



The Daily Bulletin: 2013-03-13

PUBLIC/HOUSE BILLS

H 45 (2013-2014) [INTERNET ACCESS FOR PUBLIC SCHOOLS](#). Filed Jan 31 2013, *AN ACT PROVIDING FOR AN INVENTORY OF INFRASTRUCTURE TO SUPPORT ROBUST DIGITAL LEARNING IN THE PUBLIC SCHOOLS, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION STUDY COMMITTEE ON DIGITAL LEARNING ENVIRONMENTS IN PUBLIC SCHOOLS.*

House amendment makes the following change to the 2nd edition.

Eliminates Section 2 of the bill, the appropriation of \$100,000 from the General Fund to the Department of Public Instruction for the 2013-14 fiscal year.

Intro. by Horn, Johnson, Saine, Tolson.

[View summary](#)

Elementary and Secondary Education, State Board of Education, Public Enterprises and Utilities

H 57 (2013-2014) [CHILD NUTRITION PROGRAM SOLVENCY AND SUPPORT](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT (1) TO PROHIBIT LOCAL SCHOOL ADMINISTRATIVE UNITS FROM ASSESSING INDIRECT COSTS TO A CHILD NUTRITION PROGRAM UNLESS THE PROGRAM IS FINANCIALLY SOLVENT AND (2) TO PROMOTE OPTIMAL PRICING FOR CHILD NUTRITION PROGRAM FOODS AND SUPPLIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE BASED ON RECOMMENDATIONS FROM THE PROGRAM EVALUATION DIVISION.*

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

Deletes the appropriation from the General Fund to the Department of Public Instruction (DPI) of \$80,000 in recurring funds for fiscal year 2013-14 to be used to provide administrative support for the North Carolina Procurement Alliance to promote optimal pricing for child nutrition program foods and supplies. Makes conforming changes deleting references to the funding. Directs the North Carolina Procurement Alliance (Alliance) to promote optimal pricing for child nutrition program foods and supplies. Directs DPI to report to the Joint Legislative Education Oversight Committee on the annual savings from participation (was, increased participation) of local administrative units in the Alliance.

Makes a conforming change to the long title, deleting the reference to an appropriation.

Intro. by Howard.

GS 115C

[View summary](#)

Education, Department of Public Instruction

H 58 (2013-2014) [NONPROFIT GRANTS/INCREASE ACCOUNTABILITY](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE THE OVERSIGHT OF STATE GRANTS TO NON-STATE ENTITIES AND TO INCREASE THE ACCOUNTABILITY OF GRANTEEES WHO RECEIVE STATE GRANTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

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

Makes technical and conforming changes to Section 1, GS 143C-6-23. Adds language to the definitions of "grantee" and "subgrantee", elaborating and establishing conditions that, upon meeting one of the conditions, qualifies an entity to be considered as such.

Amends GS 143C-6-23(d)(5a) and (5b), making clarifying and technical changes. Creates new GS 143C-23(d)(5c), requiring an administering State agency and the Office of Budget and Management (OSBM) to provide an accounting of withheld funds that is separate from other funds used for oversight and monitoring, and that the accounting be made available to a grantee or subgrantee upon request.

Makes technical changes to GS 143C-6-23(d)(6a) and (9a).

Amends GS 143C-6-23(f), providing the OSBM authority to take actions for noncompliance. Requires consultation with a granting agency of the U.S. and the State Agency if the funds are pass-through funds from a U.S. agency, before taking actions for noncompliance. Authorizes actions for noncompliance, including suspension of grant funds, after certain conditions are met.

Deletes GS 143C-6-23(f1), where the withholding of 2% for grant oversight costs was authorized, with the appropriate approval, and .5% withholding was authorized, for grant oversight costs, without any approval required.

Amends GS 143C-6-23(h), deleting the requirement to report noncompliance to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division, in lieu of maintaining a publically available list of all grantees or subgrantees that are in noncompliance.

Amends GS Chapter 143C, enacting a new GS 143C-6-24 (Withholding of Grant Program Funds for Oversight), creating a mandatory requirement that state agencies that are overseeing grant programs must withhold 2% of the amount awarded to cover oversight costs. Requires 25% of that amount to be transferred to OSBM to cover costs of overseeing grants to non-state entities. If the amount withheld appears to be in excess of the amount required for oversight, the amount of the withholding can be reduced. Reductions can be approved by request from an administering state agency or without request and upon determination by the OSBM.

Withholding amounts will be reviewed annually by the OSBM, with adjustments to withholding possible at any time. Withholding is not allowed if the funds are pass-through funds from the federal government and the terms prohibit withholding or the program is funded by a direct appropriation from the General Assembly.

Makes technical and clarifying changes to GS 143C-6-23(d), requiring submission of a cash receipts and disbursement report.

Changes effective date, with Sections 2 and 3 becoming effective July 1, 2014 and applying to grants awarded on or after that date. The remainder is effective July 1, 2013.

Intro. by Howard.

GS 143C

[View summary](#)

[State Agencies, Nonprofits](#)

H 60 (2013-2014) [TRANSFER OF INDIAN CULTURAL CENTER PROPERTY](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO TERMINATE LEASES AT THE INDIAN CULTURAL CENTER SITE AND THEN SELL OR ALLOCATE CERTAIN PORTIONS OF THE PROPERTY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

House committee substitute makes the following change to 1st edition. Makes a technical correction.

Intro. by Howard.

UNCODIFIED

[View summary](#)

[State Government, Department of Administration, Cultural Resources and Museums](#)

H 77 (SL 2013-9) (2013-2014) [BOARD OF LAW EXAMINERS/UPDATE EXPENSE LAW](#). Filed Feb 6 2013, *A BILL TO BE ENTITLED AN ACT TO DELETE A PROVISION FOR A FIFTY-DOLLAR PAYMENT TO MEMBERS OF THE BOARD OF LAW*

EXAMINERS THAT HAS NOT BEEN PAID SINCE THE 1970S AND TO CLARIFY A PROVISION RELATING TO EXPENSES OF THAT BOARD, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

A BILL TO BE ENTITLED AN ACT TO DELETE A PROVISION FOR A FIFTY-DOLLAR PAYMENT TO MEMBERS OF THE BOARD OF LAW EXAMINERS THAT HAS NOT BEEN PAID SINCE THE 1970S AND TO CLARIFY A PROVISION RELATING TO EXPENSES OF THAT BOARD, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION. Enacted March 13, 2013. Effective March 13, 2013.

Intro. by Blust.

GS 84

[View summary](#)

Business and Commerce

H 82 (SL 2013-10) (2013-2014) [IRC UPDATE](#). Filed Feb 7 2013, *A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL AMERICAN TAXPAYER RELIEF ACT OF 2012.*

A BILL TO BE ENTITLED AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE AND TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL AMERICAN TAXPAYER RELIEF ACT OF 2012.

Enacted March 13, 2013, Effective January 1, 2012, except as otherwise provided.

Intro. by Howard.

GS 105

[View summary](#)

Tax

H 293 (2013-2014) [MORTGAGES/S.A.F.E. ACT](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE SECURE AND FAIR ENFORCEMENT MORTGAGE LICENSING ACT TO REDUCE REGULATORY BURDENS, MAKING CLARIFYING AND TECHNICAL CHANGES, AND MODIFYING CERTAIN FORECLOSURE PROCEEDINGS.*

Amends GS 53-244.050 to provide that each individual applicant for licensure as a mortgage loan originator or qualifying individual must have passed the test required under GS 53-244.080 within the five years (was, three years) immediately preceding the date of the application for a license. Provides that if an applicant for a mortgage broker license (1) meets the licensing requirements for a mortgage broker and (2) is also licensed mortgage loan originator, but is not an employee per GS 53-244.030(10) and does not meet the experience requirements of GS 53-244.050(b)(2)a., that individual may be licensed as an exclusive mortgage broker upon successfully completing the pre-licensing education required under GS 53-244.070 (deletes the requirement that the applicant also complete a 16-hour residential mortgage lending course).

Amends GS 53-244.080 to provide that a licensed mortgage loan originator who fails to maintain a valid license for five years or longer (was, three years or longer) has to retake the mortgage loan originator's test.

Amends GS 53-244.102 to allow a licensed loan originator to receive credit for a continuing education course taken before the end of the reinstatement period under GS 53-244.101(d) (was, could only receive credit for a continuing education course in the year in which the course was taken) with exceptions under GS 53-244.070(a) and subsection (e) of this section.

Amends GS 53-244.114 regarding the authority of the North Carolina Commissioner of Banks to deny, suspend, revoke, restrict or limit, or refuse to issue or renew a license under Article 19B of GS Chapter 53. Deletes consideration of actions by the loan officer or limited loan officer and adds loan originator in making a determination about licensure. Provides that the Commissioner may invoke authority to revoke or otherwise encumber a license if any of the specified persons in subdivision (2) of this GS 53-244.114 is the subject of an order entered within the past five years by the authority of any state or federal agency (was, state) with jurisdiction over the mortgage brokerage, lending, or servicing industry.

Amends GS 53-244.116(b) to expand the Commissioner's disciplinary authority to include prescribing a time period in which any person who surrenders a license is ineligible to submit an application for licensure or to obtain a license under Article 19B.

Repeals the following statutes: (1) GS53-244.117, which authorized the Commissioner under certain circumstances to notify the clerk of superior court to suspend foreclosure proceedings and (2) GS 45-21.16B, which directed the clerk of superior court to suspend foreclosure proceedings for 60 days upon notice from the Commissioner. Makes a conforming change to GS 45-94.

Intro. by Szoka, J. Bell, Hardister.

[GS 45, GS 53](#)

[View summary](#)

[Occupational Licensing, Property and Housing](#)

H 296 (2013-2014) [OMNIBUS WILDLIFE RESOURCES COMMISSION ACT \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO (1) ADJUST THE FEES CHARGED FOR CERTAIN HUNTING AND FISHING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION AND REPEAL THE COUNTY HUNTING, FISHING, AND TRAPPING LICENSES AND THE NONCOMMERCIAL SPECIAL DEVICE LICENSES; (2) ESTABLISH A BLACK BEAR MANAGEMENT STAMP THAT MUST BE PROCURED BEFORE TAKING BEAR WITHIN THE STATE AND AMEND THE LAW RESTRICTING THE TAKING OF BLACK BEAR WITH BAIT; (3) ADJUST THE AGE FOR DISCOUNTED SPECIAL LICENSES FROM AGE SIXTY-FIVE TO AGE SEVENTY; (4) PROVIDE THAT EFFECTIVE JANUARY 1, 2015, THOSE HUNTING AND FISHING LICENSE FEES IN EFFECT SHALL REMAIN AT THE EXISTING LEVELS UNTIL THE WILDLIFE RESOURCES COMMISSION ESTABLISHES NEW FEES THROUGH RULE MAKING, AND AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ESTABLISH LICENSE FEES THROUGH RULE MAKING BEGINNING IN 2015; (5) REPLACE THE CURRENT SIX PERCENT WILDLIFE SERVICE AGENT COMMISSION FEE WITH A TWO-DOLLAR TRANSACTION FEE; (6) PROVIDE THAT NO MORE THAN TWENTY-FIVE PERCENT OF THE WILDLIFE RESOURCES COMMISSION'S AUTHORIZED OPERATING BUDGET SHALL BE KEPT IN RESERVE; AND (7) PROVIDE AN ANNUAL TARGET FOR UTILIZATION OF THE ANNUAL EXPENDABLE INTEREST OF THE WILDLIFE ENDOWMENT FUND.*

Identical to [S 234](#), filed 3/7/13.

Amends GS 113-270.1A (*Hunter safety course required*), requiring that any person procuring a hunting license in North Carolina must produce a hunter education certificate of competency, a NC hunting heritage apprentice permit from the Wildlife Commission (Commission), or a hunting license issued prior to July 1, 2013, by the Commission.

Exempts people who qualify for a disabled license, pursuant to GS 113-270.1C(b)(5) or (6), GS 113-270.1D(b)(7) or (8), or GS 113-351(c)(3)(f) or (g), from complying with GS 113-270.1A(a), the section above (previously, only exempted those that qualified for a totally disabled combination license under GS 113-270.1C(b)(4)), when the same only makes use of the license when accompanied by an adult of at least 18 years of age who is licensed to hunt and when the licensed adult maintains a proximity close enough to remain within sight and hearing distance without the help of electronic devices (previously, only stated that the disabled hunter must be accompanied by an adult and that the adult must stay close enough to communicate with the disabled hunter).

Makes technical and conforming changes to GS 113-270.1A(b). Also expands the organizations that the Commission may work with to develop courses.

Amends GS 113-270.1A(c) to state that, on or after July 1, 2013 (was, on or after July 1, 1991), any person who obtains a hunting license by a fictitious certificate of competency or through other means of fraud will have his or her hunting privileges revoked by the Commission for a period not to exceed one year.

Amends GS 113-270.1A(d) by adding the Nonresident Lifetime Sportsman License, the Age 65 Resident Lifetime Sportsman License, and the Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses to the list of lifetime licenses that may be purchased by or in the name of people who have not obtained a hunter education certificate of competency, subject to specified conditions. Makes technical and conforming changes to GS 113-270.1A(d).

Amends GS 113-270.2A, stating that an applicant for a hunting license can make a contribution to the Commission for the purpose of funding a hunter safety education program (was, can make a contribution of 50 cents).

Amends GS 113-274(c) by enacting new GS 113-274(c)(3c), which provides for the issuance of a Hunting Heritage Apprentice Permit by the Commission. The permit authorizes a person that does not meet the hunter education course requirements to purchase a hunting license and hunt if accompanied by an adult at least 18 years old who is licensed in North Carolina, or if accompanied by an adult landholder or spouse that is exempt from the hunting license requirement pursuant to GS 113-276(c)

if hunting on the landholder's land. Defines accompanied as previously described in GS 113-270.1A(a1). Hunting with a permit issued pursuant to this section but not complying with all the requirements violates GS 113-270.1B, hunting without first procuring a current and valid license.

Amends GS 113-276, making technical and conforming changes.

Act replaces references to hunter safety with hunter education throughout. Also, elaborates that being accompanied by an adult signifies having a person 18 years of age or older maintain a proximity close enough to remain within sight and hearing distance without the help of electronic devices.

Effective July 1, 2013.

Intro. by J. Bell, Moffitt, Martin, Wray.

GS 113

[View summary](#)

[Animals](#)

H 297 (2013-2014) [MATCHING FUNDS REPEAL](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE THE MATCHING FUNDS PROVISIONS OF THE PUBLIC CAMPAIGN ACT AND THE VOTER-OWNED ELECTION ACT AND TO MAKE CONFORMING AND RELATED CHANGES.*

Amends GS 163-278.64(d)(2), GS 163-278.64A(a), GS 163-278.64(d)(3), GS 163-278.65(b)(2), GS 163-278.98(e)(2), GS 163-278.98(e)(3), and GS 163-278.99(b)(2), and repeals GS 163-278.62(18), GS 163-278.66(a), GS 163-278.67, GS 163-278.96(17), GS 163-278.99A(a), GS 163-278.99B, and GS 163-278.13(e4), as the title indicates.

