



The Daily Bulletin: 2013-03-26

PUBLIC/HOUSE BILLS

H 17 (2013-2014) [GUN PERMITS/CONFIDENTIALITY \(NEW\)](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONFIDENTIALITY OF INFORMATION REGARDING CONCEALED HANDGUN PERMITS AND PISTOL PURCHASE PERMITS.*

House amendment to the 2nd edition makes the following changes. Amends GS 14-415.17(c) to require that the State Bureau of Investigation also make the list of concealed handgun permit holders and the information collected by the sheriff in processing the permit application available to clerks of courts.

Intro. by Burr, Hager, Hollo, J. Bell.

[GS 14](#)

[View summary](#)

[Criminal Law and Procedure](#)

H 170 (2013-2014) [DEPT. OF INSURANCE/PUBLIC HEALTH SERVICE ACT](#). Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF INSURANCE TO ENFORCE CERTAIN PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT BY REQUIRING INSURANCE COMPANIES TO COMPLY WITH THOSE PROVISIONS WITHIN THIS STATE.*

House committee substitute to the 1st edition makes the following changes. Makes new GS 58-3-300 effective when the act becomes law (was, January 1, 2014). Deletes provision that allowed the Commissioner of Insurance to enforce the requirements of GS 58-3-300 on health insurance issuers before January 1, 2014, for policies that have starting or renewal coverage dates on or after that date.

Intro. by R. Brawley.

[GS 58](#)

[View summary](#)

[Department of Insurance, Health Insurance](#)

H 179 (2013-2014) [JOINT AGENCIES SALES & EXCISE TAX EXEMPTIONS](#). Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN JOINT AGENCIES FROM SALES AND MOTOR FUEL EXCISE TAXES.*

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

Amends GS 105-449.88 by adding a new subdivision, creating a new exemption to the excise tax on motor fuel for motor fuel sold to a joint agency created by interlocal agreement pursuant to GS 160A-462, to provide fire protection, emergency services, or police protection for its use.

Intro. by McElraft.

[GS 105](#)

[View summary](#)

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

H 243 (2013-2014) [LIENS/SELF-SERVICE STORAGE FACILITIES](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING AN OWNER OF A SELF-STORAGE FACILITY WHO HAS A LIEN UPON PERSONAL PROPERTY TO DELIVER*

NOTICE OF THE PUBLIC SALE OF THE PROPERTY TO THE OCCUPANT BY CERTIFIED MAIL OR BY VERIFIED ELECTRONIC MAIL, TO PUBLISH NOTICE IN ANY COMMERCIALY REASONABLE MANNER, AND TO CONDUCT THE SALE THROUGH AN ONLINE, PUBLICLY ACCESSIBLE AUCTION WEB SITE, AND TO INCREASE THE MINIMUM LATE FEES FOR SELF-STORAGE FACILITY RENTAL CONTRACTS.

House amendment to the 2nd edition makes the following changes. Changes the act's effective date to October 1, 2013 (was, when the act becomes law). Specifies that the amendments to GS 66-306 apply only to contracts entered into on or after October 1, 2013.

Intro. by Stevens.

GS 44A, GS 66

[View summary](#)

Business and Commerce

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

House amendment #2 makes the following change to the 2nd edition. Amends GS 115C-29F(g) to provide that for its first three years of operation, the charter school may give enrollment priority to children of the initial members of the charter schools' board of directors, so long as those children are limited to more more than 10% of the school's total enrollment or to 20 students, whichever is greater (removes the requirement that the charter school is not a former public or private school).

Intro. by Hardister, Brandon, Stam, Lambeth.

GS 115C

[View summary](#)

Elementary and Secondary Education

H 425 (2013-2014) [PUBLIC EMP. APPLICANTS/CRIMINAL HISTORIES](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE FAIR ASSESSMENTS OF PERSONS WITH CRIMINAL HISTORIES APPLYING FOR PUBLIC EMPLOYMENT.*

Amends GS Chapter 126 by creating new Article 17 (*Fair Assessment of Persons with Criminal Histories*). Creates new GS 126-100 (*Definitions*), providing the definitions and terms to be used in this Article, including *criminal history*, *hiring authority*, and *public employment*.

Creates new GS 126-101 (*Consideration of applicant criminal history*), providing that a hiring authority cannot inquire into or consider the criminal history of an applicant for public employment, or include such inquiry on an initial employment application form, until a conditional offer of employment has been made to the applicant. These requirements are not applicable where it is required by law to consider criminal records.

Creates new GS 126-102 (*Criteria for disqualification*), providing that, except as required by law, no person can be disqualified from public employment solely or in part because of a prior conviction, unless the conviction is substantially related to the qualifications, functions, and duties of the position after considering seven different factors, including the level and seriousness of the crimes, the date of the crime, and the age of the person at the time of the conviction. Arrests not resulting in conviction may not be the basis for disqualification from public employment.

Creates new GS 126-103 (*Data collection*), providing that the Office of State Personnel will collect certain information and data to ensure implementation and compliance with this article.

Creates new GS 126-104 (*Applicability*), providing that the foregoing provisions apply to all applicants for public employment.

Amends GS 126-5, by adding a new subdivision stating that notwithstanding other provisions of law, Article 17 applies to all applicants for employment with the state of North Carolina or any local political subdivision of the state.

Intro. by Pierce.

GS 126

[View summary](#)**Criminal Justice**

H 426 (2013-2014) **PUBLIC EMP. APPLICANTS/CRIMINAL CONVICTIONS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE OFFICE OF STATE PERSONNEL TO ESTABLISH POLICIES IDENTIFYING THE SPECIFIC OCCUPATIONAL CATEGORIES FOR WHICH A CRIMINAL CONVICTION IS A BAR TO EMPLOYMENT AND TO AUTHORIZE THAT, FOR THOSE CATEGORIES, THE HIRING AUTHORITY MAY REQUIRE DISCLOSURE OF A PRIOR CONVICTION ON INITIAL APPLICATION FOR EMPLOYMENT; AND TO PROVIDE THAT, FOR ALL OTHER OCCUPATIONAL PROCESS, MAKE AN INQUIRY REGARDING A CRIMINAL CONVICTION ON THE CONSIDERATION OF A CONVICTION AFTER THE APPLICANT HAS BEEN SELECTED AS A FINALIST FOR THAT POSITION.*

Requires the Office of State Personnel (OSP) to adopt rules to (1) identify occupational categories for which a criminal conviction is a bar to state employment and give those categories the authority to require disclosure of prior criminal convictions on the initial state employment application and (2) provide that for all other occupational categories, state employment hiring authorities may not ask during the hiring process about a conviction on the initial employment application and may only take the conviction into consideration after selecting the applicant as a finalist for the position. Requires OSP to develop a protocol for state agencies, departments, and institutions to collect and track application and hiring rates of individuals with criminal convictions.

Intro. by Pierce.

UNCODIFIED

[View summary](#)**Criminal Justice, Employment and Retirement, Office of State Human Resources (formerly Office of State Personnel)**

H 428 (2013-2014) **NORTH CAROLINA SCHOOL BUS SAFETY ACT**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PUNISHMENT FOR PASSING A STOPPED SCHOOL BUS IN VIOLATION OF G.S. 20-217 SHALL INCLUDE A FINE IN ALL CIRCUMSTANCES, A REVOCATION OF THE PERSON'S DRIVERS LICENSE IN CERTAIN CIRCUMSTANCES, AND DISQUALIFICATION OF THE PERSON'S COMMERCIAL DRIVING PRIVILEGES IN CERTAIN CIRCUMSTANCES; TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL WITHHOLD THE REGISTRATION RENEWAL OF A PERSON WHO FAILS TO PAY ANY FINE IMPOSED PURSUANT TO G.S. 20-217; AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO USE THE PROCEEDS OF ANY FINES COLLECTED FOR VIOLATIONS OF G.S. 20-217 TO PURCHASE AUTOMATED CAMERA AND VIDEO RECORDING SYSTEMS TO INSTALL ON SCHOOL BUSES.*

Amends GS 20-217 to provide that any person who violates GS 20-217 will be guilty of a Class 1 misdemeanor and will pay a minimum fine of \$500 (previously, no fine was associated with the violation). Provides that any person who willfully violates GS 20-217(a) and strikes any person will be guilty of a Class I felony and will pay a minimum fine of \$2,500 (previously, no fine was associated with the violation). If the striking of the person above results in death of that person, the violator will be guilty of a Class H felony and will pay a new minimum \$5,000 fine.

Creates new GS 20-217(g1), providing that the Division of Motor Vehicles (DMV) will revoke the driver's license for one year for any person convicted of a second misdemeanor under this section in a three-year time period. A two-year revocation will occur for a conviction of a Class I felony and a three-year revocation for a conviction of a Class H felony. The DMV will permanently revoke the driver's license of any person convicted of a second felony under this section at any time as well as any person convicted of a third misdemeanor violation of this section at any time.

For the instance of first felony convictions under this section, the licensee may apply to the sentencing court for a limited driving privilege after 12 months of revocation, provided no other revocation has occurred under a different law or regulation.

For instances of permanent revocation for committing a third misdemeanor under this section, the person may apply for a license after two years. The DMV may issue a new license upon satisfactory proof that the former licensee has not been convicted of a moving violation under this chapter or laws of another state. The DMV can impose any restrictions appropriate, but such restrictions will not exceed two years.

For instances of permanent revocation for committing a second Class I felony violation, the person may apply for a license after three years. The DMV may issue a new license upon satisfactory proof that the former licensee has not been convicted of a moving violation under this chapter or laws of another state. The DMV can impose any restrictions appropriate, but such restrictions will not exceed three years.

Creates new GS 20-217(g2), establishing that the failure of any person to pay a fine imposed pursuant to this section will result in the DMV withholding the registration renewal of a motor vehicle registered in that person's name. The DMV will continue to withhold the registration renewal until it is demonstrated that the fine is paid, that the fine was imposed on the wrong person, or that the failure to pay is not on purpose and a good faith effort to pay the fine is being made.

Amends GS 20-54 (*Authority for refusing registration or certificate of title*), by adding a new subdivision which provides that the DMV will refuse registration or issuance of a certificate or title if it has been notified that the owner of the vehicle has failed to pay a fine imposed pursuant to GS 20-217.

Includes language that states the General Assembly encourages local boards of education to use the proceeds of fines collected for violations of GS 20-217 to buy automated cameras and recording systems for school buses to help detect and prosecute violators of this section.

Effective December 1, 2013, applying to offenses committed on or after that date.

Intro. by Hanes, Lambeth.

GS 20

[View summary](#)

Transportation, Education, Motor Vehicle

H 429 (2013-2014) **NONDISCRIMINATION IN STATE EMPLOYMENT**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE NONDISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS OF THE STATE PERSONNEL ACT.*

Amends GS 126-16 to require all state departments, agencies, and local governments to give equal opportunity for employment and compensation without regard to race, religion, color, creed, national origin, sex, age, sexual orientation, gender identity, or handicapping condition, to all persons otherwise qualified, except as defined. Also adds sexual orientation and gender identity to GS 126-34.1, which lists grounds, including discrimination, for state employees and former state employees to file contested cases in the Office of Administrative Hearings and to GS 126-36, which details an employee's right to appeal an unlawful employment practice. Specifies that the act does not require preferential treatment or special rights be provided based on sexual orientation or gender identity. Effective October 1, 2013, and applies to actions occurring on or after that date.

Intro. by Brandon.

GS 126

[View summary](#)

Employment and Retirement, State Personnel

H 430 (2013-2014) **DOT/REACTIVATE ROW**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT, UPON MOTION FROM THE BOARD OF COUNTY COMMISSIONERS, THE DEPARTMENT OF TRANSPORTATION SHALL EVALUATE CERTAIN RIGHT-OF-WAY HOLDINGS FOR ADDITION TO THE SECONDARY ROAD SYSTEM.*

Amends GS 136-44.10 to provide that upon adoption and notice to the Department of Transportation (DOT) of a resolution by a board of county commissioners that includes findings that (1) an issue of fact exists as to whether a roadway, or portion thereof, that is abandoned or no longer maintained by DOT was dedicated to the DOT in the past and (2) as a result, one or more landowners or the public have been denied the use of the roadway, the DOT must (1) determine whether the roadway is located on a right-of-way accepted by the DOT and (2) add the roadway to the secondary road system if the right-of-way is owned by DOT. Makes conforming changes to the statute's caption.

Intro. by Brody.

