATE PASSENGER MOTOR*

*VEHICLE; TO CLARIFY WHEN AN INSURER CAN COMMUNICATE WITH THE INSURED AFTER A PUBLIC ADJUSTER HAS BEEN RETAINED; AND TO CLARIFY WHEN AN AUTOMATIC STAY OF PROOF OF LOSS REQUIREMENTS, PREMIUM AND DEBT DEFERRALS, AND LOSS ADJUSTMENTS ARE TRIGGERED; TO PROVIDE NOTICE AND AN OPPORTUNITY FOR A HEARING WHEN A SUPERIOR COURT JUDGE IS CALLED UPON TO SELECT AN UMPIRE IN CERTAIN PROPERTY INSURANCE DISPUTES; AND TO ALLOW THE DEPARTMENT OF INSURANCE TO ENFORCE CERTAIN PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT BY REQUIRING INSURANCE COMPANIES TO COMPLY WITH THOSE PROVISIONS WITHIN THIS STATE.*

Amends GS 58-3-105 to add accident and health insurance to the types of insurance exempt from the provisions of this section regarding risk exposure requirements.

Amends GS 58-7-37(a) to eliminate the photo identification requirement for receipt of a license by a new domestic insurance company.

Current law requires a mortgage guaranty insurer to maintain at all times a minimum policyholders position of not less than one twenty-fifth of the insurer's aggregate insured risk outstanding; however, this requirement may be waived by the Commissioner of Insurance (Commissioner) for a specified time period. Amends GS 58-10-125 to delete provision that the Commissioner cannot grant a waiver that extends beyond July 1, 2015. Makes a conforming change to Section 2 of SL 2009-254, as amended.

Amends GS 58-12-11 to specify that in the event of a company action level event, as defined in this statute, the comprehensive financial plan prepared by the insurer and submitted to the Commissioner must provide that forecasts for all insurers must include forecasts of statutory balance sheets, operating income, net income, capital and surplus (was, capital or surplus), and risk-based capital levels. Makes an organizational change.

Amends GS 58-12-35(a) regarding confidentiality and prohibition on announcements, to provide that certain risk-based capital reports pertaining to domestic and foreign insurers are not to be made public and are not subject to subpoena, discovery, or admissible in evidence in any private civil action (was, not subject to subpoena) other than by the Commissioner. Provides that the Commissioner may share and receive confidential information and privileged risk-based capital information consistent with information shared and received under GS 58-2-132(g) and (h). Prohibits permitting or requiring the Commissioner or any person who received documents, materials, or other information while acting under the authority of the Commissioner to testify in any private civil action concerning any confidential documents, materials, or information subject to subsection (a).

Amends GS 58-30-60(b) to revise certain risk-based capital requirements in order to maintain North Carolina's National Association of Insurance Commissioners accreditation. Amends GS 58-31-45 to remove the requirement that the report which the Commissioner must submit to the Governor on the Commissioner's official action under Article 31 of GS Chapter 58 must be embodied or attached to the Commissioner's biennial report to the General Assembly.

Amends GS 58-36-42 to clarify that consumers may choose residential property insurance coverage in the coastal counties as defined in GS 58-45-5(2b) that does not include coverage for the perils of windstorm or hail.

Amends GS 58-50-131(a) to clarify the qualification standards for an actuary providing certification for the filing of a schedule of premium rates for health benefit plans.

Amends GS 58-50-82 to provide that the Commissioner must perform certain designated actions within two (was, three) days of receiving a request for an expedited external review. Provides that the insurer or its designee must provide or transmit all documents and information to the assigned review organization as soon as possible but within the same day after (was, same business day of) receiving notice that the request has been assigned to a review organization. Requires that a decision be rendered on the expedited request no more than three business days (was, four business days) after the date the request for expedited external review is received.

Changes the name of the Office of Managed Care Patient Assistance Program to Health Insurance Smart NC. Makes multiple conforming changes to insert the name change. Also removes the reporting requirement in GS 58-36-42.

Amends GS 58-71-75 to expand access of coverage to businesses that need blanket accident and health coverage.

Effective July 1, 2013.

**Intro. by Dockham.**

GS 58, GS 143

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[Insurance, Health Insurance](#)

H 241 (2013-2014) [BLUE MONDAY SHAD FRY](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE THE BLUE MONDAY SHAD FRY IN EAST ARCADIA LOCATED ON THE CAPE FEAR RIVER LOCK AND DAM #1 IN BLADEN COUNTY AND SOUTHEAST COLUMBUS COUNTY THE OFFICIAL STATE BLUE MONDAY SHAD FRY.*

Amends GS 145-33 to adopt the East Arcadia Blue Monday Shad Fry as the state's official Blue Monday Shad Fry.

**Intro. by Brisson, Waddell.**

[GS 145](#)

[View summary](#)

[Cultural Resources and Museums](#)

H 242 (2013-2014) [VOLUNTEER FIRE DEPT. SALES TAX REFUND CHANGE](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE SALES TAX REFUND FOR VOLUNTEER FIRE DEPARTMENTS AND VOLUNTEER EMERGENCY MEDICAL SERVICES SQUADS.*

Amends GS 105-164.14(b)(2a), by making clarifying and technical changes. Deletes "exempt from income tax under the Code," clarifying that under this subsection, volunteer fire departments and emergency medical services squads are nonprofit entities that are allowed a refund. Effective July 1, 2008, and applies to sales made on or after that date.

Volunteer fire departments that paid tax on tangible personal property and services, other than electricity, telecommunications service, and ancillary service for use in their work as volunteer fire departments, imposed by GS Chapter 105, may apply to the Department of Revenue for a refund of any tax paid as a result of the change in the law enacted by this act. Requests for a refund for the period July 1, 2008, through December 31, 2009, must be made on or before January 1, 2014.

This act does not affect the rights or liabilities of the state, a taxpayer, or another person arising under a statute amended or repealed by this act before the effective date of its amendment or repeal; nor does it affect the right to any refund or credit of a tax that accrued under the amended or repealed statute before the effective date of its amendment or repeal.

**Intro. by Tine, Setzer, Wray, Dobson.**

[GS 105](#)

[View summary](#)

[Public Safety and Emergency Management, Tax](#)

H 243 (2013-2014) [LIENS/SELF-SERVICE STORAGE FACILITIES](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING AN OWNER OF A SELF-STORAGE FACILITY WHO HAS A LIEN UPON PERSONAL PROPERTY TO DELIVER NOTICE OF THE PUBLIC SALE OF THE PROPERTY TO THE OCCUPANT BY CERTIFIED MAIL OR BY VERIFIED ELECTRONIC MAIL, TO PUBLISH NOTICE IN ANY COMMERCIALY REASONABLE MANNER, AND TO CONDUCT THE SALE THROUGH AN ONLINE, PUBLICLY ACCESSIBLE AUCTION WEB SITE, AND TO INCREASE THE MINIMUM LATE FEES FOR SELF-STORAGE FACILITY RENTAL CONTRACTS.*

As the title indicates.

Amends GS 44A-40 (*Definitions*) as follows: (1) provides that last known address means a mailing or email address, (2) personal property includes watercraft, and (3) adds a definition for email or electronic mail.

Amends provisions governing Notice and Hearing (GS 44A-43) to include notice and hearing criteria regarding property with a lien claimed for a motor vehicle, watercraft, or trailer (was, a motor vehicle) and property with a lien claimed for other than a motor vehicle, watercraft, or trailer. Makes a conforming change to include notice sent by electronic mail (was, notice only via the United States Postal Service).