Intro. by Lewis.

GS 163

[View summary](#)

[Elections](#)

H 298 (2013-2014) [AFFORDABLE AND RELIABLE ENERGY ACT](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE THE BURDEN OF HIGH ENERGY COSTS ON THE CITIZENS OF NORTH CAROLINA BY ELIMINATING RENEWABLE ENERGY PORTFOLIO STANDARDS; AND TO PROVIDE FOR COST RECOVERY BY PUBLIC UTILITIES FOR CERTAIN COSTS OF COMPLIANCE WITH RENEWABLE ENERGY PORTFOLIO STANDARDS.*

Amends GS 62-133.8 to delete subsections (b) through (f), which set out the Renewable Energy and Energy Efficiency Portfolio Standards (REPS). Makes conforming changes to subsection (a), which defines terms as used in this section. Amends the catch line to read *Renewable Energy* (was, *Renewable Energy and Energy Efficiency Portfolio Standards (REPS)*). Amends subsection (h) to provide for cost recovery for reasonable and prudent costs incurred by an electric power supplier before July 1, 2013, for certain costs of complying with REPS. Provides that after July 1, 2013, the Environmental Management Commission is restricted to allowing cost recovery only for the reasonable and prudent costs incurred before July 1, 2013. Specifies that those "costs incurred prior to July 1, 2013," are (1) costs under renewable energy purchase contracts entered into before July 1, 2013, and (2) costs of construction of renewable energy facilities for which a certificate of public convenience and necessity was issued by the Commission before July 1, 2013.

Makes additional conforming changes to delete references regarding REPS. Also makes conforming changes to GS 62-2(a), the state's declaration of public policy with regards to the services and operations of public utilities.

Effective July 1, 2013.

Intro. by Hager, Collins, Avila, Cleveland.

GS 62

[View summary](#)

[Environment, Energy, Public Enterprises and Utilities](#)

H 299 (2013-2014) [LAW ENFORCEMENT OFFICER FAIRNESS ACT](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE DISMISSAL OF MUNICIPAL LAW ENFORCEMENT OFFICERS.*

Creates a new GS Chapter 17F governing dismissal and grievances of municipal law enforcement officers. Requires law enforcement agencies, other than those run by state agencies, counties, ABC boards, school boards, and private sector and academic institutions, to adopt an ordinance setting out minimum due process rights for dismissals and grievances of law enforcement officers. The ordinance must, at a minimum, specify "just cause" for dismissal; set out procedures for ensuring notice; provide an opportunity for the officer to be heard, represented by counsel, and call witnesses and confront adverse witnesses; allow recording of hearings; and establish an impartial review board. Effective December 1, 2013, and applies to disciplinary actions taken on or after that date.

Intro. by Jeter, Jordan, Glazier, Avila.

GS 17F

[View summary](#)

Employment and Retirement, Local Government, Public Safety and Emergency Management

H 300 (2013-2014) [CITIES/PUBLIC TRUST RIGHTS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT CLARIFYING THAT CITIES MAY ENFORCE ORDINANCES WITHIN THE STATE'S PUBLIC TRUST AREAS.*

Amends GS 160A by enacting a new GS 160A-203 (*Municipalities enforce ordinances in public trust areas*), providing that a city may, by ordinance, define, prohibit, regulate, or abate acts, omissions, or conditions upon the state's ocean beaches and can also prevent or abate any unreasonable restriction of the public's right to use the state's ocean beaches. This authority extends to the state's ocean beaches within or adjacent to the city's jurisdictional boundaries.

The authority of a city, under this section, includes, but is not limited to, (1) regulating, restricting, or prohibiting the placement, development, repair or alteration of structures, equipment, personal property or debris on the state's ocean beaches, within or adjacent to jurisdictional boundaries; (2) providing, by ordinance, procedures for removal and abatement of any unreasonable restrictions on the public's right to use the state's ocean beaches; (3) enforcing a violation of any ordinance adopted pursuant to this section by any remedy in GS 160A-175 or in lieu of any remedy, seeking a court order from a court of competent jurisdiction to remove or abate a building or structure.

Provides that this new section should not be construed to limit the authority of the state or a state agency or affect applicable common law or other authority to regulate the state's ocean beaches.

Amends GS 113-131, making conforming changes and including a reference to GS 160A-203, providing that cities do have authority to adopt and enforce ordinances, notwithstanding GS 113-131.

Effective July 1, 2013.

Intro. by McElraft.

GS 1B, GS 160A

[View summary](#)

Local Government

H 301 (2013-2014) [CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS REGULATING ENGINEERS AND LAND SURVEYORS AND TO WAIVE THE EXAMINATION REQUIREMENT FOR GIS PRACTITIONERS WITH CERTAIN EXPERIENCE UNTIL JULY 1, 2014.*

Identical to [S 281](#), filed 3/13/13.

Amends GS 89C-3, GS 89C-13, and GS 89C-15(b) to make clarifying changes as the title indicates.

Intro. by Arp, Catlin, Millis, Hager.

GS 89C

[View summary](#)**Occupational Licensing**

H 303 (2013-2014) **HONOR MARINE CORPS & VMFA-312**. Filed Mar 13 2013, *A HOUSE RESOLUTION HONORING THE MEMORY OF UNITED STATES MARINE CORPS OFFICERS, COLONELS RICHARD B. NEWPORT AND DEAN WILKER; LIEUTENANT COLONELS ERNEST J. ANDERSON, GEORGE J. ERTLMEIER, HOWARD GRESS, JAMES E. MAY, DOUGLAS A. MCCAUGHEY, JAMES D. ROBERTSON, AND CLARENCE E. SMITH; MAJORS THOMAS NALLE AND KENNETH H. STOVER; CAPTAINS MARX H. BRANUM, STEPHEN J. PERLIN, HERMAN SMITH, AND ROBERT F. WARREN; FIRST LIEUTENANTS ROBERT J. LYONS AND ROBERT WILLIAMS; SECOND LIEUTENANT DONALD MARLOWE; AND WARRANT OFFICER 4 BILLY E. PERRY; AND UNITED STATES AIR FORCE COLONEL JAMES H. WESTBERRY FOR THEIR SERVICE TO THE UNITED STATES MILITARY AND TO THE MARINE ALL-WEATHER FIGHTER SQUADRON THREE ONE TWO.*

As title indicates.

Intro. by Howard, Setzer, Cleveland, L. Hall.

HOUSE RES

[View summary](#)**Military and Veteran's Affairs**

H 308 (2013-2014) **FUNDS/MHDDSA SERVICES/NON-MEDICAID ELIGIBLES**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, IN ORDER TO INCREASE COMMUNITY SERVICES FOR THE TREATMENT OF NON-MEDICAID ELIGIBLE INDIVIDUALS DIAGNOSED WITH MENTAL ILLNESS, INTELLECTUAL OR DEVELOPMENTAL DISABILITIES, OR SUBSTANCE ABUSE DISORDERS.*

Appropriates from the General Fund to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, \$78 million for fiscal year 2013-14 and \$78 million for fiscal year 2014-15. These funds must be used to (1) provide community services for the treatment of individuals with mental illness, intellectual or developmental disabilities, or substance abuse disorders who are not eligible for Medicaid and (2) provide community services that are not eligible for medicaid reimbursement to individuals diagnosed with mental illness, intellectual or development disabilities, or substance abuse disorders. Effective July 1, 2013.

Intro. by Insko, Earle.

APPROP

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

H 310 (2013-2014) **HANDGUN PERMIT MODERNIZATION ACT**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO MODERNIZE AND ENSURE UNIFORMITY OF CONCEALED HANDGUN PERMIT APPLICATIONS.*

Amends GS 14-415.12 (*Criteria to qualify for the issuance of a permit*), changing the criteria in GS 14-415.12(a)(3) to establish that the applicant cannot suffer from a mental infirmity that prevents the safe handling of a handgun, as determined by the National Instant Criminal Background Check System.

Amends GS 14-415.13(a), preventing the sheriff from requesting from a person applying for a concealed handgun permit information, character affidavits, additional background checks, photographs, or other information unless required by this article.

Deletes language requiring the submission of a release form that authorizes disclosure to the sheriff concerning mental health issues or capacity. Mental health background checks, through the National Instant Criminal Background Check System, are

now found in GS 14-415.12(a)(3), as described above.

Amends GS 14-415.15 (*Issuance or denial of permit*), deleting the language in GS 14-415.15(a) that required records concerning the mental health or capacity of the applicant be submitted to the sheriff for the issuance of a permit. Deletes language stating that an appeal of a permit denial in district court is a final determination.

Amends GS 14-415.19 (Fees), by adding a new subsection GS 14-415.19(c), providing that no fees other than those authorized under this section will be charged to any person for the application, renewal, or duplication of a permit issued under this Article, even for the cost of processing fingerprints, even if costs were incurred by the sheriff.

Effective October 1, 2013.

Intro. by Jordan, Hastings, Brody, Szoka.

GS 14

[View summary](#)

Criminal Law and Procedure

H 311 (2013-2014) [REPEAL LITERACY TEST](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE LITERACY TEST FOR VOTERS*.

Subject to approval by voters at the statewide election in November 2014, repeals Section 4 of Article VI of the North Carolina Constitution, which requires persons registering to vote to be able to read and write any section of the Constitution in English. If approved, effective upon certification of the election.

Intro. by Alexander, Michaux, Jeter, Warren.

CONST

[View summary](#)

Constitution, Elections

H 312 (2013-2014) [PRESERVING PRIVACY ACT OF 2013](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF DRONES TO CONDUCT SEARCHES*.

Amends GS Chapter 15A, by adding a new section GS 15A-232 (Searches using a drone), first providing definitions for use in this section, including drone, person, and search warrant.

Provides, that except for the exceptions provided for in this section, it is unlawful for any person, or municipal, county, or State law enforcement agency to use a drone for gathering evidence or other information or data pertaining to criminal conduct, or conduct in violation of a statute or rule. The use of a drone is permissible for purposes other than gathering such evidence. Any information or data acquired through drone use will not be disclosed and will be inadmissible in any criminal, civil, or administrative proceeding.

Provides exceptions to the above prohibition. The prohibition on drone use above does not apply to the following:

- (1) A municipal, county, or State law enforcement agency using a drone to search pursuant to a search warrant.
- (2) A municipal, county, or State law enforcement agency using a drone to conduct a search where consent to the search has been given.
- (3) A municipal, county, or State law enforcement agency conducting a search if they possess reasonable suspicion that immediate action is needed to prevent imminent harm to life, serious damage to property, the imminent escape of a suspect, or the imminent destruction of evidence. These permitted uses are subject to the requirements of documenting the search, including factual basis for having reasonable suspicion as well as the factual basis for the other qualifying conditions which

allow a drone search. A sworn statement will be filed, no later than 48 hours after the search is conducted, with the clerk of court in the county where the drone was used, setting forth the information required above.

Limits the scopes of permissible drone searches to only allow the operation of the drone in a manner that collects information or data on the individuals, home, or areas that are the subject of the search or search warrant.

Any person who violates the restrictions on drone use can be subject to civil action. Anyone who willfully and knowingly violates the prohibition on drone use is guilty of a Class 1 misdemeanor. Retaining data from a drone search is a Class 3 misdemeanor.

Prohibits the retention of data obtained in violation of this section. Any data or information obtained in violation must be destroyed within 24 hours after it is collected.

Officials listed in GS 15A-243 who issue search warrants during the preceding calendar year for drone use will report to the Administrative Office of the Courts (AOC) by January 31 of each year the identity of the law enforcement agency to which it was issued, the offense specified in the warrant, and the nature of the property searched.

Beginning April 1, 2014, the AOC will report to the General Assembly the information received from the previous reporting requirements. The AOC will adopt rules governing the content and form of the report and will publish any part of the report that is deemed public on its website.

Effective December 1, 2013.

Intro. by Setzer, Moffitt, D. Hall, Harrison.

GS 15A

[View summary](#)

**Criminal Justice, Local Government, State Government,
Public Safety and Emergency Management**

H 313 (2013-2014) [DOT SALES OF UNUSED PROPERTY](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO FACILITATE THE TRANSFER OF UNUSED DEPARTMENT OF TRANSPORTATION LAND TO THE PRIVATE SECTOR BY STREAMLINING THE PROCESS OF SELLING THAT LAND.*

Enacts a new Article 2F, Identification and Sale of Unused Property, in GS Chapter 136. Includes definitions for terms as they apply in this Article.

Directs the Department of Transportation (DOT) to continuously identify unused real property and classify the property as either (1) Class A--property with suitable size and road access to allow commercial or residential development of one or more stand-alone projects without the acquisition of additional real property and the property's size and shape allows for compliance with zoning and development requirements; (2) Class B--property that doesn't meet the qualifications of Class A but enhances the value of the adjacent land when joined with that land; or (3) Class C--property that doesn't meet the definition of Class A or Class B.

Directs the DOT to attempt to promptly sell all unused property under the provisions of new Article 2F. Provides sales strategies and bid guidelines based on each class of property. Provides for the auction of unsold unused property remaining unsold after one year.

Directs the DOT to examine real property that is unused at the completion of a project and determine if it may be sold or determine the reasons that the property cannot be sold. Requires the DOT to document the reason that a property cannot be sold and review the determination at least every 10 years. Also requires that the DOT review at least every five years a determination that a property cannot be sold because it is unknown as to whether the property is needed for future transportation purposes.

Provides that if the Governor and Council of state disapprove property sales with an appraised value of at least \$25,000 within 30 days of being notified about the proposed sale, then sale will not be completed. Requires the DOT to notify the Governor and Council of State of the proposed sale of any land under this Article with an appraised value of at least \$25,000. However, approval of a sale under this Article from the Governor and Council of State is not required.

Directs the DOT to conduct the same review of projects completed before the effective date for this act that is required by proposed Article 2F. Requires the DOT to report to the Joint Legislative Commission on Governmental Operations on the classification and sale of properties under proposed Article 2F of GS Chapter 136 no later than January 1, 2014. Provides guidelines as to what the report should minimally contain.

Makes conforming changes to GS 136-19. Directs the DOT to treat the Rodney Orr Bypass surplus right-of-way property as unused property and sell it in accordance with the provisions of Article 2F, GS Chapter 136, as enacted by Section 1 of this act.

Effective October 1, 2013.

Intro. by W. Brawley, Moffitt, Schaffer, Ramsey.

[GS 136](#)

[View summary](#)

[State Property, Department of Transportation](#)

H 315 (2013-2014) [PLASTICS LABELING REQUIREMENTS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DEGRADABLE PLASTIC PRODUCTS BE CLEARLY LABELED TO PREVENT CONTAMINATION OF RECYCLED PLASTIC FEEDSTOCKS.*

Amends GS 130A-309.10 to prohibit the distribution, sale, or offering for sale in the state of any rigid plastic container, including a plastic beverage container, labeled in a way to indicate it is biodegradable unless (1) the container complies with the requirements of (e) of the statute and (2) the container includes the statement "Not Recyclable, Do Not Recycle" in print of the same color, contrast, font, and size as the language suggesting the container will biodegrade. Applies to any plastic container distributed, sold, or offered for sale after July 1, 2014.