GS 136

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

H 431 (2013-2014) **ANSON COUNTY/ECONOMIC DEVELOPMENT FUNDS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE DEPARTMENT OF COMMERCE SHALL ALLOCATE FUNDS DIRECTLY TO ANSON COUNTY FOR ECONOMIC DEVELOPMENT PROJECTS.*

Directs the Department of Commerce (Department) to allocate Anson County's share of the funds appropriated for the 2013-15 biennium from the General Fund to the Department for allocation to the Charlotte Regional Partnership (Partnership), a regional economic development commission, directly to Anson County instead of to the Partnership. Directs Anson County to maintain the allocated funds in a separate account from other county funds and to use the funds only for economic development projects. Effective July 1, 2013.

Intro. by Brody.

Anson, APPROP

[View summary](#)**Community and Economic Development, Department of Commerce**

H 432 (2013-2014) **STATE TEMPS. APPLY LIKE PERM. EMPS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT ALLOWING TEMPORARY STATE EMPLOYEES TO APPLY FOR STATE GOVERNMENT POSITIONS IN THE SAME MANNER AS INCUMBENT PERMANENT STATE EMPLOYEES.*

As title indicates.

Intro. by Malone, Hardister, Collins, Moffitt.

UNCODIFIED

[View summary](#)**Employment and Retirement, State Personnel**

H 433 (2013-2014) **LAND USE SURROUNDING MILITARY INSTALLATIONS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO SUPPORT THE ACTIVITIES OF THE ARMED FORCES AND TO MAINTAIN AND ENHANCE THE MILITARY'S PRESENCE IN NORTH CAROLINA BY REGULATING THE HEIGHT OF BUILDINGS AND STRUCTURES LOCATED IN AREAS THAT SURROUND MILITARY INSTALLATIONS IN THE STATE.*

Identical to [S 389](#), filed 3/20/13.

Enacts new Article 9G (*Military Lands Protection*) in GS Chapter 143. Prohibits cities and counties from authorizing the construction of, and prohibits the construction of, a tall building or structure (as defined, includes those that are more than 200 feet high, with specified exceptions) in any area surrounding a major Department of Defense military installation in the state unless the city or county receives a certification issued by the Building Code Council (Council) or proof of the Council's failure to act within the allowed time period. Also prohibits cities and counties from authorizing utility services to any building or structure constructed in violation of the statute. Exempts wind energy facilities and expansions of those facilities from the certification requirement. Sets out information that must be included in an application for certification, including identification of and notice to installations that are located within five miles of the proposed construction and a written "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration. Requires the Council to deny a certification application if the Council finds (1) construction of the building or structure would interfere with the mission, training, or operations of any major military installation and be detrimental to continued military presence in the state or (2) the Council has not received the applicant's "Determination of No Hazard to Air Navigation." Requires the Council to make a decision on an application within 60 days or before the Council's next scheduled meeting, whichever occurs last. If the Council does not act in this timeframe,

the applicant may treat the failure to act as an approval of the permit. Provides for enforcement and penalties, with the fine cap set at \$5,000. Requires that proceeds of any civil penalties be remitted to the Civil Penalty and Forfeiture Fund.

Effective October, 1, 2013.

Intro. by J. Bell, Stam, McElraft, Whitmire.

GS 143

[View summary](#)

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

H 434 (2013-2014) [TANF FUNDS FOR BOYS AND GIRLS CLUBS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FEDERAL FUNDS UNDER THE TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) BLOCK GRANT FOR BOYS AND GIRLS CLUBS.*

Identical to [S 340](#), filed 3/18/13.

Appropriates \$2.5 million from federal Temporary Assistance to Needy Families Block Grant funds received for the fiscal year ending June 30, 2014, to the Department of Health and Human Services (DHHS) to make grants for approved Boys and Girls Clubs. Requires DHHS to facilitate collaboration between the clubs and Support Our Students, Communities in Schools, and similar programs to submit joint funding applications. Effective July 1, 2013.

Intro. by J. Bell, Hastings, T. Moore, Dollar.

APPROP

[View summary](#)

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

H 435 (2013-2014) [SCHOOL PERFORMANCE GRADES](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CALCULATION OF SCHOOL PERFORMANCE SCORES AND GRADES BY THE STATE BOARD OF EDUCATION.*

Repeals Section 7A.3(e) of SL 2012-142, which added a new subsection to GS 115C-238.29F to require a charter school to insure that there is wide public distribution of its report card issued by the State Board of Education (SBE) and to notify the parent or guardian of all students if the charter school receives a grade of D or F.

Enacts new GS 115C-83.11 to provide criteria to be used by the SBE in calculating school performance scores, grades, and indicators of student growth as required by GS 115C-12(9)c1. Specifies the data to be used in calculating the performance grade for schools serving students in any combination of grades three through eight, and specifies the five indicators to be averaged in calculating the performance grade for schools serving students in any combination of grades nine through twelve. Provides for an increase of the final letter grade for the school by one value for a school that meets or exceeds growth as determined by the Education Value-Added Assessment System (EVAAS). Provides additional criteria regarding the impact of specified levels of achievement on the final grade issued to a school for performance. Directs the SBE to proportionally adjust the performance scale to account for the awarding of a performance grade to a school that does not have a measure of one of the school performance elements annually assessed for the grades taught at that school. Requires the SBE to report any adjustments to the calculation and the distribution of the school performance grades to the Joint Legislative Education Oversight Committee annually by January 15. Makes a conforming change to GS 115C-12(9)c1.

Effective when the act becomes law and applies beginning with the 2013-14 school year. Directs the SBE to issue the first annual report cards under new GS 115C-12(9)c1., as amended by this act, no earlier than August 1, 2014.

Intro. by Langdon, Johnson, Holloway, Cotham.

GS 115C

[View summary](#)

[Elementary and Secondary Education](#)

H 436 (2013-2014) [GUBERNATORIAL TEAM TICKET](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY AN AMENDMENT TO THE CONSTITUTION OF NORTH CAROLINA TO HAVE THE GOVERNOR AND LIEUTENANT GOVERNOR RUN AS A TEAM ON THE GENERAL ELECTION BALLOT.*

Amends Section 2 of Article III of the NC Constitution, subject to approval at a statewide election in November 2014, by adding a new subsection that establishes in general elections, starting in 2020 and every four years after that, each candidate for office of Governor will form a joint candidacy with a candidate for Lieutenant Governor so that only a single vote will be needed (Governor and Lieutenant Governor running together). Sets out the amendment as it would appear on the ballot at the November 2014 statewide election. If a majority of votes cast on the question are in favor of the amendment, the State Board of Elections will certify the amendment to the Secretary of State. The Secretary of State will then enroll the amendment in the permanent records of that office and the amendment will be effective January 1, 2020.

Enacts new GS 163-115.1, effective January 1, 2020, providing that a political party that nominates a candidate for Governor under Article 10 of GS Chapter 163 must also nominate a candidate for Lieutenant Governor (Lt. Governor), otherwise the nomination for Governor is void. Also establishes that a political party nominating a candidate for Lt. Governor under Article 10 of GS Chapter 163 must also nominate a candidate for Governor, otherwise the nomination for Lt. Governor is void.

Amends GS 163-98, effective January 1, 2020, requiring that a convention for a new political party that nominates a gubernatorial candidate must also nominate a candidate for Lt. Governor or the nomination for Governor is void. Also provides that a nomination for Lt. Governor without an accompanying nomination for Governor is void.

Amends GS 163-122, effective January 1, 2020, to require that petitions filed for an unaffiliated candidate must include the names of candidates for both Governor and Lt. Governor. Specifies language to be included on the petition.

Amends GS 163-165.6, effective January 1, 2020, to require that the offices of the Governor and Lt. Governor be combined on the ballot listing the nominees of each party or unaffiliated nominees together so that a vote for a candidate for one office is a vote for the candidates for both offices.

Amends GS 163-182.1, effective January 1, 2020, to provide that a write-in vote will not be counted unless the voter has written in the name for a candidate for Governor and a candidate for Lt. Governor and vice versa.

Amends GS 163-123, effective January 1, 2020, adding a new subsection (c1) to provide that declaration of intent filed for the office of Governor or the office of Lt. Governor is to be a joint declaration identifying both candidates and signed by both candidates.

Amends GS 163-106(h), effective January 1, 2020, making technical changes and adding language allowing a person to file a notice of candidacy for Lt. Governor and also file for State Representative or State Senator.

Sections 2 through 8 of the bill become effective only if the constitutional amendment proposed in Section 1 is approved by the voters. If so approved, those sections become effective beginning January 1, 2020.

Intro. by Jones, B. Brown, Lambeth, Malone.

CONST, GS 163

[View summary](#)

Constitution, Executive, Elections

H 437 (2013-2014) [CREATE NC VETERANS FUND & TAX RETURN CHECKOFF](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA VETERANS FUND AND AN INCOME TAX RETURN CHECK BOX FOR DONATIONS TO THE FUND.*

Amends GS Chapter 105 by creating a new section GS 105-159.3 (*Designation of tax to NC Veterans Fund*), providing that the Department of Revenue (Department) must allocate to the NC Veterans Fund \$5 from the income taxes, totaling at least \$5, paid by each individual, if that individual agrees. A taxpayer must be given the opportunity to indicate an agreement or objection to that allocation.

The opportunity to allocate the money must be clear to the individual and it must be clear the tax dollars will support a nonpartisan veterans' support system and that the allocation will not affect tax liability of the taxpayer. Also specifies the language that must be used in presenting the opportunity to allocate money to the Fund.

Entities reproducing the tax returns must comply with the requirements of this section. The actual taxpayer must decide whether to agree to the allocation or object to it. No software package used in preparing NC tax returns can default to an agreement or objection.

Includes explanatory statements that must be used in describing the allocation.

Amends GS Chapter 165 by creating a new section GS 165-44.01 (*North Carolina Veterans Fund*), providing for the creation of the NC Veterans Fund. Defines the term *veteran* for use in this section. Includes the seven purposes of the Fund, including to aid homeless veterans and to fund mental health service programs for veterans.

Establishes a Veterans Fund Advisory Committee, providing that each county can create such a committee which will consist of up to five representatives from veterans' organizations or service organizations in that county. Provides how the Committee will be established and that it will act independently thereafter.

Establishes rules for the disbursement and allocation of moneys from the fund, requiring at least 90% of the funds collected from a county to return to that same county.

Intro. by D. Hall, Whitmire, Hardister, Jeter.

[GS 105](#)

[View summary](#)

[Tax, Military and Veteran's Affairs](#)

H 438 (2013-2014) [DCR/GENERATE REVENUE/VENDOR SERVICES](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO GENERATE REVENUE BY PROVIDING FOOD AND VENDING SERVICES AT MUSEUMS AND HISTORIC SITES.*

Identical to [H 400](#), filed 3/20/13.

Enacts new GS 111-47.2 allowing the Department of Cultural Resources (Department) to operate or contract for the operation of food or vending services at museums and historic sites that the Department operates. Requires that the net proceeds of the revenue generated from such food and vending services be credited to the account of the museum or historic site where the funds were generated for the operation expenses. Provides that the section does not alter any contract for food or vending services at any Department-operated museum or historic site that is in force at the time that the statute becomes law.

Intro. by Waddell, Brody, Torbett.

[GS 111](#)

[View summary](#)

[Department of Natural and Cultural Resources \(formerly Dept. of Cultural Resources\), Cultural Resources and Museums](#)

H 439 (2013-2014) [ECONOMIC DEVELOPMENT JOBSITES PROGRAM](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE AN INFRASTRUCTURE PROPERTY TAX DEFERRAL PROGRAM.*

Amends GS Chapter 105 by creating a new section GS 105-277.15A, (*Taxation of site infrastructure land*), providing for the classification of site infrastructure land, a special class of property under section 2(2) of Article V of the NC Constitution. It must be appraised, assessed, and taxed in accordance with GS 105-277.15A. Provides the requirements that must be met for land to be considered site infrastructure land, including must be at least 100 contiguous acres and zoned for industrial use

and/or office use. Provides how an owner of site infrastructure land can defer a portion of the taxes on that land and when and how the deferred taxes are due. On or before September 1 of each year, the tax collector will notify each owner who has previously received a tax deferral of the accumulated sum of deferred taxes and interest. Owner must notify the county assessor when land classified under this section loses its eligibility or face a penalty. Provides instances when deferred taxes will not be due and when they will remain as a lien on the land. Provides for an application for property tax relief, as well as the procedures, timing, and appeals of such applications. Provides that on August 1 of each year, the Secretary of Revenue will report to the Department of Commerce the number and location of all site infrastructure lands qualified under this section.