Also provides that notice via first class mail (was, certified mail) or electronic mail is acceptable regarding the sale of personal property by the lienor at public sale (was, notice only via the USPS). Permits the lienor to publish notice of sale not less than five days prior to public sale either in a newspaper of general circulation in the county of the sale or in any other

commercially reasonable manner. Provides that the advertisement is deemed to be commercially reasonable if a minimum of three independent bidders attend the sale.

Permits the sale to be conducted at a live auction or via an online, publicly accessible auction web site.

Deletes subsection (d) of GS 44A-43 regarding the content of the Notice of Sale.

Amends GS 66-306 to provide that in rental contracts with a fixed time for payment of the rent, the late fee for a rental unit cannot be more than \$20 or 20% (was, 15%) of the rental payment, whichever amount is greater.

**Intro. by Stevens.**

[GS 44A, GS 66](#)

[View summary](#)

**Business and Commerce**

H 244 (2013-2014) [INCREASE REGIONAL TRANSPORTATION TAX CAP](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX RATE ON GROSS RECEIPTS A REGIONAL TRANSPORTATION AUTHORITY MAY LEVY ON RETAILERS ENGAGED IN THE BUSINESS OF LEASING OR RENTING U-DRIVE-IT VEHICLES OR MOTORCYCLES.*

Amends GS 105-551, as the title indicates, by increasing the cap on the tax rate from 5% to 8%. Applies only to a regional transportation authority established under GS Chapter 160A, Article 27.

**Intro. by Hanes, Terry.**

[GS 105](#)

[View summary](#)

**Transportation, Tax**

H 246 (2013-2014) [THE GUN RIGHTS AMENDMENT](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO RESTRICT THE LIMITATIONS THAT MAY BE PLACED ON A PERSON WHO HOLDS A CONCEALED CARRY PERMIT.*

Subject to approval by voters of the state at the general election held November 4, 2014, amends Article 1, Section 30, of the North Carolina Constitution (*Militia and the right to bear arms*), adding new Section 30(2) and (3), establishing that holders of valid concealed handgun permits are only prohibited from carrying in the following areas or situations:

- (1) In courthouses.
- (2) In federal government buildings where the federal government prohibits weapons.
- (3) On private property where the owner has posted signs prohibiting the carrying of a concealed weapon.
- (4) On school campuses by those not authorized to carry on campus.
- (5) In law enforcement or correctional facilities.
- (6) While consuming alcohol or while the person still has alcohol or a controlled substance remaining in his or her body, except where the controlled substance was lawfully obtained and taken in therapeutically appropriate amounts or if the person is on his or her own property.
- (7) The holder is under a domestic violence court order entered as provided by law.

Provides that, in accordance with the US Constitution and this section of the state Constitution, the state will never engage in a general confiscation of its citizens weapons and never cooperate in an effort to do so.

Amends GS 14-269.3 (*Carrying weapons into assemblies and establishments where alcoholic beverages are sold and consumed*), creating an exemption for persons with valid concealed handgun permits carrying handguns from the prohibition on carrying weapons into assemblies or establishments where alcohol is served. Also makes technical changes.



Amends GS 14-269.4 (*Weapons on certain State property and in courthouses*), making technical and clarifying changes. Creates new subsection GS 14-269.4(d), exempting people with concealed handgun permits who are carrying handguns from the prohibition on carrying them in buildings housing courts of the General Court of Justice, as described in GS 14-269.4(b). Eliminates exemption for concealed weapons in locked containers in a locked vehicle.

Amends GS 14-277.2 (*Weapons at parades, etc., prohibited*), making technical and clarifying changes. Adds new exemption to section, providing that any person who has a valid concealed handgun permit, and the firearm is a handgun, as defined in GS 14-309.39, is exempt from the provisions in GS 14-277.2, banning weapons at parades and other procession/demonstration-like events on state property or in private health care facilities.

Amends GS 14-415.11 (*Permit to carry concealed handgun; scope of permit*), making technical and clarifying changes. Deletes GS 14-415.11(c1) (any person who has a concealed handgun permit may carry a concealed handgun on the grounds or waters of a park within the State Parks System as defined in GS 113-44.9).

Amends GS 14-409.40(f), making technical changes and adding language stating that nothing in this subsection will further restrict the scope of a concealed carry permit, as provided in GS 14-415.11(c).

Upon a majority of votes on the amendment to the Constitution, the State Board of Elections will certify the amendment to the Secretary of State. After this certification, the changes in this act become effective.

**Intro. by Pittman, Ford, Hardister, Speciale.**

[CONST, GS 14](#)

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[Constitution, Criminal Law and Procedure](#)

H 247 (2013-2014) [FREEDOM TO NEGOTIATE HEALTH CARE RATES](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW HEALTH PROVIDERS AND HEALTH INSURERS TO FREELY NEGOTIATE REIMBURSEMENT RATES BY PROHIBITING CONTRACT PROVISIONS THAT RESTRICT RATE NEGOTIATIONS.*

Enacts new section GS 58-50-295 as the title indicates. Enumerates prohibited contract provisions that restrict reimbursement rate negotiations. Effective October 1, 2013.

**Intro. by Burr, Starnes, Avila, McElraft.**

[GS 58](#)

[View summary](#)

[Health Insurance, Health Care Facilities and Providers](#)

H 248 (2013-2014) [TAXPAYER DEBT INFORMATION ACT](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE ON THE BALLOT THAT AUTHORIZATION OF INDEBTEDNESS INCLUDES INTEREST AND THAT TAXES MAY BE LEVIED TO REPAY THE INDEBTEDNESS.*

Amends GS 159-52 to direct a Local Government Commission (Commission) that approves an application for a bond issue to use current interest rates to estimate the total amount of interest anticipated to result from the proposed bond and include that estimated amount in the order approving the application. Amends GS 159-61(d) to require that the estimated amount of principal and interest that would result from the proposed bond be included in the question on the ballot as to whether to approve the bond issue.

Enacts new GS 142-15.4 to declare that any general obligation bond issued by the General Assembly must use the current interest rate to determine an estimate of the total amount of interest anticipated to result from the proposed bond. Requires that the question on the ballot include the amount of principal and anticipated interest and the State Treasurer's calculations as to the estimated cost of the debt resulting from the proposed bond. Also requires that ballot include a statement indicating that approval of the general obligation bond does not require the issuance of the general obligation bond.

Effective when the act becomes law and applies to bonds proposed on or after that date.

**Intro. by Conrad, Fulghum, Cleveland, Blust.**

GS 142, GS 159

[View summary](#)

**Budget/Appropriations, Local Government, State Government**

H 249 (2013-2014) **SUBSTITUTE TEACHER DEDUCTION/PERSONAL LEAVE**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO REFUND THE SUBSTITUTE DEDUCTION TO A TEACHER TAKING PERSONAL LEAVE IF NO SUBSTITUTE IS HIRED FOR THAT TEACHER.*

Amends GS 115C-302.1(d) as the title indicates. Applies beginning with the 2013-14 school year.

**Intro. by Holloway, Glazier, Blackwell, Elmore.**

GS 115C

[View summary](#)

**Elementary and Secondary Education**

H 250 (2013-2014) **CHARTER SCHOOL ENROLLMENT & CHARTER REVISIONS (NEW)**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ENROLLMENT PRIORITY AND PROCEDURES FOR CERTAIN STUDENTS APPLYING TO CHARTER SCHOOLS AND TO MAKE CHANGES AS TO WHAT QUALIFIES AS A MATERIAL REVISION TO A CHARTER APPLICATION.*

Amends GS 115C-238.29F(g) to permit charter schools to extend enrollment priority to siblings applying for admission to the charter school at the same time and to children of the school's employees (was, school's principal, teachers, and teacher assistants). Provides that siblings includes, for purposes of this section, half-siblings and step-siblings. Provides that if a lottery is needed under subdivision (5) of this section, the charter school is to enter one surname into the lottery to represent all of the siblings applying at that time (was, provision applied to multiple birth siblings only). Additionally provides that a charter school may offer enrollment priority to a student who was enrolled in the charter school within the previous two school years but left the school to participate in extraordinary educational opportunities or because of vocational opportunities available to the student's parent. Applies beginning with the 2013-14 school year.