Intro. by McGrady, Samuelson, Szoka, Turner.

[GS 130A](#)

[View summary](#)

[Business and Commerce](#)

H 317 (2013-2014) [IMPROVE ED. FOR CHILDREN WHO ARE DEAF](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OUTCOMES FOR NORTH CAROLINA CHILDREN WHO ARE DEAF OR HARD OF HEARING.*

Identical to [S 320](#), filed 3/13/13.

Requires the State Board of Education to do at least the following to improve educational outcomes for children who are deaf or hard of hearing: (1) develop assessment procedures and protocols to measure, at least annually or more frequently if required in a child's Individualized Education Program (IEP), the acquisition of language skills necessary for literacy, with the results used to determine whether further support and services are needed; (2) require an IEP team to use the specified worksheet to document consideration of the language and communication needs of the child as the IEP is developed, the placement decisions made for the child, and the team's review of the child's placement and needs; (3) ensure that personnel highly qualified in the education of children who are deaf or hard of hearing are available to meet the needs of each child; and (4) develop and implement strategies to ensure that parents of a child who is deaf and hard of hearing know they can request that the child's IEP team consider placement in a residential setting, and that if requested, a representative from one of the state's residential/day program schools for the deaf will be a member of the IEP team.

Requires the Department of Health and Human Services and other agencies and organizations, at the request of the Department of Public Instruction (DPI), to make available databases containing information on children under age 22 who are deaf or hard of hearing. Requires that DPI use the information for a statewide data tracking system to coordinate with other agencies and organizations and ensure literacy achievement for all children who are deaf or hard of hearing.

Intro. by Blackwell, Farmer-Butterfield, Holloway, Martin.

[UNCODIFIED](#)

[View summary](#)

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

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 amendment makes the following changes to the 2nd edition.

Deletes the requirement that a notice of the proposed text of a rule, which includes a link to the agency's website containing information required by GS 150B-19.1(c), must also include a statement that the procedure by which a person can object to a proposed rule as well as the requirements for subjecting a proposed rule to the legislative review process are available on that website.

Amends GS 150B-19.1(c)(4), providing that agencies subject to this Article must post on its website instructions on how and where to submit oral or written comments on the proposed rule and a description of the procedure by which a person can object to a proposed rule and subject the proposed rule to legislative review.

Amends GS 150B-45(a)(2), regarding final decisions, requiring that to obtain judicial review of a final decision under this article, the person seeking review must file a petition within 30 days after the person is served with a written copy of the decision and for final decisions, other than contested tax cases, the petition for review must be filed in the superior court of the county where the person aggrieved by the administrative decision resides.

The above changes to GS 150B-45(a)(2) are effective October 1, 2013, and apply to petitions for judicial review filed on or after that date. The remainder of the act is effective when the act becomes law.

Intro. by Hartsell.

[GS 150B](#)

[View summary](#)

[APA/Rule Making](#)

S 279 [ESTATES/TRUSTS/GUARDIANSHIP AMENDMENTS](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO UPDATE AND CLARIFY PROVISIONS OF THE LAWS GOVERNING ESTATES, TRUSTS, GUARDIANSHIPS, POWERS OF ATTORNEY, AND OTHER FIDUCIARIES.*

Section 1a

Amends GS 28A-13-3 (*Powers of a personal representative or fiduciary*) by adding a new subsection, GS 28A-13-3(a34), providing a personal representative the authority to access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets, as defined in GS 28A-13-11(d)(3), and digital accounts owned by the decedent, as defined in GS 28A-13-11(d)(2).

Section 1b, 1d, 1g, 1j

Enacts the following new statutes: GS 28A-13-11 (*Access to digital assets and accounts by personal representative*), GS 32-29 (*Access to digital assets and accounts by fiduciary*), GS 32A-4 (*Access to digital assets and accounts by attorney-in-fact*), and GS 35A-1254 (*Access to digital assets and accounts by guardian of the estate*). Each new section grants authority to the respective personal representative, fiduciary, attorney-in-fact, or guardian of the estate (representative) to access any digital account of the decedent operated by the custodian and copies of any digital assets of the decedent stored by the custodian after issuing the custodian either (1) a written request for access to digital accounts and digital assets from the representative, along with a copy of the death certificate and a copy of the representative's testamentary letter or letters of administration or (2) an order from the clerk of superior court or probate court that has jurisdiction over the decedent's estate.

Prohibits custodians from destroying, disabling, or disposing of any digital accounts or digital assets for two years after receiving either one of the above requests or orders. Does not provide authority for custodian to grant access to digital accounts

or assets that are in violation of federal law or to which the decedent or settlor would not have been given access in the ordinary course of business by the custodian.

Provides definitions that apply in the new subsections, including definitions for custodian, digital accounts, and digital assets.

Section 1c

Amends GS 32-27 (*Powers which may be incorporated by reference in trust instrument*), providing that the authority to access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets, defined in GS 32-29(d)(3), or digital accounts, defined in GS 32-29(d)(2), can be incorporated by reference as provided in GS 32-26.

Section 1e

Amends GS 32A-1 (*Statutory Short Form of General Power of Attorney*), making conforming changes and adding "digital assets and accounts" to the list of authorities an attorney-in-fact can be granted.

Section 1f

Amends GS 32A-2 (*Powers conferred by the Statutory Short Form Power of Attorney set out in GS 32A-1*), by adding a new subsection GS 32A-2(18), providing a named attorney-in-fact the authority to access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets, as defined in GS 32A-4(d)(3), and digital accounts, as defined in GS 32A-4(d)(2), owned by the decedent.

Section 1h

Amends GS 35A-1251 (*Guardian's powers in administering incompetent ward's estate*) by creating a new subsection GS 35A-1251(25), providing a general guardian or guardian of the estate of an incompetent ward the authority to access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets, as defined in GS 35A-1254(d)(3), and digital accounts, as defined in GS 35A-1254(d)(2), owned by the ward.

Section 1i

Amends GS 35A-1252 (*Guardian's powers in administering minor ward's estate*), by creating a new subsection GS 35A-1252(18), providing a general guardian or guardian of the estate of a minor ward the authority to access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets, as defined in GS 35A-1254(d)(3), and digital accounts, as defined in GS 35A-1254(d)(2), owned by the ward, but, absent a court order with respect to a minor, authority is no greater than the power of a natural guardian.

Section 1k

Amends GS 36C-8-816 (*Specific powers of a trustee*), by creating a new subsection GS 36C-8-816(33), providing that a trustee can access, take control of, handle, conduct, continue, distribute, dispose of, or terminate any digital assets and digital accounts held as part of the trust property or received as trust property from a settlor or any other person.

Section 2a

Amends GS 28A-29-1 (*Notice to creditors without estate administration*), expanding the areas and circumstances when a person qualified to serve as a personal representative of an estate or a trustee, serving under a revocable trust, can file a petition to be appointed as a limited personal representative for the purpose of providing notice to creditors without administration of an estate.

Section 2b

Amends GS 28A-29-2(a), expanding the requirements of an affidavit filed for appointment as limited personal representative. Requires an affidavit to also state the following:

- (1) Decedent left no personal property subject to probate and no real property to the personal representative.
- (2) Decedent's estate is being administered by collection by affidavit.
- (3) Estate is being administered under the summary administration provisions.

(4) Estate consists solely of a motor vehicle that can be transferred according to GS 20-77(b).

(5) Decedent left assets that can be treated as assets of an estate as in GS 28A-15-10.

Section 2c

Amends GS 30-3.1 (*Right of elective share*), changing the amounts and applicable share of total net assets that are awarded as follows:

(1) if the surviving spouse was married to the decedent for less than five years, 15% of the total net assets (was, if not survived by any lineal descendants, one half)

(2) if the surviving spouse was married to the decedent for at least 5 years but less than 10 years, 25% of the total net assets (was, if survived by one child or lineal descendants of one deceased child, one half)

(3) if the surviving spouse was married to the decedent for at least 10 years but less than 15 years, 33% of the total net assets (was, if survived by two or more children, or by one or more children and by lineal descendants of one or more deceased children, or by lineal descendants of two or more deceased children, one third)

(4) if the surviving spouse was married to the decedent for 15 years or more, 50% of the total net assets

Deletes the "Reduction of Applicable Share" clause, which reduced a surviving spouse's elective share where they are the second or successive spouse and the decedent had at least one lineal descendant as described.

Section 2d

Amends GS 30-31 (*Amount of Allowance*), to provide that attorneys' fees and costs awarded to the petitioner under GS 6-21 will be paid as an administrative expense of the estate.

Section 2e

Amends GS 31-11.6 (*How attested wills may be made self-proved*), making technical changes. Provides that wills executed in another state and self-proved per that state's laws are considered self-proved; the same occurs for a will that appears on its face to be executed, attested, or notarized under another state's laws. Military testamentary instruments executed in accordance with 10 USC 1044d(d) are considered self-proved.

Section 2f

Amends GS 31-46 (*Validity of will; which laws govern*), to expand the ways in which a will is considered valid, including, complies with the laws of the place where it was executed, complied with the laws of the place where the testator was domiciled, or is a military instrument executed correctly, according to applicable law.

Section 2g

Amends GS 28A-2A-17 (*Certified copy of will of nonresident recorded*), to provide that for a copy of a will to pass title according to laws at the time of its execution or at the time of the testator's death, or as otherwise recognized as valid under GS 31-46, must appear affirmatively.

Section 3a

Enacts new GS 36C-1-114 (*Insurable Interest of Trustee*), providing that the trustee has an insurable interest in the life of an individual insured by a life insurance policy that is trust property if the insured at the date of issuance is the settlor of the trust or an individual in whom a settlor of the trust has an insurable interest and the proceeds from the policy are for the benefit of one or more trust beneficiaries who have an insurable interest in the life of the insured.

Section 3b

Amends GS 36C-5-505(c) to define a settlor's spouse.

Section 3c

Amends GS 36C-8-816.1, making clarifying changes and deleting the rule of perpetuities and suspension of power of alienation from the provisions to which the power of appointment is subject.

Section 4a

Amends GS 1C-1601(a), expanding the areas that are free of enforcement from claims of creditors to include any money or assets in a retirement plan after an individual's death if held by one or more subsequent beneficiaries by direct transfer or eligible rollover that are excluded from gross income under the Internal Revenue Code (IRC), including a direct transfer or eligible rollover to an inherited individual retirement account as defined in section 408(d)(3) of the IRC.

Section 4b

Amends GS 32-72(d), making technical and clarifying changes. Clarifies the duties and liabilities of a fiduciary. Provides that if the terms of an instrument confer power and authority to a person other than the fiduciary, the fiduciary is not liable for losses resulting directly or indirectly from the exercise or nonexercise of that power.

Makes clarifying and technical changes.

Section 4c

Amends GS 35A-1336.1 (*Prerequisites to approval by judge of gifts to individuals*), clarifying a requirement for a judge to approve a gift from income. Provides in GS 35A-1336.1(2)c., one option for approval, that the gift qualify for either the federal annual gift tax exclusion or is a qualified transfer for tuition or medical expenses when the donee is the spouse, parent, descendent of the incompetent, or descendent of the incompetent's parent.

Section 4d

Amends GS 35A-1341.1 (*Prerequisites to approval by judge of gifts to individuals*), making the same changes as above in Section 4c, except that it applies to gifts from principal to individuals.

Section 4e

Amends GS 35A-1251 (*Guardian's powers in administering incompetent ward's estate*), providing that in GS 35A-1251(24) a guardian cannot alter the designation of beneficiaries to receive property at the time of the ward's death under the existing estate plan, but may incorporate tax planning or public benefits planning into the ward's existing estate plan, including leaving beneficial interests in trust rather than outright.

Effective date

Section 1 and 2c become effective October 1, 2013, and apply to estates of decedents dying on or after that date. The remainder is effective when it becomes law. Section 4(a) applies to all inherited individual retirement accounts without regard to the date an account was created.

Intro. by Hartsell, Barringer.

[GS 1C, GS 28A, GS 30, GS 31, GS 32, GS 32A, GS 35A, GS 36C](#)

[View summary](#)

[Civil Law](#)

S 280 (2013-2014) [DCR/HISTORIC SITES/FEES \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT ALLOWING NON-STATE EMPLOYEES AFFILIATED WITH THE TRANSPORTATION MUSEUM TO DRIVE STATE-OWNED VEHICLES; EXPANDING THE AUTHORITY OF THE DEPARTMENT OF CULTURAL RESOURCES AND THE TRYON PALACE TO CHARGE ADMISSION AND RELATED ACTIVITY FEES; AND ESTABLISHING THE A+ SCHOOLS SPECIAL FUND IN THE DEPARTMENT OF CULTURAL RESOURCES, THE NORTH CAROLINA ARTS COUNCIL.*

Amends GS 20-37.13(c1), providing that the DMV may waive the skills test for any qualified military applicant if the applicant is currently licensed at the time of application and meets several qualifications, including but not limited to, passing all required written knowledge exams and having not had more than one driver's license, except one from the military, in the last two years. The applicant must also certify and provide evidence that the applicant is a retired, discharged, or current member of an active or reserve component of the Armed Forces of the United States and is regularly employed or was regularly employed in a military position within the 90-day period immediately preceding the date of application. Additionally the applicant must either have operated, for the two-year period immediately preceding application, a vehicle similar to the class and type of commercial motor vehicle he or she seeks to be licensed for and has taken and passed a skills test given by the military or, for an applicant who is a retired or discharged member, satisfy requirements of GS 20-37.13(c1)(3)b., and has not been dishonorably discharged and has been retired or discharged for no more than 90 days prior to the date of application.

Intro. by Meredith.

GS 20

[View summary](#)

Transportation, Military and Veteran's Affairs

S 281 (2013-2014) **CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS REGULATING ENGINEERS AND LAND SURVEYORS.*

Amends GS 89C-3, GS 89C-13, and GS 89C-15(b) to make clarifying changes as the title indicates.

Intro. by Rabon.

GS 89C

[View summary](#)

Occupational Licensing

S 282 (2013-2014) **OPERATION COMING HOME SPECIAL PLATE**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE FOR OPERATION COMING HOME, INC.*

Enacts new subdivision in GS 20-79.4(b) as title indicates. Plate issuance is contingent on the receipt of at least 300 plate applications. Establishes a special plate fee of \$30 and requires that \$20 of that amount be transferred quarterly to the Operation Coming Home Foundation, to support its mission of providing free, custom-built homes to injured combat veterans. Effective July 1, 2013.

Intro. by Hunt.

