



The Daily Bulletin: 2013-03-27

PUBLIC/HOUSE BILLS

H 21 (2013-2014) [JOINT SESSION/STATE BD OF ED CONFIRMATION](#). Filed Jan 30 2013, *A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENTS BY THE GOVERNOR OF GREGORY M. ALCORN, WILLIAM W. COBEY, JR., REBECCA H. TAYLOR, A. L. COLLINS, OLIVIA OXENDINE, AND MARCELLA RAMIREZ SAVAGE, AND TO THE STATE BOARD OF EDUCATION.*

House committee substitute to the 1st edition makes the following change. Adds additional appointees to the State Board of Education as amended title indicates.

Intro. by T. Moore.

[JOINT RES](#)

[View summary](#)

[State Board of Education](#)

H 109 (2013-2014) [MOTORCYCLE HELMET LAW/STUDY \(NEW\)](#). Filed Feb 14 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE TO REVIEW THE LAWS OF THIS STATE AND OTHER STATES RELATING TO THE USE OF MOTORCYCLE HELMETS, AND TO CONSIDER WHETHER THE STATE'S MOTOR VEHICLE LAWS SHOULD BE AMENDED TO PROVIDE CERTAIN EXCEPTIONS TO THE REQUIREMENT THAT ALL OPERATORS AND PASSENGERS ON MOTORCYCLES OR MOPEDS WEAR A SAFETY HELMET.*

House Committee Substitute makes the following changes to the 1st edition. Increases the age requirement from 18 years to 21 years. Makes technical change.

Intro. by Torbett.

[GS 20](#)

[View summary](#)

[Transportation](#)

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

House Committee Substitute to the 1st edition makes the following changes. Clarifies within the effective date clause (Section 2) that the act and any history of its passage shall not be construed to effect any litigation pending at the time the act becomes effective.

Intro. by Burr, Starnes, Avila, McElraft.

[GS 58](#)

[View summary](#)

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

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

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

Amends GS 90-648 (*Definitions*), making technical changes to the definition of *respiratory care practitioner*. Creates new GS 90-648(12a), adding the term and definition for *respiratory therapist*.

Amends GS 90-652(5) (*Powers and Duties of the Board*), changing language to state that the Board has authority to investigate those that the "Board has reasonable cause to believe" are engaged in respiratory care, (was, Board believes).

Amends GS 90-653, making technical and organizational changes to the 1st edition. Provides that the Board will state the terms and conditions of use of the license by the licensee.

Amends GS 90-659 (*Suspension, revocation, and refusal to renew a license*), providing that except as provided in subsection (c) of this section, the Board can order a denial, refusal to renew, suspension, or revocation of a license. Deletes language stating that the Board can impose the above restrictions/punishment without a hearing if it receives verified information of noncompliance with the requirements of licensure.

Amends GS 90-659(c), establishing that the Board can deny an initial application for a license as a respiratory therapist without a hearing if the individual fails to submit a complete application. Makes technical changes.

Amends GS 90-661 (*Requirement of license*), deleting GS 90-661(a)(3) and expanding GS 90-661(a)(2), the prohibition on using respiratory care practitioner, therapist, or initials or any likeness, combination, or insignia that might indicate or imply one is a licensed respiratory care practitioner or therapist.

Amends GS 90-664(3) and (4), adding respiratory therapist to the subsection.

Makes technical changes.

Changes effective dates. Sections 2, 4, 7, and 11 (changes concerning respiratory therapists) of the act become effective January 1, 2015. GS 90-659(a), as amended in Section 6 of this act, becomes effective October 1, 2013. GS 90-659(b), (c), (d), and (g), as amended in Section 6 of this act, become effective October 1, 2013, and apply to applications filed, actions commenced, or action by the Board on or after that date. GS 90-659(e) and (f), as amended in Section 6 of this act, are effective when they become law and apply to causes of action arising on or after that date.

Intro. by Tolson, Hollo.

GS 90

[View summary](#)

Health, Health Care Facilities and Providers

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

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

Clarifies that the State Board of Education is to require an IEP team to use the Communication Plan Worksheet for Student Who is Deaf or Hard of Hearing (was, also use the Comprehensive Exceptional Children Accountability System). Amends the documentation requirements to specify that the IEP team consider the language and communication needs of the individual child as the IEP is developed, reviewed, or revised and that the documentation contain data to be used in making the placement decisions for the child.

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

UNCODIFIED

[View summary](#)

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

H 442 (2013-2014) **MUNICIPAL INCORPORATION CHANGES**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE AN ADDITIONAL PETITION BE SUBMITTED TO THE MUNICIPAL INCORPORATIONS SUBCOMMITTEE, TO SET A*

TIME LIMIT ON THE LIFE OF THE PETITIONS SUBMITTED TO THAT SUBCOMMITTEE, AND TO MAKE TECHNICAL CORRECTIONS.

Amends GS 120-163, changing title to *Petitions* (was, *Petition*), providing that now in order to seek the recommendation of the Municipal Incorporations Subcommittee (Subcommittee), a petition signed by each owner of 15% of the parcels of real property in the area proposed to be incorporated, but by not less than 25 persons, must be submitted along with the already required petition which requires 15% of the registered voters, but not less than 25 registered voters. Clarifies that the petition with the registered voters needs to be verified by the county board of elections of the county where the voter is alleged to be registered.

Creates new subsection GS 120-163(b1), providing that the newly required petition with real property owners must be verified by the county tax assessor of the county where the parcel of real property is located. Provides the process for verification by the assessor, also requiring that for a parcel to be counted, which is owned by more than one person, the assessor must check off each person's name for the parcel to be counted. The assessor must return the petition to the person who presented it within 15 working days of receipt.

Makes technical and clarifying changes.

Requires that both verified petitions be presented to the Municipal Incorporations Subcommittee, and that they must be presented together at least 60 days prior to the convening of the next regular session of the General Assembly in order for the Subcommittee to make a recommendation to that session.

Makes technical and clarifying changes.

Provides that the report from the Subcommittee to the General Assembly will be valid for two years.

Amends GS 120-173, changing title to *Modification and life of petition* (was, *Modification of petition*). Provides that petitions submitted under GS 120-163 are valid and modifiable for three years from the date of submission. After that, the petition may not be modified or considered by the Subcommittee.

Effective when the act becomes law and applies to petitions submitted to the Subcommittee on or after September 1, 2013.

Intro. by R. Brown.

[GS 120](#)

[View summary](#)

[Local Government](#)

H 443 (2013-2014) [NC PUBLIC CHARTER SCHOOL BOARD](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA PUBLIC SCHOOL CHARTER BOARD AND MAKE OTHER CHANGES TO CHARTER SCHOOL LAWS.*

Enacts new GS 115C-238.29A1 creating the 11-member North Carolina Public Charter Schools Board (Charter Board), located in the Department of Public Instruction but exercising its powers and duties independently of the State Board of Education and Department of Public Instruction. Includes the State Superintendent of Public Instruction as a secretary and nonvoting member. States the Charter Board's purpose as authorizing and overseeing high-quality public charter schools throughout the state and exercising authority for approving charter applicants (was, final approval by the State Board of Education). Sets out membership qualifications, terms of office, filling of vacancies and meeting times and provides for officers and removal of members. Sets the Office of Charter Schools as the principal administrative unit under the direction of the Charter Board. Establishes the Charter Board's duties, including overseeing the process for accepting and approving applications for charters and overseeing the process for monitoring the operation of charter schools. Gives the State Board of Education veto power over any action adopted by vote of the Charter Board if the State Board's veto is taken within 45 days of the date of the Charter Board's vote to adopt the action.

Current law provides that any person, group of persons, or nonprofit corporation may submit an application to a chartering entity, which may be a (1) local board of education, (2) the board of trustees of a constituent institution of the University of North Carolina, or (3) the State Board of Education. Current law also provides that regardless of which chartering entity receives the application, the State Board of Education (SBOE) has final approval of the charter school. This act amends GS

115C-238.29B to (1) make the Charter Board created in this act the only chartering entity; (2) provide that only a nonprofit corporation may seek to establish a charter school; (3) require that the application for a charter school include the names of the initial (was, proposed initial) members of the board of directors of the nonprofit applicant; (4) delete the SBOE final approval authority and (5) authorize the Charter Board to establish and collect reasonable fees for initial and renewal charter applications in accordance with GS Chapter 150B, Article 2A. Provides that the funds are to be placed in the Charter Application Fund and used by the Charter Board for administration of this Part. Prohibits the refunding of an application fee if the application is rejected or the charter is revoked.

Makes a conforming change, repealing GS 115C-238.29C (*Preliminary approval of applications for charter schools*). Makes multiple conforming changes in GS Chapter 115C to charter school provisions, replacing the State Board of Education as the final authority on charter schools with the Charter Board created in this act.

Amends GS 115C-238.29D to encourage the Charter Board to give preference in reviewing charter applications to applications that demonstrate the ability to provide comprehensive learning experiences to students identified by the applicants as at risk of academic failure. Deletes provision that under current law permits a local board of education in the administrative unit (LEA) where the charter school is located to be heard by the State Board of Education as to any adverse impact the proposed growth of a charter school would have on the LEA's ability to provide a sound basic education to its students.

Amends GS 115C-238.29E to require that at the request of the charter school, a local board of education in the LEA where the charter school will be located must lease any available land or building to the charter school for \$1 per year unless the board demonstrates that such a lease is not economically or practically feasible or the board has inadequate classroom space to meet its enrollment needs. Provides that if the local board leases the facility to a charter school for \$1 per year, the charter school is responsible for maintenance and insurance for the school facility.

Amends GS 115C-238.29F regarding the instructional program for a charter school to clarify that the charter school must comply with Article 9 (*Education of Children with Disabilities*) of GS Chapter 115C and the federal Individuals with Disabilities Education Improvement Act (IDEA), 20 USC § 1400, et. seq., (2004) as amended. Deletes requirements specifying that a certain percentage of teachers at specified grade level ranges hold teacher certificates and that all teachers in core subjects from grades six through twelve be college graduates. Directs each charter school board of directors to adopt a policy on whether and under what circumstances to require a criminal history check for an applicant for employment. Requires that the policy adopted be employed uniformly by the board of directors. Allows for conditional hiring while a criminal history check is completed. Requires a charter school to comply with the reporting requirements of the State Board and to also provide the reports to the Charter Board. Amends admission requirements to require that within one year after beginning operations, the population of the school shall make efforts (was, shall) to reasonably reflect specified racial and ethnic compositions. Also removes limitation on priority shown to siblings to birth siblings. Requires that net assets of the charter school purchased with public funds be deemed the property of the state and that assets must be returned to the General Fund upon the dissolution of a charter school or nonrenewal of a charter.

Amends GS 115C-238.29G to allow the Charter Board to terminate, not renew, or seek applications to assume the charter through a competitive bid process established by the Charter Board (was, may terminate or not renew a charter) on any of the six specified grounds. Authorizes the Charter Board to terminate, not renew, or seek applicants to assume the charter through a competitive bid process if a charter school is inadequate and has had a charter for more than five years. Requires the Charter Board to create rules on the assumption of a charter school by a new entity and provides that public assets would transfer to the new entity.

Amends GS 115C-238.29H to remove the provision requiring the amount to be transferred to the charter school that consists of revenue derived from supplement taxes be transferred only to a charter school located in the tax district for which these taxes are levied and in which the student resides. Also requires that the per pupil share of the local current expense fund be transferred to the charter school within 30 days of receiving the money into the local current expense fund. Requires the local school administrative unit to also provide each charter school to which it is transferring a per pupil share all of the following information: (1) total amount of funds the unit has in each of the specified funds; (2) the student membership used to calculate the per pupil share, and (3) how the per pupil shares were calculated. Requires the court to award attorneys' fees and costs, plus interest, to the prevailing party in an action to enforce the transfer of funds. Also requires the court to order any delinquent funds, costs, fees, and interest to be paid in full within one year. Applies to any final judgment entered after the act becomes effective.

Amends GS 115C-238.29I to require that the report on the effectiveness of charter schools and the effect on public schools to the Joint Legislative Education Oversight Committee be submitted each year by January 1 (was, on January 2, 2002). Deletes the authority to establish a Charter School Advisory Committee.

Repeals GS 115C-238.29J (*Public and private assistance to charter schools*) and GS 115C-238.29K (*Criminal history checks*).

Amends GS 115C-426(c) to provide that other funds (other than the State Public School Fund, the local current expense fund, and the capital outlay fund) may be required to account for trust funds, federal grants restricted as to use, and special programs. Deletes provision allowing other funds to be used for specified purposes and prohibiting construing the appropriation or use of fund balance or interest income by a local school administrative unit as a local current expense appropriation.

Amends GS 115C-448 to prohibit special funds of individual schools from being included as a part of the local current expense fund of a local school administrative unit for determining the per pupil share of the local current expense fund transferred to a charter school.

Repeals SL 2010-31, Section 7.17(b), which allowed any local school administrative unit that (1) did not fully comply with GS 115C-238.29H(b) before the effective date of Section 7.17(b) and (2) is subject to a judgment, court order, or binding settlement agreement arising from that noncompliance, to make payments required thereunder over a period not to exceed three years.

Amends GS 105-278.4 to provide that buildings and the land they occupy and additional land necessary for the use of the buildings are exempted from taxation if the building is wholly and exclusively used for educational purposes by (1) the owner, (2) a nonprofit education institution occupying the building gratuitously, or (3) a charter school even if the school is not the building owner.

Requires that initial appointments to the Charter Board be made by the Governor and the General Assembly by April 1, 2013. Sets out the terms of the initial members.

Intro. by Hager.

[GS 105, GS 115C](#)

[View summary](#)

[Elementary and Secondary Education, Tax](#)

H 444 (2013-2014) [CONFIRM ANDREW T. HEATH TO INDUSTRIAL COMM.](#) Filed Mar 27 2013, *A JOINT RESOLUTION TO CONFIRM THE APPOINTMENT OF ANDREW T. HEATH TO THE NORTH CAROLINA INDUSTRIAL COMMISSION.*

As title indicates.

Intro. by Davis, T. Moore.

[JOINT RES](#)

[View summary](#)

[State Government](#)

H 445 (2013-2014) [NCSU TURTLE RESCUE TEAM SPECIAL PLATE.](#) Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE FOR THE NORTH CAROLINA STATE UNIVERSITY COLLEGE OF VETERINARY MEDICINE TURTLE RESCUE TEAM.*

Amends GS 20-79.4(b) as title indicates. Plate issuance is contingent on the receipt of at least 300 plate applications. Establishes a special plate fee of \$30 and requires that \$20 of that amount be transferred quarterly to the North Carolina State University College of Veterinary Medicine Turtle Rescue Team to support its mission of providing medical, surgical, and husbandry services free of charge in the hope of releasing rehabilitated turtles back into the wild. Effective July 1, 2013.

Intro. by Gill.

[GS 20](#)

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

H 446 (2013-2014) [MOREHEAD PLANETARIUM SPECIAL PLATE](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE FOR THE MOREHEAD PLANETARIUM AND SCIENCE CENTER.*

Amends GS 20-79.4(b) as title indicates. Plate issuance is contingent on the receipt of at least 300 plate applications. Establishes a special plate fee of \$30 and requires that \$20 of that amount be transferred quarterly to the Morehead Planetarium and Science Center to support its mission. Effective July 1, 2013.

Intro. by Insko, Foushee.

GS 20

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

H 447 (2013-2014) [RESTORE TEACHING FELLOWS PROGRAM](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO RESTORE FUNDING FOR THE TEACHING FELLOWS PROGRAM.*

Appropriates \$3.25 million to the Department of Public Instruction for 2013-14 and 2014-15 to restore funding for the Teaching Fellows Program. Repeals Sec. 1.38 of SL 2011-266 (which eliminated the North Carolina Teaching Fellows Commission).

Intro. by McManus.

APPROP

[View summary](#)[Budget/Appropriations, Education](#)

H 448 (2013-2014) [CONTAIN COUNTIES' INMATE MEDICAL COSTS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO CAP REIMBURSEMENT BY COUNTIES FOR MEDICAL SERVICES PROVIDED TO INMATES IN COUNTY JAILS AND TO ALLOW COUNTIES TO UTILIZE MEDICAID FOR ELIGIBLE PRISONERS.*

Identical to [S 321](#), filed 3/13/13.

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

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

Effective July 1, 2013.

Intro. by Lucas, Glazier, Floyd, Szoka.

GS 153A

[View summary](#)[Criminal Justice, Health, Public Assistance](#)

H 449 (2013-2014) [STATE CONTRACTS/FURNITURE](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT A VENDOR IS QUALIFIED FOR PURPOSES OF ANY STATE FURNITURE REQUIREMENTS CONTRACT IF THE VENDOR'S PRODUCTS ARE INCLUDED ON A UNITED STATES GENERAL SERVICES ADMINISTRATION (GSA) FURNITURE SCHEDULE, THE VENDOR IS A FEDERALLY QUALIFIED VENDOR FOR THE GSA FURNITURE SCHEDULE, AND THE VENDOR OFFERS PRODUCTS ON THE SAME PRICING AND SPECIFICATIONS AS THE GSA FURNITURE SCHEDULE.*

Amends GS 143-57.1(a)(3) by expanding the criteria under which a vendor who submits a responsive bid for a state furniture contract is considered a qualified vendor to include a vendor whose products are included on a US General Services Administration (GSA) furniture schedule and who is federally qualified within the GSA schedule system.

