



The Daily Bulletin: 2013-03-12

PUBLIC/HOUSE BILLS

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.*

Amendment #3 makes the following changes to the 3rd edition.

Amends GS 153A-352 (regarding counties) and GS 160A-412 (regarding cities) to require the North Carolina Building Code Council to approve or disapprove requests from a county or city for additional inspections in a reasonable manner (was, a timely manner).

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

GS 143, GS 153A, GS 160A

[View summary](#)

Building and Construction, Local Government

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.*

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

Makes technical changes.

Amends GS 44A-20(d), adding that a lien waiver signed by the contractor prior to a subcontractor's perfecting its lien claim on real property in accordance with GS 44A-11 waives the contractor's right to enforce the contractor's lien claim on real property (previously, a lien waiver signed by the contractor prior to the occurrence of all of the actions specified in GS 44A-23(a1) and GS 44A-23(b)(5), waives the subcontractor's right).

Amends GS 44A-23(a1), providing that no action of the contractor will be effective to prejudice the rights of a first tier subcontractor without that subcontractor's written consent once the first tier subcontractor has perfected its lien claim on real property in accordance with GS 44A-11 (previously, no action of the contractor will be effective to prejudice the rights of a subcontractor without his or her written consent upon three specified occurrences).

Amends GS 44A-23(a1), deleting GS 44A-23(a1)(1-3).

Amends GS 44A-23(b)(5), providing that no action of the contractor will be effective to prejudice the rights of the second or third tier subcontractor without that subcontractor's written consent once the second or third tier subcontractor has perfected his or her lien claim on real property in accordance with GS 44A-11 (previously, no action of the contractor will be effective to prejudice the rights of the second or third tier subcontractor without his or her written consent, upon the occurrence of three specified occurrences).

Amends GS 58-26-45(b)(2), providing that upon the receipt of the notice of designation by the owner pursuant to GS 44A-11.1, a lien agent will have the duty to receive notices to a lien agent delivered by potential lien claimants pursuant to GS 44A-11.2 (previously, to receive notices to a lien agent delivered by potential lien claimants pursuant to GS 44A-11.2 and copies of notices of claim of lien upon funds delivered by potential lien claimants pursuant to GS 44A-23(a1)(3) or GS 44A-23(b)(5)(c).

Intro. by Stevens.

GS 44A, GS 58

[View summary](#)**Building and Construction, Property and Housing**

H 275 (2013-2014) **HONOR GIRL SCOUTS**. Filed Mar 11 2013, *A HOUSE RESOLUTION HONORING THE GIRL SCOUTS OF THE USA*.

House amendment to the 1st edition directs the Principal Clerk to provide a certified copy of the resolution to the Girl Scouts of North Carolina headquarters and to the Girl Scouts of the USA national headquarters.

Intro. by Carney, Farmer-Butterfield, Howard, Hurley.

HOUSE RES

[View summary](#)**Cultural Resources and Museums**

H 276 (2013-2014) **ZONING/BOARD OF ADJUSTMENT CHANGES**. Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MODERNIZE STATUTES REGARDING ZONING BOARDS OF ADJUSTMENT*.

Amends GS 160A-388 regarding zoning boards of adjustment. Provides that a zoning or unified development ordinance may provide for the appointment and compensation of a board of adjustment. Also provides that the ordinance may assign the duties of a board of adjustment to a planning board or governing board in addition to that board's other duties.

Specifies the provisions to be in the ordinance. Provides that the zoning or unified development ordinance may designate the board of adjustment to hear and decide special and conditional use permits, variances, and appeals of decisions by administrative officials responsible for enforcing the ordinance. Defines *decision* to mean any final and binding order, requirement, or determination. Directs the board of adjustment to follow quasi-judicial procedures in deciding appeals and requests for variances and special and conditional use permits. Provides that the board is to hear all matters upon which it is required to pass under any statute or ordinance that regulates the use of land development.

Designates the persons or entities who are entitled to receive notice of hearings conducted under this statute. Requires that the notice be deposited in the mail at least 10 days but not more than 25 days before the hearing date. Also requires the city to prominently post a notice of hearing on the site that is the subject of the hearing or an adjacent street or highway right-of-way within the same time limits as notice by mail.

Provides that the city or any person with standing under GS 160A-393(d) may appeal a decision to the board of adjustment. Requires that a notice of appeal be filed with the city clerk and that the notice state the grounds for the appeal. Directs the board of adjustment to hear and decide appeals from any decision by an official responsible for enforcing a zoning or unified development ordinance and provides that the board *may* hear appeals arising out of any other ordinance that regulates land use. Specifies that there is a presumption of constructive notice of a decision, to all persons with standing to appeal, from the date a sign is prominently posted on the property that is the subject of the decision, with the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high. Requires that the sign remain on the property for at least 10 days. However, posting of signs is not required unless there is an ordinance provision that requires it. Provides additional criteria regarding the appeal process including transmission of the record, providing notice to parties and witnesses, and relevant rules regarding timing. Provides that when the appeal is under GS 160A-400.9(e), or any appeal to re-examine the decision of an administrative official, the hearing is to be based on the record below and the scope of review as provided in GS 160A-393(k).

Makes clarifying and conforming changes to language regarding special and conditional use permits. Provides that reasonable and appropriate conditions may be imposed on special and conditional use permits.

Authorizes the board of adjustment to grant a variance of an ordinance when unnecessary hardships (was, practical difficulties or unnecessary hardships) would result from carrying out the strict letter of the law; however, specifies factors that must be shown before the provisions of the ordinance may be varied.

Provides that 4/5 of the board must concur in granting a variance (was, required 4/5 concurrence to make any decision).

Requires a majority vote of the board members to decide any other quasi-judicial matter or to determine an appeal. Provides

that vacant positions or members disqualified from voting on a quasi-judicial matter are not to be counted as board members for purposes of calculating a majority (was, supermajority) if there are no qualified alternates to take the place of those members.

Clarifies what constitutes impermissible violations of due process (was, impermissible conflicts).

Further provides that quasi-judicial decisions must be based on competent, material, and substantial evidence in the record and reduced to writing. Specifies content that the written decision must include and the process for notice of the decision. Provides that every quasi-judicial decision is subject to review by the superior court under GS 160A-393. Requires that a petition for review be filed with the clerk of superior court by the later of 30 days after the decision is effective or after a written copy of the decision is delivered by mail, electronic mail, or personal delivery.

Provides that any person who lies while under oath during a hearing before the board is guilty of a Class 1 misdemeanor.

Provides that the board chair or anyone acting as chair in the chair's absence may subpoena witnesses and compel the production of evidence. Provides criteria under which persons with standing under GS 160A-393(d) may request that a subpoena be issued to compel witnesses or evidence.

Repeals GS 153A-345 pertaining to board of adjustment in counties.

Enacts new GS 153A-345.1 to provide that the provisions of GS 160A-388, regarding boards of adjustment, apply to counties. Provides that "city council" as used in GS 160A-388 is deemed to refer to the "board of county commissioners" and that the terms "city" or "municipality" refer to the "county." Includes guidelines regarding counties in which a board of county commissioners does not zone the entire territorial jurisdiction of the county.

Also makes conforming changes to GS 160A-381(c) and GS 153A-340(c1).

Makes additional conforming and clarifying changes.

Effective October 1, 2013, and applies to all board of adjustment actions taken on or after that date.

Intro. by G. Graham, Stam.

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

[View summary](#)

[Land Use, Planning and Zoning, Local Government](#)

H 277 (2013-2014) [BANKING LAWS CLARIFICATIONS/CORRECTIONS](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS AND CLARIFICATIONS TO CHAPTER 53C OF THE GENERAL STATUTES.*

Identical to [S 175](#), filed 3/4/13.

Section #1

Makes clarifying and technical changes to GS 53C-1-4, *Definitions and application of terms*, specifically to the following definitions: *bank, control, lower-tier subsidiary, public member, subsidiary*. Adds new term to definitions, *consumer finance licensee*, defined as an individual associated with a *licensee* as that term is defined in GS 53-165(h).

Section #2

Makes technical changes to GS 53C-2-1(d).

Section #3

Amends GS 53C-2-2(d), giving the Commissioner of Banks (Commissioner) power to exercise any jurisdiction, supervise, regulate, examine, or also enforce any banking law (previously, only had power to do this with state consumer protection laws or federal laws for which the Commissioner had enforcement jurisdiction).

Section #4

Amends GS 53C-4-5(c), *Qualifications of bank directors*, clarifying that after a director's election or appointment, the director must do the following:

- (1) Consent to the jurisdiction of the Commissioner and the General Court of Justice for the State of North Carolina in any action or proceeding brought by the Commissioner.
- (2) Consent to venue in Wake County.
- (3) Appoint the Commissioner as the director's agent for service of process and authorize and instruct the Commissioner or the Commissioner's duly appointed deputy or agent to accept service of process for the director, unless the director appoints an agent.