GS 20

[View summary](#)

Transportation, Department of Transportation

S 284 (2013-2014) **OSC/GOV'T DATA ANALYTICS/STATE DATA SHARING (NEW)**. Filed Mar 13 2013, *AN ACT TO RENAME THE GOVERNMENT BUSINESS INTELLIGENCE COMPETENCY CENTER IN THE OFFICE OF THE STATE CONTROLLER AS THE GOVERNMENT DATA ANALYTICS CENTER, TO AUGMENT ITS WORK BY CODIFYING ITS MISSION, POWERS, AND DUTIES, AND TO AMEND THE REVENUE AND MOTOR VEHICLE LAWS TO ENHANCE THE DATA SHARING REQUIRED TO INCREASE THE STATE'S BUSINESS INTELLIGENCE.*

Enacts new GS 143B-426.38A (*Government Business Intelligence Competency Center; State data sharing requirements*) to require the state to generate a data integration and sharing initiative across all North Carolina agencies, departments, and institutions, including the University of North Carolina. Specifies that the data integration and sharing initiative is not intended to replace transactional systems, but is instead intended to leverage the data from those systems for enterprise-level state business intelligence. Requires the Office of State Controller to conduct an evaluation of state data analytics projects and plans

to identify integration and business intelligence opportunities generating greater efficiencies in and improved service delivery by state entities.

Establishes the Government Business Intelligence Competency Center (GBICC) in the office of the State Controller. Provides that the State Controller (Controller) is to lead the initiative established under this section. Directs the Chief Justice of the NC Supreme Court and the Legislative Services Commission to each designate an office or an agency to advise and assist the Controller in implementing the initiative in their respective branches of government. Directs the legislative and judicial branches to fully cooperate in the initiative mandated by this section in the same manner as required of state agencies.

Provides detailed guidelines regarding the creation and implementation of this initiative. Requires a three-phase process, through which the initiative is to cycle on an ongoing basis, to implement the initiative. Specifies the powers and duties of the GBICC. Directs the Office of the Controller, with the support of the Office of State Budget and Management, to seek matching funds or other resources to assist in funding this initiative. Anticipates there will be savings resulting from the cancellation of projects, software, and licensing, as well as any other savings from the initiative, and directs that those savings be returned to the General Fund and remain unexpended and unencumbered until appropriated by the General Assembly in a subsequent fiscal year. States that it is the intent of the General Assembly that these savings be used to fund the initiative in subsequent fiscal years.

Includes reporting requirements, directing the Office of the Controller to submit quarterly reports on the implementation of Phase I and the plan developed as a part of that phase to the chairs of the House of Representatives Appropriations and Senate Base Budget/Appropriations Committees, the Joint Legislative Oversight Committee on Information Technology, and the Fiscal Research Division of the General Assembly. Also requires the Office of the Controller to report information on the failure of any state agency to provide information requested under this section. Details additional reporting requirements.

Also includes data-sharing requirements and a listing of specific requirements directing various state agencies to provide specified data to the GBICC. Delineates guidelines regarding privacy and confidentiality of information and the release of information.

Under current law, the Division of Motor Vehicles (DMV) requires the Social Security number of an applicant for an identification card, learner's permit, or a driver's license; however, the DMV is prohibited from disclosing the applicant's Social Security number except as provided under federal law. Amends GS 20-7(b2) to allow the DMV to disclose an applicant's Social Security number to the Office of the State Controller for the purposes of new GS 143B-426.38A.

Amends GS 20-43(a) to allow the DMV to release a photographic image of an applicant to the Office of the Controller for the purposes of new GS 143B-426.38A. Amends GS 105-259(b) to add disclosure of tax information to the Office of the Controller under new GS 143B-426.38A to the list of exceptions to the prohibitions against disclosure of tax information by an officer, employee, or agency of the state. Amends GS 143B-426.39 (*Duties of the State Controller*) to direct the Controller to coordinate data integration and sharing under new GS 143B-426.38A.

Provides that the purpose of Section 3 of the act is to codify provisions of Section 6A.7A of SL 2012-142 in GS 143B-426.38A. Provides that if there is a conflict between the noncodified provisions and GS 143B-426.38A as enacted by this act, then the statute is to be construed as prevailing.

Intro. by Hise.

GS 105, GS 20, GS 143B

[View summary](#)

[Office of State Controller](#)

S 285 (2013-2014) [DWI CASES/NO ILAC REQUIRED \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT WOULD COME INTO EFFECT ON JULY 1, 2013, THAT A LABORATORY PROVIDING CHEMICAL ANALYSES UNDER G.S. 20-139.1 BE ACCREDITED BY AN ACCREDITING BODY THAT IS A SIGNATORY TO THE INTERNATIONAL LABORATORY ACCREDITATION COOPERATION (ILAC) MUTUAL RECOGNITION ARRANGEMENT AND TO CLARIFY THAT THE RESULTS OF CHEMICAL ANALYSIS OF BLOOD OR URINE FROM ALL HOSPITAL LABORATORIES IN NORTH CAROLINA THAT ARE APPROVED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES PURSUANT TO THE CLINICAL LABORATORY IMPROVEMENT AMENDMENTS OF 1988 (CLIA) PROGRAM ARE ADMISSIBLE AS EVIDENCE.*

Amends GS 20-139.1 as follows.

Provides that the statute does not limit the introduction of other competent evidence as to a person's alcohol concentration or results of other tests performed by an individual who qualifies as an expert witness under Rule 702 of the North Carolina Rules of Evidence (was, other tests showing the presence of an impairing substance, including other chemical tests).

Provides that in order to be admissible, a chemical analysis of blood or urine must be performed by a laboratory that is accredited by an individual who qualifies as an expert witness under Rule 702 of the North Carolina Rules of Evidence (deleting the requirement of accreditation by a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement for Testing). Requires the analyst analyzing the sample and signing the report to complete an affidavit stating the person's qualifications, information on the laboratory where the analysis was performed, and that performing that type of analysis is part of the individual's regular duties. Also requires that the analyst state that the tests were performed according to the individual's and the laboratory's accrediting body's standards and that evidence was handled according to accepted procedures while in the laboratory's custody. Requires the affidavit be provided to the investigating officer and to the district attorney in the district where charges are pending. Provides for admissibility of the affidavit. Requires the court, concerning findings under Rule 702(a)(1)-(3), to take judicial notice of and apply the following: (1) an analysis of the defendant's blood, breath, or urine qualifies under Rule 702(a)(1) as sufficient data; (2) the principles and methods previously accepted as reliable within the meaning of Rule 702(a)(2) by the state's appellate courts; and (3) the court must find a defendant who has failed to object under (e2) (concerning defendant's objection to the intent to introduce affidavit into evidence) of the statute has waived any and all objections under Rule 702(a)(3).

Makes conforming changes.

Effective December 1, 2013.

Intro. by Davis.

[GS 20](#)

[View summary](#)

[Evidence](#)

S 286 (2013-2014) [MANDATE USE/CONTROLLED SUB. REPORTING SYSTEM](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE PRESCRIBERS AND DISPENSERS TO REVIEW INFORMATION IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM PRIOR TO PRESCRIBING OR DISPENSING A CONTROLLED SUBSTANCE TO A PATIENT AND TO MAKE A VIOLATION OF THAT REQUIREMENT A CRIMINAL OFFENSE.*

Enacts new GS 90-113.74A requiring persons authorized to prescribe or dispense a controlled substance for medical or pharmaceutical care to review all of the patient's information in the controlled substances reporting system for the preceding 12 months to determine if the prescription is medically necessary and appropriate before prescribing or dispensing the controlled substance. Makes an exception for emergencies. Allows the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services to adopt any necessary rules. Makes it a Class 1 misdemeanor to violate the statute; however, intentional violations are a Class I felony. Applies to offenses committed on or after December 1, 2013.

Intro. by J. Davis.

[GS 90](#)

[View summary](#)

[Criminal Law and Procedure, Health Care Facilities and Providers](#)

S 287 (2013-2014) [NOTICE PUBLICATION--CERTAIN LOCAL GOVS. \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNING BOARDS OF GUILFORD AND MECKLENBURG COUNTIES, AND ALL THE MUNICIPALITIES LOCATED IN THOSE COUNTIES, TO GIVE PUBLIC NOTICES ELECTRONICALLY.*

Enacts new GS 153A-52.2, *Electronic notice*, allowing governing boards of Guilford, Durham, Wake, Davidson, Forsyth, and Randolph counties to adopt an ordinance that will allow them to electronically publish any notice they are otherwise required

to publish by law. The ordinance may cover all notices required to be published or certain selected classes of notices. Any notice published under the above ordinance must comply with the following conditions:

- (1) The notice is published on the website of the governing board no later than the time required for publication under applicable law or act.
- (2) The website contains, on its main page or index, links to all notices or a link to another page with links to all notices.
- (3) Notices and links must be maintained on the website for at least one year after publication.
- (4) A copy of the notice must be filed in a notice book, separately maintained and apart from the ordinance book or minutes of the governing board. The notice books must also be indexed and maintained for public inspection.
- (5) A copy of the notice must be provided to each public library and clerk of superior court within the jurisdiction of the governing board and maintained for at least one year.
- (6) A copy of the notice must be mailed or emailed to a person that has filed a written request for notice with the clerk or secretary of the governing board.

Such ordinances that allow electronic publication cannot supersede any general law or local act that requires notice by mail to certain persons or classes of persons or the posting of signs on certain property. The ordinance may control notice requirements for any board appointed by the governing board of the county, including the board of social services and the board of health.

Amends GS 160A-1(7), 153A-1(6), and 159-1(b)(5) to include the following: (1) electronic notice, as provided in GS 153A-52.2, if an ordinance has been adopted by the governing board and (2) insertion in a news publication circulated in the county, published at least once per week, and with an audited readership of at least 25,000 persons in each section's description and definition of *publish*.

Amends GS 163-33, *Powers and duties of county boards of elections*, stating the county board can adopt a policy to provide for notices, advertisements, and publications to be given electronically.

Applies only to the following counties: Guilford, Durham, Wake, Davidson, Forsyth, and Randolph.

Effective October 1, 2013, applying to notices given on or after that date by a county or city.

Intro. by Wade, Barringer.

[Davidson, Durham, Forsyth, Guilford, Randolph, Wake](#)

[View summary](#)

S 291 (2013-2014) [MATCHING FUNDS REPEAL](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE THE MATCHING FUNDS PROVISIONS OF THE PUBLIC CAMPAIGN ACT AND THE VOTER-OWNED ELECTION ACT AND TO MAKE CONFORMING AND RELATED CHANGES.*

Identical to [H 297](#), filed 3/13/13.

Amends GS 163-278.64(d)(2), GS 163-278.64A(a), GS 163-278.64(d)(3), GS 163-278.65(b)(2), GS 163-278.98(e)(2), GS 163-278.98(e)(3), and GS 163-278.99(b)(2), and repeals GS 163-278.62(18), GS 163-278.66(a), GS 163-278.67, GS 163-278.96(17), GS 163-278.99A(a), GS 163-278.99B, and GS 163-278.13(e4), as the title indicates.

Intro. by Brunstetter.

[GS 163](#)

[View summary](#)

[Elections](#)

S 292 (2013-2014) [IMMEDIATE LICENSE REVOCATION FOR REFUSAL](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHERE A PERSON HAS COMMITTED AN IMPLIED-CONSENT OFFENSE AND APPLICABLE LAW REQUIRES A MANDATORY REVOCATION OF THE PERSON'S DRIVERS LICENSE, A REQUEST FOR A HEARING DOES NOT STAY THE REVOCATION PERIOD, WHICH SHALL BE IMMEDIATELY IMPOSED UNDER CERTAIN CIRCUMSTANCES.*

Amends GS 20-16.2 (*Implied consent to chemical analysis; mandatory revocation of license in event of refusal; right of driver to request analysis*) to allow a person to request a hearing, but provides that the request does not stay the revocation of the person's driver's license if a judicial official or clerk determines that there is probable cause to believe that each of following conditions have been met: (1) a law enforcement officer has reasonable grounds to believe that the person has committed an offense subject to the implied-consent provisions of GS 20-16.2, (2) the person is charged with that offense as provided in GS 20-16.2(a), (3) the law enforcement officer and the chemical analyst comply with the procedures of GS 20-16.2 and GS 20-139.1 in requiring the person's submission to or procuring a chemical analysis, and (4) the person willfully refuses to submit to the chemical analysis. Makes conforming changes. Applies to offenses committed on or after September 1, 2013.

Intro. by Brunstetter, Rabon.

[GS 20](#)

[View summary](#)

[Motor Vehicle, Department of Transportation](#)

S 293 (2013-2014) [WC/SUBROGATION/EMPLOYER CONSENT](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE WORKERS' COMPENSATION LAWS TO REQUIRE EMPLOYER CONSENT FOR THE REDUCTION BY MORE THAN FIFTY PERCENT OF AN EMPLOYER'S SUBROGATION LIEN.*

Amends GS 97-10.2(j) as the title indicates.

Intro. by Parmon, Brunstetter.

[GS 97](#)

[View summary](#)

[Employment and Retirement](#)

S 294 (2013-2014) [ALLOW USE OF DOT STORMWATER BMPs \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW ENTITIES REGULATED UNDER PHASE II OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM TO UTILIZE THE DEPARTMENT OF TRANSPORTATION'S BEST MANAGEMENT PRACTICES TOOLBOX FOR LINEAR TRANSPORTATION PROJECTS.*

Amends Section 8 of SL 2006-246, as amended, to exclude public and private linear transportation projects from post-construction practices if the projects meet the Department of Transportation's best management practices outlined in the "Stormwater Best Management Practices Toolbox," to the extent the city determines is practicable. Applies to Winston-Salem only. Effective July 1, 2012.

Intro. by Parmon.

[Forsyth](#)

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[Transportation, Building and Construction](#)

S 295 (2013-2014) [PUBLIC AGENCY COMPUTER CODE NOT PUBLIC RECORD](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CERTAIN TYPES OF PROPRIETARY COMPUTER CODE ARE NOT A PUBLIC RECORD.*

Identical to [H 125](#), filed 2/19/13.

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

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

Intro. by Parmon, Brunstetter.

GS 132

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

S 298 (2013-2014) **ONLINE VOTER REGISTRATION**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE SIMPLER THE PROCESS OF FILLING OUT A VOTER REGISTRATION FORM AND PRINTING IT OUT TO MAIL AND ALSO TO ALLOW VOTERS TO REGISTER TO VOTE ONLINE.*

Identical to [H 102](#), filed 2/13/13.

Amends GS 163-82.3 to direct the State Board of Elections (Board) to develop an online application for voter registration that may be filled in online or printed out as a blank form. Requires that the online form allow a user with the proper software to save the data and prompt the user to download mailing addresses (1) for the board of elections based on the user's county of residence or (2) for all county boards of elections.

Enacts new GS 163-82.5A regarding online voter registration in Article 7A of GS Chapter 163. Provides that the section applies to an individual who meets both of the following requirements: (1) is eligible to register to vote and (2) has a current and valid North Carolina driver's license, learner's permit, or provisional license, or a special identification card for non-operators issued under GS 20-37.7. Individuals who meet the stated requirements may submit a voter registration application online.

Requires the Board to establish a secure Internet site to allow individuals meeting the prescribed requirements to submit voter registration applications.

Provides that the secure website is to allow qualified individuals to submit an application to do the following: (1) register to vote or (2) report a change in name, address, or party affiliation. In addition, the secure web site is to allow the individual to submit information demonstrating that individual's eligibility to register online.