Amends GS 105-277.3 by creating a new subsection GS 105-277.3(d3), which provides for a Site Infrastructure Exception in certain circumstances. The exception, when applicable, provides for deferred taxes to become a lien on the land which are then payable in accordance with GS 105-277.15A.

Amends GS 105-277.IF(a), (*Uniform provisions for payment of deferred taxes*), adding GS 105-277.IF(a)(4b) - site infrastructure land to the scope of the statute.

Above provisions are effective for taxes imposed for taxable years beginning on or after July 1, 2013.

Amends GS 143B-437.02(k), (*Monitoring and Reports*), providing that the information in the report required by GS 105-277.15A(g) should also be included with the annual report which is given to the Joint Legislative Commission on Governmental Operations, regarding Site Infrastructure Development Program.

Intro. by Howard, Moffitt, Murry, Tine.

[GS 143B](#)

[View summary](#)

[Community and Economic Development, Tax](#)

H 440 (2013-2014) [NORTH CAROLINA BENEFIT CORPORATION ACT](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA BENEFIT CORPORATION ACT.*

Identical to [S 99](#), filed 2/19/13.

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

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

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

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

as serving as the benefit director.

Limits enforcement of the duties of directors under the Benefit Corporation Act to only in a benefit enforcement proceeding.

Provides guidelines for commencing or maintaining a benefit enforcement proceeding.

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

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

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

Effective October 1, 2013.

Intro. by McGrady, Daughtry, Harrison, Bryan.

[GS 55](#)

[View summary](#)

[Corporation and Partnerships](#)

PUBLIC/SENATE BILLS

S 228 (2013-2014) [HOAs/Lim. Com. Elements/Amend of Declaration \(NEW\)](#). Filed Mar 7 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT A UNIT OWNER IN A CONDOMINIUM AND A LOT OWNER IN A PLANNED COMMUNITY SHALL AFFORD ACCESS THROUGH THE LIMITED COMMON ELEMENT ASSIGNED OR ALLOCATED TO THE OWNER'S UNIT OR LOT TO THE ASSOCIATION AND, WHEN NECESSARY, TO OTHER UNIT OR LOT OWNERS FOR THE PURPOSE OF CONDUCTING MAINTENANCE, REPAIR, OR REPLACEMENT ACTIVITIES AND PROVIDING THAT A UNIT OR LOT OWNER IS LEGALLY RESPONSIBLE FOR DAMAGE TO A LIMITED COMMON ELEMENT CAUSED BY THE UNIT OR LOT OWNER AND CLARIFYING THE LAWS REGARDING THE POWERS AND DUTIES OF A PLANNED COMMUNITY AND AMENDING THE PROCEDURES REGARDING AMENDMENT OF A RECORDED DECLARATION.*

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

Changes short and long title.

Amends GS 47F-1-104 and GS 47F-2-103, to provide clarifying language that the declaration, bylaws, and articles of incorporation form the legal authority for the planned community to act as provided in their declaration, bylaws, and articles of incorporation and are enforceable by their terms.

Amends GS 47F-2-117, providing that any declaration amendment passed pursuant to the provisions of this section is presumed valid and enforceable. Effective October 1, 2013, applying to any amendment of a planned community declaration recorded on or after that date.

Amends GS 47F-1-102, adding references to GS 47F-1-104, GS 47F-2-103, and GS 47F-2-117 to its applicability section.

Intro. by Cook, Rabin.

[GS 47C, GS 47F](#)

[View summary](#)

[Property and Housing](#)

S 334 (2013-2014) [DOROTHEA DIX LEASE](#). Filed Mar 14 2013, *A BILL TO BE ENTITLED AN ACT TO REESTABLISH THE STATUS QUO ANTE WITH REGARD TO THE DOROTHEA DIX PROPERTY IN ORDER TO ALLOW A TRANSACTION THAT REPRESENTS THE STATE'S NECESSITY OF HOUSING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, RALEIGH'S GOAL OF CREATING A WORLD CLASS DESTINATION PARK, THE MENTAL HEALTH COMMUNITY'S NEED FOR APPROPRIATE SERVICES, AND THE PEOPLE OF NORTH CAROLINA'S RIGHT TO A FAIR RETURN ON INVESTMENT.*

Senate Amendment #1 makes the following changes to the 2nd edition.

Deletes provision in Section 3.(a) declaring that Raleigh is released from any obligations under the lease and any funds paid by Raleigh to the state under that lease will be refunded. Instead amends Section 3.(a) to declare that if the City of Raleigh contends it is owed just compensation (was, if the City of Raleigh contests that just compensation has not been provided by the previous subsection (a) of Section 3), it must file a special proceeding in the Superior Court of Wake County for a determination of just compensation within 60 days of the act becoming effective. Provides that this section does not confer standing in and of itself.

Declares that any special proceeding filed under this section must be heard and determined by a three-judge panel of the Superior Court of Wake County and organized as provided in new subsection (c) of Section 3. Provides that the senior resident superior court judge of Wake County is the presiding judge of the required three-judge panel. Provides additional specifications for service of the complaint, the selection of two additional judges for the panel, and filling the vacancy should the senior resident superior court judge of Wake County be unable to serve on the three-judge panel. Prohibits the entering of an order or judgment under this section except by the three-judge panel of the Superior Court of Wake County organized as specified under this section. Provides that if the judges comprising the three-judge panel cannot all agree, then the majority opinion will prevail.

Intro. by Hise, Pate, Tucker.

Wake, UNCODIFIED

[View summary](#)

Civil Law, Department of Administration, Department of Health and Human Services, Mental Health

S 418 (2013-2014) **APPROPRIATIONS ACT OF 2013**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Blank bill.

Intro. by Hunt, Brunstetter, Brown.

APPROP

[View summary](#)

Budget/Appropriations

S 419 (2013-2014) **GOVERNOR'S BUDGET**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, AS RECOMMENDED BY THE GOVERNOR AND INTRODUCED BY THE APPROPRIATIONS COMMITTEE CHAIRS PURSUANT TO G.S. 143C-5-1.*

Blank bill.

Intro. by Brunstetter, Brown, Hunt.

APPROP

[View summary](#)

Budget/Appropriations

S 420 (2013-2014) **UI LAWS ADMINISTRATIVE CHANGES (NEW)**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.*

Amends GS 96-9.2, clarifying that taxable wages, from which contributions to the Unemployment Insurance Fund are calculated, are determined in accordance with GS 96-9.3. Describes how an employer's contribution rate is determined and classified. Provides for the determination of the experience rate and rating as well as how they are calculated. Makes technical

and clarifying changes. Adds language establishing that the standard beginning rate for an employer and its account is 1%. Changes contribution rate to experience rate and makes technical changes.

Deletes language describing "total insured wages." Deletes table demonstrating employer's base rates and their contribution rates. Creates new table establishing UI Trust Fund Balance as Percentage of Insured Wages and applicable contribution rates.

Intro. by Clark.

GS 96

[View summary](#)

Employment and Retirement

S 421 (2013-2014) **EUGENICS COMPENSATION PROGRAM**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE MONETARY COMPENSATION TO PERSONS ASEXUALIZED OR STERILIZED UNDER THE AUTHORITY OF THE EUGENICS BOARD OF NORTH CAROLINA.*

Adds new Part 30, *Eugenics Asexualization and Sterilization Compensation Program*, to Article 9 in GS Chapter 143B, to give a lump sum of \$50,000 in compensation to every qualified recipient. Defines *qualified recipient* as an individual asexualized or sterilized by the Eugenics Board of North Carolina, who was living on March 16, 2012. Allows individuals to submit a claim for compensation on or before December 31, 2015, and authorizes a personal representative to submit a claim for an individual who died on or after March 16, 2012. Sets out the procedure for the NC Industrial Commission to determine whether individuals are qualified recipients and provides the right to appeal; however, decisions favorable to the claimant are final and not subject to appeal by the state. Directs the Industrial Commission to use \$184,000 of funds appropriated to the Eugenics Reserve Fund to administer this provision. Creates the Office of Justice for Sterilization Victims in the Department of Administration (DOA) to assist individuals who may be qualified recipients, and directs DOA to use \$654,000 of the funds appropriated to the Eugenics Reserve Fund to cover expenses.

Makes all records received or submitted under Part 30 confidential. Makes conforming changes to GS 132-1.23, and allows release of minutes or reports from the Eugenics Board if identifying information is redacted. Exempts payments of compensation from income taxation, and specifies that the payments are not considered income or assets for purposes of determining eligibility for public assistance. Makes conforming changes to GS 105-134.6(b) (effective for taxes imposed for taxable years beginning on or after January 1, 2013), and by enacting GS 108A-26.1. Prohibits the extension of any statute of limitations that expired before July 1, 2013, and limits the state's liability to the compensation amount.

Establishes the Eugenics Sterilization Compensation Fund in the Office of the State Treasurer to pay the compensation under Part 30, and appropriates \$5 million for 2013-14 from the General Fund to the Eugenics Reserve Fund. \$4 million of the funds is to be transferred to the Fund with the remaining allocated to (1) the Industrial Commission as mentioned above, (2) the Department of Administration as mentioned above, and (3) \$57,000 transferred to the Department of Cultural Resources for the electronic scanning and indexing of documents, and (4) \$155,000 transferred to the Department of Administration for the creation and maintenance of a database. Effective when the act becomes law, directs the Department of Health and Human Services to submit specified state plan amendments to the Centers for Medicare and Medicaid Services by July 1, 2013, to allow for income disregard of the compensation payments. Directs the Department of Cultural Resources to electronically scan and index records and minutes of the Eugenics Board and requires DOA to create an electronic database of the information. Effective July 1, 2013, unless otherwise indicated. With the exception of the changes to GS 405-134.6(b), new GS 108A-26.1, and the provisions of GS 132-1.23 that concern the protection of confidential and identifying information, the act expires on June 30, 2016.

Intro. by Parmon.

GS 105, GS 108A, GS 132, GS 143B

[View summary](#)

Budget/Appropriations, State Government, Tax, Health and Human Services

S 422 (2013-2014) **RESTORE HOLD HARMLESS REIMBURSEMENT**. Filed Mar 26 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*).

Intro. by Parmon.

GS 105

[View summary](#)

Local Government, Tax

S 423 (2013-2014) **FORSYTH TECH REPURPOSE FUNDS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO FORSYTH TECHNICAL COMMUNITY COLLEGE TO BE USED FOR OPERATING COSTS FOR CERTAIN PROGRAMS OFFERED BY THE COLLEGE.*

Identical to [H 337](#), filed 3/19/13.

Requires that \$3 million of the funds appropriated to Forsyth Technical Community College (College) in 2005-06 for construction of the Center for Emerging Technologies be transferred to the state treasurer to a specified budget code, to be administered by the NC Community Colleges System Office (Office). Requires the Office to allocate up to \$300,000 of the funds each fiscal year to the College, until the funds are expended, for the operating costs of the College's biotechnology, nanotechnology, design, and advanced information technology programs; Small Business Center; and corporate and industrial training programs. Prohibits additional state funds from being made available to the College for those purposes. Effective July 1, 2013.

Intro. by Parmon.

APPROP

[View summary](#)

Budget/Appropriations, Higher Education

S 424 (2013-2014) **UNC SCHOOL OF ARTS/STUDENT FEES**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IN-STATE HIGH SCHOOL STUDENTS ENROLLED AT THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS MAY BE CHARGED FEES TO ASSIST WITH THE EXPENSES OF THE INSTITUTION.*

Identical to [H 336](#), filed 3/19/13.

Enacts new GS 116-68.1 to allow the UNC Board of Governors (BOG) to set a fee to be paid by in-state high school students enrolled at the UNC School of the Arts to assist with the institution's expenses. Allows the Board of Trustees to recommend to the BOG that the fees be set. Allows the UNC School of the Arts to charge and collect the fees. Effective July 1, 2013, and applies to the 2014-15 academic year and each subsequent academic year.

Intro. by Parmon, Brunstetter.