Also adds language stating that when service of legal process in an action or proceeding brought by the Commissioner is made on a director, the Commissioner will, within three business days, give notice to the director of such service and acceptance of service of process by depositing a copy of the process served and accepted, together with any pleading, order, or other item accompanying the process, with a *designated delivery service* as defined in 26 U.S.C. § 7502(f)(2) and directed to the director's last known address in the Commissioner's records.

The Commissioner will also keep records of the day and hour of service of process, any pleading, order, or other item accompanying service of process. Additionally, the consent and appointment described above is irrevocable and will not be affected by the termination of the director's service as a director. A director may also appoint an agent for service of such process in Wake County.

Section #5

Amends GS 53C-4-11(c), adding balances maintained at any federal reserve bank, either directly or on a pass-through basis, to meet federal reserve system reserve requirements to the list of liquid reserves types available to establish and put toward the required level of reserve fund.

Section #6

Amends GS 53C by adding new GS 53C-4-13, *Immediate report of changes in directors and certain officers*, requiring banks to report to the Commissioner any changes in its directors, president, CEO, CFO, chief loan officer, or chief credit officer by close of the second day on which the bank is open for business following such change(s).

Section #7

Makes technical changes to GS 53C-5-1(d). Also gives banks authority to appeal an application denial by the Commissioner, pursuant to GS 53C-2-6.

Section #8

Amends GS 53C-5-2, *Investment authority*, deleting the requirement that investments by banks or bank subsidiaries receive the same accounting and regulatory treatment as required by the bank's federal supervisor. Gives a bank's board-authorized committee the authority to make investments. Makes technical and clarifying changes. Gives the bank the authority to appeal an objection by the Commissioner pursuant to GS 53C-2-6.

Expands the capital and asset categories that are eligible toward being counted as a bank's capital upon which the 10% investment limitation is calculated against for investments in non-government backed bonds or debt obligations. GS 53C-5-2 now allows to be counted those portions of the bank's allowance for loan and lease losses, deferred tax assets, and intangible assets that are excluded from the bank's capital under federal law (was, investments in non-government backed bonds or debt obligations could not exceed 10% of a bank's required capital), plus the bank's capital.

Section #9

Amends GS 53C-6-1(b) expanding, identical to above section #8, the capital and asset categories that are eligible toward being counted as a bank's capital upon which the 15% investment limitation for total loans and extensions of credit outstanding at one time and not fully secured to include those portions of the bank's allowance for loan and lease losses, deferred tax assets, and intangible assets that are excluded from the bank's capital under federal law or the amount permitted for national banks

in North Carolina by statute or by regulation of the comptroller of the currency (was, total loans and investments could not exceed 15% of the capital of the bank).

Also expands, identical to above, asset categories that are eligible toward being counted as a bank's capital upon which the 10% limitation for secured total loans and extensions of credit that are fully secured can be calculated to include those portions of the bank's allowance for loan and lease losses, deferred tax assets, and intangible assets that are excluded from the bank's capital under federal law or the amount permitted for national banks in North Carolina by statute or by regulation of the comptroller of the currency (was, secured total loans and extensions of credit could not exceed 10% of the capital of the bank).

Section #10

Amends GS 53C-6-1, by adding a new subsection, GS 53C-6-1(e), giving banks the power to, by resolution passed by their boards of directors or board-authorized committees, request the Commissioner to suspend the limitations on loans as set in the statute, as they apply to the bank's books or in a way the bank desires to modify in a manner not otherwise permitted by the limitations. Commissioner may approve or deny the request.

Section #11

Amends GS 53C-6-6(j), making technical and clarifying changes.

Section #12

Amends GS 53C-6-7 by adding a new subsection that states payable on death accounts created under GS 53-146.2 prior to October 1, 2012, are now governed by GS 53C-6-7, and any reference to GS 53-146.2 should be understood to refer to GS 53C-6-7.

Section #13

Amends GS 53C-6-8, stating that attorneys-in-fact for incapacitated or incompetent principals acting pursuant to a durable power of attorney can terminate an agent's authority to act on or behalf of the principal with respect to personal agency accounts. Makes technical changes.

Section #14

Amends GS 53C-7-101, *Control transactions*, deleting the requirement that each bank will report to the Commissioner any changes in its directors, president, CEO, CFO, chief loan officer, or chief credit officer by the close of the second day on which the holding company is open for business following such change(s). This requirement is now contained in GS 53C-4-13, as noted in Section #6 above.

Creates new subsection GS 53C-7-101(c)(5a), adding the following transaction, an acquisition of control over voting shares exempt from the prior approval requirements set forth in section 3 of the Bank Holding Company Act, to the list of transactions that do not constitute a control transaction requiring the prior approval of the Commissioner.

Section #15

Amends GS 53C-7-102(c) making a technical change, replacing a reference to GS 53C-2-8 with GS 53C-2-7(b).

Section #16

Amends GS 53C-7-205 by making clarifying and technical changes.

Section #17

Amends GS 53C-7-207 adding language that states that a bank proposing to do any of the listed proposed combinations in GS 53C-7-207(a), must give prior written notice to the Commissioner that provides detail of the proposed combination (was, with the approval of the Commissioner).

Allows the combination to be completed if the Commissioner does not object within 30 days of notice. Commissioner may extend the 30-day window if needed. While the period is extended, the banks or subsidiaries cannot proceed with the proposed combination. Banks have the right to appeal an objection by the Commissioner.

Creates three conditions where, if met, the prior written notice requirement above is not needed for proposed combinations. Under existing law, the written notice requirement is not applicable to a combination of a subsidiary and another company when the subsidiary is not the resulting entity, or for a combination of two or more subsidiaries of the same bank.

Section #18

Repeals GS 53C-7-208 (*Fiduciary powers and liabilities of combining banks*).

Section #19

Amends 53C-9-403, adding the requirement that a new trustee will be appointed in the manner provided in GS 36C-7-704 or other applicable law. Deletes the requirement for the entry of an order by the clerk of superior court to terminate the bank as a trustee in lieu of a duly appointed trustee.

Section #20

Amends GS 153C-10-102(c) adding an acquisition of control over voting securities in a transaction subject to approval under section 3 of the Bank Holding Company Act to the list of transactions that do not constitute a control transaction, requiring the prior approval of the Commissioner.

Section #21

Makes technical and clarifying changes to GS 53C-10-301.

Section #22

Makes technical changes to GS-53-366(a). Also makes authorized trust institutions subject to GS Chapter 53C, more specifically GS 53C-2-7(b).

Intro. by Dockham, Hardister, Jeter, Stone.

[GS 53, GS 53C](#)

[View summary](#)

[Banking and Finance](#)

H 278 (2013-2014) [HOAS/VOLUNTARY PRELITIGATION MEDIATION](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT ENCOURAGING PARTIES TO A DISPUTE INVOLVING CERTAIN MATTERS RELATED TO REAL ESTATE UNDER THE JURISDICTION OF A HOMEOWNERS ASSOCIATION TO INITIATE MEDIATION TO TRY TO RESOLVE THE DISPUTE PRIOR TO FILING A CIVIL ACTION.*

Amends GS Chapter 7A by adding a new section, GS 7A-38.3F (*Prelitigation of homeowners association disputes*), providing for voluntary mediation prior to the filing of a civil action for a dispute that has arisen under the NC Condominium Act, the NC Planned Community Act, or the association's declaration, bylaws, rules, or regulations. Disputes related only to failure to pay an assessment or fines are not eligible for mediation under this new section.

Provides definitions that apply in proposed GS 7A-38.3F, including definitions for *association, dispute, executive board, mediator, member, and party or parties*.

Requires either an association or member to contact the NC Dispute Resolution Commission (Commission) to initiate mediation. The Commission will refer a local community mediation center (center) or will contact a center directly. After receiving identifying and contact information, the center will contact the other party to notify him or her of the request to mediate. If the parties agree to mediate, the center will then attempt to schedule mediation at a time convenient for both parties. The center will issue written notifications of the date, time, and location of mediation as well as a copy of this section and a brochure explaining the mediation process. The center will appoint a qualified employee to conduct the mediation no later than 25 days after the center received the request from either the association or member.

Requires the following procedures to apply to mediation under this section:

(1) Attendance: the mediator will decide who may attend the mediation. A party's attorney may attend but is not required to.

(2) All parties are expected to attend mediation. However, parties that reside more than 50 miles from the center can participate by telephone or other electronic means, if the request to do so is received by the center at least five days before the mediation. Parties that reside within 50 miles of the center may participate in this manner if they are deemed, by the center, to have a compelling reason to do so.

(3) If no final agreement is reached, due to the need to seek outside approval from the association members, the mediator may recess the mediation for such review or vote as needed for approval. The mediator must reconvene no later than 15 days after the recess is taken. No further notice of the reconvening is necessary if the date, time, and, place were agreed to at the mediation prior to recess.

(4) If a final agreement is reached, the mediator will put the agreement in writing and have the parties sign it and issue copies to both parties. A signed agreement is binding and enforceable.