**Intro. by Hardister, Brandon, Stam, Lambeth.**

GS 115C

[View summary](#)

**Elementary and Secondary Education**

H 251 (2013-2014) **PRETRIAL RELEASE/REBUTTABLE PRESUMPTION**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REBUTTABLE PRESUMPTION EXISTS IN CERTAIN CIRCUMSTANCES THAT A PERSON CHARGED WITH A FELONY OR CLASS A1 MISDEMEANOR OFFENSE INVOLVING THE ILLEGAL USE, POSSESSION, OR DISCHARGE OF A FIREARM SHOULD NOT BE RELEASED PRIOR TO TRIAL.*

Amends GS 15A-533 to create a rebuttable presumption that no condition of release will assure a person's appearance if a judicial official finds that there is reasonable cause to believe that the person committed a felony or Class A1 misdemeanor involving the illegal use, possession, or discharge of a firearm, and the official also finds (1) the offense was committed while the person was on pretrial release for another felony or Class A1 misdemeanor involving the use, possession, or discharge of a firearm or (2) the person was previously convicted of such a felony or Class A1 misdemeanor and no more than five years have elapsed since the later of the date of conviction or the person's release for the offense. Applies to proceedings to determine pretrial release conditions on or after December 1, 2013.

**Intro. by Michaux, Faircloth.**

GS 15A

[View summary](#)**Criminal Justice, Criminal Law and Procedure, Corrections  
(Sentencing/Probation)**

H 253 (2013-2014) **VOTER PROTECTION AND INTEGRITY ACT**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO GUARANTEE THAT NO REGISTERED VOTER IS DENIED THE RIGHT TO VOTE AT AN APPROVED POLLING SITE; AND TO PREVENT THE UNAUTHORIZED USE OF A REGISTERED VOTER'S VOTING PRIVILEGE THROUGH THE FRAUDULENT MISUSE OF A REGISTERED VOTER'S IDENTITY.*

Enacts new GS 163-166.13 providing that a legally registered voter may certify his or her identity by one of two methods: (1) by signing a voter photo affidavit or by (2) presenting proper photo identification.

Proposed subsection (b) provides that a voter photo affidavit is a photograph taken by a designated election official that is signed by the voter to affirm that the voter is in fact the registered voter in whose name the ballot is requested. Makes it a Class I felony under GS 163-275(7) to falsely sign the affidavit. Requires that the signed photo affidavit be on file in digital format at the county board of elections office for a time to be determined by the State Board of Elections and included in the state voter file.

Proposed subsection (c) specifies the forms of identification containing a photograph of the registered voter which are considered to be "photo identification" as used in this section. Includes among acceptable photo identification a voter registration card issued by the State Board of Elections or a county board of elections even though the voter registration card does not contain a picture of the voter. Also includes various other unexpired identification cards with a picture of the voter such as a driver's license, employee identification card, military ID card, student ID card issued by an accredited university or college in North Carolina, or a US passport.

Amends GS 163-82.6A(b) to require that in addition to the proof of residence required to register to vote under current law, a voter must either sign a voter photo affidavit or present photo identification as required under proposed GS 163-166.13.

Makes conforming changes to GS 163-166.7 (*Checking registration*), GS 163-227.2(b) (regarding requesting an application for an absentee ballot), and GS 163-87 (*Challenges allowed on day of primary or election*).

Amends GS 163-278.69 to require that the Judicial Voter Guide must include information on the requirements for voting in person under new GS 163-166.13.

Provides that all of the above listed provisions apply to primaries and elections conducted on or after January 1, 2014.

Requires, effective July 1, 2013, that the public be educated about the requirements of this act and specifies the structure and content of the public education and publicity requirements.

**Intro. by Goodman, Lucas, Floyd, C. Graham.**

GS 163

[View summary](#)**Elections**

H 254 (2013-2014) **ZONING CHANGES/NOTICE TO MILITARY BASES**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE REQUIREMENTS RELATED TO NOTICE OF LAND USE PLANNING AND ZONING CHANGES TO BE GIVEN TO A MILITARY BASE BY COUNTIES OR CITIES NEAR THE MILITARY BASE.*

Amends GS 153A-323(b) and GS 160A-364(b), requiring boards of commissioners and local government governing bodies to provide written notice of proposed changes, by certified mail or by other means reasonably designed to provide actual notice to the commander of the military base or commander's designee, if the ordinance would make changes relating to the zoning map or proposed subdivisions, telecommunications towers, or windmills, or changes to the permitted uses of land located five miles or less from the perimeter boundary of the military base (was, written notice required if changes were to the zoning map or affected uses five miles or less from the perimeter boundary and written notice was only allowed by certified mail with return receipt requested to the commander).

**Intro. by Glazier, Lewis.**

GS 153A, GS 160A

[View summary](#)**Land Use, Planning and Zoning, Military and Veteran's Affairs**

H 255 (2013-2014) **UNC TUITION SURCHARGE/ADVANCE NOTICE**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN COURSES AND ACADEMIC CREDIT HOURS TRANSFERRED TO A CONSTITUENT INSTITUTION SHALL NOT BE INCLUDED IN THE CALCULATION OF CREDIT HOURS FOR PURPOSES OF THE TUITION SURCHARGE AND TO REQUIRE THAT UNIFORM PROCEDURES BE IMPLEMENTED IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM TO PROVIDE APPROPRIATE ADVANCE NOTICE TO A STUDENT WHEN THE STUDENT IS APPROACHING THE CREDIT HOUR LIMIT REGARDING THE TUITION SURCHARGE.*

Amends GS 116-143.7, (Tuition surcharge), specifying that courses and credit hours taken at another constituent institution or community college and accepted for transfer credit count towards the credit limit for the tuition surcharge (was, any courses and credit hours accepted for transfer). Excludes courses and credit hours transferred and accepted for credit from an institution of higher learning that is not a constituent institution or a community college from counting towards the tuition surcharge limit.

Mandates that each constituent institution must implement procedures to notify students and parents about the tuition surcharge and to provide advance notice to a student when the student is approaching the credit hour limit for the tuition surcharge.

Charges the UNC Board of Governors (Board) with developing a uniform set of notification principles regarding the tuition surcharge, including a process for each campus to notify students and parents at orientation and through each each semester's tuition statements, as well as advance notification when the student is approaching the credit hour limit for the tuition surcharge. The Board will direct each constituent institution to implement these procedures.

Effective when the act becomes law and applies to the fall 2013 academic semester and each subsequent academic semester.

**Intro. by Glazier, Johnson, Holloway.**

GS 116

[View summary](#)**Higher Education, UNC System**

H 256 (2013-2014) **V.A. SURVIVORS BENEFITS/MEDICAID ELIGIBILITY**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW A DEDUCTION FOR VETERANS AFFAIRS SURVIVORS PENSION BENEFIT WHEN DEFINING INCOME FOR MEDICAID ELIGIBILITY.*

Requires the Division of Medical Assistance of the Department of Health and Human Services to apply to the Centers for Medicare and Medicaid Services (CMS) for approval to adopt and implement a policy allowing a deduction from income in determining Medicaid eligibility any amount received as a Department of Veterans Affairs Survivors Pension Benefit. Applies only to recipients in populations for which income is not defined by federal law to be modified adjusted gross income. If approval is obtained, requires implementation effective January 1, 2014.