Directs the Division of Motor Vehicles (DMV) to compare the information submitted by the individual to verify eligibility to register online with information maintained in the DMV's database of persons in North Carolina who have a current and valid NC driver's license or other acceptable identification as specified in this section. Upon confirmation that the applicant has current and valid identification as specified under these provisions, the DMV is required to submit the completed application and its verification of eligibility to the county board of elections in the county where the applicant currently resides.

Provides that if the DMV is unable to confirm the applicant's eligibility, it is to send notice to the county board of elections of the county where the applicant resides of the inability to confirm the information provided. Directs the county board of elections to notify the applicant via U.S. mail and by e-mail if the applicant provided an e-mail address with the online registration that that the application cannot be processed.

Effective December 1, 2013.

Intro. by Bryant, Parmon, McKissick.

GS 163

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

S 301 (2013-2014) **INCREASE ALLOWED SIZE OF PASSENGER BUSES**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW PASSENGER BUSES THAT HAVE AN OVERALL LENGTH OF SIXTY FEET OR LESS TO OPERATE ON PUBLIC STREETS AND HIGHWAYS.*

Amends GS 20-116(l) as the title indicates.

Intro. by Graham.

GS 20

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

S 304 (2013-2014) [FIRE AND RESCUE PENSION REVISIONS OF 2013](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO MODERNIZE, UPDATE, AND CLARIFY THE STATUTES GOVERNING THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND BY ADDING A DEFINITION SECTION TO THE STATUTES, TO REPEAL ARCHAIC AND UNNECESSARY PROVISIONS, TO MAKE THE PROVISIONS GENDER NEUTRAL, TO ELIMINATE THE BOARD OF TRUSTEES WHILE TRANSFERRING ITS AUTHORITY TO THE BOARD OF TRUSTEES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TO ESTABLISH A FIREFIGHTERS' AND RESCUE SQUAD WORKERS' ADVISORY PANEL, TO ALLOW IN-SERVICE DISTRIBUTIONS TO PARTICIPANTS, TO PROHIBIT CERTAIN FELONS FROM PARTICIPATING IN THE FUND, AND TO ESTABLISH AN AGGRAVATING FACTOR FOR DEFENDANTS WHO COMMIT OFFENSES DIRECTLY RELATED TO THEIR SERVICE AS FIREFIGHTERS OR RESCUE SQUAD WORKERS.*

To be summarized 03/14/13.

Intro. by Meredith, Newton.

[GS 15A, GS 25, GS 58, GS 147](#)

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[Employment and Retirement, Public Safety and Emergency Management](#)

S 305 (2013-2014) [DMV COMMISSION CONTRACT CHANGES](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE THE PUBLIC/PRIVATE PARTNERSHIP BY WHICH THE DIVISION OF MOTOR VEHICLES ISSUES MOTOR VEHICLE TITLES AND REGISTRATIONS.*

Under current law, motor vehicle titles and registrations are issued to the extent possible through commission contracts with the Division of Motor Vehicles (DMV), except those issued in Charlotte, Raleigh, and Fort Bragg and those issued via U.S. mail. Current law also provides that compensation paid under the commission contracts with the DMV is on a per transaction basis. Amends GS 20-63(h) to provide that commission contractors may, in addition to collecting the highway use tax, also collect property tax and issue a limited registration "T" sticker, each as a separate transaction for a fee of \$1.27. Provides that the performance of additional transactions listed in this subsection are to be considered to be a single transaction for a fee of \$2.43 (was, \$1.43). Adds guidelines regarding the use of equipment, forms, and supplies provided by the DMV to the commission contractor for use in performing the contract. Effective July 1, 2013.

Makes additional conforming changes to this subsection, including the repeal of GS 20-63(h)(8b).

Enacts new GS 20-63.02 to establish the nine-member License Plate Agent (LPA) Advisory Committee. Tasks the LPA Advisory Committee with working with the DMV to ensure excellent and efficient customer service in providing titling and registration services through the commission contracts awarded under GS 20-63. Provides additional criteria regarding the duties of the committee and rules for membership on the committee, term lengths, and expenses allowed committee members.

Directs the committee and the DMV to review the standard operating procedures that apply to commission contractors to determine if any changes are needed and to recommend, to the 2013 Regular Session of the General Assembly when it convenes in 2014, a process by which the DMV is required to give notice of proposed changes and receive feedback on those proposals prior to implementing them.

Provides that the terms of the initial members of the committee begin upon appointment and expire on July 1, 2015.

Except as otherwise indicated, this act is effective when it becomes law.

Intro. by Tillman, Jenkins, Newton.

[GS 20](#)

[View summary](#)

[Transportation, Department of Transportation](#)

S 306 (2013-2014) **CAPITAL PUNISHMENT/AMENDMENTS**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO EXCLUDE THE ADMINISTRATION OF A LETHAL INJECTION FROM THE PRACTICE OF MEDICINE; TO CODIFY THE LAW THAT PROHIBITS REGULATORY BOARDS FROM SANCTIONING HEALTH CARE PROFESSIONALS FOR ASSISTING IN THE EXECUTION PROCESS; TO AMEND THE LAW ON THE ADMINISTRATION OF A LETHAL INJECTION; TO REQUIRE THE SETTING OF AN EXECUTION DATE IF ANY OF THE EVENTS WHICH ARE PROVIDED BY STATUTE HAVE OCCURRED; TO ELIMINATE THE PROCESS BY WHICH A DEFENDANT MAY USE STATISTICS TO HAVE A SENTENCE OF DEATH REDUCED TO LIFE IN PRISON WITHOUT PAROLE; TO REQUIRE PERIODIC REPORTS ON THE TRAINING AND AVAILABILITY OF PERSONNEL TO CARRY OUT A DEATH SENTENCE; AND TO REQUIRE PERIODIC REPORTS ON THE STATUS OF PENDING POSTCONVICTION CAPITAL CASES.*

Enacts new GS 15-188.1 to (1) prohibit any board, commission or other authority, which regulates or oversees the practice of health care professionals, from sanctioning or subjecting to any disciplinary action, any licensed health care professionals for assisting with an execution under Article 19 of GS Chapter 15 and (2) provide that the administration of lethal substances under Article 19 to inflict capital punishment is not to be construed as the practice of medicine.

Amends GS 90-1.1(5) to clarify that the administration of lethal substances or any other assistance with an execution under Article 19 does not constitute the practice of medicine or surgery. Makes a conforming change to this section. Amends GS 90-85.38(b) (pharmacy) and GS 90-171.20(4) (nursing) to specify that the administration of lethal substances or otherwise assisting with an execution does not constitute the practice of pharmacy or nursing, respectively.

Current law does not require the sentencing judge to specify a date and time to carry out the execution of a convicted defendant in a death penalty case. Amends GS 15-194 to direct the state Attorney General (AG) (was state AG or the district attorney who prosecuted the case) to provide written notification of specified events relating to post-conviction proceedings to the Secretary of the Department of Public Safety not less than 30 days nor more than 60 days from the occurrence of such events.

Requires the AG to submit a written report to the Joint Legislative Oversight Committee on Justice and Public Safety on the status of all pending post-conviction capital cases, with the first report due April 1, 2013.

Amends GS 15-188 to provide that the mode of execution must be in every case by administering an intravenous injection of a substance or substances in a lethal quantity sufficient to cause death until the person is dead. Requires that the procedure be determined by the Secretary of the Department of Public Safety in compliance with the federal and state constitutions (was, administer a lethal quantity of an ultrashort acting barbiturate in combination with a chemical paralytic agent until the convict or felon is dead). Provides that procedures and substances used to carry out a death sentence before this act becomes effective are not abated or changed by this act.

Amends GS 15-90 to require the warden to report to the Joint Legislative Committee on Justice and Public Safety on the status of persons designated by the warden to execute death sentences under Article 19 of GS Chapter 15, with the first report due April 1, 2013.

Section 5 of this act repeals Article 101 of GS Chapter 15A, the North Carolina Racial Justice Act (RJA). Asserts that the intent and purpose, and sole effect of this section, is to remove the use of statistics to prove intentional discrimination in a specific case. Provides that a district attorney may request the AG to assume primary responsibility for litigation in superior or appellate court of any claims or issues resulting from a petition for relief that has been filed or may be filed under the RJA, or any issues or matters relating to the repeal of the RJA under this act. Except as otherwise provided, this section is retroactive and applies to any motion for appropriate relief filed under the RJA before the effective date of this act. Voids all motions filed under the RJA prior to the effective date of this act. Provides an exception, declaring that this section does not apply in any case where a final order has been issued by a court of competent jurisdiction prior to the effective date of this act and the petitioner has been re-sentenced to life without parole under the provisions of the RJA.

This act is effective when it becomes law.

Intro. by Goolsby.

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

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[Criminal Justice, Corrections \(Sentencing/Probation\), Health](#)

S 307 (2013-2014) [RESTORE HOLD HARMLESS SALES TAX FUNDS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO RESTORE THE LOCAL GOVERNMENT HOLD HARMLESS FOR REPEALED REIMBURSEMENTS*.

Amends GS 105-521 (*Transitional local government hold harmless for repealed reimbursements*) by creating a new subsection GS 105-521(b1), which provides that on or before August 15, 2013, and every August 15 until August 15, 2016, the Secretary of Revenue (Secretary) must multiply each local government's local sales tax share by the estimated replacement revenue expected to be received during the fiscal year. If the resulting amount is less than 100% of the local government's repealed reimbursement amount, the Secretary will pay the percentage amount of the difference, according to the included table, but not less than \$100.

Provides that the Secretary must report to the Revenue Laws Study Committee, by every January 31 until January 31, 2017, the amount distributed for this section for the current fiscal year.

Intro. by Hise, Daniel, Barefoot.

[GS 105](#)

[View summary](#)

Tax

S 308 (2013-2014) [AMEND WOMAN'S RIGHT TO KNOW ACT](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE WOMAN'S RIGHT TO KNOW ACT*.

Current law prohibits an abortion in this state unless the woman undergoing the procedure provides her voluntary and informed consent. Amends GS 90-21.82, which lists the conditions that must be satisfied, except in the case of a medical emergency, for consent to be deemed to be voluntary and informed. Adds to that list of conditions the requirements that the physician performing the abortion must (1) be physically present during the performance of the entire abortion, (2) be on the premises immediately available to the patient while she is recovering and until the patient leaves the premises, and (3) have admitting privileges to a hospital located within 30 miles of the place where the abortion is performed.

Amends GS 90-21.83(a) to require the Department of Health and Human Services to make available on the state Web site a list of resources that a woman may contact for assistance upon receiving information from the physician performing the ultrasound that the unborn child may have a disability or serious abnormality.

Effective October 1, 2013.

Intro. by Daniel, Randleman, Hunt.

[GS 90](#)

[View summary](#)

Health

S 309 (2013-2014) [HAYWOOD TOWN SQUARE CONVEYANCE](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT CONVEYANCE BY THE STATE OF THE HAYWOOD TOWN SQUARE*.

Provides that the Department of Administration will sell or lease, at fair market value, or sell or lease for a public purpose, the tract of land in Haywood, in Chatham County, that was formerly used and designed as a town square.

Intro. by Kinnaird.

[UNCODIFIED](#)

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Department of Administration

S 313 (2013-2014) [PARENT'S CONSENT REQUIRED TO QUIT SCHOOL](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PARENT'S CONSENT BEFORE A CHILD DROPS OUT OF SCHOOL*.

Identical to [H 235](#), filed 3/6/13.

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 Parmon, Robinson.

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

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[Elementary and Secondary Education](#)

S 316 (2013-2014) [PRETRIAL RELEASE/REBUTTABLE PRESUMPTION](#). Filed Mar 13 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, AND TO AMEND CERTAIN BOND PROVISIONS.*

Identical to [H 251](#), filed 3/6/13.

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 McKissick, Woodard.

[GS 15A](#)

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[Criminal Justice, Criminal Law and Procedure, Corrections \(Sentencing/Probation\)](#)

S 320 (2013-2014) [IMPROVE ED. FOR CHILDREN WHO ARE DEAF](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE EDUCATIONAL OUTCOMES FOR NORTH CAROLINA CHILDREN WHO ARE DEAF OR HARD OF HEARING.*

Requires the State Board of Education to do at least the following to improve educational outcomes for children who are deaf or hard of hearing: (1) develop assessment procedures and protocols to measure, at least annually or more frequently if required in a child's Individualized Education Program (IEP), the acquisition of language skills necessary for literacy, with the results used to determine whether further support and services are needed; (2) require an IEP team to use the specified worksheet to document consideration of the language and communication needs of the child as the IEP is developed, the placement decisions made for the child, and the team's review of the child's placement and needs; (3) ensure that personnel

highly qualified in the education of children who are deaf or hard of hearing are available to meet the needs of each child; and (4) develop and implement strategies to ensure that parents of a child who is deaf and hard of hearing know they can request that the child's IEP team consider placement in a residential setting, and that if requested, a representative from one of the state's residential/day program schools for the deaf will be a member of the IEP team.

Requires the Department of Health and Human Services and other agencies and organizations, at the request of the Department of Public Instruction (DPI), to make available databases containing information on children under age 22 who are deaf or hard of hearing. Requires that DPI use the information for a statewide data tracking system to coordinate with other agencies and organizations and ensure literacy achievement for all children who are deaf or hard of hearing.

Intro. by Daniel, Newton.

UNCODIFIED

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Education, Department of Health and Human Services, State Board of Education

S 321 (2013-2014) [INMATE COSTS/CT.APPT/NOTARIES](#). Filed Mar 13 2013, *AN ACT TO CAP REIMBURSEMENT BY COUNTIES, TO MAKE ADDITIONAL PROVISIONS RELATING TO PAYMENT, FOR MEDICAL SERVICES PROVIDED TO INMATES IN COUNTY JAILS, TO ALLOW COUNTIES TO UTILIZE MEDICAID FOR ELIGIBLE PRISONERS, TO PROVIDE THAT VACANCIES IN THE OFFICE OF DISTRICT COURT JUDGE SHALL BE FILLED BY APPOINTMENT OF THE GOVERNOR; AND TO CREATE A PRIVATE RIGHT OF ACTION AGAINST NOTARIES WHO VIOLATE THE NOTARY PUBLIC ACT.*

Requires counties to reimburse providers and facilities that provide approved medical services to inmates in local confinement facilities the lesser amount of either: (1) 70% of the provider's then current prevailing charge or (2) two times the then current Medicaid rate for any given service. Gives counties the right to audit a provider to determine the actual prevailing charge. Does not apply to vendors providing services that are not billed on a fee-for-service basis. Does not preclude a county from contracting with a provider for services at a rate that provides greater documentable cost avoidance for the county or at rates that are less favorable but ensure continued access to care.

Amends GS 153A-225 to add that a local confinement facility's plan for providing prisoner medical care may use Medicaid coverage for eligible prisoners, as long as the plan includes a reimbursement to the state for the state's portion of the costs.

Effective July 1, 2013.

Intro. by J. Davis, Newton, Goolsby.