Intro. by Starnes.

[GS 143](#)

[View summary](#)

[State Government](#)

H 450 (2013-2014) [CRIMINAL CONTEMPT/BAIL PROCEDURE \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR BAIL PROCEDURE WHEN CONFINEMENT IS IMPOSED AS PUNISHMENT FOR CRIMINAL CONTEMPT.*

Amends GS 50-13.4, as the title indicates. Requires that support payments be made, after the age of 18, directly to the community college, college, or university for the child's college tuition or expenses.

Intro. by Starnes.

[GS 50](#)

[View summary](#)

[Family Law](#)

H 451 (2013-2014) [ELECTION OMNIBUS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO RESTORE PARTISAN JUDICIAL ELECTIONS, TO CHANGE THE EARLY VOTING PERIOD, TO CHANGE THE ORDER OF PARTIES ON THE BALLOT, TO ELIMINATE STRAIGHT-PARTY VOTING, TO ELIMINATE SAME-DAY VOTER REGISTRATION, AND TO ALLOW FLEXIBILITY IN APPLYING FOR ABSENTEE BALLOTS.*

Part I of the bill repeals Article 25 of GS Chapter 163 (providing for nonpartisan elections of justices of the Supreme Court, judges of the Court of Appeals, and judges of the superior and district courts). Repeals Article 22D of Chapter 163 (establishing the North Carolina Public Campaign Fund). Makes technical and conforming changes in Chapters 163, 105, and 84 related to the repeal of Articles 25 and 22D. Also amends GS 163-106.1 by adding a new subsection (j) requiring candidates and nominees for superior court judge be residents of that judicial district as it will exist at the time the candidate or nominee would take office if elected as required by Section 9(1) of Article IV of the North Carolina Constitution. Also requires any unexpended funds from the \$50 surcharge on attorneys be refunded pro rata (this refund provision is effective July 1, 2013).

Part II of the bill amends GS 163-227.2(b), changing the day on which the one-stop voting period may begin to the second Thursday before the election and prohibiting conducting one-stop voting on Sunday.

Part III of the bill amends GS 163-165.6(d) to require that nominees of the political party with which the Governor was affiliated when elected be listed first on the general election ballot.

Part IV of the bill amends GS 163-165.6(e) to prohibit a ballot from providing a place where a voter may vote with one mark for all the candidates of a single party ("straight-party voting") and makes a technical conforming change by repealing GS 163-182.1(a)(7).

Part V of the bill repeals GS 163-82.6A (authorizing a qualified voter to both register and vote during the one-stop voting period) and makes technical conforming changes to other sections of Chapter 163.

Part VI of the bill amends GS 163-230.2 to eliminate the requirements under subsection (a) for a valid absentee ballot written request except for the requirement that the request be in writing.

Unless otherwise provided, effective when the act becomes law and applies to primaries and elections conducted on or after January 1, 2014.

Intro. by Starnes.

[GS 105](#), [GS 84](#), [GS 163](#)

[View summary](#)

[Elections](#)

H 452 (2013-2014) [2013 SCHOOL SAFETY ACT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO IMPLEMENT CRITICAL SCHOOL SAFETY MEASURES.*

Section 1 of this act appropriates \$10 million for the 2013-14 fiscal year and \$10 million for the 2014-15 fiscal year from the General Fund to the Department of Public Instruction to provide grants to local school administrative units (LEAs) for school resource officers (SROs) in elementary and middle schools. Permits LEAs to use the funds to employ or train SROs or to do both. Provides that the appropriated funds will be matched on the basis of \$2 in state funds for every \$1 in local funds and must be used to supplement, not supplant, state, local, and federal funds for SROs. Requires the State Board of Education (SBE) to include need-based considerations in its criteria for awarding the grants to LEAs. Also directs the SBE to give lower priority to the LEAs that have received grants for additional school psychologists, guidance counselors, and social workers under Section 2 of this act.

Section 2 of this act appropriates \$5 million for the 2013-14 fiscal year and \$5 million for the 2014-15 fiscal year for grants to LEAs to fund additional school psychologists, guidance counselors, and social workers. Requires that these funds be matched on the basis of \$1 in state funds for every \$1 in local funds and must be used to supplement, not supplant, state, local, and federal funds used for school psychologists, guidance counselors, and social workers. Requires the State Board of Education (SBE) to include need-based considerations in its criteria for awarding these grants to LEAs. Also directs the SBE to give lower priority to the LEAs that have received grants for additional SROs under Section 1 of this act.

Enacts new GS 115C-316.1. Subsection (a) requires that school counselors implement a comprehensive developmental school counseling program in their schools and spend at least 80% of their time providing direct services to their students. Specifies that coordination of standardized testing is not a direct service. Identifies activities, services, and interactions with students and parents that constitute direct services.

Subsection (b) directs counselors to spend the remainder of their work time on school counseling program support activities consisting of professional development, consultation, collaboration, training, and program management and operations. Declares that counseling support activities does not include the coordination of standardized testing. Does provide that school counselors may assist other staff with the coordination of standardized testing.

Directs each local board of education to develop a transition plan for implementing subsection (b) before the 2013-14 school year using existing resources and reassigning duties within its schools. Directs the SBE to distribute guidelines to all LEAs on the implementation of subsection (b) of this section.

Appropriates \$2 million for the 2013-14 fiscal year and \$2 million for the 2014-15 fiscal year to provide grants to LEAs for the costs of placing panic alarm systems in schools. Calls for these funds to be matched on the basis of \$1 in state funds for every \$1 in local funds, and requires that these funds be used to supplement and not to supplant state, local, and federal funds for panic alarm systems. Directs the SBE to include need-based considerations in its criteria for awarding these grants to LEAs. Requires every public school to have a panic alarm system that connects with the nearest local law enforcement agency in the school's emergency response plan, effective July 1, 2015.

All of the following provisions apply beginning with the 2013-14 school year.

Enacts new GS 115C-105.49, requiring that at least every two years, each LEA is to conduct a system-wide school safety and school lockdown exercise with the local law enforcement agencies that are a part of the LEAs safety plan. Enumerates the purposes of this exercise. Requires that each school hold a full, school-wide school safety and lockdown exercise with the local law enforcement agencies that are part of the school's safety plan.

Enacts new GS 115C-105.50 to require each LEA to prepare schematic diagrams of its school facilities and provide the diagrams and keys to the main entrance of each school to local law enforcement agencies before January 1, 2014. Requires the LEAs to supply local law enforcement agencies with updates when substantial modifications to their facilities are made. Directs the Department of Public Instruction (DPI) to develop, in consultation with the Department of Public Safety, standards and guidelines for the preparation and content of the schematic diagrams and any necessary updates. Declares that the schematic diagrams are not public records under GS Chapter 132.

Enacts new GS 115C-105.51 to require each LEA to develop and operate an anonymous tip line. Directs DPI to develop standards and guidelines for the development, operation, and staffing of tip lines in consultation with the Department of Public Safety. Directs DPI to provide information on grants available for this purpose.

Amends GS 115C-105.27. Provides that school improvement team meetings are open meetings under the open meeting requirements of Article 33C of GS Chapter 143; however, requires that the school safety components of the plan be in closed session in accordance with GS 143-318.11(a)(8) and directs the school principal to ensure this requirement is met. Provides that although the school improvement plan is a public record subject to GS Chapter 132, the school safety components of the improvement plan are not a public record subject to GS Chapter 132. Requires that the school safety components of the school improvement plan be reviewed by the superintendent and by the local board of education in closed session before there is a vote to accept the school's improvement plan under GS 115C-105.25(d). Prohibits including the local board's findings on the safety components of the plan or the safety components of the plan in the minutes of the board. Provides that any employee, parent, or other interested person or organization is encouraged to notify the superintendent of any concerns with compliance with this section. Provides that the superintendent will make a good faith effort to investigate the concern and provide a written response to the concern if so requested. Makes additional organizational and technical changes.

Makes a conforming change to GS 143-318.11(a)(8) to add the formulation and adoption of school safety components of a school improvement plan to those activities by a public body that may be conducted in a closed session.

Enacts new GS 115C-105.53 to direct DPI, in consultation with the Department of Public Safety through the NC Center for Safer Schools, to adopt policies regarding the placement of school crisis kits in schools and on the content of those kits. Specifies the minimal contents of the kits. Requires the principal to coordinate with law enforcement agencies that are a part of the school's safety plan to determine appropriate placement of one or more crisis kits in the school.

Directs the Department of Public Safety, through the NC Center for Safer Schools and in partnership with the Department of Justice and DPI, to develop school emergency training programs for school employees and provide them to schools as soon as practical.

This act becomes effective July 1, 2013.

Intro. by Holloway, Glazier, Faircloth, Lucas.

[APPROP, GS 115C, GS 143](#)

[View summary](#)

[Budget/Appropriations, Education, Department of Public Safety, Public Records and Open Meetings, Department of Public Instruction](#)

H 453 (2013-2014) [CORRECT TAXATION OF COMPUTER SOFTWARE](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO CORRECT ERRORS IN CALCULATING PROPERTY TAX LIABILITY ON COMPUTER SOFTWARE*.

As title indicates. Amends GS 105-275(40) (*Property classified and excluded from the tax base*), deleting GS 105-275(40)b, which provided that the exclusion does not apply to software purchased or licensed from an unrelated person that is capitalized in the taxpayer's books. Also deletes language referencing embedded software as it relates to software that is not included in the exclusion.

Effective for taxes imposed for taxable years beginning on or after July 1, 2013.

Intro. by J. Bell, Hager, Lewis, T. Moore.

[GS 105](#)

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

H 454 (2013-2014) **CAREER PREP ADULT HIGH SCHOOLS**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH CAREER PREP ADULT HIGH SCHOOLS AT COMMUNITY COLLEGES.*

Identical to [S 383](#), filed 3/20/13.

Enacts new GS 115D-4.2 allowing the State Board of Community Colleges (Board) to authorize a community college to contract with a nonprofit to operate a career prep adult high school. Allows community college employees to be instructional personnel. Provides that if the school requires state funds to operate, then Board approval is subject to appropriation of funds by the General Assembly. Requires the Board to adopt standards and guidelines for operating the schools, including four specified elements.

Authorizes Forsyth Technical Community College and Central Piedmont Community College to contract with nonprofits for the operation of career prep adult high schools for the 2013-14 fiscal year.

Appropriates \$4 million for 2014-15 from the General Fund to the Community Colleges System Office, with \$2 million distributed to Forsyth Technical Community College and \$2 million distributed to Central Piedmont Community College. States the General Assembly's intent to appropriate \$4 million on a nonrecurring basis for this purpose for 2015-16 and 2016-17. Requires the two colleges to report to the Joint Legislative Education Oversight Committee on September 1 in 2015 and 2016 on the performance of students in the career prep adult high schools.

Intro. by Lambeth.

[APPROP, GS 115D](#)

[View summary](#)

[Budget/Appropriations, Education, Higher Education, Community Colleges System Office](#)

H 455 (2013-2014) **VOTING IMPROVEMENT ACT**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE VOTING IN NORTH CAROLINA.*

To be summarized at a later date.

Intro. by Pierce, L. Hall, Michaux, McManus.

[APPROP, GS 115C, GS 126, GS 163](#)

[View summary](#)

[State Board of Elections, Elections](#)

H 457 (2013-2014) **TAXPAYER STANDING ACT**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ENFORCE CONSTITUTIONAL OR STATUTORY LIMITATIONS ON GOVERNMENT.*

Amends GS Chapter 1 by creating a new section GS 1-635 (*Standing to challenge unlawful taxation or expenditure; remedies*), establishing that an individual or corporation that pays taxes to a taxing jurisdiction of this State has standing to sue the jurisdiction on the grounds that it has violated a constitutional provision or statute by the misuse or misappropriation of public funds or allowance of unlawful tax exemptions, deductions, or credits. Provides that plaintiffs can seek any appropriate equitable remedy, including injunctive or declaratory relief, as well as a return of any of the misused funds. Effective October 1, 2013.

Amends GS 105-241.17 and GS 105-241.19, making a conforming change.

Intro. by Blackwell, McGrady, Schaffer, Stam.

[GS 105, GS 1](#)

[View summary](#)[Civil Law, Tax](#)

H 458 (2013-2014) [PUBLIC HOSPITAL CONVEYANCES \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO UPDATE THE LAWS RELATING TO THE SALE, LEASE, OR CONVEYANCE OF A PUBLIC HOSPITAL.*

Identical to [S 372](#), filed 3/19/13.

Amends GS 143-215.1 (*Control of sources of water pollution; permits required*), providing for a notice and an opportunity to comment from the governing board of the county which contains the site proposed to be the recipient of the land application of sludge resulting from operation of wastewater treatment facility and proposed in the permit application. Effective July 1, 2013.

Amends GS 136-28.1(b) (*Letting of contracts to bidders after advertisement; exceptions*), raising the threshold to \$2.5 million (was, \$1.2 million) or less for the informal bid process; requires at least three informal bids to be solicited. Effective July 1, 2013.

Establishes the State Payment in Lieu of Taxes Study Commission. Consists of 13 members: three from the House of Representatives, three from the Senate, the Secretary of Revenue or designee, and three from the public appointed by the Speaker of the House, and three from the public appointed by the President Pro Tempore of the Senate upon recommendation of the NC Association of County Commissioners.

The Commission will study issues relating to the development of a state payment in lieu of taxes for state properties, including wildlife and games lands, and other issues as it sees relevant. Commission can make interim report to the 2013 Regular Session of the General Assembly, with its final report due to the 2013 Regular Session of the General Assembly in 2014 prior to convening. Commission terminates upon the earlier of the filing of this report or on January 1, 2015.

Establishes the e911 study Commission, consisting of 13 members: three from the House of Representatives, three from the Senate, the Secretary of Public Safety or designee, three from the public appointed by the Speaker of the House, and three from the public appointed by the President Pro Tempore of the Senate upon recommendation of the NC Association of County Commissioners.

Commission will study issues relating to the e911 fee structure, its use to support local 911 activities, and the structure of statewide e911 oversight as well as other issues as it deems relevant. Commission can make an interim report to the 2013 Regular Session of the General Assembly, with its final report due to the 2013 Regular Session of the General Assembly in 2014 before convening. Commission terminates upon the earlier of the filing of this report or on January 1, 2015.

Intro. by McElraft.

[GS 136, GS 143](#)

[View summary](#)

[Transportation, Environment, Local Government, Public Safety and Emergency Management, Tax](#)

H 459 (2013-2014) [CHRONIC CARE COORDINATION ACT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO COORDINATE CHRONIC DISEASE CARE.*

Enacts a new Part 4A (Chronic Care Coordination) in GS Chapter 130A, Article 7. Requires the Divisions of Public Health and Medical Assistance, and the Department of State Treasurer's Division responsible for the State Health Plan for Teachers and State Employees to collaborate to reduce chronic disease and improve the care coordination for such diseases by doing specified functions developing wellness and prevention plans. Also requires reporting on each numbered year to specified General Assembly committees and divisions on five specified items, including the financial impact and magnitude of the chronic health conditions in the state that are most likely to cause death and disability, and detailed action plans for care coordination of multiple chronic health conditions in the same patient.

Intro. by Dollar, Murry, Hollo, Lambeth.

[GS 130A](#)

[View summary](#)**Department of Health and Human Services, Department of State Treasurer, Health**

H 460 (2013-2014) **EXPEDITE VOTER LIST MAINTENANCE**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REMOVAL OF DECEASED VOTERS FROM VOTER REGISTRATION RECORDS UPON RECEIPT OF A SIGNED STATEMENT OF A NEAR RELATIVE OR PERSONAL REPRESENTATIVE OF THE ESTATE IDENTIFYING A VOTER AS DECEASED AND TO ENCOURAGE FUNERAL DIRECTORS TO MAKE AVAILABLE FORMS TO NEAR RELATIVES FOR NOTIFICATION TO THE BOARD OF ELECTIONS THAT THE VOTER IS DECEASED.*

Enacts new GS 90-210.25C to encourage a funeral director or funeral service licensee, at the time funeral arrangements are made, to make available a form (provided by the county board of elections) upon which the nearest relative may report the status of the deceased voter to the county board of elections. Makes conforming changes to GS 163-33. Amends GS 163-82.14 to require each county board of election to remove from its voter registration records individuals identified as deceased by a signed statement of a near relative or personal representative of the deceased's estate. Effective July 1, 2013.

Intro. by Hurley, Boles.