**Intro. by Farmer-Butterfield, Glazier, Lewis.**

UNCODIFIED

[View summary](#)**Department of Health and Human Services, Public Assistance, Military and Veteran's Affairs**

H 257 (2013-2014) **UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING THE ESCHEAT FUND TO PROTECT THE PRIVACY OF INFORMATION COLLECTED FOR THE PROCESS OF PAYING CLAIMS; TO ELIMINATE THE FEE PAID BY HOLDERS FOR FILING AN EXTENSION REQUEST;*

*TO REDUCE THE AMOUNT OF PAPERWORK REQUIRED BY HOLDERS; AND TO IMPROVE THE EFFICIENCY AND EFFECTIVENESS OF PROCESSING HOLDER REPORTS.*

Amends GS 116B-6(i) to direct the Treasurer to record any other owner information obtained from the holder of property assumed to be abandoned in addition to the holder's name and last known address. Specifies that the required owner information includes Social Security or tax identification number, date of birth, driver's license or state identification number, and email address of each person, annuitant, insured, or beneficiary who may be entitled to the abandoned property based on the holder's report. Provides that the records must be available for inspection at public request within a reasonable time period but provides that access may be limited to those records required to be disclosed in GS 116B-62.

Amends GS 116B-52(11) to define *property* to mean money or tangible personal property (was, tangible property) held by a holder as specified in this section.

Current law requires a holder of property presumed to be abandoned to make a report to the Treasurer regarding the property. Requires the holder of property presumed to be abandoned to file a certification and verification that the holder has complied with GS 116B-59. Amends GS 116B-60 to permit holders making the report electronically to file an electronic certification and verification as required to comply with this statute.

Deletes the processing fee for filing a request for an extension of time to file a report.

Effective July 1, 2013, and applies to reports filed or records created on or after that date.

**Intro. by Hurley.**

[GS 116B](#)

[View summary](#)

[Property and Housing](#)

## PUBLIC/SENATE BILLS

S 36 (2013-2014) [APA TECHNICAL/CLARIFYING CHGES.](#) Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN TECHNICAL, CLARIFYING, AND CONFORMING CHANGES TO THE ADMINISTRATIVE PROCEDURE ACT, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

House committee substitute makes the following changes to the 1st edition. Amends proposed GS 150B-21.2(c)(2a) to require that a notice of proposed rule text include a link to the agency's website including required information, as well as a statement that the procedure by which a person can object to a proposed rule and the requirements for subjecting a proposed rule to the legislative process are available on that website.

**Intro. by Hartsell.**

[GS 150B](#)

[View summary](#)

[APA/Rule Making](#)

S 205 (2013-2014) [ELIMINATE UNNECESSARY TESTING/ANIMAL WASTE.](#) Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY SOIL TESTING REQUIREMENTS IN ANIMAL WASTE MANAGEMENT PLANS.*

Amends GS 143-215.12C(e) to require that an animal waste management plan for an animal operation include provisions regarding periodic testing, at least once every three years (was, at least annually), of soil at the crop sites where the waste products are applied. Applies to animal waste management plans submitted to or approved by the Department on or after July 1, 2013.

**Intro. by Walters.**

[GS 143](#)

[View summary](#)

[Agriculture, Environment/Natural Resources](#)

S 206 (2013-2014) [STRENGTHEN CONTROLLED SUB. REPORTING SYSTEM](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE CONTROLLED SUBSTANCES REPORTING SYSTEM BY REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO UPDATE THE SYSTEM TO PROVIDE REAL-TIME PRESCRIPTION INFORMATION, BY REQUIRING DISPENSERS TO REPORT PRESCRIPTION INFORMATION WITHIN TWENTY-FOUR HOURS AFTER DISPENSING A PRESCRIPTION, AND BY REQUIRING PRESCRIBERS AND DISPENSERS TO REVIEW INFORMATION IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM PRIOR TO PRESCRIBING OR DISPENSING A CONTROLLED SUBSTANCE TO A PATIENT.*

Amends GS 90-113.73 to require the NC Department of Health and Human Services (DHHS) to maintain an electronic reporting system that provides real-time prescription information for all Schedule II through Schedule V controlled substances (current law does not require the reporting system to be electronic or that the information be provided in real-time). Further amends this statute requiring the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services to adopt rules requiring dispensers to report information currently required under GS 90-113.73(b) within twenty-four hours after dispensing a prescription for a Schedule II through Schedule V controlled substance (current law does not require reporting within twenty-four hours). Amends Article 5E of GS Chapter 90 (the North Carolina Controlled Substances Act) to add a new GS 90-113.74A requiring that all dispensers and providers review all information in the DHHS controlled substances reporting system pertaining to a patient for the preceding 12-month period prior to prescribing or dispensing a controlled substance to that patient to determine if the prescription is medically necessary and appropriate (emergency situations in which immediate action necessary to preserve the life or health of a patient are exempt from this requirement). Effective December 1, 2013.

**Intro. by J. Davis.**

GS 90

[View summary](#)

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

S 207 (2013-2014) [MAINTAINING WATER & SEWER FISCAL HEALTH](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT THE FISCAL HEALTH OF NORTH CAROLINA'S WATER AND SEWER SYSTEMS.*

Amends GS 159-181 by adding a new subsection giving the Local Government Commission (Commission) authority to impound the books and records of the water and/or sewer enterprise system of any unit of local government or public authority, assume full control of all its affairs, or take any lesser actions deemed necessary by the Commission when, for three consecutive fiscal years, the audited financial statements show that the unit or public authority meets any one of the following three criteria:

- (1) The system experienced negative working capital.
- (2) The system experienced a quick ratio of less than 1.0.
- (3) The unit or public authority experienced a net loss of revenue in the enterprise system using the modified accrual budgetary basis of accounting.

Before the Commission assumes full control of an enterprise system, it must find that the impact of the three criteria above threatens the financial stability of the unit or public authority and that corrective changes in its operation of the system have not been made after the unit or public authority receives notice and warning from the Commission, which may come before the end of the three-year period. When a Commission takes action pursuant to this authority, it is vested with the powers of the governing board as the Commission deems necessary.

Defines *working capital* for the purposes of this subsection as current assets, such as cash, inventory, and accounts receivable, less current liabilities, determined by generally accepted accounting principles, and *quick ratio of less than 1.0* as meaning the ratio of liquid assets, cash, and receivables to current liabilities is less than 1.0.

Effective July 1, 2013.

**Intro. by Tucker.**

GS 159

[View summary](#)**Public Health, Public Enterprises and Utilities**

S 208 (2013-2014) **EFFECTIVE OPERATION OF 1915(B)/(C) WAIVER**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO ENSURE EFFECTIVE STATEWIDE OPERATION OF THE 1915 (B)/(C) MEDICAID WAIVER*.

Amends GS 122C-3, adding a new subdivision that establishes that "local management entity/managed care organization" or "LME/MCO" means an LME has been approved by the Department of Health and Human Services (Department) to operate the 1915(b)/(c) Medicaid Waiver (Waiver).

Enacts new GS 122C-124.2, (*Actions by the Secretary to ensure effective management of behavioral health services under the 1915(b)/(c) Medicaid Waiver*), which provides that for LME/MCOs with which the Department has contracted to operate the Waiver for less than three years, the Secretary of the Department of Health and Human Services (Secretary) is required to provide an unqualified attestation every six months that the LME/MCOs are in compliance with the terms of the contract, SL 2011-264, as amended, and all other applicable state and federal requirements. For LME/MCOs that have been contracted by the Department to operate the Waiver for at least three years, the Secretary will provide the same unqualified attestation of compliance on an annual basis.