GS 116

[View summary](#)

Education, Higher Education, UNC System

S 425 (2013-2014) **OLYMPIC GAMES SPECIAL PLATE PROCEEDS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE ALLOCATION OF FUNDS FROM THE COLLEGIATE AND CULTURAL ATTRACTION PLATE ACCOUNT THAT ARE DERIVED FROM THE SALE OF OLYMPIC GAMES PLATES.*

Amends GS 20-81.12(b4) to require that the money transferred quarterly from the Collegiate and Cultural Attraction Plate Account for sales of the Olympic Games plate be distributed to North Carolina Amateur Sports (was, to the NC Health and Fitness Foundation, Inc.). Requires that 67% of those funds be allocated to the US Olympic Committee to assist in training athletes and 33% be allocated to NC Amateur Sports to assist with administering the State Games of North Carolina; deletes the allocation to the Governor's Council on Physical Fitness and Health. Effective July 1, 2013.

Intro. by Blue.

GS 20

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

S 426 (2013-2014) **CHANGE DEADLINE/AUDITEE RESPONSE.-AB** Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEADLINE FOR AN AUDITEE'S RESPONSE TO A PERFORMANCE AUDIT.*

Amends GS 147-64.6, providing that auditors of state agencies, on audits of economy and efficiency and programs results, when the results are discussed with the official whose office is the subject of the audit, will include written responses in the final report if received on or before the deadline set by the Auditor (was, within 30 days from receipt of the draft report).

Effective October 1, 2013.

Intro. by J. Davis.

GS 147

[View summary](#)**State Government, State Agencies**

S 427 (2013-2014) **HONOR COMMUNITY COLLEGES' 50TH ANNIVERSARY.** Filed Mar 26 2013, *A SENATE RESOLUTION HONORING THE LEADERSHIP AND FORESIGHT OF THOSE NORTH CAROLINIANS WHO CREATED AND ESTABLISHED THE COMMUNITY COLLEGES AND JOINING NORTH CAROLINA'S FIFTY-EIGHT COMMUNITY COLLEGES AND THE COMMUNITY COLLEGES SYSTEM OFFICE WHILE OBSERVING THE FIFTIETH ANNIVERSARY OF THE NORTH CAROLINA COMMUNITY COLLEGE SYSTEM.*

As title indicates.

Intro. by Tillman, Parmon.

SENATE RES

[View summary](#)**Higher Education, Community Colleges System Office**

S 428 (2013-2014) **VOTING REFORM ACT.** Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REFORM NORTH CAROLINA'S VOTING PROCESS.*

Repeals GS 163-82.6A (*In-person registration and voting at one-stop sites*).

Amends GS 163-59, deleting reference to GS 163-82.6A, allowing a person to register and vote according to that section.

Amends GS 163-82.6(c), deleting a reference to GS 163-82.6A.

Amends GS 163-166.12(b2), GS 163-227.2, GS 163-283, GS 163-283.1, and GS 163-330, deleting language referring to GS 163.82.6A and registration pursuant to it.

Amends GS 163-227.2(b), establishing that no earlier than the second Thursday before an election can a person appear in person to request and file an absentee ballot (was, no earlier than the third Thursday).

Amends GS 163-227.3 and GS 163-258.9(a), providing clarifying language about the timing and provision of absentee ballots in general elections that involve Presidential and Vice Presidential nominees.

Effective January 1, 2014, applying to elections held on or after that date.

Intro. by Tillman.

GS 163

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

S 429 (2013-2014) [LIMIT SUCCESSOR ASBESTOS-RELATED LIABILITY](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO LIMIT ASBESTOS-RELATED LIABILITIES FOR CERTAIN SUCCESSOR CORPORATIONS.*

Identical to [H 415](#), filed 3/21/13.

Amends GS Chapter 99E by adding new Article 5, *Successor Asbestos-Related Liability*.

Adds new GS 99E-40 (*Definitions*), providing the terms and definitions to be used in this Article, including *asbestos claim, corporation, successor, successor asbestos-related liability, transferor*.

Creates new GS 99E-42 (*Limitation on successor asbestos-related liability*), providing that, except as further limited in the statute, the cumulative successor asbestos-related liabilities of a successor corporation are limited to the fair market value of the total gross assets of the transferor, determined at the time of the merger/consolidation. No successor or asbestos-related liabilities are available in excess of this limitation. If a transferor assumes or incurs successor asbestos-related liabilities in connection with a prior merger/consolidation with a prior transferor, the fair market value of the total assets of the prior transferor determined at the time of the earlier merger or consolidation will be substituted for the limitation described above for purposes of determining the limitation of liability of a successor corporation.

Creates new GS 99E-41 (*Applicability*), establishing that the limitations in GS 99E-42 apply to any successor except for (1) certain workers' compensation benefits, (2) claims against a corporation that are not considered a successor asbestos-related liability, (3) any obligation under 29 USC 151 or under any collective bargaining agreement, (4) certain successors that continued in the business of mining asbestos or in named related asbestos businesses.

Creates new GS 99E-43 (*Establishing fair market value of total gross assets*). Allows a successor corporation to establish fair market value of total gross assets for the purpose of limitations under GS 99E-35 through any one of the following methods: (1) by reference to the going concern value of the assets or to the purchase price attributable to or paid for the assets in an arms-length transaction or (2) in the absence of other readily available information from which the fair market value can be determined, by reference to the value of the assets recorded on a balance sheet.

Provides that total gross assets include intangible assets. Sets other conditions to the extent that total gross assets include any liability insurance that was issued to the transferor whose assets are being valued for purposes of this section, no insurance or other obligations will be affected.

Creates new GS 99E-44 (*Adjustment*), providing that the fair market value of total gross assets at the time of the merger/consolidation will increase annually at a rate equal to the sum of (1) the prime rate as listed in the *Wall Street Journal* for each calendar year since the merger/consolidation and (2) one percent.

The above calculation is subject to the following limitations: (1) the rate defined above cannot be compounded, (2) the adjustment of the fair market value of total gross assets will continue as provided above until the adjusted value is first exceeded by the cumulative amounts of successor asbestos-related liabilities paid or committed to be paid, and (3) no adjustment can be applied to any liability insurance that may be included in the definition of total gross assets in GS 99E-43.

Creates new GS 99E-45 (*Scope of Article: application*), providing that the article will be liberally construed with regard to successors and it will apply to all asbestos claims filed against a successor on or after the effective date of this act. Also applies to any pending asbestos claims against a successor in which a trial has not yet commenced as of the effective date.

Effective July 1, 2013.

Intro. by Brown.

GS 99E

[View summary](#)

[Corporation and Partnerships, Civil Law](#)

S 430 (2013-2014) [CLARIFY ELECTRIC LOAD CONTROL PROCESS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM PERMITTING REQUIREMENTS PERSONS INSTALLING ELECTRIC LOAD CONTROL SWITCHES UNDER THE*

LAWS REGULATING ELECTRICAL CONTRACTORS AND TO MAKE CONFORMING CHANGES UNDER THE LAWS PERTAINING TO BUILDING INSPECTION PERMITS FOR COUNTIES AND CITIES.

Amends GS 87-43.1, providing a new exception to the provisions of Article 4 of GS Chapter 87 (*Electrical Contractors*). The provisions of this article do not apply to specified work done by a public utility, electric membership corporation, municipal electric service provider, or business contracted by such entities, as long as the work is subject to oversight from a licensed electrical contractor.

Amends 153A-357(a) and GS 160A-417(a), both sections dealing with the planning and regulation of development for cities/towns and counties, providing that a permit is not required for the installation, maintenance, or replacement of any modification, device, or equipment by a public utility, electric membership, or municipal electric service provider as long as the work is subject to oversight by a licensed electrical contractor. However, the public utility, electric membership corporation, or municipal electric service provider must provide service in accordance with an activity or program approved by the NC Utilities Commission or a similar program undertaken by a municipal electric service provider. This exemption applies to all existing installations.

Intro. by Brown.

[GS 87, GS 153A, GS 160A](#)

[View summary](#)

[Building and Construction, Local Government](#)

S 431 (2013-2014) [CONFIRM COMMISSIONER OF BANKS](#). Filed Mar 26 2013, *A JOINT RESOLUTION TO CONFIRM THE GOVERNOR'S APPOINTMENT OF RAY GRACE TO THE OFFICE OF COMMISSIONER OF BANKS.*

As title indicates.

Intro. by Brown.

[JOINT RES](#)

[View summary](#)

[Banking and Finance](#)

S 432 (2013-2014) [MILITARY APPRECIATION DAY](#). Filed Mar 26 2013, *A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO THE MEN AND WOMEN OF THE UNITED STATES ARMED FORCES.*

As title indicates.

Intro. by Brown.

[SENATE RES](#)

[View summary](#)

[Military and Veteran's Affairs](#)

S 433(2013-2014) [PREVENT PAY FOR WEIGHT EXCEEDING ALLOWANCE](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PREVENT CERTAIN PROPERTY-CARRYING VEHICLES FROM PAYING FOR A DECLARED WEIGHT THAT EXCEEDS THE STATUTORY ALLOWANCE.*

Amends GS 20-88(m), dealing with property-hauling vehicles, to require vehicles weighing more than the gross weight limits in GS 20-118(b)(3) to be registered for the maximum weight allowed for the vehicle configuration.

Intro. by Rabon.

[GS 20](#)

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

S 434 (2013-2014) **IGNITION INTERLOCK REQ'D / ALL DWIS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE ANYONE WHO IS CONVICTED OF DRIVING WHILE IMPAIRED, DRIVING AFTER CONSUMING ALCOHOL BEING LESS THAN TWENTY-ONE YEARS OF AGE, OR ANY OTHER IMPAIRED DRIVING OFFENSE, OR ANY PERSON WHO REFUSES A CHEMICAL ANALYSIS, TO HAVE AN IGNITION INTERLOCK SYSTEM INSTALLED ON EVERY VEHICLE THAT PERSON MAY DRIVE BEFORE THAT PERSON CAN GET A LIMITED DRIVING PRIVILEGE; AND TO PROVIDE FOR THE PAYMENT OF AN ADMINISTRATIVE FEE AND COSTS ASSOCIATED WITH AN IGNITION INTERLOCK SYSTEM AND CREATE AN IGNITION INTERLOCK DEVICE FUND TO ASSIST INDIGENT PERSONS.*

Amends GS 20-16.2(c1) to require the submission of an affidavit when a person has an alcohol concentration of 0.08 or more (was, 0.15 or more) or falls under another provision in existing law. Amends GS 20-16.2(e1) to require all vehicles a person is authorized to drive to be equipped with an approved ignition interlock system prior to issuance of a limited driving privilege. Amends GS 20-17.8 to require ignition interlock systems for all persons convicted of driving with an alcohol concentration of .08 or more (currently, 0.15 or more) or who refused to submit to a chemical analysis and to a person whose license was revoked as the result of a conviction of driving by a person under the age of 21 after consuming alcohol or drugs. Requires proof of installation and provides for revocation of license if system is disabled or removed. Makes conforming changes. Enacts new GS 20-179.5 to require that all of the costs incurred in order to comply with the ignition interlock requirements imposed by the court under Article 3 be paid by the person ordered to have the system installed. Authorizes the Division of Motor Vehicles (DMV) to assess an ignition interlock administrative fee of not less than \$30 and no more than \$60 on any ignition interlock installed by a vendor pursuant to Article 3. Fee is to be collected by the vendor installing the ignition interlock system at the time of installation. Directs the vendor to remit the collected fees to the DMV on a quarterly basis. Provides that 50% of the money collected be used to pay for administrative costs incurred by the DMV and the remaining 50% be deposited in the Ignition Interlock Device Fund. Creates the Ignition Interlock Device Fund in the Department of Transportation to be used to pay the costs of installing and removing ignition interlock devices on vehicles of persons deemed indigent by the court. Requires the person deemed indigent to agree to pay the required costs for monitoring of the system as a condition of assistance from the DMV for installation cost. Effective December 1, 2013.

Intro. by Rabon.

GS 20

[View summary](#)**Transportation, Motor Vehicle**

S 435 (2013-2014) **AMEND DISPENSING OPTICIANS LAWS/FEEES**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND LAWS PERTAINING TO DISPENSING OPTICIANS AND TO RAISE THE CEILING ON FEES AUTHORIZED BY THE NORTH CAROLINA STATE BOARD OF OPTICIANS.*

Amends GS 90-236.1 to provide the dispensing requirements for both contact lenses and spectacles (was, requirements for filling contact lens prescriptions). Requires separate prescriptions for spectacles and contact lenses with the prescriber's specifications and an expiration date on every prescription. Prohibits any person, firm, or corporation licensed under Article 17 (*Dispensing Opticians*) of GS Chapter 90 from filling a spectacle or contact lens prescription after the expiration date on the face of the prescription.