Provides that either party to a dispute can decline mediation. The declining party must inform the center and the other party if mediation has been initiated but not yet scheduled or if it has been scheduled but not yet held. No costs are assessed if a party declines before the initial mediation meeting.

Requires that the costs of mediation will be shared equally by both parties. The fee for mediation is set at \$100 per hour, not to exceed \$600, due at the end of each mediation meeting. The center cannot charge any other fees.

After concluding mediation, the mediator must prepare a certification stating the date the mediation concluded and the general results of the mediation. If a cause of action is later filed involving the dispute mediated by both parties, either party can file this certification letter with the clerk of court, fulfilling any need under the law to mediate. The certificate or any other evidence of statements made during mediation are not subject to discovery and are inadmissible in any proceeding in the action from which the mediation arises.

Time periods relating to the filing of a claim or taking other action with respect to the dispute, including any statute of limitations, are tolled upon the initiation of mediation as provided in this section and last until 30 days after the date on which mediation is concluded, per the date on the mediator's certificate.

Requires associations to notify, in writing, its members of the ability to mediate to resolve disputes, as that term is defined in this section. If the association has a website, this notice must be published on that website. If not, the association will publish the notice at the same time as publication of contact information for all officers and board members, as provided in GS 47C-103 and GS 47F-3-103.

Effective July 1, 2013, applying to all homeowner association disputes not specifically exempted by this act that occur on or after that date.

Intro. by D. Ross, D. Hall.

GS 7A

[View summary](#)

Civil Law, Property and Housing

H 279 (2013-2014) **TRANSFER ENVIRONMENTAL PERMITS**. Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER CERTAIN ENVIRONMENTAL PERMITS ASSOCIATED WITH PROPERTY DEVELOPMENT WHEN THE ORIGINAL PROPERTY OWNER IS UNWILLING OR UNABLE TO AGREE TO THE PERMIT TRANSFER.*

Amends GS 143-214.7 by adding a new subsection, GS 143-214.7(c5), providing that the Department of Environment and Natural Resources must transfer a permit issued under GS 143-214.7 (concerning stormwater) to a new party when the current permit holder is unwilling or unable to agree to the transfer and when the following is found to be true: (1) the new permittee has sole legal right to develop the permitted project, (2) the new permittee intends to use the permit for the purposes for which it was issued, (3) there will be no change of the permitted project substantially impacting the permitted activity.

Amends GS 113A-54.1 by adding a new subsection, GS 113A-54.1(d1), requiring the Director of the Division of Energy, Mineral, and Land Resources to transfer an erosion and sedimentation control plan if (1) the proposed transferee is the owner of the land to be disturbed or has the owner's written consent to conduct the land-disturbing activity, (2) the proposed

transferee intends to use the permit for the purposes for which it was issued, and (3) there will be no change of the project covered by the plan that would affect any requirement of the plan. Makes technical changes throughout the section and makes conforming changes.

Amends GS 113A-61 by adding a new subsection, GS 113A-61(b3), requiring a local government administering an erosion and sedimentation control program to transfer a plan approved by this section if (1) the proposed transferee is the owner of the land to be disturbed or has the owner's written consent to conduct the land-disturbing activity, (2) the proposed transferee intends to use the permit for the purposes for which it was issued, and (3) there will be no change of the project covered by the plan that would affect any requirement of the plan. Makes technical and conforming changes throughout the section.

Intro. by Millis, Hager, McElraft, Moffitt.

[GS 113A, GS 143](#)

[View summary](#)

[Property and Housing, Environment, Department of Environmental Quality \(formerly DENR\)](#)

H 280 (2013-2014) [PUBLIC STAFF/DUTY TO REPRESENT THE PUBLIC](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE PUBLIC STAFF SHALL IN ALL OF ITS DUTIES AND RESPONSIBILITIES PROVIDED FOR BY LAW ACT ON BEHALF OF THE USING AND CONSUMING PUBLIC.*

Amends GS 62-15 requiring the public staff (staff) of the Utilities Commission (Commission) to act on behalf of the using and consuming public and not on the behalf of any other person, group, or entity. Prohibits the public staff from giving any advice, guidance, or opinion in matters before the Commission that is not in the using and consuming public's interest.

Intro. by Cleveland.

[GS 62](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 281 (2013-2014) [RECORD OF EXCUSALS FROM JURY DUTY](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS EXCUSED FROM JURY DUTY SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR NOT LESS THAN TWO YEARS.*

Enacts new GS 9-6.2 requiring that the clerk of superior court keep the name and address of each person who is granted an excusal, deferral, or exemption from jury duty as well as the reason it was granted. Requires that the information be kept for no less than two years and made a public record. Effective July 1, 2013.

Intro. by Cleveland.

[GS 9](#)

[View summary](#)

[Court System, Public Records and Open Meetings](#)

H 283 (2013-2014) [CLARIFY DOT/STATE PORTS RELATIONSHIP](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RELATIONSHIP BETWEEN THE DEPARTMENT OF TRANSPORTATION AND THE NORTH CAROLINA STATE PORTS AUTHORITY.*

Amends GS 136-260(a) to clarify that the North Carolina State Ports Authority is administered under the direction and supervision of the Secretary of Transportation, but exercises all of its statutory powers independently of the Secretary.

Provides that the intent of the act is to clarify the Type II transfer of the Authority from the Department of Commerce to the Department of Transportation. Prohibits the Secretary of Transportation from assuming the statutory authorities and duties provided to the Board of the State Ports Authority.

Intro. by Davis.

[GS 136](#)

[View summary](#)**Transportation, Department of Transportation**

H 284 (2013-2014) **LOCAL CONTRACTS/LOCAL BIDDER PREFERENCE**. Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT COUNTIES AND MUNICIPALITIES MAY, WHEN CONTRACTING FOR CONSTRUCTION OR REPAIR WORK OR FOR THE PURCHASE OF APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT INVOLVING THE EXPENDITURE OF PUBLIC MONEY, GIVE PREFERENCE TO LOCAL BIDDERS WHEN CERTAIN REQUIREMENTS ARE MET.*

Substantively identical to [S 232](#), filed 3/7/13.

Enacts new GS 143-131.1 (*Counties and municipalities; preference given to local bidders*), authorizing counties and municipalities to give preference to the lowest responsible, responsive local bidder when contracting for construction, repair work, or the purchase of apparatus, supplies, materials, or equipment with public money when the lowest local bid is not greater than 5% or \$10,000, whichever is less, of the bid of the lowest responsible, responsive non-local bidder and the local bidder matches the bid of the non-local bidder.

A bidder that has paid unemployment taxes or income taxes in North Carolina and whose principal place of business is located in the county or municipality giving preference is considered a local bidder. A principal place of business is defined as the principal place from which the trade or business of the bidder is directed or managed.

Effective July 1, 2013, applying to bids received on or after that date.

Intro. by Jordan.

GS 143

[View summary](#)**Building and Construction, Local Government**

H 285 (2013-2014) **AMEND RESPIRATORY CARE PRACTICE ACT**. Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE RESPIRATORY CARE PRACTICE ACT.*

Section 1

Amends GS 90-648, definitions section of the Respiratory Care Practice Act, adding "the therapeutic effectiveness of an apparatus used in respiratory care treatment for an individual patient" to the definition for *practice of respiratory care*. Clarifies that the term also means any act by which an individual holds himself or herself out to the public or represents that the individual is authorized to practice respiratory care in this state.

Amends the definition of *support activities* clarifying that the term does not include evaluation or assessment of the therapeutic effectiveness of any respiratory treatment for an individual patient. Makes technical changes.

Section 2

Amends GS 90-652 (*Powers and duties of the Board*), eliminating the requirement that applicants must submit a form consenting to a criminal record check and the use of their fingerprints (GS 90-652(1)). Expands the power of the board to include the investigation of activities of persons not licensed under this Article whom the NC Respiratory Care Board (Board) believes to be engaged in the practice of respiratory care, as well as all other things necessary and proper to enforce GS 90-652.

Creates new GS 90-652(5a), authorizing the board to designate one or more employees to issue and serve subpoenas and other papers on its behalf. Service is permitted in accordance with any other methods of service allowed by law.

Makes technical changes.

Section 3

Amends GS 90-653 (*Licensure requirements; examination*), to require that a form signed by the applicant consenting to a criminal record check and the use of fingerprints and other identifying information must be sent in with a completed application in order to meet licensure requirements.

Requires that applicants for a respiratory therapist (RT) license must complete the requirements of an associate degree respiratory care program that is currently approved by the Commission on Accreditation for Respiratory Care or its successor and the program must submit a verified transcript directly to the Board. Also requires applicants to submit to the Board written evidence, verified by oath, that the applicant has met the minimal requirements for Basic Cardiac Life Support. Applicants must also submit written evidence they have successfully passed the Certified Respiratory Therapist exam, or its successor, given by the National Board for Respiratory Care Inc.

The license allows the individual to practice under the direct supervision of a respiratory care practitioner that is also licensed. The Board will state the terms and conditions of use for the respiratory therapist license.