GS 153A

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Criminal Justice, Health, Public Assistance

S 322 (2013-2014) [AMEND AUTH FOR LOCAL SPECIAL OBLIGATION BONDS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REPEAL PROVISIONS OF THE LOCAL GOVERNMENT SALES AND USE TAXES FOR PUBLIC TRANSPORTATION AND TO AMEND THE AUTHORITY FOR UNITS OF LOCAL GOVERNMENT TO ISSUE SPECIAL OBLIGATION BONDS BY ADDING PUBLIC TRANSPORTATION FACILITIES AS A TYPE OF PROJECT THAT MAY BE FUNDED BY SUCH BONDS.*

Amends GS 105-507.2 (*Levy and collection of sales and use tax*), by making conforming changes and adding new subsection GS 105-507.2(b), providing that, notwithstanding GS 105-473(d), no termination of taxes pledged to bonds issued by a unit of local government in the county and levied, imposed, and collected under this Article will be effective until the end of the fiscal year in which either the final payment or provision for final payment is made on the bonds outstanding on the date of the resolution adopted by the board of county commissioners, pursuant to GS 105-473(b).

Amends GS 159I-30(g)(3) (*Definitions*), clarifying and adding to the definition of *project* to include public transportation facilities.

Intro. by Clodfelter.

GS 105

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LOCAL/HOUSE BILLS

H 294 (2013-2014) [AUTHORITY TO REMOVE ABANDONED VESSELS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN COUNTIES TO REMOVE ABANDONED VESSELS FROM NAVIGABLE WATERS*.

Amends GS 153A-132 to allow Dare County to, by ordinance, prohibit the abandonment of vessels in navigable waters within the county's ordinance-making jurisdiction. Applies the statute to abandoned vessels (which are defined in the statute) in the same manner as it applies to abandoned or junked motor vehicles except that the storage requirements of GS 153A-132(c) do not apply to an abandoned vessel that (1) is partially dismantled or wrecked, (2) cannot be self-propelled or moved in the manner in which it was originally intended to move, or (3) is more than five years old and appears to be worth less than \$500. Provides that shipwrecks, vessels, cargoes, tackle, and other underwater archeological remains that have been in place for more than 10 years are not considered abandoned vessels and may not be removed under the statute without approval of the Department of Cultural Resources.

Intro. by Tine.

[Dare, GS 153A](#)

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[Transportation](#)

H 295 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE BOARDS OF EDUCATION IN ADOPTING A SCHOOL CALENDAR IN CERTAIN COUNTIES*.

Amends GS 115C-84.2(d) to allow the Cumberland, Duplin, Greene, Lenoir, and Wayne County school administrative units to set the opening and closing dates for their public schools under subdivision (a)(1) of GS 115C-84.2. Applies beginning with the 2013-14 school year.

Intro. by J. Bell, G. Graham, Dixon, L. Bell.

[Cumberland, Duplin, Greene, Lenoir, Wayne](#)

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[Elementary and Secondary Education](#)

H 302 (2013-2014) [REPEAL KANNAPOLIS ANNEXATION](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT REPEALING THE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF KANNAPOLIS*.

Repeals SL 2009-113, as amended by SL 2011-124, repealing the annexation of certain areas of property by Kannapolis.

Intro. by Ford.

[Cabarrus, Rowan](#)

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H 304 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/CERTAIN LEAS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN LOCAL BOARDS OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR*.

Amends GS 115C-84.2(d) (concerning school opening and closing dates) as it applies to the Franklin County and Nash-Rocky Mount school administrative units. Except for year-round schools, the opening date for students will not be earlier than August 12. Applies beginning with the 2013-14 school year.

Intro. by Richardson.

Franklin, Nash

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Elementary and Secondary Education

H 305 (2013-2014) **CHAPEL HILL/ECONOMIC DEVELOPMENT PROJECTS**. Filed Mar 13 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.*

Identical to [S 265](#), filed 3/12/13.

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

Intro. by Foushee, Luebke.

Durham, Orange

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Community and Economic Development

H 306 (2013-2014) **WAYNESVILLE ANNEXATION**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WAYNESVILLE.*

Identical to [S 290](#), filed 3/13/13.

As title indicates. Describes the territory to be annexed by metes and bounds. Effective August 31, 2013.

Intro. by Queen.

Haywood

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H 307 (2013-2014) **HAYWOOD CO. CAPITAL EXPENDITURES OCCUP. TAX**. Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HAYWOOD COUNTY TO LEVY A TWO PERCENT ROOM OCCUPANCY TAX.*

Authorizes the Haywood County Board of Commissioners (Commissioners) to levy a room occupancy tax of up to 2% that is in addition to any state or local sales tax. Provides that the tax must be levied, administered, collected, and repealed as provided in GS 153A-155 (*Uniform provisions for room occupancy taxes*). Provides an exemption from this tax for accommodations furnished by non-profit charitable, educational, or religious organizations in furtherance of their nonprofit purpose. Prohibits Haywood County from levying a tax under this act unless it also levies the tax authorized in Section 10, 10.1, and 10.2 of Part V of SL 1983-908, as amended.

Directs that Haywood County remit the net proceeds (as defined in this act) of the tax to the Haywood County Tourism Development Authority (TDA). Directs the TDA to create a Tourism Product Development Fund (Fund) to provide financial assistance for tourism-related capital projects that benefit patronage of county lodging facilities and to deposit the net proceeds from the room occupancy tax into the Fund on a monthly basis. Provides additional criteria for the use and distribution of the occupancy tax revenue.

Directs the Commissioners to adopt a resolution creating the Haywood County Product Development Committee (Committee), with 11 voting members and 4 ex-officio members, concurrent with its adoption of a resolution levying a room occupancy tax. Provides for the duties and responsibilities of the Committee and declares that the Committee is a public authority under the Local Government Budget and Fiscal Control Act. Also provides specifics regarding the geographic distribution of the 11 voting members on the Committee. Designates the Committee to make recommendations regarding capital projects to the TDA.

Requires that the establishing resolution provide for terms of office, the filling of vacancies, and other duties and operations of the TDA. Directs the TDA to only award funds to projects recommended and approved by the Committee.

Requires the TDA to report on expenditures and receipts to the Commissioners on a quarterly basis and at the close of the fiscal year.

Effective when the act becomes law and expires on July 1, 2023.

Intro. by Queen.

[Haywood](#)

[View summary](#)

Tax

H 309 (2013-2014) [HIGH POINT/MOTOR VEHICLE PRIVILEGE TAX](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HIGH POINT TO LEVY A MOTOR VEHICLE PRIVILEGE TAX OF UP TO TWENTY DOLLARS FOR EACH RESIDENT VEHICLE LOCATED IN THE CITY.*

Amends GS 20-97(b) as it applies to High Point, as the title indicates. Also requires that the proceeds from the taxes derived from any levy above \$15 and up to \$20 is to be used only for transportation-related purposes, including sidewalks.

Effective for taxable years beginning on or after July 1, 2013. Provides that the act does not affect the rights or liabilities of the state, a taxpayer, or another person under a statute amended by the act before the effective date of its amendment, nor does it affect the right to a refund or credit of a tax that accrued under the amended statute before the effective date of the amendment.

Intro. by Brandon.

[Davidson, Forsyth, Guilford, Randolph](#)

[View summary](#)

Transportation, Tax

H 314 (2013-2014) [AYDEN CHARTER/TERMS OF OFFICE EXTENDED](#). Filed Mar 13 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.*

Identical to [S 272](#), introduced 3/13/13.

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 Martin, B. Brown.

[Pitt](#)

[View summary](#)

H 316 (2013-2014) [APEX/CARY/RALEIGH ROW USAGE IN CBD](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWNS OF APEX AND CARY AND THE CITY OF RALEIGH TO ENACT SIDEWALK DINING ORDINANCES FOR USE OF STATE-OWNED RIGHT-OF-WAY.*

Identical to [S 311](#), introduced 3/13/13.

As title indicates.

Allows the Department of Transportation (Department) to enter into agreements with Apex and Cary and with the City of Raleigh to allow the use of state rights-of-way for sidewalk dining activities with the following requirements and conditions: (1) Tables, chairs, and furnishings are placed a minimum of six feet from travel lanes. (2) Tables, chairs, and furnishings are placed so that they leave at least five feet of unobstructed paved space of sidewalk and otherwise comply with the Americans with Disabilities Act (ADA). (3) Tables, chairs, and furnishings do not block driveways, alleyways, entrances or exits, fire hydrants or standpipes, utility accesses, ventilation areas, or ramps needed for the ADA. (4) Maximum posted speed of the roadway adjacent to the area used for sidewalk dining activities cannot exceed 45 mph. (5) Restaurant operator will provide evidence of adequate liability insurance. (6) Restaurant operator will provide an indemnity agreement and hold the Department or local government harmless. (7) Restaurant operator will provide copies of all required permits and licenses. (8) Restaurant operator will cease part or all sidewalk dining activities during times of construction, maintenance, or repair.

The Department or local governments can impose additional requirements on a case-by-case basis.

Amends GS 136-18(9), making clarifying, conforming, and technical changes to provide for the implementation and allowance of sidewalk dining activities.

This act does not preempt or override local ordinances currently in place.

Applies to the towns of Apex and Cary and to the City of Raleigh only.

Intro. by D. Hall, Murry, D. Ross.

[Wake](#)

[View summary](#)

LOCAL/SENATE BILLS

S 75 (2013-2014) [ONSLow PUBLIC-PRIVATE PARTNERSHIP](#). Filed Feb 7 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF ONSLOW TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP.*

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

Adds a number of whereas clauses focused on the inability of Onslow County's current human services facilities to meet the county's human services needs, and the lack of resources to construct new facilities to meet those needs. Adds additional definitions for terms as used in this act and clarifies the definition for a "public-private project." Limits the county's authorization to entering into one public-private project that includes, without limitation, social services, public health, and human services functions. Clarifies that the county may enter into binding contracts with one or more municipalities within the county or one or more private-developers, or both, on or before June 30, 2017.

Requires a private developer to provide a payment bond for construction work in accordance with specifications in the act.

Adds a number of bonding provisions regarding bond requirements for development contracts, action on bonds, bond content, limitations on a surety, a payment bond form and other details and regulations regarding bonds.

Provides that Onslow County can determine its programming needs for human services functions and directs the county to advertise for interested parties to submit qualifications for possible selection as the private developer. Makes additional technical and clarifying changes.

Intro. by Brown.[Onslow](#)[View summary](#)

S 283 (2013-2014) [TRYON CHARTER AMENDMENTS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF TRYON.*

Amends the Tryon Town Charter as follows.

Provides that the town manager is not responsible for the supervision and administration of the town clerk. Requires the board of commissioners to appoint the clerk and allows granting the town manager the authority to direct and supervise the clerk to the extent and in the manner the board deems appropriate.

Requires that the independent audit of the town's books and accounts be made as provided in GS 159-34 (*Annual independent audit rules and regulations*) by a certified public accountant or a qualified public accountant certified (was, registered) under GS Chapter 93.

Provides that the town's planning and adjustment board is made up of seven members and two alternates, with the board of commissioners appointing four members and one alternate who are town residents and three members and one alternate who are residents of the area outside of and within one mile of the town's corporate limits (previously provided for the appointment of five members each to the town planning board and to the town zoning board of adjustment). Requires a concurring vote of 80% of the planning and adjustment board in order to reverse any order, requirement, decision, or determination of any administrative official concerning the territory outside and within one mile of the town's corporate limits.

Makes language gender neutral throughout.

Intro. by Hise.[Polk](#)[View summary](#)

S 288 (2013-2014) [WAKE COMM VACANCY & ABERDEEN ZONING \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT CONCERNING FILLING OF VACANCIES ON THE BOARD OF COMMISSIONERS OF WAKE COUNTY AND ESTABLISHING A DOMESTIC VIOLENCE FATALITY PREVENTION AND PROTECTION REVIEW TEAM IN WAKE COUNTY AND TO PERMIT MULTIFAMILY DEVELOPMENT ON CERTAIN PARCELS IN THE TOWN OF ABERDEEN.*

Enacts new GS 153A-27.2 to provide that vacancies on the Wake County Board of Commissioners are to be filled by the remaining members of the board. If the vacating member was elected from a political party, the board must consult with the county executive committee of that party before filling the vacancy. The board will then vote on the nomination within 30 days of its submission. If the nominee is not approved, the board must request another name from the county executive committee. The vote on the second name must also come within 30 days of its submission. If that nominee fails to get approved, the board can appoint any eligible person. If the board is unable to fill the vacancy within 30 days of the failed second nominee, and the vacating member was elected from a political party, then a special primary election will be held.

If the vacancy occurs later than 90 days before the general election held after the first two years of the term, the appointment to fill the vacancy is for the remainder of the unexpired term. Otherwise, the term of the person appointed to fill the vacancy extends to the first Monday in December next following the first general election held more than 90 days after the day the vacancy occurs; at that general election, a person will be elected to the seat vacated for the remainder of the unexpired term.

To be eligible to be appointed to fill a vacancy, a person must be a member of the same political party as the vacating member if the member was elected as a party nominee and be a resident of the same district as the vacating member, if the county is divided into electoral districts.

Special primary election will be conducted in accordance with GS Chapter 163, Article 10. The county board of elections can, with the approval of the State Board of Elections, set deadlines for filing notices for candidates and for absentee voting. The

date of the special election will be set by the board of commissioners but governed by GS 163-287.

Provides further details of special election procedures and cases when a special election should not be held. Provides procedure for allowing the clerk of superior court of the county to fill vacancies if a quorum of the board cannot be obtained.

Intro. by Barringer, Hunt.

[Wake, GS 153A](#)

[View summary](#)

S 289 (2013-2014) [17TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 17TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Barringer.

[Wake](#)

[View summary](#)

S 290 (2013-2014) [WAYNESVILLE ANNEXATION](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WAYNESVILLE.*

As title indicates. Describes the territory to be annexed by metes and bounds. Effective August 31, 2013.

Intro. by J. Davis.

[Haywood](#)

[View summary](#)

S 296 (2013-2014) [WINSTON-SALEM/SEISMIC CODES](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SEISMIC UPGRADE REQUIREMENTS A TEMPORARY OCCUPANCY BY AN EMERGENCY OPERATIONS CENTER TO ALLOW SIMILAR UPGRADES TO BE PERFORMED ON THE BUILDING PERMANENTLY HOUSING THE CENTER.*

Provides that in Forsyth County only, requirements for seismic upgrades to Occupancy Category IV do not apply to structures occupied by an emergency preparedness communications and operations center for less than five years while the structure ordinarily occupied by the center is undergoing seismic upgrades to Occupancy Category IV. Expires June 30, 2018.

Intro. by Parmon, Brunstetter.