Current law requires that any person, firm, or corporation dispensing contact lenses must inform the recipient of the lenses, orally and in writing that the recipient, at the time of delivery, must return to the prescriber for insertion of the lens and additional instructions regarding insertion and care of the lens. Requires the statement to also inform the recipient that neither the prescriber nor the dispenser (was, the prescriber) is responsible for any damages or injury resulting from the prescribed lens if the recipient does not return to the prescriber after the delivery of the lens as instructed in the statement. Current law provides that this provision does not apply if the prescriber and dispenser are the same person. Requires that the statement be signed by the recipient and a copy retained by the recipient and the dispenser.

Amends GS 90-238 to require that five of the seven members of the North Carolina State Board of Opticians (Board) must be licensed dispensing opticians, each of whom is a resident of this state.

Amends GS 90-240(e) to clarify that the Board will credit an applicant with the applicant's score on any national test successfully completed in the three years immediately preceding the examination application. Amends GS 90-241(a)(4) to provide that the Board will grant a license without examination to an applicant who has engaged in the practice of opticianry and has a license for both spectacles and contact lenses in the other state for the four years immediately preceding the application to the Board.

Amends GS 90-243 to clarify that the Board may adopt rules requiring the registration of places of business where there is ophthalmic dispensing or training and requiring the registration of apprentices and interns training under the direct supervision of a licensed optician, optometrist, or ophthalmologist.

Amends GS 90-244 to require that a license granted under this Article be displayed in a conspicuous and public (was, conspicuous) part of the office where the licensee is engaged as a dispensing optician. Provides that a license can be reinstated without any additional fee (was, penalty) from January 1 through 15 immediately following expiration. Provides for the reinstatement of a license after January 15 by payment of the renewal fee and a processing fee (was, penalty) of \$50. Provides process for placing a license in inactive status and fees for the inactive status. Provides regulations concerning the display of registrations of businesses and of apprentices and interns. Provides that any licensee practicing with an expired or inactive license is subject to disciplinary actions from the Board.

Amends GS 90-245 to authorize the administrator (was, the secretary) of the Board to collect fees prescribed by Article 17.

Amends GS 90-246 to increase the maximum fee that may be charged for certain registration and licensing requirements. Provides that any increase in fees implemented by the rules adopted by the Board cannot be more than 25% of the fee amount set in this section at the time that fee is increased.

Amends GS 90-248 to amend the caption to limit compensation and expenses to Board members (was, to Board members and secretary).

Amends GS 90-249 to declare the authority and powers (was, powers) of the Board. Adds new subdivisions authorizing the Board to (1) order any records concerning the practice of opticianry and relevant to a complaint received by the Board or an inquiry or investigation conducted by the Board or on its behalf and (2) employ or retain legal counsel, clerical or other professional personnel necessary to carry out the provisions of GS Chapter 90. Declares that any type of documents containing information collected and compiled on behalf of the Board in the course of an investigation, inquiry, or interview in connection with certification, licensure, or a disciplinary matter is not a public record as defined in GS Chapter 132. However, does provide that any notice or statement of charges, notice of hearing, or decision given in connection with a hearing is a public record. Provides additional criteria regarding the Board's authority to order production of records and determining which records, papers, and documents are classified as public records.

Amends GS 90-249.1 to provide that the Board may deny any application for registration of a business or trainee for any of the listed reasons including, but not limited to, engaging in fraud and misrepresentation to obtain or renew a license and being convicted of a crime involving fraud or moral turpitude. Allows the Board to assess a civil penalty, in addition to other disciplinary actions, of not more than \$2,000 (was, \$1,000) for a licensee or registrant (was, a licensee) for each violation of any section of Article 17. Also provides that the Board may accept an offer of compromise and only require payment of the civil penalty. Permits the filing of a complaint with the Board regarding the conduct of a licensee or a registrant (was, of a licensee). Provides that the costs of disciplinary actions may be assessed against any licensee, trainee, or business that consents to or is found guilty of a violation under this section.

Amends GS 90-250 to include fashion, cosmetic, or theater contact lenses among the products that are prohibited from being dispensed, ground, or assembled as prescribed by a licensed physician or optometrist except under the supervision of a licensed dispensing optician and in a registered optical office.

Amends GS 90-254 to provide that the general penalty for a violation under Article 17, for which no other penalty has been provided, is to receive punishment as provided in GS 14-3(a)(1) (provides that a misdemeanor for which no specific classification and no specific punishment is prescribed by statute is punishable as a Class 1 misdemeanor).

[View summary](#)**Health Care Facilities and Providers**

S 436 (2013-2014) **CLARIFY LOCAL GOVERNMENT OVERSIGHT**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SCOPE OF THE STATE BUDGET ACT AND THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.*

Amends GS 143C-1-1(b), making clarifying changes, providing that GS 143C-2-1, GS 143C-3-4, and Part 3 of Article 6 of GS Chapter 143C apply to every non-state entity that receives or expends and state funds.

Amends GS 159-7 (b)(10) and (15), clarifying that the terms *public authority, unit, unit of local government, or local government* are municipal corporations that are only subject to the State Budget Act as non-state entities.

Intro. by Hartsell.

GS 143C, GS 159

[View summary](#)**Budget/Appropriations, Local Government, State Government**

S 437 (2013-2014) **STOP HARSHER REINTERPRETATION OF TAX PENALTY**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO ENSURE THAT THE DEPARTMENT OF REVENUE DOES NOT CHANGE ITS LONGSTANDING INTERPRETATION OF THE FAILURE TO FILE PENALTY IN A MANNER THAT WOULD MAKE THE PENALTY HARSHER THAN THE COMPARABLE FEDERAL PENALTY AND WOULD IMPOSE A PENALTY ON A TAXPAYER EVEN WHEN THE TAXPAYER PAID TAX TIMELY AND IS DUE A REFUND.*

Amends GS 105-236(a)(3), providing that in the case of failure to file any return on the due date, the Secretary of Revenue must assess a penalty equal to 5% of the net amount (was, of the amount) of the tax due if the failure is for no more than one month, with additional amounts due for additional months. Effective when the act becomes law.

Further amends GS 105-236(a)(3), as amended above and by Section 2.18(a) of SL 2012-79, making technical and conforming changes. Effective January 1, 2014, the same effective date as Section 2.18(a) of SL 2012-79.

Provides options for the Department of Revenue (Department) in cases where the Department has assessed a failure to file penalty under GS 105-236(a)(3) against a taxpayer based on a calculation that also included taxes that were timely paid.

Intro. by Clodfelter.

GS 105

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

S 438 (2013-2014) **INTERPRETING SERVICES IN THE COURTS**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUAL ACCESS TO COURT SERVICES AND FULLY FUND INTERPRETER NEEDS IN THE COURTS.*

Enacts new GS 7A-314A in Article 28 of GS Chapter 7A, directing that the cost of interpreting or translating services when the party or witness does not speak or understand the English language is payable from funds appropriated to the Judicial Department. Allows the Administrative Office of the Courts (AOC) and the Office of Indigent Defense Services to enter into a memorandum of understanding for payment when the Judicial Department is bearing the costs of representation or a witness for such party. Indicates that the appointment and payment of translators and interpreters under the section will be made according to GS 7A-343(9c). Provides that a party electing to use his or her own translator or interpreter will bear those costs. Indicates that, except in cases in which the Judicial Department bears the costs of representation, the provision will not obligate that the AOC pay for interpreting and translating services in non-court proceedings. Authorizes a court to order a party or witness to bear interpreting or translating services costs when that party or witness required such services and failed to appear, without good cause.

Makes conforming changes to GS 7A-343(9c) and GS 7A-305(d).
Effective July 1, 2013.

Intro. by Clodfelter.

GS 7A

[View summary](#)

[Court System](#)

S 439 (2013-2014) [AMEND & RESTATE NC LIMITED LIABILITY CO. ACT](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND AND RESTATE THE NORTH CAROLINA LIMITED LIABILITY COMPANY ACT AND TO MAKE OTHER CONFORMING CHANGES.*

To be summarized at a later date.

Intro. by Clodfelter, Barringer, Brunstetter.

GS 105, GS 25, GS 55, GS 55A, GS 55D, GS 57C, GS 59, GS 66,
GS 87, GS 89C, GS 89F, GS 117, GS 57D

[View summary](#)

[Corporation and Partnerships](#)

S 440 (2013-2014) [ADDRESS PRIMARY CARE SHORTAGE/STUDY](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE GENERAL ADMINISTRATION OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY WAYS TO INCREASE PRIMARY CARE RESIDENCIES IN UNDERSERVED AREAS OF NORTH CAROLINA.*

As the title indicates. Provides that the study is to include participation by the (1) Charlotte-Mecklenburg Hospital Authority doing business as Carolinas Healthcare System, (2) Duke University and Health System, (3) East Carolina University Brody School of Medicine, (4) Wake Forest University School of Medicine, (5) University of North Carolina at Chapel Hill School of Medicine, (6) the North Carolina Hospital Association, (7) the Old North State Medical Society, and (8) the North Carolina Medical Society.

Provides specifications as to topics to be covered in the study but provides that the topics are not restricted to the listed items. Directs the General Administration of the University of North Carolina to report its findings and any recommended legislation to the Joint Legislative Oversight Committee on Health and Human Services on or before April 1, 2014.

Intro. by Stein.

STUDY

[View summary](#)

[Health, UNC System](#)

S 441 (2013-2014) [STATE HIGHWAY PATROL/RESIDE IN SAME COUNTY](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MEMBER OF THE STATE HIGHWAY PATROL SHALL NOT BE REQUIRED TO RESIDE IN THE COUNTY OF THEIR ASSIGNED DUTY STATION.*

Enacts new GS 20-192.1 to provide that a member of the State Highway Patrol may not be required to reside in the same county as the member's duty station, provided that a member must not reside in a location that would prevent the member from responding to a call for service in a timely manner.

Intro. by Bingham, Goolsby.

GS 20

[View summary](#)

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

S 442 (2013-2014) [OMNIBUS STATE IT GOVERNANCE CHANGES](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE LAWS RELATING TO STATE INFORMATION TECHNOLOGY GOVERNANCE*.

Repeals GS 143-135.9(a)(3), defining *information technology*.

Amends GS 147-33.72C(e) to provide that the State Chief Information Officer (CIO) may require that contracts between a state agency and a private party for information technology projects require a performance bond, monetary penalties, or other performance assurance measures (was, only penalties) for projects that are not completed or performed (was, completed) within the specified timeframe or that involve costs exceeding contract specifications. Allows the state CIO to use cost savings realized on government-vendor partnerships as performance incentives for an information technology project vendor. Amends GS 147-33.91 to remove the provision that the state CIO may work cooperatively with the NC Agency for Public Telecommunications in furthering the purposes of the statute while exercising general telecommunications coordinating authority. Amends GS 147-33.92 to provide that the state CIO must establish broadband (was, switched broadband) telecommunication services and permit specified organizations and entities to share on a not-for-profit basis. Removes other references in the statute to switched broadband. Amends GS 150B-2 to amend the definition of *rule* to also exclude standards adopted by the Office of Information Technology Services applied to information technology as defined in GS 147-33.81. Amends GS 147-33.72B(b)(1) to remove from the term "major project" (as it relates to a biennial state information technology plan) a project that costs more than \$500,000. Amends GS 147-33.72C (*Project approval standards*) to also remove existing references to the \$500,000 project threshold. Requires that the state CIO require that contracts between a state agency and a private party for information technology projects include a performance bond and may also require that the provisions include monetary penalties or other performance assurance measures. Allows the state CIO to utilize cost savings in government-vendor partnerships as performance incentives. Requires that a state agency developing and implementing an information technology project with a total cost of ownership in excess of \$5 million obtain private counsel with the appropriate expertise. Specifies duties of the counsel. Provides that the requirement also applies to information technology programs that are separated into individual projects if the total cost of ownership for the overall program exceeds \$5 million. Amends GS 147-33.72H to require that money be appropriated from the Information Technology Fund to support the operation and administration of the Office of the State Chief Information Officer. Amends GS 147-33.76 to require that the state CIO be appointed by the Governor and confirmed by joint resolution of the General Assembly to serve a five-year term. Also exempts the state CIO from the State Personnel Act and allows the CIO to appoint a chief deputy information officer. Allows the state CIO to appoint employees and provides that they are exempt from the State Personnel Act. Makes a conforming change deleting provisions concerning employees and the Chief Deputy Information Officer from GS 147-33.77. Amends GS 147-33.111 to require the state CIO to also conduct assessments of information system security. Makes conforming changes. Amends GS 147-33.112 to also require assessments of each agency's contracted vendors. Requires that assessments performed on all of the relevant entities include examining security practices, security industry standards, and current expenditures of state funds for information technology security, in addition to existing requirements.