Amends GS 90-653(4), requirements for a respiratory care practitioner (RCP) license, to require the applicant to: (1) Demonstrate that the applicant has successfully completed the minimal requirements of a baccalaureate degree respiratory care education program approved by the Board or an equivalent program approved by the Board. Verification must be by transcript submitted directly to the Board. (2) Submit written evidence to the Board, verified by oath, that the applicant successfully completed the requirements for Advanced Cardiac Life Support, Pediatric Advanced Life Support, or Neonatal Resuscitation Program. (3) Submit written evidence, verified by oath, that the applicant has passed the Registered Respiratory Therapist examination, or its successor, given by the National Board for Respiratory Care Inc.

Makes technical and conforming changes.

Effective January 1, 2015.

Section 4

Repeals GS 90-654 (*Temporary license*) and GS 90-656 (*Provisional license*).

Section 5

Amends GS 90-659 (*Suspension, revocation, and refusal to renew a license*), giving the Board authority to impose probationary conditions on a license, which can include placing limitations on the practice of respiratory care, reprimand, assessing monetary redress, or requiring satisfactory completion of treatment or educational programs.

Expands the instances in which the Board has authority to impose restrictions concerning (1) conduct that employs fraud, deceit, or misrepresentation to obtain money or anything of value; (2) a licensee or applicant that has developed a physical or mental disability that renders the licensee or applicant unfit to practice respiratory care with reasonable skill and competence and in a manner not harmful to the public; (3) a licensee or applicant that has failed to respond within a reasonable period of time and in a reasonable manner, as determined by the Board, to inquiries from the Board concerning any matter affecting a license to practice respiratory care; (4) a licensee or applicant that has developed an impairment caused by the licensee or applicant's use of alcohol, drugs, or controlled substances, which interferes with the ability of the licensee or applicant to practice respiratory care with reasonable skill, competence, and in a manner not harmful to the public; (5) a licensee or applicant that has practiced respiratory care outside the boundaries of demonstrated competence or the limitations of education, training, or supervised experience; (6) a licensee or applicant that has had a license for the practice of respiratory care, in any other jurisdiction, suspended or revoked or has been disciplined by any licensing or certification board in any other jurisdiction for conduct that would subject the licensee or applicant to disciplinary action under this Article; and (7) a licensee or applicant that is a hazard to the public health by reason of having a serious communicable disease.

Gives the Board authority to deny, refuse, refuse to renew, suspend, or revoke a license without any type of hearing if it receives verified information that an applicant has not met the requirements of GS 90-653(a).

If, after notice is issued, a licensee or applicant fails to appear for a scheduled hearing, the Board may hear the evidence of those present and dispose of the matter on the basis of the evidence present.

Provides that the Board and its members or staff are not civilly or criminally liable for exercising, in good faith, the powers and duties authorized by law and given to the Board.

Provides protection from liability for persons, partnerships, firms, associations, authorities or other entities acting in good faith for reporting, assessing, monitoring, or providing expert medical opinion to the Board in regards to violations of this section and requirements. Liability is also extended for initiating or conducting proceedings against a licensee or applicant, if a complaint is filed or action taken is in good faith.

Allows a licensee to, with consent of the Board, voluntarily relinquish a license. However, the Board may delay or refuse to grant consent in order to investigate pending complaints or allegations against the licensee.

Gives Board authority to adopt rules it deems are reasonable and appropriate to implement the provisions of GS 90-659.

Section 6

Repeals GS 90-660(b)(6), concerning fees for provisional or temporary licenses.

Section 7

Makes technical and clarifying changes.

Section 8

Makes technical and clarifying changes.

Amends GS 90-664(3), exempting respiratory care practitioners that serve in federal agencies, so long as the practitioner limits services to those directly related to work with the employing federal agency, from the requirements of the Respiratory Care Practice Act.

Adds new subsection GS 90-664(5), also exempting persons licensed as a respiratory care practitioner in another jurisdiction while providing respiratory care in a declared emergency in this state, while a member of a organ harvesting team, or on board an ambulance as part of an ambulance transport team into or out of this state.

Section 9

Any person licensed as a respiratory therapist under GS 90, Article 38 (Respiratory Care Practice Act), who has passed the Certified Respiratory Therapist examination on the effective date complies with the requirements of GS 90-653(a)(3). Any person licensed as a respiratory care practitioner under GS 90, Article 38, who has passed the Registered Respiratory Therapist examination on the effective date of this act complies with the requirements of GS 90-653(a)(4), as described in Section 3 of this act.

Section 10

Effective when the act becomes law unless otherwise indicated.

Intro. by Tolson, Hollo.

[GS 90](#)

[View summary](#)

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

H 286 (2013-2014) [HONOR RECOVERY OF BILL OF RIGHTS](#). Filed Mar 12 2013, *A HOUSE RESOLUTION COMMEMORATING THE RECOVERY OF NORTH CAROLINA'S BILL OF RIGHTS*.

Substantively identical to [H 148](#), filed 2/25/13.

As title indicates.

Intro. by Stam, D. Ross, D. Hall, Dobson.

[HOUSE RES](#)

[View summary](#)

[Constitution](#)

H 287 (2013-2014) [INCREASE DROPOUT AGE FROM 16 TO 17](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT STUDENTS FROM DROPPING OUT OF SCHOOL BEFORE THE AGE OF SEVENTEEN.*

Amends GS 115C-378, GS 115C-238.66, and GS 116-235 to increase the compulsory school attendance age from 16 to 17 years old (unless the child graduates from high school). Makes conforming changes to GS 7B-1501 and GS 143B-805 concerning undisciplined juveniles. Effective July 1, 2013.

Intro. by Lambeth, Moffitt, Brandon, D. Ross.

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

[View summary](#)

[Elementary and Secondary Education, Delinquency](#)

H 289 (2013-2014) [STATE COMPUTER EQUIPMENT/BUY REFURBISHED](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT RELATED TO THE PURCHASING OF REFURBISHED COMPUTER EQUIPMENT AS A METHOD OF ACQUISITION FOR STATE AND LOCAL GOVERNMENTAL ENTITIES.*

Requires the Office of the State Chief Information Officer and the Department of Administration to offer state and local governmental entities the option of purchasing refurbished computer equipment from registered computer equipment refurbishers. Requires state and local governmental entities to document savings from purchasing refurbished computer equipment and report the savings to the Office of State Chief Information Officer quarterly. Requires the Information Technology Procurement Office to establish a competitive purchasing process to support the initiative. Requires participating refurbishers to meet all established procurement requirements. Requires refurbished equipment purchased to conform to the same standards that the state may establish for the purchase of new computers. Requires the Office of the State Chief Information Officer to maintain data on equipment reliability, potential cost savings, and any issues associated with the initiative and report to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division by March 1, 2014, and quarterly thereafter.

Intro. by Saine, Horn, Cotham.

[UNCODIFIED](#)

[View summary](#)

[Local Government, State Property, Department of Administration](#)

H 291 (2013-2014) [START-UP FUNDS FOR NEW CHARTER SCHOOLS](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADVANCE ALLOTMENTS FUNDS FOR NEW CHARTER SCHOOLS.*

Amends GS 115C-238.29H to require the State Board of Education to establish a revolving loan fund to provide interest-free start up funds, of no more than \$25,000, to a charter school granted an initial charter. Requires the loan to be repaid in 12 equal monthly installments beginning in the month in which the initial allocation is made; if the school does not begin operation or operate for the full 12 months, the nonprofit must repay the remaining loan amounts over the same time period. Makes a conforming change to GS 115C-238.29D.

Appropriates \$1.575 million for 2013-14 and \$1.575 million for 2014-15 from the General Fund to the State Board of Education for the revolving loan fund.

Effective July 1, 2013.

Intro. by Brandon, Lambeth, Hardister, Hanes.

[APPROP, GS 115C](#)

[View summary](#)

[Budget/Appropriations, Elementary and Secondary Education, State Board of Education](#)

PUBLIC/SENATE BILLS

S 9 (2013-2014) [UTILITIES/DESIGN/SURVEY LOCATION SERVICES](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING UTILITY OWNERS TO LOCATE AND DESCRIBE UNDERGROUND UTILITIES UPON WRITTEN OR ORAL REQUEST FROM A PERSON WHO IS RESPONSIBLE FOR DESIGNING OR SURVEYING UNDERGROUND FACILITIES OR REQUIRES A GENERAL DESCRIPTION AND LOCATION OF EXISTING UNDERGROUND FACILITIES IN AN AREA.*

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

Amends GS 87-101 (*Definitions*), deleting the definition for *design/survey request*. Makes changes to definition for Association, which now reads: "'Association' means an association, sponsored by utility owners, that provides for receipt of notification of excavation operations and surveyor or designer operations in a defined geographical area, and that maintains the records of the notifications."

Amends GS 87-101 by adding new definition, *surveyor or designer*, defined as a person who is responsible for designing or surveying underground utilities or requires a general description and location of existing underground utilities in an area.