[Forsyth](#)

[View summary](#)

S 297 (2013-2014) [WINSTON-SALEM/LOCAL DEVELOPMENT](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE CITY OF WINSTON-SALEM MAY UNDERTAKE CERTAIN ECONOMIC DEVELOPMENT ACTIVITIES WITHOUT COMPLYING WITH THE STATE'S CONTRACT LAWS.*

Amends GS 158-7.1 to allow Winston-Salem to undertake any of the seven economic development activities listed in (b) without complying with the public contracts provisions in Article 8 of GS Chapter 143 if the activity takes place in an economically distressed area and the funds provided by the city do not exceed 50% of the total cost. Defines economically

distressed area as an area in which, according to the most recent available data from the US Bureau of Census, 40% or more of the residents have an annual income that is at or below the poverty level. Expires July 1, 2018.

Intro. by Parmon, Brunstetter.

[Forsyth](#)

[View summary](#)

[Community and Economic Development](#)

S 299 (2013-2014) [CHARLOTTE CHARTER/CIVIL SERVICE BOARD](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO INCREASE THE MEMBERSHIP OF THE CIVIL SERVICE BOARD FROM SEVEN TO NINE MEMBERS.*

Amends the Charlotte Charter as title indicates, with the two additional members appointed by the city council. Increases the number of members needed for a quorum to five.

Intro. by Graham.

[Mecklenburg](#)

[View summary](#)

S 300 (2013-2014) [40TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 40TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Graham.

[Mecklenburg](#)

[View summary](#)

S 302 (2013-2014) [DV FATALITY REVIEW TEAM/MECKLENBURG CO](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT CONCERNING MEMBERSHIP ON THE DOMESTIC VIOLENCE REVIEW TEAM IN MECKLENBURG COUNTY.*

Amends the membership of the Mecklenburg County Domestic Violence Fatality Prevention and Protection Review Team (Review Team) in SL 2009-52 as follows. Amends several positions to now include the director or head of the specified entity instead of just a member of the entity (for example, the Medical Examiner or designated person instead of a representative from the local medical examiner's office). Modifies membership to include the following members: (1) a local law enforcement officer appointed by the Chief of the Charlotte-Mecklenburg Police Department (was, local law enforcement personnel); (2) district court judge who presides over domestic violence cases designated by the chief district court judge (was, a representative from the health care system); (3) a magistrate designated by the chief district court judge (was, a local medic or emergency services personnel); (4) representative of a higher education institution appointed by the county board of commissioners (was, a domestic violence survivor). Adds the following: (1) a Sheriff of Mecklenburg County or designated person; (2) a representative from a probation or parole agency appointed by the county board of commissioners; and (3) at the option of the county board of commissioners, no more than two additional representatives with knowledge or experience in preventing domestic violence.

Repeals Section 2 of SL 2009-52, which terminated the Review Team upon the earlier of the filing of its final report, or June 15, 2014.

Amends Section 3 of SL 2009-52 to require that the Review Team make a report by June 15, 2014, and every three years thereafter.

Intro. by Graham.

[Mecklenburg](#)

[View summary](#)

S 303 (2013-2014) [MPO CHANGES](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION SHALL NOT HAVE TO COMPLY WITH SECTION 24.16(A) OF S.L. 2012-142.*

Provides that SL 2012-142, Section 24.16(a) (providing that a Metropolitan Planning Organization must be treated as a board for purposes of GS Chapter 138A, the State Government Ethics Act), does not apply to Mecklenburg and Union counties.

Intro. by Graham.[Mecklenburg, Union](#)[View summary](#)

S 310 (2013-2014) [2ND SENATORIAL DISTRICT LOCAL ACT-1ST](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 2ND SENATORIAL DISTRICT.*

Blank bill.

Intro. by Sanderson.[Carteret, Craven, Pamlico](#)[View summary](#)

S 311 (2013-2014) [APEX/CARY/RALEIGH ROW USAGE IN CBD](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWNS OF APEX AND CARY AND THE CITY OF RALEIGH TO ENACT SIDEWALK DINING ORDINANCES FOR USE OF STATE-OWNED RIGHT-OF-WAY.*

As title indicates.

Allows the Department of Transportation (Department) to enter into agreements with Apex and Cary and with the City of Raleigh to allow the use of state rights-of-way for sidewalk dining activities with the following requirements and conditions: (1) Tables, chairs, and furnishings are placed a minimum of six feet from travel lanes. (2) Tables, chairs, and furnishings are placed so that they leave at least five feet of unobstructed paved space of sidewalk and otherwise comply with the Americans with Disabilities Act (ADA). (3) Tables, chairs, and furnishings do not block driveways, alleyways, entrances or exits, fire hydrants or standpipes, utility accesses, ventilation areas, or ramps needed for the ADA. (4) Maximum posted speed of the roadway adjacent to the area used for sidewalk dining activities cannot exceed 45 mph. (5) Restaurant operator will provide evidence of adequate liability insurance. (6) Restaurant operator will provide an indemnity agreement and hold the Department or local government harmless. (7) Restaurant operator will provide copies of all required permits and licenses. (8) Restaurant operator will cease part or all sidewalk dining activities during times of construction, maintenance, or repair.

The Department or local governments can impose additional requirements on a case-by-case basis.

Amends GS 136-18(9), making clarifying, conforming, and technical changes to provide for the implementation and allowance of sidewalk dining activities.

This act does not preempt or override local ordinances currently in place.

Applies to the towns of Apex and Cary and to the City of Raleigh only.

Intro. by Stein, Blue, Barringer.[Wake](#)[View summary](#)[Local Government](#)

S 312 (2013-2014) [REFERENDUM ON INCORPORATING LAKE JAMES](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING A REFERENDUM ON WHETHER TO INCORPORATE THE VILLAGE OF LAKE JAMES.*

Subject to the approval of the qualified voters at an election held on November 5, 2013, incorporates the Village of Lake James, describing the area to be incorporated by metes and bounds. The village is to be governed by a five-member village council and a mayor. Requires that an election for the initial Village council be held at the same time as the election on incorporation. Provides for taxes, budget ordinances, and other ordinances. Includes special provisions regarding extraterritorial jurisdiction, annexation, zoning, public access to Lake James, Federal Energy Regulatory Commission relicensing, greenways and other public areas, alcoholic beverages, and eminent domain.

Intro. by Daniel.

[Burke](#)

[View summary](#)

S 314 (2013-2014) [DURHAM COUNTY WATER/WASTEWATER PLANT PROJECTS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COUNTY OF DURHAM TO CONSTRUCT WATER TREATMENT PLANT AND WASTEWATER TREATMENT PLANT PROJECTS WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.*

Authorizes the County of Durham to contract for the design, construction, and operation of water treatment and wastewater treatment plant projects without being subject to the requirements of GS 143-128, 143-129, 143-131, 143-132, 143-64.31, and 143-64.32. If authorized by the Durham Board of Commissioners, the use of single-prime contractor method of design and construction, the design-build or design-build operate method of construction, or request for proposals and negotiation is allowed.

The County of Durham must obtain proposals from and interview at least three design-build teams, or design-build operate teams, that have submitted proposals for a water treatment plant or wastewater treatment project. If three proposals are not received and the project has been publicly advertised for a minimum of 30 days, the County can proceed with the proposals received. The Board of Commissioners must award the contract to the best qualified contractor, taking into consideration several factors as well as any that the County determines as having a material bearing on the proposal/project.

Intro. by McKissick, Woodard.

[Durham](#)

[View summary](#)

[Public Enterprises and Utilities](#)

S 315 (2013-2014) [MUNICIPAL SERVICES \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A PROPERLY SUBMITTED VOLUNTARY ANNEXATION PETITION IS DEFEATED BY VOTE OF THE MUNICIPAL GOVERNING BODY THE MUNICIPALITY MUST PROVIDE SOME MUNICIPAL SERVICES UPON PAYMENT OF DEFINED COSTS, TO LEGISLATIVELY ANNEX CERTAIN PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DURHAM THAT WAS PETITIONED FOR ANNEXATION, AMENDING THE CHARTER OF THE CITY OF DURHAM TO ALLOW THE CITY TO DELAY THE EFFECTIVE DATE OF VOLUNTARY ANNEXATIONS, AND TO AUTHORIZE THE CITY OF DURHAM TO USE DESIGN-BUILD DELIVERY METHODS FOR THE DESIGN AND CONSTRUCTION OF A POLICE HEADQUARTERS AND ANNEX FACILITY, TWO POLICE SERVICE CENTERS, AND A 911 FACILITY, AND AUTHORIZING THE COUNTY OF DURHAM TO CONSTRUCT WATER TREATMENT PLANT AND WASTEWATER TREATMENT PLANT PROJECTS WITHOUT COMPLYING WITH SPECIFIED PROVISIONS OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, AND CONCERNING NOTES OR DEEDS OF TRUST TO RESERVE WASTEWATER TREATMENT CAPACITY.*

Amends SL 1975-671, to allow the City of Durham (Durham) to award contracts for the design and construction of a police headquarters and annex facility, two police service centers, and a 911 facility without being subject to GS 133-1, 133-2, 133-3,

or the provisions of Article 3D of GS 143 and Article 8 of GS 143. Authorization is granted to use design-build, design-build-operate, design-build-operate-maintain or any combination of the above.

Durham must obtain proposals from at least three design-build teams for the authorized projects above. If three proposals are not received and the project has been publicly advertised for a minimum of 30 days, Durham can proceed with the proposals received. The evaluation of the proposals is not exempt from the requirements of the City's Equal Business Opportunity Program Ordinance.

The City Council must award the contract to the best qualified design-build team, taking into consideration several factors that it determines as having a material bearing on the proposal.

Includes a severability clause.

Intro. by McKissick, Woodard.

[Durham](#)

[View summary](#)

[Building and Construction](#)

S 317 (2013-2014) [GUILFORD AND STANLY ELECTION SYSTEMS \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE GUILFORD COUNTY BOARD OF EDUCATION FROM ELEVEN TO NINE MEMBERS, TO ESTABLISH REVISED DISTRICTS FOR THE GUILFORD COUNTY BOARD OF EDUCATION, AND TO PROVIDE FOR PARTISAN ELECTIONS FOR THAT BOARD, AND TO DISTRICT THE STANLY COUNTY BOARD OF COMMISSIONERS AND THE STANLY COUNTY BOARD OF EDUCATION.*

As the title indicates. Provides that the names and boundaries of voting tabulation districts as specified in this act are as shown on the 2010 Census Redistricting TIGER/Line Shapefiles (TIGER/Line). Provides that if any voting tabulation district boundary is changed, the change will not alter the boundary of the district which will remain the same as it is depicted in the TIGER/Line boundaries. This act applies only to Guilford County.

Intro. by Wade.

[Guilford](#)

[View summary](#)

[Education](#)

S 318 (2013-2014) [HAYWOOD CO. CAPITAL EXPENDITURES OCCUP. TAX](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HAYWOOD COUNTY TO LEVY A TWO PERCENT ROOM OCCUPANCY TAX.*

Identical to [H 307](#), filed 3/13/13.

Authorizes the Haywood County Board of Commissioners (Commissioners) to levy a room occupancy tax of up to 2% that is in addition to any state or local sales tax. Provides that the tax must be levied, administered, collected, and repealed as provided in GS 153A-155 (*Uniform provisions for room occupancy taxes*). Provides an exemption from this tax for accommodations furnished by nonprofit charitable, educational, or religious organizations in furtherance of their nonprofit purpose. Prohibits Haywood County from levying a tax under this act unless it also levies the tax authorized in Section 10, 10.1, and 10.2 of Part V of SL 1983-908, as amended.

Directs that Haywood County remit the net proceeds (as defined in this act) of the tax to the Haywood County Tourism Development Authority (TDA). Directs the TDA to create a Tourism Product Development Fund (Fund) to provide financial assistance for tourism-related capital projects that benefit patronage of county lodging facilities and to deposit the net proceeds from the room occupancy tax into the Fund on a monthly basis. Provides additional criteria for the use and distribution of the occupancy tax revenue.

Directs the Commissioners to adopt a resolution creating the Haywood County Product Development Committee (Committee), with 11 voting members and 4 ex-officio members, concurrent with its adoption of a resolution levying a room occupancy tax. Provides for the duties and responsibilities of the Committee and declares that the Committee is a public authority under the Local Government Budget and Fiscal Control Act. Also provides specifics regarding the geographic distribution of the 11

voting members on the Committee. Designates the Committee to make recommendations regarding capital projects to the TDA.

Requires that the establishing resolution provide for terms of office, the filling of vacancies, and other duties and operations of the TDA. Directs the TDA to only award funds to projects recommended and approved by the Committee.

Requires the TDA to report on expenditures and receipts to the Commissioners on a quarterly basis and at the close of the fiscal year.

Effective when the act becomes law and expires on July 1, 2023.

Intro. by J. Davis.

[Haywood](#)

[View summary](#)

Tax

S 319 (2013-2014) [20TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE 20TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by McKissick.

[Durham, Granville](#)

[View summary](#)

S 323 (2013-2014) [PITT CO. BD. OF ED.](#) Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE PITT COUNTY BOARD OF EDUCATION FROM TWELVE MEMBERS TO NINE, TO ADD THREE MEMBERS ELECTED FROM COMBINED DISTRICTS, TO PROVIDE FOR FOUR-YEAR TERMS RATHER THAN SIX-YEAR TERMS, AND TO SHORTEN THE TIME BETWEEN THE ELECTION OF MEMBERS OF THE PITT COUNTY BOARD OF EDUCATION AND WHEN THOSE MEMBERS TAKE OFFICE.*

Repeals SL 2011-174, an act reducing the size of the Pitt County Board of Education.

Effective only if approved in a referendum in the 2013 general election and if precleared under the Voting Rights Act of 1965, amends SL 1987-193, (Pitt School Board Elections), providing that beginning in 2014, the Pitt School Board will consist of nine members. Six members are elected from numbered single-member districts and three members elected from lettered single-member districts. Deletes section 2 and 3 from the session law. Provides that initially three members from lettered, single-member districts will be elected in 2014, with the other six members being elected in 2016. Makes technical and conforming changes. Provides that the General Assembly establishes the single-member districts as specified and proceeds to rename the previous six districts, making technical changes and giving each a district number and then creating and naming the three letter districts as follows:

District A - Consists of District 1 and 2

District B - Consists of District 3 and 4

District C - Consists of District 5 and 6

Provides that the person elected in 2014 to fill the vacant seat for District 1 will serve a two year term.

Provides that members elected in 2014 and subsequent years will take office at the first regular meeting of the board in July of the year of election and will serve for four (was, six) year terms. Effective only if approved in a referendum in the 2013 general election.

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

S 324 (2013-2014) [POWELL ACT USES/CASWELL BEACH](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF CASWELL BEACH TO EXPEND POWELL BILL FUNDS TO MAINTAIN COMPONENTS OF THE STATE HIGHWAY SYSTEM WITHIN ITS CORPORATE LIMITS.*

Allows the town of Caswell Beach to expend funds allocated to it under GS 136-41.1 for maintenance, repair, reconstruction, or improvement of streets within the town's corporate limits that form a part of the state highway system. Expires June 30, 2018.