Intro. by Brock.

[GS 143](#), [GS 147](#), [GS 150B](#)

[View summary](#)

[State Government, Office of Information Technology Services](#)

S 443 (2013-2014) [DISPOSITION OF ABANDONED FIREARMS \(NEW\)](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE DISPOSITION OF FIREARMS BY LAW ENFORCEMENT AGENCIES*.

Amends GS 15-11.2 (*Disposition of unclaimed firearms not confiscated or seized as trial evidence*), deleting GS 15-11.2(c), which allowed a person finding a firearm and giving it to law enforcement to then claim the firearm in specified circumstances.

Amends GS 15-11.2(d) to require the head or chief of the law enforcement agency to transfer the unclaimed firearm to the State Bureau of Investigation (SBI), (previously, head or chief could apply to the appropriate district court for disposition of the unclaimed firearm).

Amends GS 15-11.2(e) (*Disposition of Firearm*), requiring the SBI to dispose of the firearm in one of three ways: (1) having the firearm destroyed if it does not have a legible identification number or because it is unsafe for use; (2) by transferring it to a

law enforcement agency applying for the disposition of the firearm for official use or selling it at a public auction to a licensed collector, dealer, importer, or manufacturer, in accordance with laws; or (3) by maintaining the firearm for training or experimental purposes or for use in a museum or historical society.

Provides that if the SBI sells the firearm, the SBI will keep the proceeds of the sale and use them for law enforcement purposes. The SBI will maintain records and inventory of all firearms received from local law enforcement agencies, the disposition of the firearm, and any funds associated with the disposition of firearms.

Effective July 1, 2013, applying to any firearm found or received by local law enforcement agencies on or after that date.

Intro. by Brock.

[GS 15](#)

[View summary](#)

[Criminal Justice, Public Safety and Emergency Management](#)

S 444 (2013-2014) [UNC/CHEROKEE LANGUAGE](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO RECOGNIZE THE CHEROKEE LANGUAGE AS A LANGUAGE FOR WHICH A STUDENT MAY SATISFY A FOREIGN LANGUAGE COURSE REQUIREMENT FOR DEGREE COMPLETION.*

Amends GS 116-11 as the title indicates. Applies to the 2013-14 academic year and each subsequent year.

Intro. by Brock.

[GS 116](#)

[View summary](#)

[Higher Education](#)

S 445 (2013-2014) [ABC PERMIT ISSUANCE](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANY PERSON ISSUED AN ALCOHOLIC BEVERAGE PERMIT BE LAWFULLY PRESENT IN THE UNITED STATES; TO PREVENT THE ABC COMMISSION FROM ISSUING A SPECIAL ONETIME PERMIT TO ANY PERSON LESS THAN TEN BUSINESS DAYS FROM THE PLANNED EVENT; AND TO GIVE NOTICE TO THE ALCOHOL LAW ENFORCEMENT DIVISION OF ALL SPECIAL ONETIME PERMITS ISSUED WITHIN THREE BUSINESS DAYS OF THE PERMIT'S ISSUANCE.*

Amends GS 18B-900(a) to require a person to have a valid Social Security number or be able to produce valid documentation demonstrating legal presence in the United States in order for the person to be eligible to receive and hold an ABC permit. Amends GS 18B-1002 to provide that a special one-time permit must not be issued less than 10 days before a qualifying event. Requires the North Carolina Alcoholic Beverage Control Commission to notify the Alcohol Law Enforcement Division of specified applicant and event information no more than three business days after a one-time permit is issued. Applies to permits issued on or after the date that the act becomes law.

Intro. by Brock.

[GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control](#)

S 446 (2013-2014) [MODIFY INTERNAL AUDITING STATUTES](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE INTERNAL AUDITING STATUTES APPLICABLE TO LARGE STATE DEPARTMENTS AND THE UNIVERSITY SYSTEM.*

Identical to [H 417](#), filed 3/21/13.

Amends GS 143-745 as follows. Amends the definition of agency head to also include the President of the Community College System, the State Controller, and other independent appointed officers with authority over a state agency and removes the Superintendent of Public Instruction. Also amends the definition of *state agency* to include all institutions, boards, commissions, and authorities that are a unit of the state executive branch; makes conforming changes and provides that the term does not include a unit of local government.

Deletes provisions of GS 143-746(c) and instead states that any state employee who performs the internal audit function must meet the minimum qualifications for internal auditors established by the Office of State Personnel. Amends GS 143-746(d), providing that the Director of Internal Auditing (Director) will report to (1) the agency head; (2) the chief deputy or chief administrative assistant; or (3) the agency governing board, if the board exists. States that the Director will be situated to avoid impairing independence. Makes other clarifying changes to GS 143-746.

Makes other clarifying changes to GS 143-147.

Enacts new GS 143-748 providing that internal audit work papers are confidential except as otherwise provided or upon subpoena. Provides that a published internal audit report is public record as long as the information is not confidential under federal or state law or would not compromise security of a state agency. Provides for the retention and inspection of audit reports and reports of other examinations, investigations, surveys, and reviews.

Effective for offenses committed on or after December 1, 2013, enacts new GS 143-749 making it a Class 2 misdemeanor for any state agency officer, employee, or agent to willfully make or cause to be made to an agency internal auditor or designee any false, misleading, or unfounded report in order to interfere with the performance of an audit, special review, or investigation, or to hinder or obstruct the auditor in performing the auditor's duties.

Intro. by Brock.

GS 143

[View summary](#)

Higher Education, State Agencies

S 447 (2013-2014) **ELIGIBILITY REQUIREMENTS/PUBLIC ASSISTANCE**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING APPLICANTS FOR PUBLIC ASSISTANCE TO UNDERGO DRUG TESTING BEFORE THE APPLICANT IS ELIGIBLE FOR PUBLIC ASSISTANCE*.

Enacts new GS 108A-26.1 as the title indicates. Requires the substance abuse screening to be administered by the county department of social services in the county in which the applicant resides, or by the entity designated by the board of county commissioners in the case of residents of electing counties. Requires an applicant who fails the screening to undergo substance abuse treatment. Requires the Social Services Commission to adopt rules establishing requirements and policies for (1) substance abuse screening of applicants, (2) substance abuse treatment, (3) subsequent screening of recipients after becoming eligible for public assistance, and (4) any other relevant requirements or policies.

Intro. by Brock.

GS 108A

[View summary](#)

Public Assistance

S 448 (2013-2014) **OMNIBUS STATE IT GOVERNANCE CHANGES**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT MAKING OMNIBUS CHANGES TO THE LAWS RELATING TO STATE INFORMATION TECHNOLOGY GOVERNANCE*.

Identical to S 442, filed 3/26/13.

Repeals GS 143-135.9(a)(3), defining *information technology*.

Amends GS 147-33.72C(e) to provide that the State Chief Information Officer (CIO) may require that contracts between a state agency and a private party for information technology projects require a performance bond, monetary penalties, or other performance assurance measures (was, only penalties) for projects that are not completed or performed (was, completed) within the specified timeframe or that involve costs exceeding contract specifications. Allows the state CIO to use cost savings realized on government-vendor partnerships as performance incentives for an information technology project vendor. Amends GS 147-33.91 to remove the provision that the state CIO may work cooperatively with the NC Agency for Public Telecommunications in furthering the purposes of the statute while exercising general telecommunications coordinating authority. Amends GS 147-33.92 to provide that the state CIO must establish broadband (was, switched broadband) telecommunication services and permit specified organizations and entities to share on a not-for-profit basis. Removes other references in the statute to switched broadband. Amends GS 150B-2 to amend the definition of Rule to also exclude standards adopted by the Office of Information Technology Services applied to information technology as defined in GS 147-33.81. Amends GS 147-33.72B(b)(1) to remove from the term "major project" (as it relates to a biennial state information technology plan) a project that costs more than \$500,000. Amends GS 147-33.72C (*Project approval standards*) to also remove existing references to the \$500,000 project threshold. Requires that the state CIO require that contracts between a state agency and a private party for information technology projects include a performance bond and may also require that the provisions include monetary penalties or other performance assurance measures. Allows the state CIO to utilize cost savings in government-vendor partnerships as performance incentives. Requires that a state agency developing and implementing an information technology project with a total cost of ownership in excess of \$5 million obtain private counsel with the appropriate expertise. Specifies duties of the counsel. Provides that the requirement also applies to information technology programs that are separated into individual projects, if the total cost of ownership for the overall program exceeds \$5 million. Amends GS 147-33.72H to require that money be appropriated from the Information Technology Fund to support the operation and administration of the Office of the State Chief Information Officer. Amends GS 147-33.76 to require that the state CIO be appointed by the Governor and confirmed by joint resolution of the General Assembly to serve a five-year term. Also exempts the State CIO from the State Personnel Act and allows the CIO to appoint a chief deputy information officer. Allows the state CIO to appoint employees and provides that they are exempt from the State Personnel Act. Makes a conforming change deleting provisions concerning employees and the Chief Deputy Information Officer from GS 147-33.77. Amends GS 147-33.111 to require the state CIO to also conduct assessments of information system security. Makes conforming changes. Amends GS 147-33.112 to also require assessments of each agency's contracted vendors. Requires that assessments performed on all of the relevant entities include examining security practices, security industry standards, and current expenditures of state funds for information technology security, in addition to existing requirements.

Intro. by Brock.

[GS 143, GS 147, GS 150B](#)

[View summary](#)

[State Government, Office of Information Technology Services](#)

S 449 (2013-2014) [VIDEO OF DWI STOPS AND CHEMICAL TESTS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL BREATH-TESTING SITES AND LAW ENFORCEMENT VEHICLES ENGAGED IN TRAFFIC ENFORCEMENT TO BE EQUIPPED WITH A VIDEO RECORDING DEVICE AND TO REQUIRE THE RECORDING OF ALL IMPAIRED DRIVING OFFENSES AT THE INCIDENT SITE AND THE BREATH-TESTING SITE UNLESS SUCH RECORDING IS IMPOSSIBLE, AND TO REQUIRE A FEE BE ASSESSED TO A PERSON CONVICTED OF DRIVING WHILE IMPAIRED TO OFFSET THE COST OF OPERATING THE VIDEO RECORDING SYSTEMS.*

Adds new section GS 20-138.1A to require that persons charged with impaired driving offenses must have their conduct at the incident and breath-testing sites video recorded in a video that meets specified criteria. Provides that the video, which must not be disposed of until a final judgment is rendered, is admissible in a criminal, administrative, or civil proceeding by any party to the action. Further provides that a failure to produce the video recording does not constitute grounds for dismissal of an impaired driving offense if the arresting officer submits a sworn affidavit explaining the failure.

Tasks the Department of Transportation with purchasing, maintaining, and supplying necessary video equipment and tasks the Department of Public Safety with monitoring the equipment to ensure proper maintenance. Provides that the recording requirement is effective for a particular law enforcement vehicle or breath-testing site when that vehicle or site is equipped with a video recording device. Amends GS 7A-304 to require the court to order convicted defendants to pay a cost of \$300 in cases in which the arresting agency utilized a video recording system, unless the cost is waived or reduced by the court.

Effective December 1, 2013, and applies to impaired driving offenses committed on or after that date.

Intro. by Goolsby.[GS 7A, GS 20](#)[View summary](#)**Motor Vehicle**

S 450 (2013-2014) [WC/ADJUST ORGAN INJURY BENEFIT ANNUALLY](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE WORKERS' COMPENSATION ACT TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF THE BENEFIT FOR PERMANENT INJURY TO AN IMPORTANT BODILY ORGAN.*

Current law provides that the Industrial Commission may award up to \$20,000 compensation for the loss of or permanent injury to any important organ or part of the body for which no other compensation is payable under GS 97-31. Amends GS 97-31 to specify that the benefit will be adjusted July 1 and effective January 1 of each year as provided in GS 97-29. Makes conforming changes. Applies to claims arising on or after the date the act becomes law.