GS 90, GS 163

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

H 461 (2013-2014) **JUDICIAL DEPARTMENT TRAVEL REIMBURSEMENT**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE RESTRICTION ON TRAVEL REIMBURSEMENT TO SUPERIOR COURT AND DISTRICT COURT JUDGES, DISTRICT ATTORNEYS, ASSISTANT DISTRICT ATTORNEYS, PUBLIC DEFENDERS, AND ASSISTANT PUBLIC DEFENDERS FOR TRAVEL WITHIN THE COUNTY OF RESIDENCE AND TO MAKE THE REIMBURSEMENT LANGUAGE FOR THOSE OFFICES CONSISTENT.*

Amends various statutes in GS Chapter 74 to repeal the prohibition on travel reimbursement for travel within the county of residence for the following judicial officers and court officials: superior court judges (GS 7A-44(a)), district court judges (GS 7A-144(a)), district attorneys and assistance district attorneys (GS 7A-65(a)), and public defenders and assistant public defenders (GS 7A-498.7(c1)). Effective July 1, 2013.

Intro. by Glazier.

GS 7A

[View summary](#)**Court System**

H 462 (2013-2014) **INCREASE FAMILY COURT FEE**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE UNIFORM HOURLY FEE CHARGED TO PERSONS RECEIVING THE SERVICES OF A SUPERVISED VISITATION AND EXCHANGE CENTER THROUGH A FAMILY COURT PROGRAM.*

Amends GS 7A-314.1, as title indicates, to increase the fee from \$30 to \$50. Applies to services provided on or after July 1, 2013.

Intro. by Glazier, Lucas, Szoka, Floyd.

GS 7A

[View summary](#)**Family Law, Court System**

H 463 (2013-2014) **UNC/PHYS ED CREDIT FOR VETERANS**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE BOARD OF GOVERNORS TO ADOPT A POLICY TO AWARD PHYSICAL EDUCATION CREDIT TO A STUDENT WHO IS AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OR WHO WAS HONORABLY DISCHARGED NO MORE THAN THREE YEARS*

PRIOR TO THE DATE OF ENROLLMENT AND TO FURTHER DIRECT THE BOARD OF GOVERNORS TO REVIEW THE ACADEMIC CREDITS REQUIRED FOR GRADUATION AT THE CONSTITUENT INSTITUTIONS TO DETERMINE WHAT CREDITS MAY BE AWARDED FOR EDUCATION, TRAINING, AND EXPERIENCE ACQUIRED BY A STUDENT DURING MILITARY SERVICE.

As title indicates.

Intro. by Glazier, Horn.

UNCODIFIED

[View summary](#)

Higher Education, Military and Veteran's Affairs

H 464 (2013-2014) **SALARY INCREASE FOR SCHOOL EMPLOYEES.** Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE SALARY INCREASES FOR PUBLIC SCHOOL EMPLOYEES.*

To be summarized at a later date.

Intro. by Glazier, Michaux, Lucas, Goodman.

APPROP

[View summary](#)

Budget/Appropriations, Education

H 465 (2013-2014) **NO POSSESSION OF FIREARMS/UNDOCUMENTED ALIENS.** Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT PERSONS WHO ARE NOT LAWFULLY PRESENT IN THIS STATE FROM POSSESSING FIREARMS.*

Enacts new GS 64-6 making it a Class I felony for a person who is not lawfully present in the United States to possess a firearm. Provides that for the purposes of the statute, a person is not lawfully present in the United States unless the person (1) holds valid documentation issued by the US government that demonstrates the applicant's legal presence or (2) has otherwise been permitted to remain in the United States by the federal government. Any firearms unlawfully possessed under the statute may be seized. Makes conforming changes the GS 14-269.1. Applies to offenses committed on or after December 1, 2013.

Intro. by McNeill.

GS 14, GS 64

[View summary](#)

Criminal Law and Procedure, Immigration

H 466 (2013-2014) **AMEND PRIVATE PROTECTIVE SERVICES ACT/FEEES.** Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES ACT AND TO CREATE CERTAIN FEES.*

To be summarized at a later date.

Intro. by McNeill, Burr.

GS 74C

[View summary](#)

Business and Commerce

H 467 (2013-2014) **BREAST DENSITY NOTIFICATION & AWARENESS.** Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING HEALTH CARE FACILITIES THAT PERFORM MAMMOGRAPHY EXAMINATIONS TO COMMUNICATE MAMMOGRAPHIC BREAST DENSITY INFORMATION TO PATIENTS AND TO MAKE A CORRECTION TO A STATUTE INVOLVING THE CANCER REGISTRY.*

Enacts new GS 130A-215.5 to require health care facilities performing mammography exams to do the following: (1) include in the lay letter required by federal law to be provided to the patient information identifying the patient's individual breast density level, based on the Breast Imaging Reporting and Data System; also includes language to be included if the patient has

heterogeneously or extremely dense breasts and (2) provide all patients receiving diagnostic or screening mammograms with informative material about breast density. Amends GS 130A-211 to make a technical change by no longer providing immunity to individuals making a report under GS 130A-210 (which has been repealed) to the central cancer registry. Effective October 1, 2013.

Intro. by Faircloth.

[GS 130A](#)

[View summary](#)

[Health](#)

H 469 (2013-2014) [ADDITIONAL BUDGET FLEXIBILITY/PUBLIC SCHOOLS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO GRANT ADDITIONAL BUDGET FLEXIBILITY TO LOCAL SCHOOL ADMINISTRATIVE UNITS TO ENABLE THEM TO MAXIMIZE STUDENT ACHIEVEMENT.*

To be summarized at a later date.

Intro. by Ramsey, Lambeth, Whitmire.

[GS 115C](#)

[View summary](#)

[Education](#)

PUBLIC/SENATE BILLS

S 20 (2013-2014) [GOOD SAMARITAN LAW/NALOXONE ACCESS](#). Filed Jan 30 2013, *A BILL ENTITLED AN ACT TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR (1) CERTAIN DRUG-RELATED OFFENSES COMMITTED BY AN INDIVIDUAL WHO SEEKS MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING A DRUG-RELATED OVERDOSE AND (2) CERTAIN DRUG-RELATED OFFENSES COMMITTED BY AN INDIVIDUAL EXPERIENCING A DRUG-RELATED OVERDOSE AND IN NEED OF MEDICAL ASSISTANCE; TO PROVIDE IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY FOR (1) PRACTITIONERS WHO PRESCRIBE AN OPIOID ANTAGONIST TO CERTAIN THIRD PARTIES AND (2) CERTAIN INDIVIDUALS WHO ADMINISTER AN OPIOID ANTAGONIST TO A PERSON EXPERIENCING A DRUG-RELATED OVERDOSE; AND TO PROVIDE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN ALCOHOL-RELATED OFFENSES COMMITTED BY PERSONS UNDER THE AGE OF 21 WHO SEEK MEDICAL ASSISTANCE FOR ANOTHER PERSON.*

House amendment #1 makes the following changes to the 4th edition.

Changes long title.

Adds new section 3, enacting GS 18B-302.2 (*Medical treatment; limited immunity*), providing limited immunity for the prosecution of possession or consumption of alcoholic beverages for people under the age of 21 when the person was seeking medical assistance for another individual and that act was the sole reason law enforcement became aware of the violation. Immunity applies when the person acted in good faith, used his or her own name when contacting authorities, and remained with the individual needing medical assistance.

House amendment #2 makes the following changes to the 4th edition.

Deletes the language in GS 90-96.2 that states an individual cannot receive limited liability if he or she physically supplied the drugs.

Intro. by Bingham, Allran.

[GS 18B, GS 90](#)

[View summary](#)

[Criminal Law and Procedure](#)

S 33 (2013-2014) [USE OF CRIMINAL HISTORY RECORDS BY LIC. BDS](#). Filed Jan 31 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT OCCUPATIONAL LICENSING BOARDS CONSIDER CERTAIN FACTORS BEFORE DENYING LICENSES TO APPLICANTS WITH CRIMINAL RECORDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

House amendment makes the following changes to the 2nd edition. Changes the effective date from when the act becomes law to July 1, 2013, and applies to applications for licensure submitted on or after that date.

Intro. by Hartsell.

[GS 93B](#)

[View summary](#)

[Occupational Licensing, Criminal Justice](#)

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

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

Makes a technical change to GS 20-37.13(c1)(3c).

Intro. by Meredith.

[GS 20](#)

[View summary](#)

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

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

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

Amends GS 15-194 to direct the state Attorney General (AG) (was, state AG or the district attorney who prosecuted the case) to provide written notification of specified events relating to post-conviction proceedings to the Secretary of the Department of Public Safety not more than 60 days from the occurrence of such events (was, not less than 30 days nor more than 60 days from the occurrence of such events).

The 1st edition voids all motions filed under the Racial Justice Act (RJA) prior to the effective date of this act; however, provides an exception, declaring that this section does not apply in any case where a final order has been issued by a court of competent jurisdiction prior to the effective date of this act and the petitioner has been re-sentenced to life without parole under the provisions of the RJA. Modifies the exception to provide that it applies to a court order re-sentencing a petitioner to life imprisonment without parole under the RJA, only if the order is affirmed upon appellate review and becomes a final order issued by a court of competent jurisdiction. Also provides that this section applies to a case in which a court re-sentenced a petitioner to life imprisonment without parole under the RJA prior to the effective date of this act if the order is vacated upon appellate review by a court of competent jurisdiction.

Makes a technical correction to GS 90-85.38(b) as amended by this act.

Intro. by Goolsby.

GS 15, GS 15A, GS 90

[View summary](#)**Criminal Justice, Corrections (Sentencing/Probation), Health**

S 460 (2013-2014) [RAIL CORRIDOR LEASE/CITY OF BELMONT \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF BELMONT MAY LEASE FROM THE DEPARTMENT OF TRANSPORTATION THE DEPARTMENT'S INTEREST IN A PORTION OF THE PIEDMONT AND NORTHERN RAIL CORRIDOR WITHIN THE LIMITS OF THE TOWN OF BELMONT.*

Repeals GS 136-44.9, which required annual statements on repairs to secondary roads.

Amends GS 136-200.2(a) to remove the required report on the evaluation process for the boundaries, structure, and governance of each metropolitan planning organization.

Repeals GS 136-202(d), which required a report on the evaluation and adjustment of the boundaries of the area served by each metropolitan planning organization.

Amends GS 143-215.107C(e) to remove the required report on the development and implementation of the plan to reduce vehicle miles traveled by private sector employees and vehicle emissions resulting from job-related travel.

Intro. by Rabon.

GS 136, GS 143

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

S 461 (2013-2014) [CDL CHANGES](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO ALLOW THIRD-PARTY COMMERCIAL DRIVERS LICENSE SKILLS TESTING ANY DAY OF THE WEEK AND TO EXTEND THE VALIDITY OF A TEMPORARY DRIVING CERTIFICATE ISSUED TO AN APPLICANT FOR A COMMERCIAL DRIVERS LICENSE TO SIXTY DAYS.*

Amends GS 20-37.13, adding a new subsection requiring the Division of Motor Vehicles (DMV) to allow a third party to administer a skills test for driving a commercial motor vehicle any day of the week.

Amends GS 20-7(f)(5), providing for the DMV to issue a temporary commercial driver's license for 90 days.

Effective July 1, 2013.

Intro. by Wade, Tillman, Bingham.

GS 20

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

S 462 (2013-2014) [EQUAL ACCESS TO CIVIL JUDGMENT EXECUTIONS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR WAIVER OF THE FEES ASSOCIATED WITH EXECUTION ON JUDGMENTS OBTAINED THROUGH LAWSUITS IN WHICH THE PLAINTIFF WAS AUTHORIZED TO SUE AS AN INDIGENT.*

Amends GS 1-110, changing the title of the section to *Suit as an indigent; counsel; waiver of fees; suits filed pro se by prison inmates*, (was, *Suit as an indigent; counsel; suits filed pro se by prison inmates*). Also provides that when any superior or district court judge or clerk of court authorizes a person to sue as an indigent, under this section, any fees or costs associated with executing a judgment entered by the court as a result of that lawsuit will also be waived, in addition to court costs associated with the filing of the lawsuit also being waived.

Effective July 1, 2013, applying to fees assessed on or after that date.

Intro. by Woodard.

GS 1

[View summary](#)**Court System**

S 463 (2013-2014) **JAIL DORMITORY MINIMUM STANDARDS**. Filed Mar 27 2013, *AN ACT TO AMEND THE LAW PROVIDING FOR MINIMUM STANDARDS FOR JAIL DORMITORIES TO ALLOW COUNTIES TO HOUSE SIXTY-FOUR INMATES PER DORMITORY SO LONG AS CERTAIN MINIMUM STANDARDS ARE MET.*

Amends GS 153A-221 to apply the provision that allows a county detention facility dormitory to house up to 64 inmates as long as provided conditions are met, to counties with a population in excess of 250,000 (was, in excess of 300,000).

Intro. by Woodard, McKissick.

GS 153A

[View summary](#)**Corrections (Sentencing/Probation), Public Safety and
Emergency Management**

S 464 (2013-2014) **EUGENICS COMPENSATION PROGRAM**. Filed Mar 27 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.*

Identical to [H 7](#), filed 1/30/13.

Adds new Part 30, *Eugenics Asexualization and Sterilization Compensation Program*, to Article 9 in GS Chapter 143B, to give a \$50,000 lump sum in compensation to every qualified recipient. Defines *qualified recipient* as an individual asexualized or sterilized by the Eugenics Board of NC, who was living on May 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 May 16, 2012. Sets out the procedure for the NC Industrial Commission to determine whether individuals are qualified recipients and provides the right to appeal. Directs the Industrial Commission to use \$184,000 of 2013-14 appropriated funds 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 2013-14 appropriated funds 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) 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.

Directs the State Controller to establish the Eugenics Sterilization Compensation Reserve to pay the compensation under Part 30 and directs that \$10 million be reserved in the General Fund to the Compensation Reserve.

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. Directs the Department of Cultural Resources to use \$57,000 and directs DOA to use \$155,000 from 2013-14 appropriated funds for these projects.

Effective July 1, 2013, unless otherwise indicated.

Intro. by McKissick, Parmon.

GS 108A, GS 132, GS 143B

[View summary](#)

**State Government, Department of Administration,
Department of Natural and Cultural Resources (formerly
Dept. of Cultural Resources), Department of Health and
Human Services, Office of State Controller, Health and
Human Services**

S 465 (2013-2014) **PROHIBIT USE OF TAX ZAPPER SOFTWARE**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE IT A CRIMINAL OFFENSE TO SELL, PURCHASE, INSTALL, POSSESS, TRANSFER, USE, OR ACCESS AN AUTOMATED SALES SUPPRESSION DEVICE.*

Enacts new GS 14-118.7 to make it a Class H felony to knowingly sell, purchase, install, transfer, possess, use, or access any automated sales suppression device, zapper, or phantom-ware. An individual violating the prohibition is liable for all taxes, fees, penalties, and interest due as the result of the use of the device and forfeits all profits associated with the sale or use of the device. Effective December 1, 2013, and applies to offenses committed on or after that date.

Intro. by McKissick, Brown, Daniel.

GS 14

[View summary](#)**Criminal Law and Procedure**

S 466 (2013-2014) **ESTABLISH ALZHEIMER'S DISEASE TASK FORCE**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT CREATING AN ALZHEIMER'S DISEASE TASK FORCE IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.*

Establishes the 21-member Alzheimer's Disease Task Force (Task Force) and sets out the requirements for appointments to be made by the General Assembly (upon the recommendations of the President Pro Tempore of the Senate and the Speaker of the House) and the Governor, and requires that appointees reflect the composition of the state's population with regard to ethnic, racial, age, gender, and religious composition. Appointments are to be made no later than 30 days after the 2013 Regular Session of the General Assembly adjourns. Sets meeting requirements and expense allowances. Sets out the Task Force's six duties, including assessing the current and future impact of Alzheimer's disease on the state's residents; examining the industries, services, and resources available to meet the needs of those with the disease and their families and caregivers; and examining trends in the population of those with the disease and their needs in specified areas. Allows the Task Force to submit an interim report to the General Assembly and the Joint Legislative Oversight Committee on Health and Human Services and requires a final report to the Governor, the General Assembly, and the Joint Legislative Oversight Committee on Health and Human Services before the convening of the 2015 Regular Session. Requires that the report be in the form of a State Plan for Alzheimer's Disease and include specified information as well as any proposed legislation. Terminates the Task Force upon the earlier of the filing of the final report or January 7, 2015.

Intro. by McKissick, Brown, Daniel.

STUDY

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

S 467 (2013-2014) **FORECLOSURE MEDIATION PROGRAM**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FORECLOSURE MEDIATION PROGRAM.*

Amends GS 7A-38.3B (*Mediation in matters within the jurisdiction of the clerk of superior court*), deleting a reference to GS Chapter 45 in GS 7A-38.3B(b), (*Enabling Authority*) (previously, clerks of superior courts did not have jurisdiction over GS Chapter 45 to order mediation).

Creates new GS 7A-38.3B(c)(5), providing that holders or their appropriately authorized agents and all people entitled to notice pursuant to GS 45-21.16(b) can be ordered by the clerk to attend mediation. Amends GS 7A-38.3B(f) (*Costs of Mediation*), providing that in mediations ordered pursuant to GS 7A-38.3F, costs will be the responsibility of the the holders or their authorized agents and anyone entitled to notice under GS 45-21.16(b).