Amends title of GS 87-107.1 to read, "*Surveyor or designer request; notice required; duties of utility owners* (was, *Design/Survey request; notice required; duties of utility owners*).

Amends GS 87-107.1(a), providing that before surveying an area containing highways, public spaces, or private easements of a utility owner, a surveyor or designer can give notice to each utility owner having underground utilities located in the area to be surveyed, or to the utility owner's designated representative or association, either orally or in writing, not less than two nor more than ten working days prior to starting, of the surveyor's or designer's intent to have a survey conducted (was, Before surveying . . . a person who is responsible for designing or surveying underground utilities or requires a general description and location of existing underground utilities can notify each utility owner having underground utilities located in the area to be surveyed, either orally or in writing, not less than two nor more than ten working days prior to starting, of the person's intent to survey). Makes conforming changes.

Amends GS 87-107.1(b), deleting previous language and now providing that if a surveyor or designer provides oral notice under GS 87-107.1(a), the utility owner, designated representative, association, surveyor, or designer will make an adequate record of the notification to document compliance.

Makes technical and conforming changes throughout.

Effective date of July 1, 2013, now applies to notices given on or after that date (previously applied to design/survey requests made on or after that date).

Intro. by Meredith.

[GS 87](#)

[View summary](#)

[Public Enterprises and Utilities](#)

S 38 (2013-2014) [AMEND ENVIRONMENTAL LAWS 2014 \(NEW\)](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS.*

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

Amends GS 20-130.1 to add the following to those vehicles exempted from the prohibition on installing, activating, or operating a red light: (1) vehicles owned by the Wildlife Resources Commission and operated exclusively for firefighting or

other emergency response purposes and (2) a vehicle operated by official members or Teams of REACT International Inc. that is used to provide additional manpower authorized by law enforcement, firefighting, or other emergency response entities.

Intro. by Jackson.

STUDY, GS 20

[View summary](#)

Transportation, Department of Agriculture and Consumer Services, Department of Environmental Quality (formerly DENR), Department of Public Safety, Public Safety and Emergency Management

S 117 (2013-2014) **LILY'S LAW**. Filed Feb 20 2013, *A BILL TO BE ENTITLED AN ACT TO CODIFY THE COMMON LAW THAT IT IS MURDER WHERE A CHILD WHO IS BORN ALIVE DIES AS THE RESULT OF INJURIES INFLICTED PRIOR TO THE CHILD'S BIRTH, AND TO PROVIDE THAT THE ACT SHALL BE ENTITLED "LILY'S LAW."*

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

Specifies that Article 6A (Unborn Victims) of GS Chapter 14 is included among the statutes that remain applicable to offenses that are not described in this act.

Intro. by Gunn, Daniel, Randleman.

GS 14

[View summary](#)

Criminal Law and Procedure

S 256 (2013-2014) **PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST**. Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO CONFIRM THAT NORTH CAROLINA LAW REQUIRES PHYSICIAN SUPERVISION OF ALL NURSES PROVIDING ANESTHESIA SERVICES.*

Identical to [H 181](#), filed 2/27/13.

Amends GS 90-18 (*Practicing [medicine] without license; penalties*) adding that provision of anesthesia by a nurse under the supervision of a physician or dentist shall not constitute the practice of medicine. Amends GS 90-171.20 (*Definitions [for Nursing Practice Act]*) adding that provision of anesthesia by a nurse shall be under the supervision of a physician or dentist.

Intro. by Rucho.

GS 90

[View summary](#)

Health Care Facilities and Providers

S 259 (2013-2014) **LGC OVERSIGHT OF WATER AND SEWER FINANCES**. Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT THE FISCAL HEALTH OF NORTH CAROLINA'S WATER AND SEWER SYSTEMS BY GRANTING THE LOCAL GOVERNMENT COMMISSION ADDITIONAL AUTHORITY TO OVERSEE THE FINANCIAL MANAGEMENT OF WATER AND SEWER SYSTEMS OF LOCAL GOVERNMENTS OR OTHER PUBLIC AUTHORITIES.*

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* 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.

Intro. by Bingham.

[GS 159](#)

[View summary](#)

[Local Government, Public Health](#)

S 260 (2013-2014) [REPEAL COMBINED M.V. REGISTRATION/TAX SYSTEM](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE COMBINED MOTOR VEHICLE REGISTRATION RENEWAL AND PROPERTY TAX COLLECTION SYSTEM.*

Identical to [H 30](#), filed 1/30/13.

As title indicates. Repeals related session laws and statutes. Requires any funds remaining in the Combined Motor Vehicle and Registration Account to be distributed to participating local governments as specified.

Intro. by Bingham.

[GS 105, GS 20](#)

[View summary](#)

[Transportation, Tax](#)

S 261 (2013-2014) [SALES TAX ON PRIVATE RES. RENTED BY BROKER \(NEW\)](#). Filed Mar 12 2013, *AN ACT TO RESTORE THE DEPARTMENT OF REVENUE'S INTERPRETATION OF THE APPLICATION OF SALES TAX ON PRIVATE RESIDENCES RENTED FOR FEWER THAN FIFTEEN DAYS WHEN RENTED THROUGH A REAL ESTATE AGENT OR BROKER.*

Amends GS 105-164.14(c) by creating a new subsection GS 105-164.14(c25), adding district confinement facilities created pursuant to GS 153A-219, including a local act modifying GS 153A-219, to the list of governmental entities that are allowed an annual refund of sales and use taxes paid by it under GS 105-164.14 on direct purchases of tangible personal property and services, other than electricity, telecommunications service, and ancillary service. Refund requests must be in writing and are due within six months after the end of the governmental entity's fiscal year.

Effective July 1, 2013, and applies to sales made on or after that date.

Intro. by Jenkins.

[GS 105](#)

[View summary](#)

[Corrections \(Sentencing/Probation\), Tax](#)

S 262 (2013-2014) [HONOR RECOVERY OF BILL OF RIGHTS](#). Filed Mar 12 2013, *A SENATE RESOLUTION COMMEMORATING THE RECOVERY OF NORTH CAROLINA'S BILL OF RIGHTS*.

As title indicates.

Intro. by Apodaca.

[SENATE RES](#)

[View summary](#)

[Constitution](#)

S 263 (2013-2014) [LIENS/SELF-SERVICE STORAGE FACILITIES](#). Filed Mar 12 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 BY REGULAR OR 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 LATE FEES FOR SELF-STORAGE FACILITY RENTAL CONTRACTS*.

Identical to [H 243](#), filed 3/6/13.

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 Brown.

[GS 44A, GS 66](#)

[View summary](#)

[Business and Commerce](#)

S 264 (2013-2014) [ABATE NUISANCES/DRUG SALES FROM STORES](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE NUISANCE LAWS TO CLOSE DOWN BUSINESSES THAT REPEATEDLY SELL CONTROLLED SUBSTANCES*.

Amends GS 19-1 to provide that an activity sought to be abated may be considered a nuisance under GS Chapter 19 even though that activity is not the sole purpose of the building or place where the activity occurs. Prohibits bringing a nuisance action under Article 1 (Abatement of Nuisance) of GS Chapter 19 against a place or business regulated under GS Chapter 18B (Regulation of Alcoholic Beverages), when the basis for the action is a violation under GS Chapter 18B pertaining to the

possession or sale of alcoholic beverages. Effective when the act becomes law and applies to nuisance actions filed on or after that date.

The following provisions are effective December 1, 2013, and apply to offenses committed on or after that date.

Amends GS 90-112, adding new subdivision (1a), to provide that real property, including things growing on, affixed to, and found in land, used or intended to be used in violation of GS Chapter 90, is subject to forfeiture. Directs a court to order that a person convicted of a felony violation of GS Chapter 90, forfeit all property used or intended to be used to commit or facilitate the violation of the Controlled Substances Act. Provides listed exceptions when real property is not subject to forfeiture.

Adds a new subsection (d2) to GS 90-112, providing that regardless of other provisions regarding the forfeiture of property, there are specific procedures that apply to the forfeiture of real property under new subdivision (1a) of GS 90-112(a). Delineates the specifications of the following procedures: (1) third-party transfer, (2) protective orders, (3) execution, (4) disposition of property, (5) actions that the state Attorney General is authorized to take, (6) applicability of civil forfeiture provisions, (7) prohibition on intervention except as specified in this statute, and (8) third-party interests; petitions and hearing. Declares that the provisions of this subsection are to be liberally construed to effectuate its remedial purposes.

Enacts GS 15A-534.7 to provide criteria for determining bond and other conditions of release in cases arising under the Controlled Substances Act when the defendant owns or controls a business where the controlled substance that is the basis for the charge was located. Defines a *place of business* for purposes of this section.

Intro. by Brown.

[GS 15A, GS 19, GS 90](#)

[View summary](#)

[Business and Commerce, Criminal Law and Procedure](#)

S 266 (2013-2014) [INCREASE REGIONAL TRANSPORTATION TAX CAP](#). Filed Mar 12 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.*

Identical to [H 244](#), filed 3/6/13.