Each attestation by the Secretary will specifically address the following requirements:

- (1) Solvency.
- (2) Timeliness of provider payments.
- (3) Compliance with SL 2011-264, as amended.
- (4) Compliance with any contract between the LME/MCO and the Department, in regards to the delivery of services for individuals with mental illness, intellectual or other developmental disabilities, and substance abuse disorders under the Waiver.
- (5) Ability to exchange billing, payment, and transaction information with LME/MCOs and providers in a way that is compliant with applicable federal standards including information transactions and data elements standards under HIPAA, health care claims and equivalent encounter information transaction standards, and implementation specification for Electronic Data Interchange standards referenced in HIPAA (45 CFR 162.920).

If the Secretary cannot provide the attestation due to noncompliance, the Secretary will assign the LME/MCO's contract to operate the Waiver to another LME/MCO, no later than 30 days after the attestation of compliance was due. After such assignment, the Secretary will make an orderly transfer of responsibilities from the noncompliant LME/MCO to the compliant LME/MCO.

The Secretary is required to provide a copy of each attestation of compliance to the Senate Appropriations Committee on Health and Human Services, the House Appropriations Subcommittee on Health and Human Services, the Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division.

The Secretary must complete initial attestations of compliance for all LMEs that have been approved by the Department to operate the Waiver no later than June 30, 2013, with copies of the initial attestations also required to be sent to the above General Assembly entities.

**Intro. by Tucker, Barringer.**

GS 122C

[View summary](#)**Health, Mental Health, Public Assistance**

S 209 (2013-2014) **CITIES/OVERGROWN VEGETATION NOTICE**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES TO PROVIDE ANNUAL NOTICE TO CHRONIC VIOLATORS OF OVERGROWN VEGETATION ORDINANCES BY REGULAR MAIL AND POSTING*.

Amends GS 160A-200, (*Annual notice to chronic violators of overgrown vegetation ordinances*), stating that initial annual notice is served by registered or certified mail, and when service is attempted by registered or certified mail, a copy of the notice can also be sent by regular mail. Service is sufficient if the registered or certified mail is unclaimed or refused but the copy sent by regular mail is not returned by the post office within 10 days after the mailing. If service by regular mail is used, a copy of the notice must be posted in a conspicuous place on the property affected.

**Intro. by Parmon, Brunstetter.**

[GS 160A](#)

[View summary](#)

[Local Government](#)

S 210 (2013-2014) [AUTHORIZE CHIEF MAGISTRATES](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF CHIEF MAGISTRATES*.

Current law provides that chief district judges, under the general supervision of the Chief Justice of the Supreme Court, have administrative authority and supervision over the operation of district courts and magistrates in their respective districts. Current law also allows chief district judges to delegate their authority to prescribe the time and place at which magistrates in a particular county must be available to perform their duties. Amends GS 7A-146 to authorize chief district judges to designate a full-time magistrate in a county to serve as chief magistrate and to delegate their administrative authority to the appointed chief magistrate. Applies only to counties in which the chief district judge determines that designating a chief magistrate is in the interest of justice.

**Intro. by Parmon, Brunstetter.**

[GS 7A](#)

[View summary](#)

[Court System](#)

S 211 (2013-2014) [CITIES/PUBLIC NUISANCE NOTICE](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING CITIES TO PROVIDE ANNUAL NOTICE TO CHRONIC VIOLATORS OF PUBLIC NUISANCE ORDINANCES BY REGULAR MAIL AND POSTING*.

Amends GS 160A-200.1 (*Annual notice to chronic violators of public nuisance ordinance*), stating that notice is served by registered or certified mail, and when service is attempted by registered or certified mail, a copy of the notice can also be sent by regular mail. Service is sufficient if the registered or certified mail is unclaimed or refused but the copy sent by regular mail is not returned by the post office within 10 days after the mailing. If service by regular mail is used, a copy of the notice must be posted in a conspicuous place on the property affected.

**Intro. by Parmon, Brunstetter.**

[GS 160A](#)

[View summary](#)

[Local Government](#)

S 213 (2013-2014) [PAROLE COMMISSION VOTING](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR VOTING BY THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION ON MATTERS COMING BEFORE THE COMMISSION*.

Amends GS 143B-721 to require that granting, denying, revoking or rescinding parole, authorizing work-release privileges, or other matters of business before the Post-Release Supervision and Parole Commission be decided by a majority vote of a three-member panel (was, by a majority vote of the full Commission). Applies to actions taken by the Commission on or after the date the act becomes law.

**Intro. by Apodaca.**

[GS 143B](#)



[View summary](#)**Corrections (Sentencing/Probation)**

S 218 (2013-2014) **NO TOLLS ON INTERSTATE 95**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE IMPOSITION OF TOLLS ON INTERSTATE 95 FOR TEN YEARS AND TO REQUIRE THE PRIOR APPROVAL OF THE GENERAL ASSEMBLY FOR TOLLING INTERSTATE 95 THEREAFTER.*

Amends GS 136-89.198 to prohibit the collection of tolls on Interstate 95. Effective July 1, 2023, amends GS 136-89.198 to allow collecting tolls on Interstate 95 with the General Assembly's prior approval.

**Intro. by Newton.**

GS 136

[View summary](#)**Transportation**

S 220 (2013-2014) **STATE MINIMUM WAGE/INFLATION INCREASES**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING FOR AUTOMATIC ADJUSTMENT OF THE STATE'S MINIMUM WAGE BASED UPON INCREASES IN THE CONSUMER PRICE INDEX.*

Identical to [H 115](#), filed 2/14/13.

Amends GS 95-25.3 to add a new subsection (a1) that requires the minimum wage to be increased on January 1, 2014, and every January 1 thereafter, by the cost of living as measured by the percentage increase of the consumer price index calculated by the US Department of Labor. Requires the Commissioner of Labor to calculate the indexed minimum wage. Effective when the act becomes law.

**Intro. by Parmon, D. Davis.**

GS 95

[View summary](#)**Employment and Retirement**

S 221 (2013-2014) **CHILD ADVOCACY CENTER FUNDS**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS.*

Identical to [H 124](#), filed 2/19/13.

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 Allran, Bingham, Curtis.**

APPROP

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

S 222 (2013-2014) **REVISE CONTROLLED SUBSTANCES REPORTING**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE THE NORTH CAROLINA CONTROLLED SUBSTANCES REPORTING SYSTEM ACT, AS RECOMMENDED BY THE CHILD*

*FATALITY TASK FORCE.*

Identical to [H 173](#), filed 2/27/13.

Amends GS 90-113.72 to clarify that a licensed veterinarian is not considered a *dispenser* for the purposes of GS Chapter 90, Article 5E (North Carolina Controlled Substances Reporting System Act).

Amends GS 90-113.72 requiring dispensers to report required information about prescriptions no later than 24 hours (was, seven days) after dispensing the prescription. Adds method of payment, specialty of practitioner, and documentation of photographic identification presented by the person seeking the prescription if required, to the list of information required to be reported. Excludes from reporting instances where a controlled substance is provided directly to the user and quantity provided does not exceed a 48-hour supply.

Creates new subsection GS 90-113.74(b1), giving the Department of Health and Human Services (Department) the power to review prescription information data in the NC Controlled Substance Reporting System (System) for the purposes of identifying information that may indicate a person is obtaining prescriptions of controlled substances in a manner consistent with abuse, diversion, or increased risk of harm to patient. If such information is identified, the Department may notify the prescribing or dispensing practitioners. The Department may also review information in the System that might indicate a breach of professional standards and notify any agency responsible for licensing, registering, or certifying the practitioner. Allows System data to be released to a person delegated by an individual authorized to prescribe or dispense controlled substances for medical or pharmaceutical care.