Amends GS 7A-38(g) (*Inadmissibility of Negotiations*), (i) (*Agreements*) and (j) (*Sanctions*), establishing that the requirements and language of these sections also apply to mediation conducted pursuant to GS 7A-38.3F (previously the language and requirements of these sections only applied to to mediations conducted pursuant to this section).

Enacts new section GS 7A-38.3F (*Mediation in certain foreclosure proceedings*).

GS 7A-38.3F(a) (*Mandatory Mediation*) requires that, prior to filing a notice of hearing to foreclose under the power of sale, the substitute trustee must initiate mediation pursuant to this section and GS 7A-39.3B. Actions for foreclosure under the power of sale in a deed of trust will be dismissed unless the requirements of this section have been satisfied.

GS 7A-38.3F(b) (*Initiation of Mediation*) provides that prehearing mediation will be initiated by the substitute trustee. The substitute will file a request for mediation with the clerk of superior court. A copy of the request must be mailed by certified mail to the holder and to each person entitled to notice.

GS 7A-38.3F(c) (*Selection of Mediator*) provides that the clerk will provide each participant with a list of certified mediators from the Dispute Resolution Commission. A mediator can be appointed by agreement or by the senior resident superior court judge and in accordance with rules promulgated by the Supreme Court. Provides the qualifications mediators must possess to conduct mediation pursuant to this section.

GS 7A-38.3F(d) (*Documents to be provided in advance*) provides a list and description of the documents that must be provided for mediations conducted pursuant to this section, along with any associated timeframe for provisions of those documents, including payment history for the previous 12 months or since the date of default and the appraisal or broker price opinion most recently relied upon by the servicer.

GS 7A-38.3F(e) (*Waiver of Mediation*) provides that participants ordered to mediation pursuant to subsection (a) of this section may waive the mediation in writing to the mediator.

GS 7A-38.3F(f) (*Certification that mediation concluded*) provides that immediately upon waiver or conclusion of mediation, the mediator will prepare a certification stating the date on which the mediation was concluded and the results. The original certification will be filed with the clerk and a copy given to each participant. Any mediation requirements are complete with the filing of the mediation certification, except as stated otherwise in the certification.

GS 7A-38.3F(g) (*Related Provision*) provides that all mediations required by subsection (a) of this section will be conducted in accordance with this section and GS 7A-38.3B.

Effective October 1, 2013.

Intro. by Jenkins.

[GS 7A](#)

[View summary](#)

[Civil Law, Property and Housing](#)

S 468 (2013-2014) [ALIGN INSPECTIONS W/INSTALLER LICENSING](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT WHEN APPLIANCE INSTALLERS ARE LICENSED TO PERFORM ALL ASPECTS OF AN INSTALLATION, JUST ONE PERMIT AND INSPECTION WILL BE REQUIRED.*

Amends GS 153A-360 (applicable to counties) and GS 160A-420 (applicable to cities) to prohibit requiring any permit other than a plumbing permit for the installation of any natural gas or propane appliance by an installer who has a plumbing license, as long as the installation does not otherwise require the installer to hold another license. Effective July 1, 2013.

Intro. by Jenkins.

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

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

S 469 (2013-2014) [AMEND STATE BUDGET ACT - TECH.](#) Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE STATE BUDGET ACT.*

Amends GS 143C-1-1(d)(19), clarifying that *nontax revenue* is revenue that is not a tax proceed or a departmental receipt that is required by statute to be credited to a fund (was, General Fund).

Amends GS 143C-1-1(d)(30), clarifying that *unreserved fund balance* is cash balance (previously, General Fund cash balance) effective June 30 after excluding documented encumbrances, unearned revenue, statutory requirements, and other legal obligations to a fund's cash balance (previously, General Fund cash).

Amends GS 143C-1-3(c), deleting GS 116-238 (previously repealed) from the list of funds that Article 8 of GS 143C apply to.

Amends GS 143C-3-5(e), changing subsection title to *Availability Estimates* (was, *Revenue Estimate*).

Amends GS 143C-9-6, changing section title to *JDIG Reserve* (was, *JDIG Reserve Fund*). Makes technical change.

Amends GS 143C-9-8(a), making a technical change.

Effective July 1, 2013.

Intro. by Brunstetter.

[GS 143C](#)

[View summary](#)[Budget/Appropriations](#)

S 470 (2013-2014) [NO BEER/WINE IF PERMIT REVOKED OR SUSPENDED.](#) Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CONSUMPTION OF MALT BEVERAGES OR UNFORTIFIED WINE ON THE PREMISES OF ANY BUSINESS DURING THE PERIOD OF TIME WHERE ANY ON-PREMISES PERMIT ISSUED TO THE BUSINESS AUTHORIZING THE SALE AND CONSUMPTION OF MALT BEVERAGES OR UNFORTIFIED WINE IS SUSPENDED OR REVOKED BY THE ALCOHOLIC BEVERAGE CONTROL COMMISSION AND AMEND THE DEFINITION OF A CONVENTION CENTER FOR PURPOSES OF THE STATE'S ABC LAWS.*

Amends GS 18B-300 by creating a new subsection GS 18B-300(a1), providing that it is illegal to consume or for an owner/agent/employee to allow the consumption of malt beverages or unfortified wine on the premises of any business when any on-premise permit issued to the owner of that business, which authorizes the sale and/or consumption of malt beverage or unfortified wine, has been suspended or revoked by the Alcoholic Beverage Control Commission.

Effective December 1, 2013.

Intro. by Wade, Gunn.

[GS 18B](#)

[View summary](#)[Alcoholic Beverage Control](#)

S 471 (2013-2014) [DEBT ISSUANCE ACCOUNTABILITY ACT: GA APPROVAL.](#) Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO LIMIT THE ABILITY OF STATE AGENCIES OR STATE ENTITIES TO ENTER INTO DEBT OR DEBT-LIKE ARRANGEMENTS OUTSIDE OF THE PURVIEW OF THE GENERAL ASSEMBLY.*

Amends GS Chapter 142 to add a new Article 1A limiting the ability of state entities to enter into certain debt arrangements for the acquisition or lease of assets without General Assembly approval. Provisions are as follows:

New GS 142-15.15 sets forth findings related to the purpose of the act and the impact of financing arrangements that obligate the state to make ongoing payments similar to those for borrowed money.

New GS 142-15.16 defines three terms for purposes of the Article: financing arrangement, state entity, and state-supported financing arrangements.

- *Financing arrangement* is defined as an arrangement with a term greater than one year that obligates the state to make payments to acquire (by lease or purchase) a capital asset, including an installment financing agreement or a lease-purchase agreement. Not included in the definition are true operating leases, contracts with extended payments related to project completion or asset delivery, and contracts that merely provide for retainage or interest charges for late payment.
- *State entity* is defined as any agency, board, commission, or similar entity of the State of North Carolina. Not included in the definition are political subdivisions of the state including municipalities, counties, and local boards of education.
- *State-supported financing arrangement* is defined as a financing arrangement that requires payments from any state funds or accounts derived from general revenues and other state taxes and fees (including the General Fund, the Highway Fund, and the Highway Trust Fund). Not included in the definition are obligations funded by specified, limited, nontax sources.

New GS 142-15.17 prohibits a state entity from entering into a state-supported financing arrangement for the acquisition of a capital asset valued at \$5 million or more unless the General Assembly enacts legislation specifically approving the acquisition or project to be financed and the use of a state-supported financing arrangement.

Effective when the act becomes law and applies to financing arrangements entered into on or after that date.

Intro. by Tucker.

[GS 142](#)

[View summary](#)

[Budget/Appropriations, State Government, State Agencies](#)

S 472 (2013-2014) [COURT IMPROVEM'T PROJECT JUV LAW CHANGES.-AB](#) Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE JUVENILE CODE PURSUANT TO REVISIONS PROPOSED BY THE COURT IMPROVEMENT PROJECT.*

Identical to [H 350](#), filed 3/19/13.

Makes various changes to *Subchapter I. Abuse, Neglect, Dependency* of the Juvenile Code (GS Chapter 7B).

Amends GS 7B-101 (*Definitions*), deleting the definitions for *community based program* and *shelter care* and adding a definition for *return home or reunification*. Modifies the definition for *custodian* to only apply the term to a person or agency that has been awarded legal custody of a juvenile by a court (was, also included a person other than the parents or legal guardian of the juvenile who had assumed the role of a parent without having been awarded legal custody of the juvenile by a court). Makes clarifying changes to the definition for *dependent juvenile*.

Amends GS 7B-200(b) to declare that a court has jurisdiction over the parent, guardian, custodian, or caretaker (was, just parent or guardian) of a juvenile who has been adjudicated abused, neglected, or dependent provided that the parent, guardian, custodian, or caretaker has (1) been properly served with a summons under GS 7B-406, (2) waived service of process, or (3) automatically become a party to the action under GS 7B-401.1(c) or (d).

Amends GS 7B-311(b)(2) to provide that prior to placing the name of a person identified as a responsible individual on the responsible individuals list maintained by the Department of Health and Human Services, one of the triggers is a court determining if a person is a responsible individual as a result of a hearing on the individual's petition for judicial review (was, determination could also be made based on a juvenile petition seeking a determination that the person is a responsible individual).

Amends GS 7B-320 to specify that the director of social services (director) must make a diligent effort to locate a person identified as a responsible individual before sending notice to the individual by certified mail, return receipt requested (was, certified mail, restricted delivery, return receipt requested). Deletes requirement that the notice must include directions on how to file and serve the petition for judicial review. Amends GS 7B-323 to provide that if the director cannot show that an individual has received actual notice, the director is prohibited from placing a person on the responsible individuals list until there is an ex parte hearing at which a district court judge determines that the director made diligent efforts to find the

individual. Provides that a finding that the person is evading service is relevant to determining if the director has made diligent efforts to provide notice to the person.

Requires the clerk of court to schedule a hearing on judicial review actions within 45 days (was, 15) from the date that the petition for judicial review is filed at a session of district court hearing juvenile matters, or if there is no such session, at the next session of juvenile court.

Deletes provision in GS 7B-324 that makes a person who is a respondent in an abuse or neglect juvenile court proceeding arising from the same incident, and that proceeding results in an adjudication of abuse or neglect and a determination that the respondent is a responsible individual, ineligible to submit a petition for judicial review. Provides that if an individual seeking judicial review is named as a respondent in a juvenile case or a defendant in a criminal court case resulting from the same incident, the district court judge may stay the judicial review proceeding.

Amends GS 7B-400 to provide that removal of a juvenile from the juvenile's home under a protection plan is not a basis for a change in venue if it later becomes necessary to file a juvenile petition. Provides that a director in one county who conducts an assessment in another county because a conflict of interest exists may elect to file any resulting petition in either of those counties. Authorizes the court to grant a motion for a change of venue before adjudication for good cause. Provides that a pre-adjudication change of venue does not affect the identity of the petitioner and that any post-adjudication change of venue must be pursuant to GS 7B-900.1.

Amends GS 7B-401 to provide that in actions in which custody of the juvenile is granted to the parent, there are no periodic judicial reviews of the placement, and the court has retained jurisdiction over the juvenile, then Article 8 of Subchapter I of GS 7B applies to any subsequent reports of abuse, neglect, or dependency that the director determines to require court action under GS 7B-302.

Enacts new GS 7B-401.1 regarding parties in an abuse, neglect, or dependency action. Provides that only a county director of social services or the director's designee may file a petition alleging that a juvenile is abused, neglected, or dependent and remains a party until the court terminates its jurisdiction in the case. Provides that the juvenile's parent is a party unless (1) the parent's rights have been terminated; (2) the parent has given the child up for adoption, except the court may order the parent be a party; or (3) the parent has been convicted under GS 14-27.2 or GS 14-27.3 for an offense that resulted in the conception of the juvenile. Additionally, provides criteria for a guardian, custodian, or caretaker as a party in the case. Declares that the juvenile is a party. Provides basis for removal of a party by the court and rules regarding when intervention in the action is prohibited and when it is permissible.

Makes conforming and clarifying changes to GS 7B-402 regarding the petition. Deletes provisions providing that the petition alleging abuse or neglect may also seek a determination that a respondent is a responsible party and deletes provision that a person convicted of an offense under GS 14-27.2 or GS 14-27.3 that resulted in the conception of the juvenile does not need to be named in the petition.

Amends GS 7B-406 regarding the issuance of a summons in an action alleging that a juvenile is abused, neglected, or dependent. Deletes provision that does not require that a summons be issued to a person convicted of an offense under GS 14-27.2 or GS 14-27.3 that resulted in the conception of the juvenile. Adds that the summons must include information as to how a parent may seek the appointment of counsel before a hearing if provisional counsel is not identified. Deletes requirement that notice of the inclusion of a respondent's name on the responsible individual list be included with the summons.

Amends GS 7B-407 regarding the service of summons to clarify that if service by publication is required, the cost of the service by publication is to be advanced by the petitioner and may be charged as court costs as the court directs. Deletes provision that allows holding parties, other than the juvenile, who fail to appear or fail to cause the juvenile to appear before the court without a reasonable cause, in contempt.

Amends GS 7B-505 to permit the court to place the juvenile in nonsecure custody with nonrelative kin if the court determines that such a placement is in the best interests of the juvenile. Defines nonrelative kin as a person who has a substantial relationship with the juvenile. Makes conforming changes to GS 7B-506.

Makes conforming changes to GS 7B-507(c) to reference GS 7B-906.1 as enacted by this act. Makes organizing, conforming, and clarifying changes to GS 7B-600.

Amends GS 7B-602 to provide that a parent who qualifies for an appointed attorney may be permitted to proceed without an attorney only after the court examines the parent and makes findings of fact sufficient to show that the parent's waiver is knowing and voluntary. Simplifies provision for the appointment of a guardian ad litem for a parent; specifies only that the parent be incompetent in accordance with GS 1A-1, Rule 17. Clarifies that the guardian ad litem cannot serve as the parent's attorney. Deletes provisions specifying the practices in which guardians ad litem appointed under this section may engage. Makes conforming changes to GS 7B-1101.1.

Enacts new GS 7B-800.1 to specify issues to be considered and addressed prior to the the adjudication hearing. Permits combining the pre-adjudication hearing with a hearing on the need for nonsecure custody or any pretrial hearing conducted in accordance with local rules. Permits the parties to enter stipulations under GS 7B-807 or a consent order in accordance with GS 7B-801.

Amends GS 7B-803 to provide that resolution of a respondent's pending criminal charge that arises out of the same events as the juvenile petition cannot be the sole extraordinary circumstance to serve as a basis for granting a continuance.

Amends GS 7B-805 to delete a preponderance of the evidence as the standard of proof applicable to an action alleging that a respondent is a responsible individual who has abused or seriously neglected a juvenile. Makes a conforming change to GS 7B-807.

Provides that at the dispositional hearing, the court may consider any evidence including testimony or evidence from a person who is not a party if the court finds it to be relevant, reliable, and necessary to determine the needs of the juvenile and the most appropriate disposition.

Enacts a new section, GS 7B-905.1, to cover the issue of visitation when a court order removes custody of a juvenile from a parent, guardian, or custodian or makes a placement of the child outside of the home. Requires the order to provide for appropriate visitation as may be in the best interests of the juvenile, and provides that the court may also specify in the order conditions under which visitation may be suspended. Provides additional specifications regarding visitation that may be placed in the removal or placement order. Authorizes the director of social services, upon making a good faith determination that the visitation plan is inconsistent with the juvenile's health and safety, to temporarily suspend all or part of the visitation plan without filing a motion to show cause, but does require the director to expeditiously file a motion for review. Includes criteria when supervised visitation may apply and for filing a motion to review a visitation plan. Provides that the court may order the parents, guardian, or custodian to participate in custody mediation but prohibits custody mediation from allowing the participants to consent to a change in custody.

Repeals GS 7B-906 (*Review of custody order*) and GS 7B-907 (*Permanency Planning Hearing*) and makes an organizational change, enacting new GS 7B-906.1, which combines provisions for both review of custody orders and permanency planning hearings.

Details the timeline for conducting a review of custody orders and review hearings after the initial permanency planning hearing. Requires written findings from the court of its assessment per the review hearings. Specifies criteria regarding content, procedure, and relevant parties to the review hearings. Permits the court to waive holding the hearings required under this section or to order the review hearings to be held less frequently than every six months if the court makes specified findings that (1) the juvenile's placement has been for at least one year, (2) the placement is stable and continuation is in the juvenile's best interest, (3) neither the juvenile's best interest nor the rights of any party necessitate review hearings every six months, (4) all parties have knowledge that they may file a motion for review at any time to have the matter brought before the court, and (5) the court order has designated a suitable person as the permanent custodian or guardian. Prohibits the court from waiving or refusing to conduct a review hearing if a party files a motion seeking the review. However, provides that if a guardian has been appointed and the guardianship is the permanent plan for the juvenile, the court is to proceed in accordance with GS 7B-600(b).

Makes clarifying changes to GS 7B-908 providing that the person providing care for the juvenile is to aid in the post-termination of parental rights placement court review (was, the foster parent, relative, or pre-adoptive parent).