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 Parmon.

[GS 105](#)

[View summary](#)

[Transportation, Tax](#)

S 267 (2013-2014) [RAISE COMPULSORY SCHOOL ATTENDANCE AGE](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT STUDENTS FROM DROPPING OUT OF SCHOOL BEFORE THE AGE OF EIGHTEEN.*

Amends GS 115C-378, GS 115C-238.66, and GS 116-235 to increase the compulsory school attendance age from 16 to 18 years old (unless the child graduates from high school). Makes conforming changes to GS 7B-1501 and GS 143B-805 concerning undisciplined juveniles. Effective July 1, 2013.

Intro. by Parmon, Graham.

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

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[Elementary and Secondary Education, Delinquency](#)

S 270 (2013-2014) [ELIMINATE TOBACCO DISCOUNT](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE DISCOUNT TO TOBACCO VENDORS WHO FILE A TIMELY REPORT.*

Repeals GS 105-113.21(a1) (distributor discount) and GS 105-113.39(a) (wholesaler or retailer discount) to provide as title indicates. Effective July 1, 2013.

Intro. by Hartsell.

GS 105

[View summary](#)

Tax

S 271 (2013-2014) [MUNICIPAL INCORPORATIONS/STUDY](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE JOINT LEGISLATIVE COMMITTEE ON LOCAL GOVERNMENT TO STUDY THE PROCEDURE FOR INCORPORATING MUNICIPALITIES.*

As title provides. Allows the Joint Legislative Committee on Local Government to designate the Committee's Municipal Incorporation Subcommittee to study the act. Committee may make an interim report to the 2014 Regular Session of the General Assembly, with a final report to the 2015 Regular Session of the General Assembly.

Intro. by Hartsell.

STUDY

[View summary](#)

Local Government, General Assembly

S 273 (2013-2014) [PERMANENT PLATES FOR HOUSING AUTHORITIES](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO HOUSING AUTHORITIES.*

Enacts new GS 20-84(b)(18), as title indicates.

Intro. by D. Davis.

GS 20

[View summary](#)

Transportation, Department of Transportation

S 274 (2013-2014) [BEREAVEMENT LEAVE/STATE AND SCHOOL EMPLOYEES](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BEREAVEMENT LEAVE FOR STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES.*

Enacts new GS 126-8.6 (concerning state employees) and new GS 115C-336.2 (concerning public school employees) to allow up to three days of paid bereavement leave upon the death of an immediate family member, reduced by one day for each day a paid holiday or nonworkday occurs during the leave period. Defines immediate family member as (1) spouse, child, parent, sibling, grandparent, and grandchild and corresponding step, half, or in-laws or (2) and person living in the employee's home for whom the employee may claim a tax deduction. Prohibits accumulating the leave or using the leave for creditable service towards retirement.

Requires the State Personnel Commission and the State Board of Education to adopt rules necessary to implement the act.

Effective July 1, 2013.

Intro. by D. Davis.

GS 115C, GS 126

[View summary](#)

Education, State Personnel, State Board of Education

S 275 (2013-2014) [STORMWATER MANAGEMENT FEE USES](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO BROADEN THE PERMITTED USE OF STORM WATER FEES.*

Amends GS 153A-277(a), giving counties in North Carolina the authority to fund or establish a program that can purchase and demolish flood-prone buildings and implement flood damage reduction techniques that will result in the improvement of private property, including such techniques as elevating structures, demolishing flood-prone structures, and retrofitting and/or floodproofing flood-prone structures when the county has obtained the private property owner's consent to the flood reduction improvements and the county has determined that improving the stormwater system is either not technically feasible or not cost-effective.

Intro. by Clodfelter.

[GS 153A](#)

[View summary](#)

[Environment](#)

S 277 (2013-2014) [REQUIRE EDUC. DEVELOPMENT PLAN/FOSTER CARE](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE SOCIAL SERVICES COMMISSION TO ADOPT RULES AND REQUIRING A FOSTER PARENT TO HAVE IN PLACE AN EDUCATIONAL DEVELOPMENT PLAN FOR A CHILD IN THE FOSTER PARENT'S CARE.*

Amends GS 131D-10.5(7) to authorize the Social Services Commission to adopt rules establishing a policy to require a foster parent to create an educational development plan for a foster child in the foster parent's care before the child enters high school.

Adds new subsection (a1) to GS 131D-10.6 to direct the Division of Social Services to ensure that the foster parent's agreement includes a requirement to create an educational development plan and that the foster parent's required training under this statute include training in creating an educational development plan. Provides that the plan should consider and address any special needs of the foster child including the incorporation of an Individualized Education Program (IEP) under GS Chapter 115C, Article 9, Part 1A. Requires that the plan be in place prior to the foster child entering high school. Describes key elements that constitute an educational development plan.

Intro. by Robinson, Barringer, Randleman.

[GS 131D](#)

[View summary](#)

[Education, Child Welfare](#)

S 278 (2013-2014) [FOSTER CHILDREN/CORP. PUNISH. CHANGES](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE ADMINISTRATION OF CORPORAL PUNISHMENT ON CHILDREN LIVING IN FOSTER CARE AND TO INCREASE SAFEGUARDS FOR CORPORAL PUNISHMENT.*

Current law permits each local board of education to decide whether corporal punishment of students will be permitted in its school administrative unit (LEA). Amends GS 115C-390.4 to prohibit administering corporal punishment to a student who is known by school personnel to be in foster care as defined in GS 131D-10.2(9). Exempts a foster parent or caregiver of a student living in foster care from the requirement in subdivision (b)(6) of this statute to provide the school with written notice that corporal punishment is not to be administered to the student.

Further amends the regulations regarding the administering of corporal punishment by schools to require that corporal punishment may only be administered by a teacher, principal, or assistant principal of the same gender as the student and may only be witnessed by a teacher, principal, or assistant principal of the same gender as the student.

Applies beginning with the 2013-14 school year.

Intro. by Robinson, Barringer, Randleman.

[GS 115C](#)

[View summary](#)[Elementary and Secondary Education, Child Welfare](#)

LOCAL/HOUSE BILLS

H 282 (2013-2014) [LOCAL FLEXIBILITY RE: SCHOOL CALENDAR](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR IN CERTAIN LOCAL SCHOOL ADMINISTRATIVE UNITS.*

Amends GS 115C-84.2(d) to allow local boards of education in Sampson County and Clinton to set the opening and closing dates for their public schools under subdivision (a)(1) of GS 115C-84.2. Provides that this act applies only to Sampson County and Clinton City schools. Begins with the 2013-14 school year.

Intro. by L. Bell, Brisson.

[Sampson](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 288 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/LINCOLN COUNTY](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE LINCOLN COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Amends GS 115C-84.2(d) (concerning school opening and closing dates) as it applies to the Lincoln County Schools only. Except for year-round schools, the opening date for students will not be earlier than August 1. Requires that first semester exams be given before winter break. Applies beginning with the 2013-14 school year.

Intro. by Saine.

[Lincoln](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 290 (2013-2014) [RUTHERFORD AIRPORT AUTHORITY](#). Filed Mar 12 2013, *AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY TO SERVE EX OFFICIO AS THE RUTHERFORD COUNTY AIRPORT AUTHORITY.*

Amends SL1971-335 to allow the Rutherford County Board of Commissioners to provide by resolution that it will serve ex officio, without additional compensation, as the Airport Authority.

Intro. by Hager.

[Rutherford](#)

[View summary](#)

[Transportation](#)

H 292 (2013-2014) [MORATORIUM/LAWSUITS FOR SCH. FUNDS \(NEW\)](#). Filed Mar 12 2013, *AN ACT TO ESTABLISH A MORATORIUM ON FILING OF ACTIONS BY CERTAIN LOCAL BOARDS OF EDUCATION CHALLENGING THE SUFFICIENCY OF LOCAL FUNDS APPROPRIATED TO THE PUBLIC SCHOOLS BY THE COUNTY BOARD OF COMMISSIONERS.*

Identical to [S 244](#), filed 3/11/13.

Creates new Article 18E, North Carolina Music Therapy Practice Act, in GS Chapter 90. Provides that the purpose of proposed Article 18E is to regulate music therapy services offered to the public. Provides whereas clauses to further note

the need for regulation of music therapy services.

Provides definitions that apply in proposed Article 18E, including definitions for *music therapy* and *music therapy services*. Defines *music therapy* as the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an approved music therapy program, including three specified areas. Prohibits any person from practicing or offering to practice music therapy as defined in proposed Article 18E or otherwise presenting himself or herself to be a licensed music therapist on or after January 1, 2014, unless that person is currently licensed as provided under proposed Article 18E. Identifies criteria for persons to be exempt from the provisions of proposed Article 18E.