Intro. by Rabon.[Brunswick](#)[View summary](#)

S 325 (2013-2014) [WAKE COUNTY SCHOOL BOARD DISTRICTS](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF THE WAKE COUNTY BOARD OF EDUCATION SHALL BE ELECTED FROM DISTRICTS.*

Amends SL 1975-717, Section 7, as amended, to require the election of nine members of the Wake County Board of Education (Board), beginning in 2014, by the nonpartisan election and runoff election method according to GS 163-293 and GS 163-294.2, except only persons registered to vote in the district are permitted to file notice of candidacy in that district. Requires the election to be held to coincide with the primary election with a runoff election held to coincide with the statutorily set time for a second primary. Requires seven members to be elected from numbered districts for a term of four years, beginning in 2014. Requires that two members be elected from lettered districts to two year terms in 2014, with members elected from the lettered districts serving four year terms starting in 2016.

Amends SL 1975-717, Section 6, as amended, to provide that all terms of office of Board members begin on the Monday in July (was, December), following their election and creates an exception for when a runoff election is required, in which case, the term beginning on the first Monday of the month following the runoff.

Repeals SL 1975-717, Section 5, as amended (establishing voting districts for the purpose of nominating and electing a school board member from each district).

Adds a new section to SL 1975-717 establishing and describing districts 1-7 and A-B. Allows district boundaries to be changed by the Board beginning in 2021 to account for population imbalances after each federal census.

Repeals SL 1975-717, Section 8 (requiring every two years that Board vacancies be filled by nomination and election as the terms of the members expire and that members so elected are to hold office for six year terms).

Prohibits elections from being held in 2013 for the board and provides that the terms of office for Districts 1, 2, 7, and 9 are extended until the first Monday of July 2014. The terms of all other Board members expire on the first Monday of July 2014 and are filled according to the act.

Intro. by Hunt, Barefoot.[Wake](#)[View summary](#)[Education](#)

ACTIONS ON BILLS

PUBLIC BILLS**H 18: YOUTH SKIN CANCER PREVENTION ACT.**

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

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

Ratified

H 40: AMEND HABITUAL DWI.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

H 45: INTERNET ACCESS FOR PUBLIC SCHOOLS.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 57: CHILD NUTRITION PROGRAM SOLVENCY AND SUPPORT.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

H 58: NONPROFIT GRANTS/INCREASE ACCOUNTABILITY.

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

House: Serial Referral To Appropriations Stricken

House: Cal Pursuant Rule 36(b)

H 60: TRANSFER OF INDIAN CULTURAL CENTER PROPERTY.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

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

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

H 77: BOARD OF LAW EXAMINERS/UPDATE EXPENSE LAW.

Signed by Gov. 3/13/2013

Ch. SL 2013-9

H 82: IRC UPDATE.

Signed by Gov. 3/13/2013

Ch. SL 2013-10

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

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

H 125: PUBLIC AGENCY COMPUTER CODE NOT PUBLIC RECORD.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

H 142: PROVIDE ACCESS TO CAMPUS POLICE RECORDS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 156: HONEST LOTTERY ACT.

House: Serial Referral To Education Stricken

H 161: MANDATORY RETIREMENT AGE FOR MAGISTRATES.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

H 180: MECHANICS LIENS/TECHNICAL CORRECTIONS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 223: ELECTRIC MEMBERSHIP CORPS/MEMBER CONTROL.

House: Reptd Fav

House: Re-ref Com On Regulatory Reform

H 271: CONFIRM UTILITIES COMMISSION APPOINTMENT.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

H 276: ZONING/BOARD OF ADJUSTMENT CHANGES.

House: Passed 1st Reading

House: Ref To Com On Government

H 277: BANKING LAWS CLARIFICATIONS/CORRECTIONS.

House: Passed 1st Reading

House: Ref To Com On Banking

H 278: HOAS/VOLUNTARY PRELITIGATION MEDIATION.

House: Passed 1st Reading

House: Ref to the Com on Judiciary Subcommittee A, if favorable, Rules, Calendar, and Operations of the House

H 279: TRANSFER ENVIRONMENTAL PERMITS.

House: Passed 1st Reading

House: Ref to the Com on Environment, if favorable, Regulatory Reform

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

House: Passed 1st Reading

House: Ref To Com On State Personnel

H 281: RECORD OF EXCUSALS FROM JURY DUTY.

House: Passed 1st Reading

House: Ref to the Com on Judiciary, if favorable, Government

H 283: CLARIFY DOT/STATE PORTS RELATIONSHIP.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 284: LOCAL CONTRACTS/LOCAL BIDDER PREFERENCE.

House: Passed 1st Reading

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

H 285: AMEND RESPIRATORY CARE PRACTICE ACT.

House: Passed 1st Reading

House: Ref To Com On Health and Human Services

H 286: HONOR RECOVERY OF BILL OF RIGHTS.

House: Passed 1st Reading

House: Cal Pursuant 32(a)

House: Placed On Cal For 03/18/2013

H 287: INCREASE DROPOUT AGE FROM 16 TO 17.

House: Passed 1st Reading

House: Ref to the Com on Education, if favorable, Judiciary Subcommittee C

H 289: STATE COMPUTER EQUIPMENT/BUY REFURBISHED.

House: Passed 1st Reading

House: Ref To Com On Government

H 293: MORTGAGES/S.A.F.E. ACT.

House: Filed

H 296: OMNIBUS WILDLIFE RESOURCES COMMISSION ACT (NEW).

House: Filed

H 297: MATCHING FUNDS REPEAL.

House: Filed

H 298: AFFORDABLE AND RELIABLE ENERGY ACT.

House: Filed

H 299: LAW ENFORCEMENT OFFICER FAIRNESS ACT.

House: Filed

H 300: CITIES/PUBLIC TRUST RIGHTS.

House: Filed

H 301: CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS.

House: Filed

H 303: HONOR MARINE CORPS & VMFA-312.

House: Filed

H 308: FUNDS/MHDDSA SERVICES/NON-MEDICAID ELIGIBLES.

House: Filed

H 310: HANDGUN PERMIT MODERNIZATION ACT.

House: Filed

H 311: REPEAL LITERACY TEST.

House: Filed

H 312: PRESERVING PRIVACY ACT OF 2013.

House: Filed

H 313: DOT SALES OF UNUSED PROPERTY.

House: Filed

H 315: PLASTICS LABELING REQUIREMENTS.

House: Filed

H 317: IMPROVE ED. FOR CHILDREN WHO ARE DEAF.

House: Filed

S 9: UTILITIES/DESIGN/SURVEY LOCATION SERVICES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 03/19/2013

S 36: APA TECHNICAL/CLARIFYING CHGES.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

S 38: AMEND ENVIRONMENTAL LAWS 2014 (NEW).

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 50: DISCHARGED VETERANS/IDENTITY THEFT PROTECTION.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

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

Pres. To Gov. 03/13/2013

S 117: LILY'S LAW.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 123: CLARIFY SEX OFFENDER RESIDENCE LAW.

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee C

S 187: PM2.5 STUDIES ON HUMANS UNLAWFUL.

Senate: Withdrawn From Com

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

S 223: SEVERANCE & RELOCATION FOR AREA DIRECTORS.

Senate: Reptd Fav

Senate: Re-ref Com On Appropriations/Base Budget

S 256: PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST.

Senate: Passed 1st Reading

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

S 259: LGC OVERSIGHT OF WATER AND SEWER FINANCES.

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 262: HONOR RECOVERY OF BILL OF RIGHTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 263: LIENS/SELF-SERVICE STORAGE FACILITIES.

Senate: Passed 1st Reading

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

S 264: ABATE NUISANCES/DRUG SALES FROM STORES.

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary I

S 266: INCREASE REGIONAL TRANSPORTATION TAX CAP.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 267: RAISE COMPULSORY SCHOOL ATTENDANCE AGE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 270: ELIMINATE TOBACCO DISCOUNT.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 271: MUNICIPAL INCORPORATIONS/STUDY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 273: PERMANENT PLATES FOR HOUSING AUTHORITIES.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 274: BEREAVEMENT LEAVE/STATE AND SCHOOL EMPLOYEES.

Senate: Passed 1st Reading

Senate: RefTo Com On Pensions & Retirement and Aging

S 275: STORMWATER MANAGEMENT FEE USES.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

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

Senate: Passed 1st Reading

Senate: RefTo Com On Health Care

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 279: ESTATES/TRUSTS/GUARDIANSHIP AMENDMENTS.*Senate: Passed 1st Reading**Senate: Ref To Com On Judiciary I***S 280: DCR/HISTORIC SITES/FEEES (NEW).***Senate: Filed***S 281: CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS.***Senate: Filed***S 282: OPERATION COMING HOME SPECIAL PLATE.***Senate: Filed***S 284: OSC/GOV'T DATA ANALYTICS/STATE DATA SHARING (NEW).***Senate: Filed***S 285: DWI CASES/NO ILAC REQUIRED (NEW).***Senate: Filed***S 286: MANDATE USE/CONTROLLED SUB. REPORTING SYSTEM.***Senate: Filed***S 287: NOTICE PUBLICATION--CERTAIN LOCAL GOVS. (NEW).***Senate: Filed***S 291: MATCHING FUNDS REPEAL.***Senate: Filed***S 292: IMMEDIATE LICENSE REVOCATION FOR REFUSAL.***Senate: Filed***S 293: WC/SUBROGATION/EMPLOYER CONSENT.***Senate: Filed***S 294: ALLOW USE OF DOT STORMWATER BMPs (NEW).***Senate: Filed***S 295: PUBLIC AGENCY COMPUTER CODE NOT PUBLIC RECORD.***Senate: Filed***S 298: ONLINE VOTER REGISTRATION.***Senate: Filed***S 301: INCREASE ALLOWED SIZE OF PASSENGER BUSES.***Senate: Filed***S 304: FIRE AND RESCUE PENSION REVISIONS OF 2013.***Senate: Filed***S 305: DMV COMMISSION CONTRACT CHANGES.***Senate: Filed***S 306: CAPITAL PUNISHMENT/AMENDMENTS.***Senate: Filed*

S 307: RESTORE HOLD HARMLESS SALES TAX FUNDS.*Senate: Filed***S 308: AMEND WOMAN'S RIGHT TO KNOW ACT.***Senate: Filed***S 309: HAYWOOD TOWN SQUARE CONVEYANCE.***Senate: Filed***S 313: PARENT'S CONSENT REQUIRED TO QUIT SCHOOL.***Senate: Filed***S 316: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.***Senate: Filed***S 320: IMPROVE ED. FOR CHILDREN WHO ARE DEAF.***Senate: Filed***S 321: INMATE COSTS/CT.APPT./NOTARIES.***Senate: Filed***S 322: AMEND AUTH FOR LOCAL SPECIAL OBLIGATION BONDS.***Senate: Filed***LOCAL BILLS****H 33: CLEVELAND/POLK/RUTHERFORD TRAPPING REPEAL.***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading**Senate: Ordered Enrolled***H 282: LOCAL FLEXIBILITY RE: SCHOOL CALENDAR.***House: Passed 1st Reading**House: Ref to the Com on Commerce and Job Development, if favorable, Education***H 288: SCHOOL CALENDAR FLEXIBILITY/LINCOLN COUNTY.***House: Passed 1st Reading**House: Ref to the Com on Commerce and Job Development, if favorable, Education***H 290: RUTHERFORD AIRPORT AUTHORITY.***House: Passed 1st Reading**House: Ref to the Com on Government, if favorable, Finance***H 294: AUTHORITY TO REMOVE ABANDONED VESSELS.***House: Filed***H 295: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.***House: Filed***H 302: REPEAL KANNAPOLIS ANNEXATION.***House: Filed***H 304: SCHOOL CALENDAR FLEXIBILITY/CERTAIN LEAS.***House: Filed*

H 305: CHAPEL HILL/ECONOMIC DEVELOPMENT PROJECTS.

House: Filed

H 306: WAYNESVILLE ANNEXATION.

House: Filed

H 307: HAYWOOD CO. CAPITAL EXPENDITURES OCCUP. TAX.

House: Filed

H 309: HIGH POINT/MOTOR VEHICLE PRIVILEGE TAX.

House: Filed

H 314: AYDEN CHARTER/TERMS OF OFFICE EXTENDED.

House: Filed

H 316: APEX/CARY/RALEIGH ROW USAGE IN CBD.

House: Filed

S 75: ONSLOW PUBLIC-PRIVATE PARTNERSHIP.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 81: CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW).

Senate: Passed 3rd Reading

Engrossed

S 128: CARRBORO OFFICE OF ALDERMAN.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 257: ALAMANCE/GUILFORD COUNTY BOUNDARY.

Senate: Passed 1st Reading

Senate: RefTo Com On State and Local Government

S 258: ASHEBORO/CHARTER AMENDMENTS.

Senate: Passed 1st Reading

Senate: RefTo Com On State and Local Government

S 265: CHAPEL HILL/ECONOMIC DEVELOPMENT PROJECTS.

Senate: Passed 1st Reading

Senate: RefTo Com On State and Local Government

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

Senate: Passed 1st Reading

Senate: Ref to State and Local Government. If fav, re-ref to Finance

S 269: SALISBURY/DEANNEX ROWAN CTY AIRPORT PROPERTY.

Senate: Passed 1st Reading

Senate: Ref to State and Local Government. If fav, re-ref to Finance

S 272: AYDEN CHARTER/TERMS OF OFFICE EXTENDED.

Senate: Passed 1st Reading

Senate: RefTo Com On State and Local Government

S 276: CHARLOTTE CHARTER/INVESTMENTS.

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

S 283: TRYON CHARTER AMENDMENTS.

Senate: Filed

S 288: WAKE COMM VACANCY & ABERDEEN ZONING (NEW).

Senate: Filed

S 289: 17TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 290: WAYNESVILLE ANNEXATION.

Senate: Filed

S 296: WINSTON-SALEM/SEISMIC CODES.

Senate: Filed

S 297: WINSTON-SALEM/LOCAL DEVELOPMENT.

Senate: Filed

S 299: CHARLOTTE CHARTER/CIVIL SERVICE BOARD.

Senate: Filed

S 300: 40TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 302: DV FATALITY REVIEW TEAM/MECKLENBURG CO.

Senate: Filed

S 303: MPO CHANGES.

Senate: Filed

S 310: 2ND SENATORIAL DISTRICT LOCAL ACT-1ST.

Senate: Filed

S 311: APEX/CARY/RALEIGH ROW USAGE IN CBD.

Senate: Filed

S 312: REFERENDUM ON INCORPORATING LAKE JAMES.

Senate: Filed

S 314: DURHAM COUNTY WATER/WASTEWATER PLANT PROJECTS.

Senate: Filed

S 315: MUNICIPAL SERVICES (NEW).

Senate: Filed

S 317: GUILFORD AND STANLY ELECTION SYSTEMS (NEW).

Senate: Filed

S 318: HAYWOOD CO. CAPITAL EXPENDITURES OCCUP. TAX.

Senate: Filed

S 319: 20TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 323: PITT CO. BD. OF ED.

Senate: Filed

S 324: POWELL ACT USES/CASWELL BEACH.

Senate: Filed

S 325: WAKE COUNTY SCHOOL BOARD DISTRICTS.

Senate: Filed

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