Amends GS 7B-909 to provide that within six months of accepting a relinquishment of a juvenile for adoption under Part 7 of GS Chapter 48, Article 3, a review of the department of social services plan for the juvenile must be scheduled for hearing at a court that hears juvenile matters, unless the juvenile has become the subject of a decree of adoption. Provides that notice to the court of the request for review may be done by a motion for review as well as a petition for review, providing that the court has jurisdiction over the juvenile. Makes additional clarifying changes.

Amends GS 7B-911 to direct the court to determine whether or not to terminate jurisdiction upon placing a juvenile in custody with a parent or other appropriate person under GS 50-13.1, 50-13.2, 50-13.5, and 50-13.7. Makes additional organizational and conforming changes to this section.

Amends GS 7B-1001 to require that both the notice of appeal and notice to preserve the right appeal to be given in writing. Requires that the notice of appeal be signed by both the appealing party and the counsel for the appealing party, if any. Makes conforming changes.

Amends GS 7B-1106 to provide for service of a copy of all pleadings and other papers required to be served on the respondent's attorney, if one has been appointed under GS 7B-602.

Amends GS 7B-1111(a)(5) to clarify the findings on which a court may base a determination to terminate the parental rights of a father of a juvenile born out of wedlock.

Amends GS 7B-1112.1 to provide that in the selection of adoptive parents, any current person providing placement for the child who wants to adopt the child be considered. Requires that foster parents be notified of the selection of adoptive parents within 10 days of the selection and before the adoption petition is filed. Also permits the foster parents who want to adopt the juvenile and were not selected as adoptive parents to file a motion within 10 days of the Department's notification and schedule the case for hearing on the next juvenile calendar.

Provides additional guidelines regarding the selection of adoptive parents and the rights of the foster parents.

Makes conforming changes to GS 7B-1114, GS 7B-1203(2), GS 7B-2503(1)c., and GS 7B-2506(1)c.

Effective October 1, 2013, and applies to proceedings filed on or after that date.

Intro. by Blue.

[GS 7B](#)

[View summary](#)

[Abuse, Neglect and Dependency](#)

S 473 (2013-2014) [HEALTH COST TRANSP/SPEAKER AND PPT STANDING \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF HOUSE BILL 834 RELATED TO HEALTH CARE COST REDUCTION AND TRANSPARENCY AND FAIR HEALTH CARE BILLING AND COLLECTIONS PRACTICES; AND TO ALLOW THE SPEAKER OF THE HOUSE AND PRESIDENT PRO TEMPORE OF THE SENATE, AS AGENTS OF THE STATE, TO JOINTLY INTERVENE ON BEHALF OF THE GENERAL ASSEMBLY IN ANY JUDICIAL PROCEEDING CHALLENGING A NORTH CAROLINA STATUTE OR A PROVISION OF THE NORTH CAROLINA CONSTITUTION.*

Names this act the Health Care Cost Reduction and Transparency Act of 2013.

Amends GS 90-413.2, which states the purpose of Article 29A of GS Chapter 90, to add that this Article is intended to improve transparency in health care costs by providing information to the public on the cost of the 50 most common episodes of care in (1) hospitals subject to the NC Hospital Licensure Act and (2) ambulatory surgical facilities subject to the NC Ambulatory Surgical Facility Licensure Act.

Enacts new GS 90-413.9 to direct the NC Health Information Exchange (NC HIE) to establish and maintain an Internet web site containing the most current information it receives from hospitals and ambulatory surgical facilities under new GS 131E-91.1 (*Disclosure of prices for most common episodes of care*) and new GS 131E-153 (*Disclosure of charity care information*), as enacted by this act. Instructs the NC HIE to present this information in a format that is easily understood by the public. Specifies minimum requirements that the provided information must meet.

Enacts new GS 131E-91.1 to require each hospital licensed under Article 5 of GS Chapter 131E to provide to NC HIE, annually beginning on January 1, 2014, and using electronic health records software, specific information regarding costs, payments, and reimbursements for the hospital's 50 most common episodes of care. Requires a hospital to provide this information in writing to any patient requesting it within 24 hours after receiving the request. Provides definitions for (1) *episode of care*, (2) *health insurer*, and (3) *public or private third party*. States that the disclosure requirements of this section

are not to be construed as requiring a hospital licensed under Article 5 of GS Chapter 131E to participate in the voluntary statewide health information exchange network administered by NC HIE. Directs the NC Medical Care Commission (Commission) to adopt rules to ensure the proper implementation of this section on January 1, 2014, and to insure that hospitals report the information to NC HIE in a uniform manner. Requires that the rules include (1) specific categories for grouping hospitals to disclose this information on the NC HIE Internet web site and (2) methods to insure that hospitals report the most common episodes of care from a cross-section of medical and surgical specialty areas identified by the Commission. Enacts new GS 131E-153.1 to provide substantively similar provisions as they apply to ambulatory surgical facilities, except defines *episode of care* to reflect services rendered by an ambulatory surgical facility.

Enacts GS 131E-91.2 to define *charity care* to mean the costs of a hospital of providing health care or other services to an uninsured patient or a patient who is otherwise unable to pay for all of the services provided. Directs each hospital operator, beginning January 1, 2014, and annually thereafter, to post conspicuously the hospital policy on charity care from the preceding calendar year (1) on the licensed premises in an area accessible to the public and (2) on the hospital's Internet web site where it is made available to the public. Enacts new GS 131E-153.2 to provide substantively similar provisions as they apply to ambulatory surgical facilities.

Recodifies GS 131E-91 in Part 4A of Article 5 of GS Chapter 131E (was, codified in Part 4 of Article 5 of GS Chapter 131E). Amends GS 131E-91 to require that all hospitals (was, all hospitals and ambulatory surgical facilities) licensed under Article 5 (was, under Chapter 131E) provide a discharged patient upon request with an itemized list of all charges to the patient. Makes conforming changes and stylistic changes. Enacts new GS 131E-153 in Part 4 of Article 6 of GS Chapter 131E to apply the same provisions regarding providing a discharged patient with itemized charges upon request for all ambulatory surgical facilities licensed in this Part.

Directs the Department of Health and Human Services to communicate the requirements in this act pertinent to hospitals to all hospitals licensed under Article 5 of GS Chapter 131E and the requirements in this act pertinent to ambulatory surgical facilities to all ambulatory surgical facilities licensed under Part 4 of Article 6 of GS Chapter 131E no later than July 1, 2013.

Amends GS 131E-97.3 to declare that competitive health care information does not include the information that hospitals are required to report under new GS 131E-91.1 or the information that ambulatory surgical facilities are required to report under new GS 131E-153. Amends GS 131E-99 to exclude the information required in new GS 131E-91.1 and new GS 131E-153 from the confidentiality requirements for health care contracts. Effective January 1, 2014.

Enacts new GS 131E-91.3 (applies to hospitals licensed under Article 5) to prohibit and make unlawful duplicate charges for certain radiology services. Includes definitions for the following terms as they apply in this section: (1) *clinical labor*, (2) *multiple radiology session*, and (3) *technical components*. Enacts new GS 131E-153.3 (applies to ambulatory surgical facilities licensed under Part 4 of Article 6) to prohibit and make unlawful duplicate charges for certain radiology services. Includes definitions for the following terms as they apply in this section: (1) *clinical labor*, (2) *multiple radiology session*, and (3) *technical components*. Effective July 1, 2013, and applies to outpatient radiology services provided, and contracts executed or renewed, on or after that date.

Amends GS 105A-2(9) (regarding debt set off collection) to exclude the following from the definition of a *state agency*: (1) any school of medicine, clinical program, facility, or practice affiliated with one of the constituent institutions of the University of North Carolina that provides medical care to the public and (2) the University of North Carolina Health Care System and other persons or entities affiliated with or under the control of the University Health Care System. Effective January 1, 2014, and applies to tax refunds determined by the Department of Revenue on or after that date.

Amends the definitions in GS 108A-121 (regarding the Hospital Provider Assessment Act) to make conforming and clarifying changes. Amends GS 108A-122, adding a new subsection (e) to provide that the assessment imposed on all licensed North Carolina hospitals becomes a liability on the part of the hospital for a debt owed to the state from the time the assessment is due and payable. Requires the Secretary of DHHS to report overdue assessments to the Secretary of the Department of Revenue, who is to collect the debt using the collection remedies under Article 9 of GS Chapter 105. Makes additional modifications to GS 108A-123 regarding the equity assessment amount and the Upper Pay Limit (UPL, the maximum ceiling imposed by the federal regulation on Medicaid payments under 42 CFR [447.272](#) for inpatient services). Replaces the term "State's Annual Medicaid Payments" with the term "Additional Amount" and prescribes that amount to be the sum of \$43 million allocated between the equity assessment and the UPL assessment based in the gross amount of payments received by hospitals under GS 108A-124. Provides for an assessment limit declaring that the Secretary of Revenue is to reduce, if necessary, a hospital's

assessment so that it does not exceed the percentage of gross revenue that would result in imposing an impermissible health care-related tax, as defined under federal Medicaid law. Effective July 1, 2013.

Enacts GS 108A-124(a)(1) and (a)(2) regarding the use of the assessment proceeds. Requires that the assessment proceeds and all corresponding matching federal funds must be used to make the annual payments to the state and the hospitals: (1) payment of \$50 million transferred to the State Controller and (2) allocation, by the Secretary of Revenue, of the remaining proceeds to the the hospital providers with low average monthly total Medicaid costs. Retains quarterly payments as imposed under GS 108A-123, but simplifies the payment process to conform with the changes to subsections (a)(1) and (a)(2). Effective July 1, 2013.

Directs DHHS to file a state plan amendment incorporating the assessment payments and distributions consistent with the amendments made in this act to the provisions of Article 7 of GS Chapter 108A with the Centers for Medicare and Medicaid Services. Requires the Secretary of DHHS to work in conjunction with the Office of Budget and Management and the NC Community Care Networks Inc. to develop the payment methodology under GS 108A-124(a)(2), as enacted in this act. Requires the Secretary of DHHS to consult with the Joint Legislative Commission on Governmental Operations no later than October 1, 2013, prior to making any payments under GS 108A-124(a)(2), as enacted in this act.

Encourages North Carolina Community Care Networks Inc. (CCNC) to adjust its corporate governance by making changes to amend its articles of incorporation, its bylaws, or taking other appropriate action as indicated in this act. Prohibits DHHS from entering into a contract with CCNC unless CCNC makes the governance changes provided in this act.

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

Intro. by Rucho, Brown.

[GS 90, GS 105A, GS 108A, GS 131E](#)

[View summary](#)

Department of Insurance, Health, Health Care Facilities and Providers

S 474 (2013-2014) [NET-ZERO ENERGY SCHOOLS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CONSTRUCTION, LEASING, AND OPERATION OF NET-ZERO ENERGY SCHOOL FACILITIES THAT WILL PRODUCE RENEWABLE ENERGY SUFFICIENT TO RETURN ENERGY BACK TO THE UTILITY GRID EQUAL TO THAT CONSUMED BY THE SCHOOL.*

Amends GS 115C-530 by adding new subsections (b1) and (b2) authorizing local boards of education to enter into operating leases for design and construction of net-zero energy schools. Defines a net-zero energy school as a school designed to generate renewable energy in an amount equal to 105% of the school's estimated annual energy consumption as determined by standards specified in the provision. Requires the electric power supplier in that service territory to also serve the school. Authorizes the county board of commissioners to make additional provisions when approving a net-zero school operating lease for the periodic payment schedule to be submitted to the State Treasurer, and for the State Treasurer to make lease payments directly to the lessor when the school board or county is five days in arrears on the payment and withhold that amount from state payments to the school board or county. Requires the State Treasurer under these circumstances to conduct an audit of the school board or county.

Amends Article 7 of GS Chapter 62 by adding a new GS 62-133.11 establishing the requirements of electric service and the power purchase contract that the electric power supplier serving a net-zero energy school must enter into with the school's owner, including the following:

- Electric power supplier must provide service to the school at a maximum starting fee of \$400 per month (escalated annually at the consumer price index).
- Power service must include operation, maintenance, and replacement of interconnection facilities, meter reading, accounting, and related electric power services.
- Lessor must compensate the electric power supplier for actual direct costs of distribution, transformer, and interconnection facilities.
- School must be interconnected with electric power supplier to both receive and export power generated at the school through renewable energy sources.

- At the end of each annual billing cycle, electricity generated by the school from renewable energy sources and reductions in energy consumption must be netted against electricity received by the school.
- The power purchase contract must (1) fix the payment rate for the school's renewable energy electricity at no less than \$40 per gross MWh, (2) be for a term of not less than 20 years, (3) require payments be made at least annually, (4) set the baseline for calculating energy savings according to energy-use intensity benchmarks from the most current Commercial Buildings Energy Consumption Survey, and (5) consider payments under the contract to be the purchase of a Renewable Energy Certificate and not a payment for electricity.
- School is authorized to operate either renewable or nonrenewable on-site standby generation which must be treated by the supplier on the same terms and conditions made available to other customers.

Act is effective when it becomes law.

Intro. by Meredith, Walters.

[GS 115C, GS 62](#)

[View summary](#)

[Education, Energy](#)

S 475 (2013-2014) [PEO ACT AMENDMENTS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL, CLARIFYING, AND OTHER CHANGES TO THE PROFESSIONAL EMPLOYER ORGANIZATION STATUTES.*

Amends various provisions of Article 89A of GS Chapter 58 governing the licensure requirements for Professional Employer Organizations (PEOs) as follows.

Amends GS 58-89A-5(8) to redefine a *hazardous financial condition* as being the license applicant's inability to demonstrate a net worth of at least \$50,000. An applicant must demonstrate net worth through either audited financial statements or guarantees, letters of credit, or other security acceptable to the Department of Insurance.

Amends GS 58-89A-50 to change the surety bond requirement under subsection (a) from the existing formula based on the applicant's prior year compensation to a flat amount of \$100,000 and authorizes the applicant to submit in lieu of a surety bond an irrevocable letter of credit from an FDIC-insured financial institution or a cash deposit. Deletes subsection (d) (which prohibits a licensee from requiring a client to contribute to the licensee's surety bond payment).

Amends GS 58-89A-60(b) to change the standard applicable to the financial information submitted by a license applicant from demonstrating that the applicant is not in a hazardous financial condition to demonstrating that the applicant meets the financial requirements specified by the Commissioner of Insurance.

Amends GS 58-89A-95 by deleting subsections (b) and (c) (which establish certain notice requirements that the licensee must give to employees).

Amends GS 58-89A-100 by deleting language in subsection (1) requiring the contract between a licensee and a client company to reserve to the licensee the right of direction and control over its own employees assigned to the client while allowing the client to retain sufficient control over the licensee's employees necessary to conduct the client's business. Deletes subsection (4) (which requires the contract to reserve to the licensee the right to hire, fire, and discipline its employees).

Repeals GS 58-89A-145 (which relates to the Commissioner's authority in conducting license examinations), and repeals GS 58-89A-155(a)(4) (which relates to a notice requirement under a different Article within Chapter 58).

The act becomes effective July 1, 2013.

Intro. by Meredith.

[GS 58](#)

[View summary](#)

[Occupational Licensing, Employment and Retirement](#)

S 476 (2013-2014) [NC CAPTIVE INSURANCE ACT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA CAPTIVE INSURANCE ACT.*

To be summarized at a later date.

Intro. by Meredith, Apodaca.

[GS 58, GS 97](#)

[View summary](#)

Insurance

S 477 (2013-2014) [NO SET FEE/NONCOVERED VISION SERVICES](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT INSURERS AND HEALTH BENEFIT PLANS FROM LIMITING OR FIXING THE FEE AN OPTOMETRIST MAY CHARGE PATIENTS FOR SERVICES OR MATERIALS UNLESS THE SERVICES OR MATERIALS ARE COVERED BY REIMBURSEMENT UNDER THE PLAN OR INSURER CONTRACT WITH THE OPTOMETRIST.*

Enacts new GS 58-50-295 to prohibit an agreement between an insurer or an entity writing vision insurance and an optometrist or ophthalmologist for the provision of vision services on a preferred or in-network basis to plan members or insurance subscribers in connection with specified types of plans, from requiring that an optometrist or ophthalmologist provide services or materials at a fee that is limited or set by the plan unless the contract provides the reimbursement for services or materials as covered services. Effective October 1, 2013, and applies to contracts entered into, amended, or renewed on or after that date.

Intro. by Meredith, Newton, Walters.

[GS 58](#)

[View summary](#)

Health Insurance, Health Care Facilities and Providers

S 478 (2013-2014) [COMMUNITIES IN SCHOOLS FUNDS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMMUNITIES IN SCHOOLS OF NORTH CAROLINA, INC., PROGRAMS AND SERVICES AND TO PLACE NO FEWER THAN FIFTY GRADUATION COACHES IN ELEMENTARY, MIDDLE, OR HIGH SCHOOLS AND FOR STARTUP FUNDING FOR UP TO THREE PERFORMANCE LEARNING CENTERS OR INNOVATIVE HIGH SCHOOLS.*

Appropriates \$3,731,927 for 2013-14 and \$3,731,927 for 2014-15 from the General Fund to the Department of Public Instruction, in recurring funds, to support and expand the programs and services of Communities In Schools of North Carolina Inc. who must then use the funds to leverage federal and private grants to support local Communities In Schools programs throughout the state and place no fewer than 50 graduation coaches in elementary, middle, or high schools. Sets priority to be given when placing the graduation coaches.