Creates the North Carolina Board of Music Therapy (Board). Requires that the Board consist of three members serving staggered terms, two of whom are licensed music therapists and one who represents the public at large. Directs that the General Assembly is to appoint (1) one music therapist to serve for a term of three years, on the recommendation of the Speaker of the House of Representatives and (2) one music therapist to serve for a term of two years, on the recommendation of the President Pro Tempore of the Senate. Requires the Governor to appoint one public member to serve for a one-year term. Initial Board members are to be appointed on or before October 1, 2013.

Provides additional criteria regarding terms, qualifications, filling of vacancies, removal of members, and compensation for members. Additionally, provides criteria for the selection of officers, frequency of meetings, and establishing a quorum. Enumerates the powers and duties of the Board.

Requires an applicant for licensure as a music therapist to make application to the Board, pay the required fees, and meet all of the following requirements: (1) be 18 years of age or older; (2) be of good moral character as determined by the Board; (3) successfully complete an academic program accredited by the American Music Therapy Association, with a minimum of a bachelor's degree majoring in music therapy from an accredited college or university; (4) successfully complete the board certification exam offered by the Certification Board for Music Therapists or its successor organization; and (5) successfully complete a minimum of 1,200 hours of clinical training, with at least 180 hours in pre-internship experiences and at least 900 hours in internship experiences.

Provides criteria for reciprocity, allowing the Board to grant licenses to persons licensed to practice music therapy in another state or territory of the United States.

Provides parameters regarding expenses and the establishment of a fee schedule for licensing. Requires that every license issued under this proposed Article be renewed every five years on or before January 1. Provides additional criteria regarding license renewal.

Authorizes the Board to exercise disciplinary authority, allowing the Board to deny, suspend, revoke, or refuse to renew a license or impose probationary conditions on a license if the licensee or applicant has engaged in any of the specified conduct. Provides that a disciplinary action may be ordered by the Board after a hearing is held in accordance with GS Chapter 150B and rules adopted by the Board. Permits an application for reinstatement of a revoked license to be made to the Board if the revocation has been in effect for at least one year. Provides that each violation under this proposed Article constitutes a distinct and separate offense and such a violation is a Class 1 misdemeanor. Provides that the Board may seek injunctive relief for violations of this proposed Article. Authorizes the Board to assess a civil penalty of no more than \$1,000 for a violation of any section of this proposed Article or the violation of any rules adopted by the Board. Directs that the clear proceeds of any civil penalty assessed under this section is to be remitted to the Civil Penalty and Forfeiture Fund in accordance with GS 115C-457.2. Provides factors to be considered by the Board before imposing and assessing a civil penalty.

Intro. by Brody, Fisher, Insko, Warren.

GS 90

[View summary](#)

[Occupational Licensing, Employment and Retirement](#)

LOCAL/SENATE BILLS

S 81 (2013-2014) [CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT \(NEW\)](#). Filed Feb 13 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT AUTHORITY.*

Senate amendment #1 makes the following changes to the 4th edition. Authorizes the Charlotte Regional Airport Authority (Authority) to use the procedure and authority set out in Article 9 (Condemnation) of GS Chapter 136 in exercising its authority of eminent domain to acquire property to be used for airports. Provides that a reference to the state or any state agency in Article 9 of GS Chapter 136 also includes the Authority and any reference in Article 9 to a state official includes the airport director. Clarifies the restrictions on the power of eminent domain. Prohibits the use of the power of eminent domain to condemn property already devoted to a public use. Makes organizational changes to Section 7.(c) of this act.

Intro. by Rucho.

[Mecklenburg](#)

[View summary](#)

[Transportation](#)

S 95 (SL 2013-8) (2013-2014) [TABOR CITY ELECTION](#). Filed Feb 18 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ELECTION PROCEDURE FOR MIDTERM VACANCIES IN TABOR CITY.*

A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR AN ELECTION PROCEDURE FOR MIDTERM VACANCIES IN TABOR CITY. Enacted March 12, 2013. Effective March 12, 2013.

Intro. by Walters.

[Columbus](#)

[View summary](#)

[Elections](#)

S 128 (2013-2014) [CARRBORO OFFICE OF ALDERMAN](#). Filed Feb 21 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO PROVIDE THAT VACANCIES IN THE OFFICE OF ALDERMAN SHALL BE FILLED BY APPOINTMENT IN ACCORDANCE WITH THE NORTH CAROLINA GENERAL STATUTES OR MAY BE FILLED THROUGH A SPECIAL ELECTION PROCESS UNDER CERTAIN CONDITIONS.*

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

Amends Section 2-2(g) of the Carrboro Town Charter (SL 1987-476, as amended by SL 2007-270) to provide that if the board of aldermen adopts a resolution calling for a special election to fill one or more vacant seats and if that resolution sets the date of the special election to coincide with another election, other than the municipal general election, then the resolution must state the filing period and the filing fee.

If the resolution sets the date of the special election on a day other than another election, then the resolution must state the filing period, filing fee, and absentee voting period, including an alternative location for one-stop absentee voting within the corporate limits of the municipality, rather than the office of the board of elections, if no other elections are conducted within the county on the same date.

Makes a technical change.

Intro. by Kinnaird.

[Orange](#)

[View summary](#)

S 257 (2013-2014) [ALAMANCE/GUILFORD COUNTY BOUNDARY](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO ENABLE THE TRANSITION OF PROPERTIES OF THE AREA ALONG THEIR COMMON BOUNDARY BETWEEN ALAMANCE COUNTY AND GUILFORD COUNTY BY REQUIRING A SURVEY OF THE BOUNDARY LINE BETWEEN THE COUNTIES.*

As title indicates. Does not specify the boundary line.

Intro. by Gunn.

Alamance, Guilford

[View summary](#)

S 258 (2013-2014) [ASHEBORO/CHARTER AMENDMENTS](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF ASHEBORO.*

Amends Article 4 of the Charter of the City of Asheboro by adding a new section, Section 4.20 (*Regular Municipal Elections*), providing that regular municipal elections will be held in each odd-numbered year, in accordance with the uniform municipal election laws of North Carolina. They will be conducted on a nonpartisan basis, and results will be determined by using the nonpartisan primary and election method, per GS 163-294.

Makes a conforming repeal of Sections 4.11 through 4.19, and repeals Section 10.3 (concerning appointment of Police Chief), and Section 16.1 (concerning appointment of Chief of Fire Department) of the Charter of the City of Asheboro.

Intro. by Tillman.

Randolph

[View summary](#)

S 265 (2013-2014) [CHAPEL HILL/ECONOMIC DEVELOPMENT PROJECTS](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF CHAPEL HILL TO AUTHORIZE THE TOWN TO PARTICIPATE IN ECONOMIC DEVELOPMENT PROJECTS THAT ARE NOT IN THE TOWN'S DOWNTOWN AREA.*

Amends the Chapel Hill Town Charter, SL 1975-473, as the title indicates.

Intro. by Kinnaird.

Durham, Orange

[View summary](#)**Community and Economic Development**

S 268 (2013-2014) [SUNSET BEACH/CANAL DREDGING/MAINTENANCE FEE](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE.*

Amends SL 2004-104, as amended, as the title indicates.

Intro. by Rabon.

Brunswick

[View summary](#)

S 269 (2013-2014) [SALISBURY/DEANNEX ROWAN CTY AIRPORT PROPERTY](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN ROWAN COUNTY OWNED PARCELS IN THE VICINITY OF THE ROWAN COUNTY AIRPORT FROM THE CORPORATE LIMITS OF THE CITY OF SALISBURY.*

Identical to [H 260](#), filed 3/7/13.

Removes described property that is owned by Rowan County and located in the vicinity of the Rowan County Airport from Salisbury's corporate limits. Provides that the act has no effect on the validity of any of the city's liens for ad valorem taxes or special assessments that are outstanding before the act becomes effective. Allows the liens to be collected or foreclosed upon after the act becomes effective as though the property was still within the city's corporate limits.

Intro. by Brock.[Rowan](#)[View summary](#)

S 272 (2013-2014) [AYDEN CHARTER/TERMS OF OFFICE EXTENDED](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT EXTENDING THE TERMS OF OFFICE OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF AYDEN FROM TWO TO FOUR YEARS AND PROVIDING THAT THE NOTICE OF CANDIDACY FOR OFFICE SHALL BE FILED WITH THE COUNTY BOARD OF ELECTIONS.*

Amends the Charter for the Town of Ayden as the title indicates. Amends the election procedures for regular municipal elections to accommodate the transition to the extension of the terms of office. Directs the Town Attorney of Ayden to submit this act to the U.S. Attorney General for pre-clearance under section 5 of the Voting Rights Act of 1965 within 30 days of the act becoming law. Provides if the act is not submitted by the Ayden Town Attorney, then the North Carolina Attorney General is to submit it under GS 120-30.9I.

Intro. by D. Davis, Pate.[Pitt](#)[View summary](#)

S 276 (2013-2014) [CHARLOTTE CHARTER/INVESTMENTS](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT CONCERNING INVESTMENTS OF THE CITY OF CHARLOTTE.*

Amends the Charlotte City Charter to allow the city to invest and reinvest the city's employee benefit funds held in securities or other investments which meet the prudent person standard of care consistent with fiduciary responsibilities to act with care, skill, prudence, and diligence under circumstances prevailing to achieve portfolio risk and return objectives.