Amends GS 90-113.75, increasing civil penalties to a max of \$10,000 (was, \$5,000) per violation. Rules establishing factors to be considered regarding the amount of penalty assessed will be adopted by the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services.

Amends GS 90-5.2 by adding a new subsection requiring the North Carolina Medical Board to make email addresses and fax numbers of physicians and physician assistants available to the Department for use in the System.

Makes clarifying and technical changes.

**Intro. by Allran, Bingham.**

[GS 90](#)

[View summary](#)

[Health](#)

S 223 (2013-2014) [SEVERANCE & RELOCATION FOR AREA DIRECTORS](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW AREA BOARDS TO OFFER APPLICANTS FOR THE POSITION OF AREA DIRECTOR SEVERANCE BENEFITS AND RELOCATION EXPENSES AS AN INCENTIVE FOR ACCEPTING AN OFFER OF EMPLOYMENT.*

Amends GS 122C-121(a2), giving area boards of area authorities discretion to offer severance benefits and/or relocation expenses to an applicant for the position of area director as an incentive to accept an offer of employment (previously, area boards were not allowed to provide the director with any benefits that were not available to all the permanent employees of the area program).

**Intro. by Hise.**

[GS 122C](#)

[View summary](#)

[Health, Mental Health](#)

S 224 (2013-2014) [SUNDAY HUNTING ON PRIVATE LAND](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW HUNTING ON SUNDAY ON PRIVATE LAND WITH PERMISSION OF THE OWNER.*

Amends GS 103-2 to allow a person to hunt on privately owned land on a Sunday if it is the person's own property or if the person has written permission from the property owner. Makes a conforming change.

**Intro. by Newton.**

[GS 103](#)

[View summary](#)

[Animals](#)

S 225 (2013-2014) [ADOPT UNIFORM DEPLOYED PARENT CUST/VISIT. ACT.](#) Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO ADOPT THE UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT.*

Identical to [H 139](#), filed 2/20/13.

Repeals GS 50-13.7A regarding custody and visitation when a custodial parent receives temporary duty, deployment, or mobilization orders from the military. Amends GS Chapter 50A to enact new Article 3, the *Uniform Deployed Parents Custody and Visitation Act*.

Provides definitions for terms as they apply in New Article 3. Defines *deployment* as the movement or mobilization of a service member to a location for more than 90 days but less than 18 months, due to an official order that (1) is designated as unaccompanied, (2) does not authorize dependent travel, or (3) otherwise does not allow the movement of family members to that location. Includes remedies for noncompliance with the requirements of this Article or a court order issued under this Article, allowing the court to assess reasonable attorneys' fees and costs against the opposing party and other appropriate relief. Specifies that a court must have jurisdiction under the Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA) to issue an order regarding custodial responsibility under new Article 3. Specifies when the residency of a deploying parent is not changed by reason of the deployment for the duration of the deployment, and that this section does not prohibit a court from exercising temporary emergency jurisdiction under the UCCJEA.

Includes provisions requiring a deploying parent to provide notice of a pending deployment to the other parent within seven days of receiving the deployment notice. Also requires notice of any change of address by the parent to whom custody has been assigned during a deployment.

Allows parents to enter into a temporary agreement granting custodial responsibility during deployment. Defines the nature of the authority granted by the temporary agreement.

Allows for modification by mutual consent of the parents regarding the custodial responsibility agreement made under this Article.

Permits a custodial parent to transfer custodial responsibility to an adult non-parent via a power of attorney if the other parent does not have custodial responsibility or if an existing court order prohibits contact between the child and the other parent. Requires that the power of attorney be filed in any court that has an existing custody order or child support order concerning the child.

Specifies guidelines covering proceedings for a temporary custody order. Directs the court to hold an expedited hearing if a motion for custody is filed before the deploying parent is deployed. Allows testimony by electronic means if a party or witness is not reasonably available to personally appear.

Also covers the following matters: (1) the effect of a prior judicial decree or agreement on custodial proceedings under this section, (2) the granting of caretaking or decision-making authority to a non-parent, (3) granting of limited contact to a non-parent, and (4) the nature of the authority created by a court order.

Declares that a custody order granted under this Article is temporary and delineates the custody provisions with which the temporary order must comply. Authorizes the court to enter a temporary child support order consistent with the laws of North Carolina if the court has jurisdiction under the Uniform Interstate Family Support Act under GS Chapter 52C.

Provides guidelines and conditions under which a court may modify or terminate the assignment of custody to a non-parent.

Permits a temporary custodial responsibility agreement created under this Article to be terminated by the deploying parent and the other parent signing an agreement to terminate. Provides a schedule for the termination or a temporary agreement in the

absence of an agreement to terminate.

Also allows for termination of a temporary custody agreement under this Article by operation of law and by a consent agreement. Also provides for visitation before the termination of a temporary custody agreement.

Directs that this Article should be applied and construed to promote uniformity of the law with respect to its subject matter among states that enact it. Provides that this Article modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 USC Section 7001, et. seq. but does not modify, limit, or supersede section 101(c) of that act, 15 USC Section 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 USC Section 7003(b).

Provides that nothing in this proposed Article 3 of GS Chapter 50A is to affect the validity of a temporary court order for custodial responsibility during a military deployment entered into before the effective date of this act.

Directs the Revisor of Statutes to add as annotations to the published General Statutes all relevant parts of the Official Comment to the Uniform Deployed Parents Custody and Visitation Act as the Revisor deems appropriate.

Makes a conforming change to GS 50-13.2. Also adds a new subdivision (f) to this statute to provide that in a custody proceeding for a minor child of a service member, a court may not consider a parent's past deployment or possible future deployment as the only basis for determining the best interest of the child. Does allow the court to consider any significant impact of the parent's past or possible future deployment on the best interest of the child.

**Intro. by Newton.**

[GS 50, GS 50A](#)

[View summary](#)

[Family Law, Court System, Military and Veteran's Affairs](#)

## LOCAL/HOUSE BILLS

H 234 (2013-2014) [CLARIFY PENDER COUNTY ABC LAWS \(NEW\)](#). Filed Mar 6 2013, *A BILL ENTITLED AN ACT TO CLARIFY THE DISTRIBUTION OF CERTAIN NET PROFITS FROM THE PENDER COUNTY BOARD OF ALCOHOLIC CONTROL FOR LAW ENFORCEMENT PURPOSES.*

Amends the introductory language of Section 3 of SL 2012-125 by making a technical change, inserting a reference to Section 1 of Chapter 277, of the 1973 Session laws.

Amends Section 6 of SL 1963-50, as amended, concerning the distribution of profits of the Pender Alcoholic Beverage Control Stores to include the language After deducting not less than 5% nor more than 15% of profits to be spent on law enforcement... (was, After deducting 15% of total net profits...).

**Intro. by Millis.**

[Pender](#)

[View summary](#)

[Alcoholic Beverage Control](#)

H 245 (2013-2014) [TROUTMAN DEANNEXATION](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TROUTMAN.*

As title indicates.

Reduces the corporate limits of the Town of Troutman, as described by the metes and bounds in this act.

Provides that the act does not affect any duty to pay taxes for any prior year and will not eliminate any liens for taxes for prior years.

Effective June 30, 2013.