Intro. by Goolsby.[GS 97](#)[View summary](#)**Employment and Retirement**

S 451 (2013-2014) [REVISE RESTITUTION DAMAGE AWARDS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE THE MANNER IN WHICH RESTITUTION DAMAGES ARE CALCULATED SO THAT VICTIMS IN PERSONAL INJURY CASES MAY RECEIVE FULL COMPENSATION FOR THEIR DAMAGES.*

Amends GS 15A-1340.34 to provide that for the purposes of Article 81C of GS Chapter 15A, the term *victim* means a person directly and proximately harmed by the defendant's commission of the criminal offense and also applies to a third-party payer, including an insurer that has compensated the victim for any costs or losses described in GS 15A-1340.35. Includes a third-party payer, including an insurer that has compensated the victim or the victim's estate for injuries or damages to the victim, as entitled to restitution from the defendant sentenced for an offense for which the victim is entitled to restitution under Article 46 of GS Chapter 15A (was, required the defendant to make restitution to the victim or the victim's estate only).

Amends GS 15A-1340.35 to provide the court is to consider the pain and suffering of the victim as a result of the offense in determining the amount of restitution. Limits the amount awarded for pain and suffering to \$500,000 for each victim for all offenses occurring contemporaneously.

Effective October 1, 2013, and applies to any order of restitution on or after that date.

Intro. by Goolsby.[GS 15A](#)[View summary](#)**Civil Law**

S 452 (2013-2014) [JURISDICTIONAL AMTS/ARBITRATION/SM CLAIMS CT](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE JURISDICTIONAL AMOUNTS IN THE GENERAL COURT OF JUSTICE, TO MAKE ARBITRATION MANDATORY IN CERTAIN CIVIL CASES, AND TO PROVIDE GUIDANCE TO THE COURT FOR THE ASSESSMENT OF COURT COSTS AND ATTORNEYS' FEES IN SMALL CLAIMS MATTERS WHEN AN ARBITRATOR'S DECISION IN FAVOR OF THE APPELLEE IS AFFIRMED ON APPEAL.*

Amends GS 7A-210 to increase the amount-in-controversy threshold for a small claim action to \$10,000 (was \$5,000).

Amends GS 7A-243 to provide that the district court division is the proper division for civil actions in which the amount in controversy is \$20,000 or less and the superior court division is the proper division for actions in which the amount in controversy exceeds \$20,000 (was, \$10,000).

Amends GS 7A-37.1 to make nonbinding arbitration mandatory in all civil actions where claims do not exceed \$20,000, unless all parties to the action waive arbitration. Adds new subsection GS 7A-37.1(c2) to require a court to consider the fact that an arbitrator's decision in a small claim matter was affirmed by the court on appeal for trial de novo as a significant factor in favor of assessing all court costs and attorneys' fees against the appellant. Effective July 1, 2013, and applies to actions filed on or after that date.

Intro. by Goolsby.

GS 7A

[View summary](#)

[Civil Law, Court System](#)

S 453 (2013-2014) [MODIFY NC HUMAN TRAFFICKING COMM. MEMBERSHIP](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE NORTH CAROLINA HUMAN TRAFFICKING COMMISSION*.

Codifies subsections (a) through (k) of Section 15.3A (establishing the NC Human Trafficking Commission) of SL 2012-142 in new GS 143A-55.10 and makes the following changes. Expands the membership of the NC Human Trafficking Commission (Commission) from 12 to 15 by adding representatives of Legal Aid of NC, Department of Labor, the NC Justice Center, a trauma expert, the NC Coalition Against Human Trafficking, a hospital or health care representative, one of the area sexual assault response teams, a faith-based shelter or benefits organization, the State Bureau of Investigation, the State Highway Patrol, and a district attorney. Modifies who is to make each type of appointment and removes ex officio members. Provides that members serve two-year terms and are allowed to be reappointed. Provides for appointment by the Chair. Requires that office space be provided in Raleigh for the Commission. Requires the Attorney General to allocate funds, from funds available to the Department of Justice, to fund the Commission's work.

Intro. by Kinnaird.

GS 143

[View summary](#)

[Criminal Justice](#)

S 454 (2013-2014) [REGISTRATION OF PETROLEUM DEVICE TECHNICIANS.-AB](#) Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF THE GASOLINE AND OIL INSPECTION BOARD TO REGULATE PETROLEUM DEVICE TECHNICIANS*.

Amends GS 119-33 as the title indicates. Provides that the rules adopted by the Gasoline and Oil Inspection Board may establish (1) qualifications for registration, and (2) grounds for suspending or revoking registration. Sets the annual fee for registration of a petroleum device technician at \$20. Makes additional clarifying changes.

Intro. by Cook, Barefoot, Rabin.

GS 119

[View summary](#)

[Occupational Licensing](#)

S 455 (2013-2014) [INCREASED PENALTY/SEED LAW VIOLATIONS.-AB](#) Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE PENALTIES FOR VIOLATION OF THE SEED LAW*.

Identical to [H 369](#), filed 3/20/13.

Amends GS 106-277.24 to increase the cap on the fine for a violation of the seed law from \$500 to \$10,000. Requires that the court consider the retail value of the seed when determining the fine amount and requires the payment of restitution for losses occurred when the case involves the unlawful sale of a protected seed. Allows the court to order the suspension of a violator's seed license for up to three years. Provides that violators have the ordinary right of appeal from judgments of the district and superior courts. Applies to offenses committed on or after December 1, 2013.

Intro. by Cook, Rabin, Barefoot.

GS 106

[View summary](#)[Agriculture](#)

S 456 (2013-2014) [DESIGNATE PRIMARY STROKE CENTERS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DESIGNATE QUALIFIED HOSPITALS AS PRIMARY STROKE CENTERS, AS RECOMMENDED BY THE JUSTUS-WARREN HEART DISEASE AND STROKE PREVENTION TASK FORCE.*

Enacts new GS 131E-78.5 to prohibit a hospital from advertising or holding itself out as a primary stroke center unless the Department of Health and Human Services (DHHS) has designated it as such. Requires DHHS to designate a hospital as a primary stroke center if DHHS is satisfied that it is certified as a primary stroke center by the Joint Commission or some other nationally recognized accrediting body requiring conformance to best practices for stroke care. Requires hospitals designated as primary stroke centers to coordinate appropriate care with other licensed hospitals through a formal written agreement and includes issues to be addressed in the agreement. Requires DHHS to keep a list of the primary stroke centers, post the list on the DHHS website, and provide the list to emergency medical service providers annually. Allows DHHS to suspend or revoke a designation as a stroke center, and hospitals may contest any adverse actions by DHHS on the primary stroke center designation. Provides that the statute is not to be construed to (1) establish a standard of medical practice for stroke patients or (2) restrict the authority of any hospital to provide services authorized under its hospital license. Effective October 1, 2013.

Intro. by Pate, Bingham, Wade.

GS 131E

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

S 457 (2013-2014) [STATE VETERANS' CEMETERY IN GOLDSBORO/FUNDS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A STATE VETERANS' CEMETERY IN GOLDSBORO.*

Amends GS 65-41 to allow the state to accept land for establishing no more than four (was, three) veterans' cemeteries. Appropriates \$600,000 for 2013-14 from the General Fund to the Division of Veterans Affairs, Department of Administration, to pay for the environmental, architectural, and engineering costs associated with constructing a State Veterans' Cemetery in Goldsboro. Provides that any unspent and unencumbered funds are to revert to the General Fund three years after the act's effective date if any of the following are true: (1) the state has not received federal grant funds in an amount that, when added to state funds, is sufficient to pay for completion of the cemetery; (2) the land in Wayne County sufficient to build the cemetery has not been conveyed to the state; or (3) any of the funds are not required to complete the cemetery. Requires the state to establish, own, operate, maintain, expand, and improve such a cemetery unless conditions (1) or (2) are true. Effective July 1, 2013.

Intro. by Pate, D. Davis.

APPROP, GS 65

[View summary](#)[Budget/Appropriations, Military and Veteran's Affairs](#)

S 458 (2013-2014) [INCREASE SODIUM AWARENESS](#). Filed Mar 26 2013, *A SENATE RESOLUTION CREATING AWARENESS ABOUT THE BENEFITS OF ELIMINATING EXCESSIVE DIETARY SODIUM INTAKE AND RELATED SUPPORTING MEASURES AIMED AT DECREASING THE RATES OF HYPERTENSION, HEART DISEASE, AND STROKE IN NORTH CAROLINA.*

As title indicates.

Intro. by Pate.

SENATE RES

[View summary](#)[Health](#)

S 459 (2013-2014) [HONOR HECTOR MACLEAN](#). Filed Mar 26 2013, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HECTOR MACLEAN, FORMER MEMBER OF THE GENERAL ASSEMBLY.*

As title indicates.

Intro. by Walters.

[JOINT RES](#)

[View summary](#)

[General Assembly](#)

LOCAL/HOUSE BILLS

H 193 (2013-2014) [EXPAND USES FOR MECK CT/CHARLOTTE LOCAL TAXES](#). Filed Feb 28 2013, *A BILL TO BE ENTITLED AN ACT TO EXPAND THE PERMISSIBLE USES OF THE LOCAL MECKLENBURG COUNTY AND CITY OF CHARLOTTE LOCAL TAXES.*

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

Amends Section (2)d of Section 9(a) of Part IV of Chapter 908 of the 1983 Session Laws, expanding the uses of 3% of the gross occupancy tax receipts and the entire proceeds of the prepared food and beverage tax in Mecklenburg County and the City of Charlotte to include paying the costs of acquiring, constructing, financing, renovating, maintaining, and controlling traffic for a "professional sports facility" located in the City of Charlotte. Further describes and defines what a *professional sports facility* is (previously, only referred to places that were used for professional sporting events). Makes technical and clarifying changes. Adds the ability to use funds to acquire and finance amateur sports facilities in the City of Charlotte.

Enacts new section to Chapter 5 of the Charter of the City of Charlotte, providing that the Charlotte Regional Visitors Authority has no power or duties with respect to City owned improvements or equipment in a privately owned professional sports facility.

Intro. by Samuelson, W. Brawley, Carney, Earle.

[Mecklenburg](#)

[View summary](#)

[Tax](#)

H 229 (2013-2014) [HOLDEN BEACH/CANAL DREDGING DISTRICT FEE](#). Filed Mar 5 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWNS OF HOLDEN BEACH AND OCEAN ISLE BEACH TO ACCUMULATE FUNDS IN A CAPITAL RESERVE FUND FOR THE PURPOSE OF CANAL DREDGING AND MAINTENANCE FOR A PERIOD OF TEN YEARS.*

House committee substitute to the 1st edition make the following changes. Adds Ocean Isle to the act. Makes conforming changes to the act's long title.

Intro. by Iler.

[Brunswick](#)

[View summary](#)

H 423 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/KANNAPOLIS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE KANNAPOLIS CITY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Amends GS 115C-84.2(d) (concerning school opening and closing dates) as it applies to the Kannapolis City school administrative unit only, to exempt the Kannapolis City school administrative unit from the statute's limitations on setting

opening and closing dates for public schools.

Applies beginning with the 2013-14 school year.

Intro. by Ford.

Cabarrus, Rowan

[View summary](#)

[Elementary and Secondary Education](#)

H 424 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/CABARRUS COUNTY](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE CABARRUS COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Amends GS 115C-84.2(d) (concerning school opening and closing dates) as it applies to the Cabarrus County school administrative unit only, to exempt the Cabarrus County school administrative unit from the statute's limitations on setting opening and closing dates for public schools.

Applies beginning with the 2013-14 school year.

Intro. by Ford.

Cabarrus

[View summary](#)

[Elementary and Secondary Education](#)

H 427 (2013-2014) [MIDDLESEX/EXTEND MAYOR'S TERM TO FOUR YEARS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE TOWN OF MIDDLESEX TO EXTEND THE TERM OF OFFICE OF THE MAYOR FROM TWO TO FOUR YEARS.*

Amends the Middlesex town charter, SL 1908-21, as amended, as the title indicates.

Intro. by Collins.

Nash

[View summary](#)

[Elections](#)

H 441 (2013-2014) [ROBESON COUNTY DRAINAGE DISTRICT](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF DRAINAGE COMMISSIONERS OF ROBESON COUNTY DRAINAGE DISTRICT NUMBER ONE FROM THREE PERSONS TO FOUR PERSONS AND TO ALLOW TWO OF THEM TO SERVE EACH WATERSHED WITHIN THE DISTRICT.*

Provides that the Board of Drainage Commissioners of Robeson County Drainage District Number One (Board) consists of four members, serving four-year terms. Provides that the terms of the current members expire when the act becomes law and appoints the new commissioners. Provides for the appointment of successors. Allows the Board to assign duties, by resolution, for a particular watershed to the two persons serving that watershed.