Appropriates \$1,035,000 for 2013-14 from the General Fund to Communities In Schools of North Carolina Inc. to open at least three additional Performance Learning Centers or innovative high schools across the state over the next three years. Requires that funds be expended by the end of the 2015-16 school year.

Requires Communities In Schools to report on the activities of graduation coaches and progress in developing the additional centers to the Joint Legislative Education Oversight Committee annually, beginning October 15, 2014.

Effective July 1, 2013.

Intro. by Barefoot, Tillman, Newton.

[APPROP](#)

[View summary](#)

Budget/Appropriations, Department of Public Instruction

S 479 (2013-2014) [LIMIT STATE DEBT AS FUNCTION OF REVENUE](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INTENT OF THE GENERAL ASSEMBLY REGARDING THE AMOUNT OF DEBT THE STATE MAY ISSUE TO A PERCENTAGE OF GENERAL FUND REVENUE.*

Enacts new Article 1A, Net Tax-Supported Debt, to GS Chapter 142. States in new GS 142-15.15 the General Assembly's intent not to authorize debt if the amount of debt service for the debt when added to the annual amount of debt service for net

tax-supported debt authorized by the state exceeds 4% of the total amount of revenue to the General Fund for the previous year. Enacts new GS 142-15.16 to require the Department of Treasurer to report to the General Assembly, on a semiannual basis, the amount of debt service for net tax-supported debt, the amount set forth in GS 142-15.15, and whether the General Assembly is in compliance with the stated goal. Enacts new GS 142-15.17 providing that if a change in amount of revenue to the General Fund results in the amount of debt service for net tax-supported debt exceeding the amount set forth in GS 142-15.15, it does not impair the obligation of authorized debt service.

Intro. by Clark.

[GS 142](#)

[View summary](#)

[Budget/Appropriations, State Government](#)

S 480 (2013-2014) [UNC CAPITAL IMPROVEMENT PROJECTS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.*

Authorizes the acquisition or construction of capital improvements specified in the bill, and financing of these projects with funds from non-state sources for the following constituent institutions of The University of North Carolina: Appalachian State University, East Carolina University, North Carolina A&T University, North Carolina State University, The University of North Carolina at Chapel Hill, The University of North Carolina at Charlotte, The University of North Carolina at Greensboro, Western Carolina University, and Winston-Salem State University.

Authorizes Winston-Salem State University to construct and finance the Bowman Gray & Civitan Park Acquisition project notwithstanding the requirement under GS 116D-22(5) that the capital facility be located at the institution and to enter into the project either through direct ownership or a long-term agreement with the City of Winston-Salem.

Amends GS 18B-1006(a) to authorize the sale of beer and wine at events held at a UNC constituent university stadium that supports a NASCAR-sanctioned one-fourth mile asphalt flat oval short track where the event is not sponsored or funded by the UNC institution.

Intro. by Apodaca.

[GS 18B](#)

[View summary](#)

[UNC System](#)

S 481 (2013-2014) [DEPT. OF INSURANCE/PUBLIC HEALTH SERVICE ACT](#). Filed Mar 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.*

Identical to [H 170](#), filed 2/27/13.

Enacts new GS 58-3-300, requiring health insurance issuers that issue, sell, renew, or offer individual or group health benefit plans in North Carolina to be subject to certain provisions of the Public Health Service Act as found in 42 USC 6A, XXV Part A.

Effective January 1, 2014. However, the Commissioner of Insurance can 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 Apodaca.

[GS 58](#)

[View summary](#)

[Department of Insurance, Health Insurance](#)

S 482 (2013-2014) [REGULATE CERTIFIED FOOD PROTECTION MANAGERS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS PERTAINING TO THE REGULATION OF CERTIFIED FOOD PROTECTION MANAGERS*.

Amends GS 130A-248(a3)(2), expanding the requirements for food protection, providing four new requirements, including that a food establishment is required to have only one certified food protection manager even if the food establishment has two or more separately permitted food departments on its premises.

Intro. by Apodaca.

[GS 130A](#)

[View summary](#)

S 483 (2013-2014) [DOJ LEASES/SETOFF DEBT \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO STREAMLINE THE PROCESS OF LEASING SPACE FOR STATE AGENCIES UNDER VERY LIMITED CIRCUMSTANCES AND TO AMEND THE SETOFF DEBT COLLECTION ACT*.

Amends GS 146-25.1 (*Proposals to be secured for leases*), by adding a new subsection GS 146-25.1(d), which provides that subsections (a) and (b) of this section will not apply to potential leases if the following three conditions are satisfied: (1) the lease would constitute a renewal or an extension of an existing lease with the same state agency, property, and terms; (2) the lease renewal or extension would be for a term not to exceed three years; and (3) a bill has been introduced in at least one chamber of the current General Assembly that includes language appropriating funds that if enacted would provide sufficient land so that the lease at issue would no longer need to continue.

Intro. by Apodaca.

[GS 146](#)

[View summary](#)

[State Agencies](#)

S 484 (2013-2014) [2013 PRESIDENT PRO TEMPORE'S APPOINTMENTS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE*.

Appoints specified individual to the North Carolina Museum of Art Board of Trustees.

Intro. by Apodaca.

[UNCODIFIED](#)

[View summary](#)

[General Assembly](#)

S 485 (2013-2014) [UNC/REPORT/E-COMMERCE/IMPROVEMENTS \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE A DUPLICATIVE REPORTING REQUIREMENT REGARDING PERSONAL SERVICE CONTRACTS FOR THE UNIVERSITY OF NORTH CAROLINA, TO ALLOW THE BOARD OF GOVERNORS TO PROVIDE FOR THE IMPLEMENTATION AND EXPANSION OF E-COMMERCE INFRASTRUCTURE, AND TO CLARIFY THE PROPERTY TAX STATUS OF CERTAIN IMPROVEMENTS ON UNIVERSITY LANDS THAT ARE OWNED BY CERTAIN SOCIAL ORGANIZATIONS*.

Amends GS 143-64.70 (*Personal service contracts—reporting requirements*, which requires written reports on the use of contracts and expenditures) by adding a new subsection, GS 143-64.70(c), that provides that this section does not apply to the University of North Carolina.

Intro. by Apodaca.

[GS 143](#)

[View summary](#)**UNC System**

S 486 (2013-2014) **PERTUSSIS EDUCATION & AWARENESS**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING HOSPITALS TO PROVIDE PARENTS OF NEWBORNS WITH EDUCATIONAL INFORMATION ABOUT PERTUSSIS DISEASE AND AVAILABLE VACCINE PROTECTIONS IN ORDER TO BETTER PROTECT NEWBORNS AGAINST PERTUSSIS DISEASE.*

Enacts new GS 131E-79.2 requiring licensed hospitals to provide parents of newborns delivered at the hospital with free information about pertussis and the availability of the tetanus-diphtheria and pertussis vaccine. Requires the information to be provided during the postpartum period and before the mother is discharged from the hospital. Specifies recommendations to be included in the information. Provides that the act does not require a hospital to provide or pay for any vaccination against pertussis disease. Effective October 1, 2013.

Intro. by Tarte, Pate, Hise.**GS 131E**[View summary](#)**Public Health**

S 487 (2013-2014) **APPROPRIATIONS ACT OF 2013**. Filed Mar 27 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 Brown, Hunt, Brunstetter.**APPROP**[View summary](#)**Budget/Appropriations**

S 488 (2013-2014) **AMEND NURSING HOME ADMINISTRATOR ACT/FEEES**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT AND TO INCREASE CERTAIN FEES.*

Amends various sections of the Nursing Home Administrator Act (Article 20 of GS Chapter 90) related to qualifications for licensure, fees, Board personnel, reciprocity, criminal history record checks of applicants, and adds a new section establishing confidentiality of investigative records, as follows.

Amends GS 90-278(1) by increasing the educational requirement for licensure under subdivision b. from two years of college level study or a combination of education and experience to a baccalaureate degree from an accredited college or university or an associate's degree in nursing with a minimum of 5 years experience as a director of nursing for five of the previous six years prior to licensure application. Also increases the examination requirement under subdivision e. by requiring passage of both national and state examinations within one year of completing the administrator-in-training program.

Amends GS 90-280 by increasing the maximum amount for fees set by the State Board of Examiners for Nursing Home Administrators for application processing (up to \$500), license and renewal (up to \$1,000), duplicate license (up to \$100), inactive status (up to \$200), temporary license (up to \$500), Board-administered initial training and continuing education (up to \$1,000), certifying an individual continuing education course by another entity (up to \$100 per course hour), and certifying a continuing education course provider (up to \$4,000).

Amends GS 90-283, clarifying the Board's authority to employ or retain professional personnel, including legal counsel, as well as clerical or other special personnel deemed necessary by the Board.

Amends GS 90-285(3), clarifying that licenses are issued consistent with specified statutory requirements and the Board's rules.

Amends GS 90-287 adding to the reciprocity requirements for licensure in this state that the applicant pass the national and state examinations.

Amends GS 90-288.01 granting the Board discretion in requiring a criminal history record check of an applicant for license renewal (still mandatory for initial and temporary licensure) and deleting the requirement that the Board disclose to an applicant denied initial or renewed licensure information from the criminal record check relevant to the Board's decision.

Adds new GS 90-288.02 making documents related to an investigation, inquiry, or interview conducted by the Board in connection with certification, licensure, or a disciplinary matter not public records under GS Chapter 132. Notices or statements of charges, notices of hearings, and decisions by the board are a matter of public record, as are all other documents of the Board, but the names and other identifying information of residents who have not consented to public disclosure must be redacted.

Effective when the act becomes law.

Intro. by Tucker.

GS 90

[View summary](#)

Occupational Licensing, Public Records and Open Meetings, Adult Services

S 489 (2013-2014) **CONSUMER FINANCE ACT AMENDMENTS**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE MAXIMUM INTEREST RATE ALLOWED AND TO MAKE VARIOUS AMENDMENTS TO THE NORTH CAROLINA CONSUMER FINANCE ACT TO ENSURE CONTINUED ACCESS TO CREDIT.*

Amends GS 53-166(a), changing the lending limits that subject an individual to the provisions of this section from \$10,000 to \$15,000 or less.

Amends GS 53-172(a), making clarifying changes and further classifying acts that are not considered as being other business in violation of conducting other business in the same office.

Amends GS 53-173, changing section title to *Computation of interest; application of payments; limitation on interest after judgment; limitation on interest after maturity of the loan*. Deletes GS 53-173(a) and (a1). Deletes language in GS 53-173(b), which states that payment made on a loan will first be applied to any accrued interest and then to principal. Creates new subsection GS 53-173(b1) (*Application of payments*), providing that payments made on a loan are first applied to late or other permissible charges, and then to any accrued interest, then principal.

Amends GS 53-176, changing title to *Rates, maturities and amounts* (was, *Optional rate, maturities and amounts*). Makes technical and clarifying changes. Establishes that a licensee can only make loans in installments not exceeding \$15,000 and which cannot be repaid in less than 12 months or more than 96 months (was, \$10,000, and 12 and 84 months). Establishes new actuarial rates which the licensee cannot exceed in requiring repayment for the loan. Provides that interest will be contracted for and collected at the single simple interest rate. Deletes GS 53-176(d) and (f).

Amends GS 53-177, changing title to *Fees* (was, *Recording fees*). Deletes provision allowing the licensee to retain fees, thereby self-insuring against the loss of a security interest.

Amends GS 53-177 by creating new GS 53-177(b) (*Late fees*), (c) (*Deferral Charges*), and (d) (*Insurance Policy*), establishing that a licensee can charge a late payment for a payment outstanding for 10 days or more but that the late payment fee cannot exceed \$15, nor can it be charged more than once for a single late payment. Also provides that a licensee can collect a deferral charge and defer the due date of all or part of one or more installments. Provides that a licensee can collect a fee to purchase a non-filing or non-recording insurance policy; provides what the licensees must do if they receive funds from an insurance claim.

Amends GS 53-180 (*Limitations and prohibitions on practices and agreements*), deleting language dealing with loan amounts and payback periods, and instead provides for repayment of the amount loaned in substantially equal installments. Provides language stating that an agreement between a licensee and borrower pursuant to a loan is only enforceable to the extent that the

borrower fails to maintain contractually required insurance coverage. Amends GS 53-180(e) (*Limitation on Attorney's fees*), replacing a reference to GS 53-173 with GS 53-176.

Amends GS 53 by creating a new section GS 53-180.1 (*Military service members limitation*), providing the requirements and limitations of granting loans to military service members. Establishes that a licensee may not make a loan to a borrower who is a military service member with a rank of E4 or below unless six requirements are met. Provides penalties and remedies for violating the requirements for granting a loan to a military service member in the appropriate manner. Provides that no licensee will contact a military service member by phone or email when deployed to a theater of combat.

Effective July 1, 2013.

Intro. by Gunn, Newton, Clodfelter.

[GS 53](#)

[View summary](#)

Banking and Finance

S 490 (2013-2014) [EXCLUDE CUSTOM SOFTWARE FROM PROPERTY TAX \(NEW\)](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO EXCLUDE CUSTOM SOFTWARE FROM PROPERTY TAX.*

Identical to [H 453](#), filed 3/27/13.

As title indicates. Amends GS 105-275(40), (*Property classified and excluded from the tax base*), deleting GS 105-275(40)b, which provides that the exclusion does not apply to software purchased or licensed from an unrelated person that is capitalized in the taxpayer's books. Also deletes language referencing embedded software as it relates to software that is not included in the exclusion.

Effective for taxes imposed for taxable years beginning on or after July 1, 2013.

Intro. by Gunn, Barefoot, Walters.

[GS 105](#)

[View summary](#)

Tax

S 491 (2013-2014) [PERMITTING OF WIND ENERGY FACILITIES](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SYSTEM OF PERMITS FOR THE SITING AND OPERATION OF WIND ENERGY FACILITIES.*

To be summarized at a later date.

Intro. by Brown.

[GS 62, GS 143](#)

[View summary](#)

Energy

S 492 (2013-2014) [ENERGY/WATER BENCHMARKING FOR STATE BUILDINGS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO FOSTER WISE STEWARDSHIP OF PUBLIC FUNDS BY ESTABLISHING A SYSTEM OF ENERGY AND WATER USE BENCHMARKING FOR CERTAIN BUILDINGS OWNED OR LEASED BY THE STATE.*

Enacts new Article 8D (*Energy and Water Use Benchmarking for Public Buildings*), in GS Chapter 143. Requires that all public buildings be annually benchmarked (as defined) for building energy use and building water use for the previous fiscal year. Requires the Department of Administration (Department) to request from owners of public leased buildings for annual benchmarking and include an annual benchmarking requirement in any lease renewal for a public leased building or in any Request for Proposal issued to potential lessors. Sets out the schedule for benchmarking. Requires the Department, no later

than April 1 after benchmarking, to create a plan of action to unlock the cost savings potential of information gathered during benchmarking. Requires the Department publish (include posting on its website) benchmarking information no later than one month after the date required for benchmarking completion.

Intro. by Stein.

[GS 143](#)

[View summary](#)

[State Property, Department of Administration](#)

S 493 (2013-2014) [2014 REGULATORY REFORM ACT \(NEW\)](#). Filed Mar 27 2013, *AN ACT TO PROVIDE FOR VARIOUS ADMINISTRATIVE REFORMS OF THE HEALTH AND SAFETY LAWS BY UPDATING OUTDATED STATUTES AND REGULATIONS AND MODERNIZING OR SIMPLIFYING CUMBERSOME OR OUTDATED REGULATIONS, BY STUDYING HEALTH AND SAFETY MATTERS OF CONCERN TO NORTH CAROLINA CITIZENS, AND BY MAKING VARIOUS OTHER STATUTORY CHANGES.*

Amends GS 20-131 (*Requirements as to headlamps and auxiliary driving lamps*) by creating a new subsection, GS 20-131(b1), that provides that no person will operate a vehicle with headlamps that tend to change the original design or performance of the headlamps and do not comply with Federal Motor Vehicle Safety Standard No. 108. A violation of this section will result in a \$100 infraction.

Amends GS 20-183.3(a)(2) regarding safety inspections of vehicles. Requires the safety inspection mechanic to determine if the headlamps are in compliance with GS 20-131. Provides the procedures for the mechanic to determine if the headlamps are aftermarket and if they are in compliance with GS 20-131.

Intro. by Walters.