**Intro. by R. Brawley.**

[Iredell](#)

[View summary](#)

H 252 (2013-2014) [ASHEVILLE TRANSFERS](#). Filed Mar 6 2013, *AN ACT TO PROVIDE FUNDING FOR PLANNED STREET AND SIDEWALK IMPROVEMENTS IN THE CITY OF ASHEVILLE FOR THE 2012-2013 FISCAL YEAR AND TO REPEAL S.L. 2009-114.*

Repeals SL 2009-114, which granted Asheville the authority to use up to 5% of its utility revenue for street and sidewalk improvement related to waterline improvements. Applies to Asheville only.

**Intro. by Moffitt, Ramsey, McGrady.**

[Buncombe](#)

[View summary](#)

## LOCAL/SENATE BILLS

S 204 (2013-2014) [21ST SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 21ST SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Clark.**

[Cumberland, Hoke](#)

[View summary](#)

S 212 (2013-2014) [WINSTON-SALEM ELECTION CYCLE](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO RESTORE THE ELECTION CYCLE FOR THE CITY OF WINSTON-SALEM TO THAT PROVIDED BY GENERAL LAW AND TO MAKE A TECHNICAL CORRECTION TO THE CHARTER.*

Repeals Section 1(d) of SL 2011-141.

Amends paragraphs 1 and 2 of Section 12A of Chapter 232 of the Private Laws of 1927, as amended, restoring the election date for Mayor and City Council to the Tuesday after the first Monday in November, pursuant to GS 163-279(a)(2) (previously, elections were scheduled as provided for in Section 12J of the Private Laws of 1927).

Amends Section 12B.2 of Chapter 232 of the Private Laws of 1927, as amended, establishing the election time for primaries as the first primary will be held on the second Tuesday after Labor Day, and the second primary, if required, will be held on the fourth Tuesday before the election, pursuant to GS 163-279(a)(2), (previously, primaries were scheduled as provided for in Section 12J of the Private Laws of 1927).

Makes technical and conforming changes.

**Intro. by Parmon.**

[Forsyth](#)

[View summary](#)

[Elections](#)

S 214 (2013-2014) [16TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 16TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Stein.**

[Wake](#)

[View summary](#)

S 215 (2013-2014) [49TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 49TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Nesbitt.**

[Buncombe](#)

[View summary](#)

S 216 (2013-2014) [39TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 39TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Rucho.**

[Mecklenburg](#)

[View summary](#)

s 217 (2013-2014) [14TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 14TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Blue.**

[Wake](#)

[View summary](#)

S 219 (2013-2014) [4TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 4TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Bryant.**

[Halifax, Nash, Vance, Warren, Wilson](#)

[View summary](#)

S 226 (2013-2014) [REPEAL 1935 DURHAM CO. FIREARM ACT \(NEW\)](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL A 1935 DURHAM COUNTY LOCAL ACT CONCERNING FIREARM REGISTRATION.*

Blank bill.

**Intro. by Woodard.**

[Caswell, Durham, Person](#)

[View summary](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 5: TEMPORARY FUNDING/GROUP HOMES & SCUs (NEW).**

*Signed by Gov. 3/6/2013*

*Ch. SL 2013-4*

#### **H 10: REMOVE ROUTE RESTRICTION FOR NC 540 LOOP.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

#### **H 18: YOUTH SKIN CANCER PREVENTION ACT.**

*House: Assigned To Regulatory Reform Subcommittee on Business and Labor*

#### **H 19: RESPECT OUR FALLEN HEROES.**

*Signed by Gov. 3/6/2013*

*Ch. SL 2013-6*

#### **H 23: DIGITAL LEARNING COMPETENCIES/SCHOOL EMP'EEES.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

#### **H 44: TRANSITION TO DIGITAL LEARNING IN SCHOOLS.**

*Senate: Reptd Fav*

#### **H 66: CAPTIVITY LICENSE AND PERMIT AMENDMENTS.-AB**

*Signed by Gov. 3/6/2013*

*Ch. SL 2013-3*

#### **H 82: IRC UPDATE.**

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

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

*House: Reptd Fav Com Substitute*

*House: Serial Referral To Finance Stricken*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/07/2013*

#### **H 147: AMEND ADOPTION LAWS.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/07/2013*

**H 149: CAYLEE'S LAW/REPORT MISSING CHILDREN.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/07/2013*

**H 150: ZONING/DESIGN & AESTHETIC CONTROLS.**

*House: Assigned To Regulatory Reform Subcommittee on Local Government*

**H 161: MANDATORY RETIREMENT AGE FOR MAGISTRATES.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On State Personnel*

**H 163: WC/TAXI DRIVER/INDEPENDENT CONTRACTOR.**

*House: Withdrawn From Com*

*House: Re-ref Com On Judiciary Subcommittee A*

**H 180: MECHANICS LIENS/TECHNICAL CORRECTIONS.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/06/2013*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 194: ALLOW PAVE CERTIFICATION/VETERINARY LICENSE.**

*House: Assigned To Regulatory Reform Subcommittee on Business and Labor*

**H 212: CREATE NORTH CAROLINA ACCOUNTABILITY REPORT.**

*House: Passed 1st Reading*

*House: Ref To Com On Appropriations*

**H 214: AMEND REAL ESTATE LICENSE LAW/RECORDS.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee A*

**H 216: HONOR TOWN OF PROCTORVILLE.**

*House: Passed 1st Reading*

*House: Cal Pursuant 32(a)*

*House: Placed On Cal For 03/06/2013*

*House: Adopted*

**H 217: CRIMINAL LAW/PROCEDURE AMENDMENTS.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 218: NO POSTSECONDARY EDUCATION/ILLEGAL ALIENS.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 219: UPDATE REFERENCES/CHILD BORN OUT OF WEDLOCK (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 220: DESIGNATE NC FRAGILE X AWARENESS DAY.**



*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

**H 221: INCREASE PENALTIES FOR HUMAN TRAFFICKING.**

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary Subcommittee B, if favorable, Appropriations*

**H 223: ELECTRIC MEMBERSHIP CORPS/MEMBER CONTROL.**

*House: Passed 1st Reading*

*House: Ref to the Com on Public Utilities and Energy, if favorable, Regulatory Reform*

**H 226: THE FREE MEANS FREE ACT.**

*House: Passed 1st Reading*

*House: Ref to the Com on Commerce and Job Development, if favorable, Judiciary Subcommittee B*

**H 227: LOCAL GOV'TS/VACANT HOUSING RECEIVERSHIP.**

*House: Passed 1st Reading*

*House: Ref to the Com on Government, if favorable, Judiciary Subcommittee B, if favorable, Finance*

**H 228: HOME SCHOOLERS PARTICIPATE IN SCHOOL SPORTS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Education, if favorable, Finance*