Intro. by Clodfelter.[Mecklenburg](#)[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 10: REMOVE ROUTE RESTRICTION FOR NC 540 LOOP.

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

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

House: Ref To Com On Education

House: Withdrawn From Com

House: Added to Calendar

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 44: TRANSITION TO DIGITAL LEARNING IN SCHOOLS.

Pres. To Gov. 3/12/2013

H 45: INTERNET ACCESS FOR PUBLIC SCHOOLS.

House: Postponed To 03/13/2013

H 60: TRANSFER OF INDIAN CULTURAL CENTER PROPERTY.

House: Withdrawn From Com

House: Re-ref Com On Finance

H 75: KILAH'S LAW/INCREASE CHILD ABUSE PENALTIES.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 95: STANDARD OF PROOF/PUBLIC SAFETY DISPATCHERS (NEW).

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

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

House: Amend Failed A2

House: Amend Adopted A3

House: Passed 3rd Reading

House: Ordered Engrossed

H 160: PUBLIC CONTRACTS/ILLEGAL IMMIGRANTS.

House: Withdrawn From Com

House: Re-ref Com On Government

H 180: MECHANICS LIENS/TECHNICAL CORRECTIONS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

House: Serial Referral To Finance Added

H 238: MAINTAINING WATER & SEWER FISCAL HEALTH.

House: Withdrawn From Com

House: Re-ref to the Com on Government, if favorable, Finance

H 269: CHILDREN W/DISABILITIES SCHOLARSHIP GRANTS.

House: Passed 1st Reading

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

H 271: CONFIRM UTILITIES COMMISSION APPOINTMENT.

House: Passed 1st Reading

House: Ref To Com On Public Utilities and Energy

H 272: DOT/DMV CHANGES #2

House: Passed 1st Reading

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

House: Passed 1st Reading

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

H 273: CHARTER SCHOOL/LEA ACCOUNTING OF FUNDS.

House: Passed 1st Reading

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

H 274: TAXPAYER BILL OF RIGHTS.

House: Passed 1st Reading

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

H 275: HONOR GIRL SCOUTS.

House: Passed 1st Reading

House: Cal Pursuant 32(a)

House: Placed On Cal For 03/12/2013

House: Amend Adopted A1

House: Ordered Engrossed

House: Adopted

H 276: ZONING/BOARD OF ADJUSTMENT CHANGES.

House: Filed

H 277: BANKING LAWS CLARIFICATIONS/CORRECTIONS.

House: Filed

H 278: HOAS/VOLUNTARY PRELITIGATION MEDIATION.

House: Filed

H 279: TRANSFER ENVIRONMENTAL PERMITS.

House: Filed

H 280: PUBLIC STAFF/DUTY TO REPRESENT THE PUBLIC.

House: Filed

H 281: RECORD OF EXCUSALS FROM JURY DUTY.

House: Filed

H 283: CLARIFY DOT/STATE PORTS RELATIONSHIP.

House: Filed

H 284: LOCAL CONTRACTS/LOCAL BIDDER PREFERENCE.

House: Filed

H 285: AMEND RESPIRATORY CARE PRACTICE ACT.

House: Filed

H 286: HONOR RECOVERY OF BILL OF RIGHTS.

House: Filed

H 287: INCREASE DROPOUT AGE FROM 16 TO 17.

House: Filed

H 289: STATE COMPUTER EQUIPMENT/BUY REFURBISHED.

House: Filed

H 291: START-UP FUNDS FOR NEW CHARTER SCHOOLS.

House: Filed

S 9: UTILITIES/DESIGN/SURVEY LOCATION SERVICES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 38: AMEND ENVIRONMENTAL LAWS 2014 (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

Ratified

S 117: LILY'S LAW.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 123: CLARIFY SEX OFFENDER RESIDENCE LAW.

House: Rec From Senate

S 244: ESTABLISH MUSIC THERAPY PRACTICE ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 245: HONOR EDWARD L. WILLIAMSON.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 246: EQUAL TAX TREATMENT OF GOV'T RETIREE BENEFITS.

Senate: Passed 1st Reading

Senate: Ref to Pensions & Retirement and Aging. If fav, re-ref to Finance

S 248: CHOICE OF HEARING AID SPECIALIST.

Senate: Passed 1st Reading

Senate: RefTo Com On Health Care

S 249: REESTABLISH NC PROGRESS BOARD.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 250: SPA/EXEMPT CERTAIN ITS/OSP EMPLOYEES.

Senate: Passed 1st Reading

Senate: RefTo Com On Appropriations/Base Budget

S 251: HONOR GIRL SCOUTS.

Senate: Passed 1st Reading

Senate: Placed on Today's Calendar

Senate: Adopted

S 252: INCREASE PENALTY/CONTROLLED SUBSTANCE CRIMES.

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary II

S 253: LEO MAY INSPECT PHARMACEUTICAL RECORDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary I

S 254: FUNDS TO RESTORE PRIVATE WELL PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Appropriations/Base Budget

S 255: SMALL BUSINESS NEW JOB CREATION INCENTIVE.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 256: PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST.

Senate: Filed

S 259: LGC OVERSIGHT OF WATER AND SEWER FINANCES.

Senate: Filed

S 260: REPEAL COMBINED M.V. REGISTRATION/TAX SYSTEM.

Senate: Filed

S 261: SALES TAX ON PRIVATE RES. RENTED BY BROKER (NEW).

Senate: Filed

Senate: Filed

S 262: HONOR RECOVERY OF BILL OF RIGHTS.

Senate: Filed

S 263: LIENS/SELF-SERVICE STORAGE FACILITIES.

Senate: Filed

S 264: ABATE NUISANCES/DRUG SALES FROM STORES.

Senate: Filed

S 266: INCREASE REGIONAL TRANSPORTATION TAX CAP.

Senate: Filed

S 267: RAISE COMPULSORY SCHOOL ATTENDANCE AGE.

Senate: Filed

S 270: ELIMINATE TOBACCO DISCOUNT.

Senate: Filed

S 271: MUNICIPAL INCORPORATIONS/STUDY.

Senate: Filed

S 273: PERMANENT PLATES FOR HOUSING AUTHORITIES.

Senate: Filed

S 274: BEREAVEMENT LEAVE/STATE AND SCHOOL EMPLOYEES.

Senate: Filed

S 275: STORMWATER MANAGEMENT FEE USES.

Senate: Filed

S 277: REQUIRE EDUC. DEVELOPMENT PLAN/FOSTER CARE.

Senate: Filed

S 278: FOSTER CHILDREN/CORP. PUNISH. CHANGES.

Senate: Filed

S 279: ESTATES/TRUSTS/GUARDIANSHIP AMENDMENTS.

Senate: Filed

LOCAL BILLS**H 33: CLEVELAND/POLK/RUTHERFORD TRAPPING REPEAL.**

Senate: Reptd Fav

H 140: CITY OF LOWELL / REGULATE UTILITY VEHICLES.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

H 268: SCHOOL CALENDAR FLEXIBILITY/PERSON COUNTY.

House: Passed 1st Reading

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

H 270: RONDA RECALL.

House: Passed 1st Reading

House: Ref To Com On Government

H 282: LOCAL FLEXIBILITY RE: SCHOOL CALENDAR.

House: Filed

H 288: SCHOOL CALENDAR FLEXIBILITY/LINCOLN COUNTY.

House: Filed

H 290: RUTHERFORD AIRPORT AUTHORITY.

House: Filed

H 292: MORATORIUM/LAWSUITS FOR SCH. FUNDS (NEW).

House: Filed

House: Filed

S 81: CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW).

Senate: Amend Adopted A1

Senate: Amend Failed A2

Senate: Amend Failed A3

Senate: Amend Failed A4

Senate: Passed 2nd Reading

S 95: TABOR CITY ELECTION.

Ratified

Ch. SL 2013-8

S 128: CARRBORO OFFICE OF ALDERMAN.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 177: HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 247: RONDA RECALL.

Senate: Passed 1st Reading

Senate: RefTo Com On State and Local Government

S 257: ALAMANCE/GUILFORD COUNTY BOUNDARY.

Senate: Filed

S 258: ASHEBORO/CHARTER AMENDMENTS.

Senate: Filed

S 265: CHAPEL HILL/ECONOMIC DEVELOPMENT PROJECTS.

Senate: Filed

S 268: SUNSET BEACH/CANAL DREDGING/MAINTENANCE FEE.

Senate: Filed

S 269: SALISBURY/DEANNEX ROWAN CTY AIRPORT PROPERTY.

Senate: Filed

S 272: AYDEN CHARTER/TERMS OF OFFICE EXTENDED.

Senate: Filed

S 276: CHARLOTTE CHARTER/INVESTMENTS.

Senate: Filed

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