[GS 20](#)

[View summary](#)

[Transportation](#)

S 494 (2013-2014) [COMMUNITY SERVICE/POST-RELEASE SUPERVISION](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COMMUNITY SERVICE AS A DISCRETIONARY CONDITION OF POST-RELEASE SUPERVISION AND TO AMEND THE REQUIREMENTS FOR VOTING BY THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION ON MATTERS COMING BEFORE THE COMMISSION.*

Amends GS 15A-1368.4 to allow imposing a condition of community service on a supervisee who fails to fully satisfy any order for restitution, reparation, or costs imposed against the supervisee as part of the supervisee's sentence. Makes conforming changes.

Intro. by Apodaca.

[GS 15A](#)

[View summary](#)

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

S 495 (2013-2014) [ELECTION REFORM ACT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO FURTHER REFORM NORTH CAROLINA'S ELECTION LAWS.*

Repeals the following Articles of GS Chapter 163: Article 22B (which established the NC Political Parties Financing Fund), Article 22D (which established the North Carolina Public Campaign Fund), and Article 22J (which established the Voter-Owned Elections Fund). Makes technical and conforming changes to GS 84-34, in Chapter 163, and Chapter 105 related to the repeal of these Articles. Transfers the balances of the repealed funds to the General Fund with the exception of those monies within the Public Campaign Fund collected from the \$50 surcharge on attorney membership fees which the State Board of Elections must retain to print voter guides. Effective January 1, 2014.

Intro. by Apodaca.

[GS 105, GS 84, GS 163](#)

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

S 496 (2013-2014) **SHP/PREMIUMS FOR ALTERNATIVE COVERAGE OPTIONS**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO OPTIONALLY OFFER TO PAY INSURANCE PREMIUMS FOR RETIREES FOR ALTERNATIVE COVERAGE IN LIEU OF COVERAGE UNDER THE STATE HEALTH PLAN.*

Enacts new GS 135-48.39 to allow the State Treasurer to offer to pay or reimburse premiums for alternative health benefit plan coverage instead of coverage under the State Health Plan. Limits premium payments in lieu of coverage to the specified categories of eligibility (relating to retirees) and allows for varying the amounts of premiums depending on the category of eligibility. Makes conforming changes to GS 135-48.30.

Intro. by Apodaca.

GS 135

[View summary](#)**Department of State Treasurer, Health Insurance**

S 497 (2013-2014) **EXPANDED WEST. CRIME LAB/EXISTING STATE BLDG**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT, AND APPROPRIATE FUNDS FOR, THE ESTABLISHMENT OF A WESTERN CRIME LABORATORY FACILITY IN MORGANTON AND TO APPROPRIATE FUNDS TO PROVIDE STAFFING FOR THE LABORATORY.*

Requires the Department of Justice to establish a Western Regional Crime Laboratory (lab) on underutilized state property on either the campus of Broughton Hospital or the NC School of the Deaf in Morganton. Appropriates \$2.9 million for 2013-14 from the General Fund to the Department of Justice fund property renovations for the lab. Appropriates \$1.9 million for 2013-14 and \$1.9 million for 2014-15 from the General Fund to the Department of Justice to establish 19 positions to staff the lab. Effective July 1, 2013.

Intro. by Daniel.

APPROP

[View summary](#)**Budget/Appropriations, Department of Justice**

S 498 (2013-2014) **MODIFY RELIGIOUS EMPLOYER EXCEPTION**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY RELIGIOUS EMPLOYER EXCEPTION.*

Amends GS 58-3-178(e) to provide that the term *religious employer* means any of the following employing entities: (1) one that is operated pursuant to moral, ethical, or religious tenets contrary to the use or provision of contraceptive drugs or devices; (2) an entity for which individuals holding a majority ownership interest have a sincerely held religious or moral objection to the use or provision of contraceptive drugs or devices, or a wholly owned subsidiary of such an entity; or (3) a sole proprietorship for which the sole proprietor has a sincerely held religious or moral objection to the use or provision of contraceptive drugs or devices. Applies to plans in effect as of the date that the act becomes law, to the extent allowable by either the federal or state constitutions.

Intro. by Daniel.

GS 58

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

S 499 (2013-2014) **UPDATE/MODERNIZE/MIDWIFERY PRACTICE ACT**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO UPDATE AND MODERNIZE THE MIDWIFERY PRACTICE ACT.*

Amends GS 90 by adding new section, GS 90-19.7, *Limitations on nurse-midwives*, providing that nurse-midwives approved under Article 10A of GS Chapter 90 may use the title *certified nurse-midwife*. Others that hold themselves out as such are in violation. Certified nurse-midwives are authorized to write prescriptions if (1) the individual has been approved by the joint subcommittee of the North Carolina Medical Board and the Board of Nursing (subcommittee) established under GS 90-178.4; (2) the subcommittee has assigned an i.d. number to the nurse-midwife, which appears on the written prescription; (3) written instructions about indications and contraindications for prescribing drugs and a policy for periodic review of the drugs prescribed have been provided to the nurse-midwife by the subcommittee.

Directs the subcommittee to adopt rules for approving individual nurse-midwives to write prescriptions, with any limitations deemed in the best interest of patient health and safety.

Amends GS 90-178.2, *Definitions*, by adding and defining *certified nurse-midwife*, *intrapartum care*, and *primary care*. Deletes *interconceptional care* term and definition. Updates, adds language to, and makes technical and conforming changes to *midwifery*, *newborn care*, *postpartum care*, and *prenatal care* definitions.

Amends GS 90-178.3, *Regulation of midwifery*, as follows. Requires certified nurse-midwives to practice within a health care system that provides for consultation, collaborative management, or referral. Midwifery standards must be consistent with the standards of care established by the American College of Nurse-Midwives. Each nurse midwife must provide each patient with information regarding or referral to other providers and services at the request of the patient or when required care is outside the scope of the midwife's practice.

Amends GS 90-178.4(a), altering the makeup of the subcommittee. Requires that seven additional members of the subcommittee consist of five certified nurse-midwives appointed by the recommendation of the NC Affiliate of the American College of Nurse-Midwives and two physicians actively engaged in the practice of obstetrics (was, four additional members, two certified midwives, and two obstetricians who have worked with certified midwives).

Amends GS 90-178.4, adding a new subsection requiring the subcommittee to adopt rules requiring a certified nurse-midwife that attends a planned birth outside of a hospital to obtain a signed informed consent agreement from the patient. Information about the certified nurse-midwife's liability insurance coverage must be included.

Amends GS 90-178.5, *Qualification for approval*, requiring the submittal of certification by the American Midwifery Certification Board (was, American College of Nurse Midwives). Makes other technical and conforming changes.

Amends GS 90 by adding a new section, GS 90-178.8, *Limit vicarious liability*, limiting the liability of physicians, physician assistants, or nurses licensed under GS 90 from being held liable for civil damages as a result of medical care given to a woman or infant in an emergency situation when the emergency situation arises during the delivery or birth of the infant as a consequence of care provided by a nurse mid-wife approved under GS 90 who attends a planned birth outside of a hospital setting. Provides, however, that the nurse, physician, or physician's assistant remains liable for his or her own independent acts of negligence. Also limits the liability of health care facilities licensed under GS 122C and 131E in the same manner. Provides, however, that the health care facility remains liable for its own independent acts of negligence. Liability is not limited in cases of gross negligence or wanton misconduct.

Intro. by Hartsell, Randleman, Stein.

GS 90

[View summary](#)

Health Care Facilities and Providers

S 500 (2013-2014) **EXPAND PHARMACISTS' IMMUNIZING AUTHORITY**. Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT THE PUBLIC'S HEALTH BY INCREASING ACCESS TO IMMUNIZATIONS AND VACCINES THROUGH THE EXPANDED ROLE OF IMMUNIZING PHARMACISTS*.

Enacts new GS 90-85.15B in Article 4A of GS Chapter 90 to authorize a pharmacist to administer any vaccine or immunization recommended or required by the Centers for Disease Control and Prevention, provided the pharmacist follows the listed limitations and requirements. Prohibits immunizations to patients under the age of 18.

Deletes the description of practice of pharmacy in GS 90-85.3(r) and incorporates those provisions into new GS 90-85.3A. Makes a conforming change.

Makes conforming changes to GS 130A-153 and 130A-154(a) (pertaining to immunizations under the Public Health Law).

Specifies the rule that governs the administration of specified vaccines by an immunizing pharmacist. Requires the NC Medical Board, in cooperation with the NC Board of Pharmacy, to amend another specified rule to give immunizing pharmacists the authority to administer the flu vaccine to patients under age 14.

Effective July 1, 2013.

Intro. by Hartsell.

[GS 90, GS 130A](#)

[View summary](#)

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

S 501 (2013-2014) [CLARIFY ATV DEF/EST. GEN. GOV. OVERSIGHT COMM \(NEW\)](#). Filed Mar 27 2013, *AN ACT TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF ALL-TERRAIN VEHICLE TO REFLECT CHANGES IN THE TYPES OF ALL-TERRAIN VEHICLES SOLD IN NORTH CAROLINA AND TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.*

Amends the definition of all-terrain vehicle or ATV in GS 20-4.01 as a motorized vehicle designed and manufactured for off-highway use (was, a motorized off-highway vehicle designed to travel on three or four low pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control). Excludes a golf cart from the definition.

Intro. by Hartsell.

[GS 20](#)

[View summary](#)

[Transportation](#)

S 502 (2013-2014) [STATE HIGHWAY PATROL SECONDARY EMPLOYMENT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF THE STATE HIGHWAY PATROL SHALL BE ALLOWED TO ENGAGE IN CERTAIN SECONDARY EMPLOYMENT.*

Enacts new GS 20-187.4 to allow a member of the State Highway Patrol, subject to commanding officer approval, to engage in secondary employment that does not create a conflict of interest or impair the member's ability to perform expected duties. Specifies permitted types of secondary employment. Provides that the statute is not to be construed to allow a member to engage in secondary employment that requires the member to testify in court or make arrests. Requires the Secretary of Public Safety to adopt orders, rules, and regulations that are consistent with the statute.

Intro. by Bingham, Goolsby, Newton.

[GS 20](#)

[View summary](#)

[Public Safety and Emergency Management](#)

S 503 (2013-2014) [EXEMPT START-UPS FROM PRIVILEGE LIC. TAXES](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT START-UP ENTITIES FROM PRIVILEGE TAXES.*

Amends GS 105-33(b), GS 153A-152(b), and GS 160A-211(c), as the title indicates. Amends GS 105-331 to define a start-up entity as a person that begins to engage in an activity that requires a license but has not been engaged in the activity for more than one year. Effective July 1, 2013.

Intro. by Clark.

[GS 105, GS 153A, GS 160A](#)

[View summary](#)

[Tax](#)

S 504 (2013-2014) [LOWER AG. PRIVILEGE LICENSE TAXES](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO LOWER PRIVILEGE LICENSE TAXES FOR BUSINESSES SELLING AGRICULTURAL PRODUCTS*.

Amends GS 160A-211(b) to set the privilege license tax for a business entity that is a wholesaler, receiver, distributor, and importer of only fruits and vegetables at \$100. Makes technical and conforming changes. Effective July 1, 2013.

Intro. by Jackson.

[GS 160A](#)

[View summary](#)

[Agriculture, Tax](#)

S 505 (2013-2014) [CLARIFY AGRICULTURAL ZONING](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE EXEMPTION FROM ZONING FOR A BONA FIDE FARM INCLUDES GRAIN STORAGE FACILITIES*.

Amends GS 153A-340 (*Grant of power*), adding the activities relating to, and the production of, grains to the list of bona fide farm purposes qualifying for a zoning exemption, as well as other forms of agriculture, whether they occur on the affected farm property or land owned or leased to or from others by the farm owner, including other tracts of land in the state and land owned or leased in other states.

Amends GS 106-581.1 (*Agriculture defined*), clarifying that "agriculture," "agricultural," and "farming" also refer to a public or private grain warehouse or warehouse operations where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses.

Intro. by Jackson, Cook.

[GS 106, GS 153A](#)

[View summary](#)

[Agriculture](#)

S 506 (2013-2014) [DEFINE AGRICULTURAL OPERATION](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SCOPE OF THE EXEMPTION FROM THE OCCUPATIONAL HEALTH AND SAFETY ACT GENERAL INDUSTRY STANDARD PERTAINING TO CERTAIN FOOD PROCESSING FACILITIES*.

Amends GS 95-131 by adding a new subsection (h) providing that the exemption from the occupational health and safety act general industry standards for agricultural operations applies to processing facilities wholly owned by a bona fide farm and used to process only agriculture products produced on that farm. The definition of a bona fide farm is the same as in GA 153A-340(b)(2). Effective when the act becomes law.

Intro. by Jackson, Brock, Cook.

[GS 95](#)

[View summary](#)

[Agriculture](#)

S 507 (2013-2014) [ELIMINATE OUTDATED ENV. REPORTS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO DELETE OR REPEAL VARIOUS ENVIRONMENTAL AND NATURAL RESOURCES REPORTING REQUIREMENTS*.

Repeals various environmental reporting requirements as follows:

- Division of Aquariums annual report on the North Carolina Aquarium Fund (GS 143B-289.44(d));
- Chairs of the Marine Fisheries Commission and Wildlife Resources Commission annual report on the Marine Resources Fund and the Endowment Fund (GS 113-175.6);
- OSBM annual report on the Solid Waste Management Loan Program (GS 159I-29);
- Division of Air Quality annual report on air quality and emission reductions (SL 2002-4, sec 11, as amended);

- Division of Marine Fisheries annual report on the Shellfish Rehabilitation Program;
- DENR annual report on the Title V account (GS 13-215.3A(c));
- DENR annual report on the costs of implementing the Mining Act of 1971 (GS 74-54.1(c));
- DENR annual report on fisheries management plans (GS 113-182.1(e));
- DENR Advisory Committee annual report on the coordination of waterfront access (SL 2007-485, sec. 2.3);
- DENR annual report on the one-stop permitting program and express permitting program (GS 143B-279.15).

Effective when the act becomes law.

Intro. by Jackson, Brock, Cook.

[GS 74](#), [GS 113](#), [GS 143](#), [GS 143B](#), [GS 159I](#)

[View summary](#)

Environment

S 508 (2013-2014) [ELIMINATE INITIAL OWNERSHIP REQ. FOR PUV](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENTS FOR PRESENT-USE VALUE PROPERTY THAT RELATE TO INITIAL LENGTH OF OWNERSHIP.*

Amends GS 105-277.3, as the title indicates. Effective for taxes imposed for taxable years beginning on or after July 1, 2013.

Intro. by Jackson, Brock.

[GS 105](#)

[View summary](#)

Tax

S 509 (2013-2014) [NC AGRICULTURE AND FORESTRY ACT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AGRICULTURAL AND FORESTRY OPERATIONS ARE NOT NUISANCES UNDER CERTAIN CIRCUMSTANCES; AND TO PROVIDE FOR THE AWARD OF COSTS AND ATTORNEYS' FEES TO A PREVAILING DEFENDANT.*

Amends GS 106-701 to provide that using methods or practices commonly or reasonably associated with agricultural or forestry production (further defined in the act) or that are in compliance with any state or federally issued permit creates a rebuttable presumption that an agricultural or forestry operation is not a nuisance. Deletes the provision excluding sawmill operations from the activities included in a forestry operation. Provides that in a civil action in which an agricultural or forestry operation is alleged to be a nuisance, the prevailing defendant recovers the costs and expenses determined by the court to have been reasonably incurred in the defense of the action, including attorneys' fees.

Applies to causes of action arising on or after July 1, 2013.

Intro. by Jackson, Barefoot, Brock.

[GS 106](#)

[View summary](#)

Agriculture, Environment

S 510 (2013-2014) [BERNARD ALLEN FUND MODIFICATIONS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE BERNARD ALLEN MEMORIAL EMERGENCY DRINKING WATER FUND TO ALLOW GREATER FLEXIBILITY FOR USE OF MONIES IN THE FUND, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.*

Identical to [H 136](#), filed 2/20/13.

Amends GS 87-98 (concerning the Bernard Allen Memorial Emergency Drinking Water Fund) to permit Fund payments for additional testing for contamination in specified circumstances, repair of contaminated wells, and monitoring of certain filtration systems. Limits the Fund expenditure to \$50,000 (was, \$10,000) per household or connection to pay for an alternative drinking water supply provided by waterline extension. Specifies that the Fund may not cover more than one-third of the project's total cost when more than ten residences are eligible for alternative water supplies. Clarifies that

\$100,000 may be used *annually* to pay for personnel and other direct costs to operate the Fund. States that wells contaminated from non-naturally occurring groundwater sources have priority for replacement supplies over wells with naturally occurring contamination.

Intro. by Jackson.

GS 87

[View summary](#)

**Environment, Department of Environmental Quality
(formerly DENR)**

S 511 (2013-2014) [MODIFY PUV APPLICATION AG LANDS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE PRESENT-USE VALUE PROPERTY TAX DEFERRAL PROGRAM AS IT RELATES TO AGRICULTURAL LAND.*

Amends GS 105-277.2 to provide that for the purposes of the definition of agricultural land (which applies in GS 105-277.3 through GS 105-277.7), the commercial production or growing of animals includes the rearing, feeding, training, caring, and managing of horses. Effective for taxes imposed for taxable years beginning on or after July 1, 2013.

Intro. by Jackson, Cook, Tillman.