**H 235: PARENT'S CONSENT REQUIRED TO QUIT SCHOOL.**

*House: Filed*

**H 236: PERM. REG. PLATES/SOLID WASTE AUTHORITIES (NEW).**

*House: Filed*

**H 237: FRANKLIN COUNTY VIM CLINIC FUNDS.**

*House: Filed*

**H 238: MAINTAINING WATER & SEWER FISCAL HEALTH.**

*House: Filed*

**H 239: NONRESIDENT SCHOLARSHIPS/OUT-OF-STATE TUITION.**

*House: Filed*

**H 240: INSURANCE TECHNICAL/CLARIFYING CHANGES.-AB**

*House: Filed*

**H 241: BLUE MONDAY SHAD FRY.**

*House: Filed*

**H 242: VOLUNTEER FIRE DEPT. SALES TAX REFUND CHANGE.**

*House: Filed*

**H 243: LIENS/SELF-SERVICE STORAGE FACILITIES.**

*House: Filed*

**H 244: INCREASE REGIONAL TRANSPORTATION TAX CAP.**

*House: Filed*

**H 246: THE GUN RIGHTS AMENDMENT.**

*House: Filed*

**H 247: FREEDOM TO NEGOTIATE HEALTH CARE RATES.**

*House: Filed*

**H 248: TAXPAYER DEBT INFORMATION ACT.**

*House: Filed*

**H 249: SUBSTITUTE TEACHER DEDUCTION/PERSONAL LEAVE.**

*House: Filed*

**H 250: CHARTER SCHOOL ENROLLMENT & CHARTER REVISIONS (NEW).**

*House: Filed*

**H 251: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.**

*House: Filed*

**H 253: VOTER PROTECTION AND INTEGRITY ACT.**

*House: Filed*

**H 254: ZONING CHANGES/NOTICE TO MILITARY BASES.**

*House: Filed*

**H 255: UNC TUITION SURCHARGE/ADVANCE NOTICE.**

*House: Filed*

**H 256: V.A. SURVIVORS BENEFITS/MEDICAID ELIGIBILITY.**

*House: Filed*

**H 257: UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS.**

*House: Filed*

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

*Signed by Gov. 3/6/2013*

*Ch. SL 2013-5*

**S 10: GOVERNMENT REORGANIZATION AND EFFICIENCY ACT (NEW).**

*House: Conf Com Appointed*

**S 11: ESTABLISH ORGAN DONATION MONTH.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 20: GOOD SAMARITAN LAW/NALOXONE ACCESS.**

*House: Rec From Senate*

**S 24: CONSTRUCTION/DEMOLITION LANDFILL SITING.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 33: USE OF CRIMINAL HISTORY RECORDS BY LIC. BDS.**

*House: Rec From Senate*

**S 36: APA TECHNICAL/CLARIFYING CHGES.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/07/2013*

**S 42: CONFIDENTIALITY OF UC INFORMATION (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**S 45: INCAPACITY TO PROCEED AMENDMENTS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 51: GBICC/WORKERS' COMP PROGRAM INTEGRITY.**

*House: Assigned To Regulatory Reform Subcommittee on Business and Labor*

**S 72: AMEND UCC ARTICLE 4A/FUNDS TRANSFERS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/07/2013*

**S 91: PROHIBIT EXPUNCTION INQUIRY.**

*House: Rec From Senate*

**S 97: PROPERTY TAX/DEANNEXATION.**

*House: Rec From Senate*

**S 113: DENR SUPPORT FOR REGIONAL WATER SUPPLY SYSTEM.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 122: SEX TRAFFICKING/SEX OFFENDER REGISTRATION.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**S 179: DEFINE CERTIFIED REGISTERED NURSE ANESTHETIST.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 180: AUTO INSURANCE/ALLOW OPTIONAL ENHANCEMENTS.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Insurance*

**S 181: AUTO INSURANCE/YOUNG DRIVER CLASSIFICATION.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Insurance*

**S 182: LIMIT APPEALS TO SUPERIOR COURT.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**S 185: EXTEND SUNSET FOR EARNED INCOME TAX CREDIT.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 186: NOTICE PUBLICATION BY COUNTIES AND CITIES.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 187: PM2.5 STUDIES ON HUMANS UNLAWFUL.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Health Care*

**S 189: AMEND LAW DEFINING HOME SCHOOLS.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Education/Higher Education*

**S 190: GUN ON ED. PROP./STORED IN LOCKED CAR.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 192: ALLOW ROW USAGE IN CENTRAL BUSINESS DISTRICTS.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**S 193: MODIFY P3 ETHICS REPORTING REQUIREMENTS**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Program Evaluation*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Program Evaluation*

**S 194: ELIMINATE SAFETY INSP./EMISSION INSP. REQ.**

*Senate: Passed 1st Reading*

*Senate: Ref to Commerce. If fav, re-ref to Finance*

**S 196: HONOR RUTH GRAHAM.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 198: SUNSET AMERICA'S 400TH ANNIVERSARY COMM.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

**S 199: ELECTRIC MEMBERSHIP CORPS/MEMBER CONTROL.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

**S 200: EXTEND TIME FOR FORENSIC ACCREDITATION (NEW).**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**S 202: ENACT CON REFORM.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 205: ELIMINATE UNNECESSARY TESTING/ANIMAL WASTE.**

*Senate: Filed*

**S 206: STRENGTHEN CONTROLLED SUB. REPORTING SYSTEM.**

*Senate: Filed*

**S 207: MAINTAINING WATER & SEWER FISCAL HEALTH.**

*Senate: Filed*

**S 208: EFFECTIVE OPERATION OF 1915(B)/(C) WAIVER.**

*Senate: Filed*

**S 209: CITIES/OVERGROWN VEGETATION NOTICE.**

*Senate: Filed*

**S 210: AUTHORIZE CHIEF MAGISTRATES.**

*Senate: Filed*

**S 211: CITIES/PUBLIC NUISANCE NOTICE.**

*Senate: Filed*

**S 213: PAROLE COMMISSION VOTING.**

*Senate: Filed*

**S 218: NO TOLLS ON INTERSTATE 95.**

*Senate: Filed*

**S 220: STATE MINIMUM WAGE/INFLATION INCREASES.**

*Senate: Filed*

**S 221: CHILD ADVOCACY CENTER FUNDS.**

*Senate: Filed*

**S 222: REVISE CONTROLLED SUBSTANCES REPORTING.**

*Senate: Filed*

**S 223: SEVERANCE & RELOCATION FOR AREA DIRECTORS.**

*Senate: Filed*

**S 224: SUNDAY HUNTING ON PRIVATE LAND.**

*Senate: Filed*

**S 225: ADOPT UNIFORM DEPLOYED PARENT CUST/VISIT. ACT.**

*Senate: Filed*

**LOCAL BILLS****H 37: CLEVELAND CO. PROPERTY TRANSFER.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 213: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.**

*House: Passed 1st Reading*

*House: Ref to the Com on Education, if favorable, Commerce and Job Development*

**H 215: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.**

*House: Passed 1st Reading*

*House: Ref to the Com on Education, if favorable, Commerce and Job Development*

**H 222: BUNCOMBE COUNTY/USE DESIGN-BUILD METHODS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Government, if favorable, Finance*

**H 224: ASHEVILLE ETJ AND ANNEXATION.**

*House: Passed 1st Reading*

*House: Ref to the Com on Government, if favorable, Finance*

**H 225: SCHOOL CALENDAR FLEXIBILITY/IREDELL CO.**

*House: Passed 1st Reading*

*House: Ref to the Com on Education, if favorable, Commerce and Job Development*

**H 229: HOLDEN BEACH/CANAL DREDGING DISTRICT FEE.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 234: CLARIFY PENDER COUNTY ABC LAWS (NEW).**

*House: Filed*

**H 245: TROUTMAN DEANNEXATION.**

*House: Filed*

**H 252: ASHEVILLE TRANSFERS.**

*House: Filed*

**S 56: WALLACE/SATELLITE ANNEXATIONS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Government, if favorable, Finance*

**S 81: CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW).**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 03/12/2013*

**S 111: CLINTON/USE DESIGN-BUILD METHOD.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 183: 41ST SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 184: 25TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 188: 3RD SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 191: 1ST SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 195: 45TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 197: 9TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 201: STANLY COMMUNITY COLLEGE CAPITAL PROJECT (NEW).**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Agriculture/Environment/Natural Resources*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Agriculture/Environment/Natural Resources*

**S 203: 30TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 204: 21ST SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 212: WINSTON-SALEM ELECTION CYCLE.**

*Senate: Filed*

**S 214: 16TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 215: 49TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 216: 39TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 217: 14TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 219: 4TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 226: REPEAL 1935 DURHAM CO. FIREARM ACT (NEW).**

*Senate: Filed*

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