Intro. by C. Graham, Goodman.

Robeson

[View summary](#)

ACTIONS ON BILLS**PUBLIC BILLS****H 17: GUN PERMITS/CONFIDENTIALITY (NEW).**

House: Amend Adopted A1
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Engrossed

H 47: HONOR CONWAY'S 100TH ANNIVERSARY.

House: Reptd Fav For Adoption
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 03/27/2013

H 170: DEPT. OF INSURANCE/PUBLIC HEALTH SERVICE ACT.

House: Reptd Fav Com Substitute
House: Serial Referral To Judiciary Subcommittee A Stricken
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 03/27/2013

H 179: JOINT AGENCIES SALES & EXCISE TAX EXEMPTIONS.

House: Reptd Fav Com Substitute
House: Re-ref Com On Government

H 181: PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST.

House: Passed 2nd Reading

H 199: INCREASE JURISDICTIONAL AMOUNT/DISTRICT CT.

House: Passed 2nd Reading
House: Passed 3rd Reading

H 206: HONOR SPONSORS OF PITTMAN-ROBERTSON ACT.

House: Reptd Fav For Adoption
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 03/27/2013

H 243: LIENS/SELF-SERVICE STORAGE FACILITIES.

House: Amend Adopted A1
House: Passed 2nd Reading

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

House: Amend Adopted A2
House: Passed 3rd Reading
House: Ordered Engrossed

H 410: CANCEL TITLE TO MANUFACTURED HOME.

House: Serial Referral To Judiciary Subcommittee A Stricken
House: Serial Referral To Judiciary Subcommittee B Added

H 419: HONOR WOMEN'S HISTORY MONTH.

House: Passed 1st Reading
House: Cal Pursuant 32(a)
House: Placed On Cal For 03/27/2013

H 425: PUBLIC EMP. APPLICANTS/CRIMINAL HISTORIES.*House: Filed***H 426: PUBLIC EMP. APPLICANTS/CRIMINAL CONVICTIONS.***House: Filed***H 428: NORTH CAROLINA SCHOOL BUS SAFETY ACT.***House: Filed***H 429: NONDISCRIMINATION IN STATE EMPLOYMENT.***House: Filed***H 430: DOT/REACTIVATE ROW.***House: Filed***H 431: ANSON COUNTY/ECONOMIC DEVELOPMENT FUNDS.***House: Filed***H 432: STATE TEMPS. APPLY LIKE PERM. EMPS.***House: Filed***H 433: LAND USE SURROUNDING MILITARY INSTALLATIONS.***House: Filed***H 434: TANF FUNDS FOR BOYS AND GIRLS CLUBS.***House: Filed***H 435: SCHOOL PERFORMANCE GRADES.***House: Filed***H 436: GUBERNATORIAL TEAM TICKET.***House: Filed***H 437: CREATE NC VETERANS FUND & TAX RETURN CHECKOFF.***House: Filed***H 438: DCR/GENERATE REVENUE/VENDOR SERVICES.***House: Filed***H 439: ECONOMIC DEVELOPMENT JOBSITES PROGRAM.***House: Filed***H 440: NORTH CAROLINA BENEFIT CORPORATION ACT.***House: Filed***S 8: INCREASE FINE FOR VEHICLE REMOVAL.***House: Rec From Senate***S 11: ESTABLISH ORGAN DONATION MONTH.***House: Postponed To 03/28/2013***S 20: GOOD SAMARITAN LAW/NALOXONE ACCESS.***House: Postponed To 03/27/2013***S 33: USE OF CRIMINAL HISTORY RECORDS BY LIC. BDS.**

House: Postponed To 03/27/2013

S 44: WORKERS COMP COVERAGE/PUBLIC RECORDS.

House: Postponed To 03/27/2013

S 45: INCAPACITY TO PROCEED AMENDMENTS.

Senate: Concurred In H/Com Sub

Senate: Ordered Enrolled

S 71: AMEND IRRIGATION CONTRACTORS LICENSING LAWS.

House: Rec From Senate

S 83: ENCOURAGE VOLUNTEER CARE IN FREE CLINICS.

House: Rec From Senate

S 97: PROPERTY TAX/DEANNEXATION.

House: Postponed To 03/27/2013

S 159: REQUIRE CERTAIN GENERAL REAPPRAISALS.

Senate: Reptd Fav

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

House: Rec From Senate

S 207: MAINTAINING WATER & SEWER FISCAL HEALTH.

House: Rec From Senate

S 209: CITIES/OVERGROWN VEGETATION NOTICE.

Senate: Reptd Fav

S 223: SEVERANCE & RELOCATION FOR AREA DIRECTORS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 228: HOAs/Lim. Com. Elements/Amend of Declaration (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 231: MODIFY DUTIES/ADVISORY COUNCIL ON INDIAN EDUC.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 334: DOROTHEA DIX LEASE.

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Engrossed

S 368: COUNTY/SHERIFF FEE CHANGES/FELONY ESCAPE (NEW).

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 401: SHARE ARREST WARRANT STATUS/PUB. ASSISTANCE.

Senate: Passed 1st Reading

Senate: Ref to Judiciary II. If fav, re-ref to Health Care

S 402: APPROPRIATIONS ACT OF 2013.

Senate: Passed 1st Reading

Senate: RefTo Com On Appropriations/Base Budget

S 403: OMNIBUS ELECTION CLARIFICATIONS (NEW).

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 404: RELIGIOUS STUDY CREDIT.

Senate: Passed 1st Reading

Senate: RefTo Com On Education/Higher Education

S 405: COUNCIL OF STATE MEMBERS/CONCEALED HANDGUNS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 406: REPEAL LAWS DENIED SECTION 5 PRECLEARANCE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 407: ELECTRONIC VEHICLE LIEN/TITLE.

Senate: Passed 1st Reading

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

S 408: LAWFUL CITIZENS SELF PROTECTION ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 409: ASSESS COSTS/RESTRAINING ORDERS (NEW).

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary II

S 410: ENABLING HEROES ACT OF 2013.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 411: ETHICS REQUIREMENTS FOR MPOS/RPOS.

Senate: Passed 1st Reading

Senate: Ref to Transportation. If fav, re-ref to Judiciary I

S 412: WATER INFRASTRUCTURE AUTHORITY/WATER GRANTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Agriculture/Environment/Natural Resources

S 413: INTERCONNECTION OF PUBLIC WATER SYSTEMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Agriculture/Environment/Natural Resources

S 414: CONVERT AIR CARRIER FUEL REFUND TO EXEMPTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 415: DEFINE MIN. QUALIFICAT'NS/LOCAL DSS DIRECTORS.

Senate: Passed 1st Reading

Senate: RefTo Com On Health Care

S 416: PRIVILEGE TAX ON GEOLOGISTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 417: ESTABLISH STATE PUBLIC HEALTH AUTHORITY.

Senate: Passed 1st Reading

Senate: Ref to Health Care. If fav, re-ref to Appropriations/Base Budget

S 418: APPROPRIATIONS ACT OF 2013.

Senate: Filed

S 419: GOVERNOR'S BUDGET.

Senate: Filed

S 420: UI LAWS ADMINISTRATIVE CHANGES (NEW).

Senate: Filed

S 421: EUGENICS COMPENSATION PROGRAM.

Senate: Filed

S 422: RESTORE HOLD HARMLESS REIMBURSEMENT.

Senate: Filed

S 423: FORSYTH TECH REPURPOSE FUNDS.

Senate: Filed

S 424: UNC SCHOOL OF ARTS/STUDENT FEES.

Senate: Filed

S 425: OLYMPIC GAMES SPECIAL PLATE PROCEEDS.

Senate: Filed

S 426: CHANGE DEADLINE/AUDITEE RESPONSE.-AB

Senate: Filed

S 427: HONOR COMMUNITY COLLEGES' 50TH ANNIVERSARY.

Senate: Filed

S 428: VOTING REFORM ACT.

Senate: Filed

S 429: LIMIT SUCCESSOR ASBESTOS-RELATED LIABILITY.

Senate: Filed

S 430: CLARIFY ELECTRIC LOAD CONTROL PROCESS.

Senate: Filed

S 431: CONFIRM COMMISSIONER OF BANKS.

Senate: Filed

S 432: MILITARY APPRECIATION DAY.

Senate: Filed

S 433: PREVENT PAY FOR WEIGHT EXCEEDING ALLOWANCE.*Senate: Filed***S 434: IGNITION INTERLOCK REQ'D / ALL DWIS.***Senate: Filed***S 435: AMEND DISPENSING OPTICIANS LAWS/FEEES.***Senate: Filed***S 436: CLARIFY LOCAL GOVERNMENT OVERSIGHT.***Senate: Filed***S 437: STOP HARSHER REINTERPRETATION OF TAX PENALTY.***Senate: Filed***S 438: INTERPRETING SERVICES IN THE COURTS.***Senate: Filed***S 439: AMEND & RESTATE NC LIMITED LIABILITY CO. ACT.***Senate: Filed***S 440: ADDRESS PRIMARY CARE SHORTAGE/STUDY.***Senate: Filed***S 441: STATE HIGHWAY PATROL/RESIDE IN SAME COUNTY.***Senate: Filed***S 442: OMNIBUS STATE IT GOVERNANCE CHANGES.***Senate: Filed***S 443: DISPOSITION OF ABANDONED FIREARMS (NEW).***Senate: Filed***S 444: UNC/CHEROKEE LANGUAGE.***Senate: Filed***S 445: ABC PERMIT ISSUANCE.***Senate: Filed***S 446: MODIFY INTERNAL AUDITING STATUTES.***Senate: Filed***S 447: ELIGIBILITY REQUIREMENTS/PUBLIC ASSISTANCE.***Senate: Filed***S 448: OMNIBUS STATE IT GOVERNANCE CHANGES.***Senate: Filed***S 449: VIDEO OF DWI STOPS AND CHEMICAL TESTS.***Senate: Filed***S 450: WC/ADJUST ORGAN INJURY BENEFIT ANNUALLY.***Senate: Filed***S 451: REVISE RESTITUTION DAMAGE AWARDS.**

Senate: Filed

S 452: JURISDICTIONAL AMTS/ARBITRATION/SM CLAIMS CT.

Senate: Filed

S 453: MODIFY NC HUMAN TRAFFICKING COMM. MEMBERSHIP.

Senate: Filed

S 454: REGISTRATION OF PETROLEUM DEVICE TECHNICIANS.-AB

Senate: Filed

S 455: INCREASED PENALTY/SEED LAW VIOLATIONS.-AB

Senate: Filed

S 456: DESIGNATE PRIMARY STROKE CENTERS.

Senate: Filed

S 457: STATE VETERANS' CEMETERY IN GOLDSBORO/FUNDS.

Senate: Filed

S 458: INCREASE SODIUM AWARENESS.

Senate: Filed

S 459: HONOR HECTOR MACLEAN.

Senate: Filed

LOCAL BILLS

H 191: GRIFTON/DEANNEXATION.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/27/2013

H 193: EXPAND USES FOR MECK CT/CHARLOTTE LOCAL TAXES.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/27/2013

H 229: HOLDEN BEACH/CANAL DREDGING DISTRICT FEE.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/27/2013

H 418: BUNCOMBE CULTURE & REC. AUTHORITY (NEW).

House: Passed 1st Reading

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

H 420: SCHOOL CALENDAR FLEXIBILITY/ORANGE COUNTY.

House: Passed 1st Reading

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

H 423: SCHOOL CALENDAR FLEXIBILITY/KANNAPOLIS.

House: Filed

H 424: SCHOOL CALENDAR FLEXIBILITY/CABARRUS COUNTY.

House: Filed

H 427: MIDDLESEX/EXTEND MAYOR'S TERM TO FOUR YEARS.

House: Filed

H 441: ROBESON COUNTY DRAINAGE DISTRICT.

House: Filed

S 152: CORRECT TECH. ERROR IN BURGAW OCCUPANCY TAX.

House: Rec From Senate

S 172: JACKSONVILLE OCC. TAX/WRIGHTSVILLE DEANNEX. (NEW).

House: Rec From Senate

House: Rec From Senate

S 177: HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS.

Senate: Passed 3rd Reading

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

Senate: Reptd Fav

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