GS 105

[View summary](#)

Agriculture, Tax

S 512 (2013-2014) [STATE EMPLOYEE PAYROLL DEDUCTION FOR BUS PASS](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW A PAYROLL DEDUCTION FOR STATE EMPLOYEES TO PAY FOR DISCRETIONARY TRANSPORTATION AND PARKING PRIVILEGES AND REQUIRE THE DEPARTMENT OF ADMINISTRATION TO OFFER BUS PASSES BY PAYROLL DEDUCTION.*

Amends GS 143B-426.40A to provide that if the Department of Administration (Department) approves a payroll deduction plan (subject to rules adopted by the State Controller), a state employee may authorize, in writing, a periodic salary deduction of a designated lump sum for discretionary transportation and parking privileges.

Requires the Department to use its best efforts to offer bus passes by payroll deduction.

Intro. by Woodard.

GS 143B

[View summary](#)

**Transportation, State Personnel, Department of
Administration**

S 513 (2013-2014) [NC WATER SECURITY ACT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE THE SECURITY OF NORTH CAROLINA'S WATER RESOURCES.*

Enacts new GS 143-350.1 to declare it is the state's intent to use and manage water resources efficiently and productively. Amends GS 143-355(l), which concerns local water supply plans, to add that a local government unit or large community water system must also include a local water efficiency plan in the revised plan. Enacts GS 143-355(11) to detail the items contained in a local water efficiency plan. Enacts subdivision (8) to GS 143-355.4(b), requiring a local government unit or a large community system to implement a water fixture and appliance retrofit and incentive program to be eligible for state water infrastructure funds. Enacts subdivision (14) to GS 159-52(a), allowing the Local Government Commission to consider whether a local government unit has implemented a water fixture and appliance retrofit and incentive program. Enacts new subsection (d) to GS 159G-36, which describes limits on water infrastructure loans and grants, to specify that not less than 20% of the Drinking Water Reserve will be used for loans or grants for projects that meet the water use reduction goals for local government units included in local water efficiency plans.

Directs the Department of Environment and Natural Resources to provide statewide outreach and technical assistance related to water efficiency, including best management practices addressing at least eight enumerated practices. Directs the State Water Infrastructure Commission (Commission), in consultation with specified entities, to examine the impacts and benefits of water conservation and efficiency on utilities and users and develop recommendations for mitigating financial impacts and for assuring sustainable revenues. Directs the Commission and the NC Utilities Commission to develop recommendations for electric utility and water utility coordination and to report to the Environmental Review Commission annually, with the first report due before November 1, 2014. Directs the Building Code Council to develop, by June 30, 2014, adopt, and publish a rule functionally equivalent to the Water Efficiency Provisions of the International Green Construction Code, applicable to both residential and commercial structures, effective January 1, 2015. Requires any newly constructed multiunit residential, commercial, or retail building that is the subject of a building permit issued on or after January 1, 2015, to be constructed to enable a government unit or public water system to measure the water use of each building unit.

Effective October 1, 2013.

Intro. by Clodfelter.

[GS 143, GS 159, GS 159G](#)

[View summary](#)

[Environment, Local Government, Public Health](#)

S 514 (2013-2014) [FILLING VACANCIES IN LOCAL OFFICE](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO STANDARDIZE THE PROCESS FOR FILLING OF VACANCIES IN LOCAL OFFICES*.

Repeals GS 153A-27 regarding vacancies in the office of county commissioner. Amends GS 153A-27.1 by (1) applying the statute's procedures for filling vacancies on boards of commissioners to all counties; (2) requiring that if the person being replaced was the nominee of a political party, the replacement nominee must be eligible to have filed as a candidate of that party for the most recent election for that office; (3) requiring that if the person being replaced was not the nominee of a political party, the replacement nominee must be currently eligible for election to the office; and (4) making conforming changes to the statute.

Amends GS 161-5(a1) regarding vacancies in the office of register of deeds by establishing a procedure by which the county executive committee of the party of the person being replaced may recommend three persons as possible replacements, and one of those three must be selected as the replacement. Adds eligibility requirements depending on whether the person being replaced was nominated by a political party.

Repeals GS 162-5 regarding vacancies for the office of sheriff. Amends GS 162-5.1 by (1) establishing a procedure by which the county executive committee of the party of the sheriff being replaced may recommend three persons as possible replacements, and one of those three must be selected as the replacement and (2) applying the statute's procedures for filling vacancies in the office of sheriff to all counties. Adds eligibility requirements depending on whether the person being replaced was nominated by a political party. Makes a conforming change to GS 162-3.

Amends GS 115C-37.1 regarding vacancies in the membership of county boards of education by applying the statute's procedures to all counties.

Amends procedures established in GS 160A-63 for vacancies in elective offices of cities conducting elections on a partisan basis by (1) establishing a procedure by which the county executive committee of the party of the person being replaced may recommend three persons as possible replacements, and one of those three must be selected as the replacement and (2) for the office of mayor or an at-large member of a city council, requiring the county executive committee to restrict its voting on the three proposed replacements to only those committee members representing precincts all or part of which were in the territorial area of the city or, if applicable, the district of the council member being replaced. Adds eligibility requirements depending on whether the person being replaced was nominated by a political party.

Amends GS 163-114 to clarify that, for elective county district offices where not all of the county is located in that office's district, voting on a replacement must be restricted to those members of the political party's county executive committee who reside within the district.

Intro. by Clodfelter.

[GS 115C, GS 153A, GS 160A, GS 161, GS 162, GS 163](#)

[View summary](#)

[Local Government, Elections](#)

S 515 (2013-2014) [JORDAN LAKE WATER QUALITY ACT \(NEW\)](#). Filed Mar 27 2013, *AN ACT TO DELAY ADDITIONAL IMPLEMENTATION OF THE JORDAN LAKE RULES AND JORDAN LAKE SESSION LAWS AND PROVIDE FOR ALTERNATIVE IMPLEMENTATION OF THE PROTECTION OF EXISTING BUFFERS RULE.*

To be summarized at a later date.

Intro. by Gunn, Wade.

[UNCODIFIED](#)

[View summary](#)

[Environment](#)

S 516 (2013-2014) [PUBLIC SCHOOL REGULATORY REFORM](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO STREAMLINE REPORTING REQUIREMENTS FOR PUBLIC SCHOOLS.*

To be summarized at a later date.

Intro. by Tillman.

[STUDY, GS 115C, GS 96](#)

[View summary](#)

[Education](#)

LOCAL/HOUSE BILLS

H 456 (2013-2014) [DV FATALITY REVIEW TEAM/MECKLENBURG CO.](#) Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT CONCERNING MEMBERSHIP ON THE DOMESTIC VIOLENCE REVIEW TEAM IN MECKLENBURG COUNTY AND ESTABLISHING A DOMESTIC VIOLENCE REVIEW TEAM IN PITT COUNTY AND ALAMANCE COUNTY.*

Amends the membership of the Mecklenburg County Domestic Violence Fatality Prevention and Protection Review Team (Review Team) in SL 2009-52 as follows. Amends several positions to now include the director or head of the specified entity instead of just a member of the entity (for example, the Medical Examiner or designated person instead of a representative from the local medical examiner's office). Modifies membership to include the following members: (1) a local law enforcement officer appointed by the Chief of the Charlotte-Mecklenburg Police Department and at least one law enforcement officer from the other police departments in the county appointed jointly by the chiefs of police of the other Mecklenburg municipalities (was, local law enforcement personnel), (2) district court judge who presides over domestic violence cases designated by the chief district court judge (was, a representative from the health care system), (3) a magistrate designated by the chief district court judge (was, a local medic or emergency services personnel), (4) representative of a higher education institution appointed by the county board of commissioners (was, a domestic violence survivor). Adds the following: (1) a Sheriff of Mecklenburg County or designated person, (2) a representative from a probation or parole agency appointed by the director of that agency, (3) two survivors of domestic violence, (4) a representative from each of the primary health care systems in the county, and (5) at the option of the county board of commissioners, no more than two additional representatives with knowledge or experience in preventing domestic violence.

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

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

Intro. by Carney, Bryan, Cunningham, Jeter.

[Mecklenburg](#)

[View summary](#)

H 468 (2013-2014) [HIGH POINT ELECTIONS/TRYON CHARTER AMENDMENTS](#) Filed Mar 27 2013, *AN ACT TO CHANGE THE METHOD OF ELECTION OF THE MAYOR AND CITY COUNCIL MEMBERS OF THE CITY OF HIGH POINT TO HOLD THE ELECTIONS IN ODD-NUMBERED YEARS AND BY A NONPARTISAN PRIMARY AND ELECTION METHOD AS PROVIDED BY GENERAL LAW AND TO AMEND THE CHARTER OF THE TOWN OF TRYON.*

Amends Sec. 3.1 of the City of High Point's charter to change the election cycle in which municipal elections are conducted to odd-numbered years (was, even-numbered years) beginning with the 2017 election, and to change the method of electing the mayor and city council members to the nonpartisan primary (was, plurality) and election method under GS 163-294 (was, GS 163-292). For the 2014 election only, the mayor and council members would be elected for three-year terms. Requires these changes be approved by referendum in the November 2014 general election and provides for preclearance submittal if required under section 5 of the Voting Rights Act of 1965. Effective when the act becomes law unless otherwise provided.

Intro. by Faircloth.[Davidson, Forsyth, Guilford, Randolph](#)[View summary](#)

H 470 (2013-2014) [SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN LOCAL BOARDS OF EDUCATION IN ADOPTING THEIR SCHOOL CALENDARS.*

Amends GS 115C-84.2(d) to provide that for the Vance and Warren County school administrative units, except for year-round schools, the opening date for students is no earlier than August 1. Requires first semester exams to be given before winter break. Allows a local board of education to schedule the school opening and closing dates for any school in the local administrative unit to coincide with the opening and closing dates of a community college serving the city or county in which the school unit is located. Applies only to the Vance and Warren County school administrative units. Effective when the act becomes law and applies beginning with the 2013-14 school year.

Intro. by Baskerville.[Vance, Warren](#)[View summary](#)[Elementary and Secondary Education](#)

H 471 (2013-2014) [VANCE/WARREN/RENEWABLE ENERGY FACILITY SITING](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING VANCE AND WARREN COUNTY TO APPROVE A LEASE FOR THE SITING AND OPERATION OF A RENEWABLE ENERGY FACILITY FOR A TERM OF UP TO TWENTY YEARS WITHOUT TREATING THE LEASE AS A SALE OF PROPERTY.*

Amends GS 160A-272, as the title indicates.

Intro. by Baskerville.[Vance, Warren](#)[View summary](#)[Energy](#)

ACTIONS ON BILLS

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

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Judiciary I

H 21: JOINT SESSION/STATE BD OF ED CONFIRMATION.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

H 47: HONOR CONWAY'S 100TH ANNIVERSARY.

House: Adopted

H 109: MOTORCYCLE HELMET LAW/STUDY (NEW).

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary Subcommittee B

H 146: BACK TO BASICS.

House: Reptd Fav

House: Re-ref Com On Appropriations

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

House: Passed 2nd Reading

House: Passed 3rd Reading

H 176: CHARTER SCHOOL ELECTION.

House: Withdrawn From Com

House: Re-ref Com On State Personnel

H 181: PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST.

House: Amendment Withdrawn A1

House: Passed 3rd Reading

H 194: ALLOW PAVE CERTIFICATION/VETERINARY LICENSE.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/28/2013

H 199: INCREASE JURISDICTIONAL AMOUNT/DISTRICT CT.

Senate: Rec From House

Senate: Passed 1st Reading

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

H 206: HONOR SPONSORS OF PITTMAN-ROBERTSON ACT.

House: Adopted

H 211: WEIGHT LIMITS/ANIMAL FEED TRUCKS.

House: Reptd Fav

House: Re-ref Com On Agriculture

H 223: ELECTRIC MEMBERSHIP CORPS/MEMBER CONTROL.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/28/2013

H 243: LIENS/SELF-SERVICE STORAGE FACILITIES.

House: Postponed To 04/02/2013

H 247: FREEDOM TO NEGOTIATE HEALTH CARE RATES.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/28/2013

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

Senate: Rec From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 285: AMEND RESPIRATORY CARE PRACTICE ACT.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/28/2013

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

House: Withdrawn From Com

House: Re-ref Com On Banking

H 297: MATCHING FUNDS REPEAL.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/28/2013

H 298: AFFORDABLE AND RELIABLE ENERGY ACT.

House: Assigned To Commerce and Job Development Subcommittee on Energy and Emerging Markets

House: Serial Referral order has been changed

H 301: CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS.

House: Reptd Fav

House: Re-ref Com On Finance

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

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 342: HONOR WINSTON-SALEM'S 100TH ANNIVERSARY.

House: Adopted

H 367: TITLE TO UNCLAIMED COLLECTIONS.-AB

House: Withdrawn From Com

House: Re-ref Com On Appropriations

H 419: HONOR WOMEN'S HISTORY MONTH.

House: Adopted

H 425: PUBLIC EMP. APPLICANTS/CRIMINAL HISTORIES.

House: Passed 1st Reading

House: RefTo Com On Rules, Calendar, and Operations of the House

H 426: PUBLIC EMP. APPLICANTS/CRIMINAL CONVICTIONS.

House: Passed 1st Reading

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

H 428: NORTH CAROLINA SCHOOL BUS SAFETY ACT.

House: Passed 1st Reading

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

H 429: NONDISCRIMINATION IN STATE EMPLOYMENT.

House: Passed 1st Reading

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

H 430: DOT/REACTIVATE ROW.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 431: ANSON COUNTY/ECONOMIC DEVELOPMENT FUNDS.

House: Passed 1st Reading

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

H 432: STATE TEMPS. APPLY LIKE PERM. EMPS.

House: Passed 1st Reading

House: Ref To Com On State Personnel

H 433: LAND USE SURROUNDING MILITARY INSTALLATIONS.

House: Passed 1st Reading

House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary Subcommittee A

H 434: TANF FUNDS FOR BOYS AND GIRLS CLUBS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 435: SCHOOL PERFORMANCE GRADES.

House: Passed 1st Reading

House: Ref To Com On Education

H 436: GUBERNATORIAL TEAM TICKET.

House: Passed 1st Reading

House: Ref To Com On Elections

H 437: CREATE NC VETERANS FUND & TAX RETURN CHECKOFF.

House: Passed 1st Reading

House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Finance

H 438: DCR/GENERATE REVENUE/VENDOR SERVICES.

House: Passed 1st Reading

House: Ref To Com On Finance

H 439: ECONOMIC DEVELOPMENT JOBSITES PROGRAM.

House: Passed 1st Reading

House: Ref To Com On Finance

H 442: MUNICIPAL INCORPORATION CHANGES.

House: Filed

H 443: NC PUBLIC CHARTER SCHOOL BOARD.

House: Filed

H 444: CONFIRM ANDREW T. HEATH TO INDUSTRIAL COMM.*House: Filed***H 445: NCSU TURTLE RESCUE TEAM SPECIAL PLATE.***House: Filed***H 446: MOREHEAD PLANETARIUM SPECIAL PLATE.***House: Filed***H 447: RESTORE TEACHING FELLOWS PROGRAM.***House: Filed***H 448: CONTAIN COUNTIES' INMATE MEDICAL COSTS.***House: Filed***H 449: STATE CONTRACTS/FURNITURE.***House: Filed***H 450: CRIMINAL CONTEMPT/BAIL PROCEDURE (NEW).***House: Filed***H 451: ELECTION OMNIBUS.***House: Filed***H 452: 2013 SCHOOL SAFETY ACT.***House: Filed***H 453: CORRECT TAXATION OF COMPUTER SOFTWARE.***House: Filed***H 454: CAREER PREP ADULT HIGH SCHOOLS.***House: Filed***H 455: VOTING IMPROVEMENT ACT.***House: Filed***H 457: TAXPAYER STANDING ACT.***House: Filed***H 458: PUBLIC HOSPITAL CONVEYANCES (NEW).***House: Filed**House: Filed***H 459: CHRONIC CARE COORDINATION ACT.***House: Filed***H 460: EXPEDITE VOTER LIST MAINTENANCE.***House: Filed***H 461: JUDICIAL DEPARTMENT TRAVEL REIMBURSEMENT.***House: Filed***H 462: INCREASE FAMILY COURT FEE.***House: Filed*

H 463: UNC/PHYS ED CREDIT FOR VETERANS.

House: Filed

H 464: SALARY INCREASE FOR SCHOOL EMPLOYEES.

House: Filed

H 465: NO POSSESSION OF FIREARMS/UNDOCUMENTED ALIENS.

House: Filed

H 466: AMEND PRIVATE PROTECTIVE SERVICES ACT/FEEES.

House: Filed

H 467: BREAST DENSITY NOTIFICATION & AWARENESS.

House: Filed

H 469: ADDITIONAL BUDGET FLEXIBILITY/PUBLIC SCHOOLS.

House: Filed

S 8: INCREASE FINE FOR VEHICLE REMOVAL.

House: Passed 1st Reading

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

S 20: GOOD SAMARITAN LAW/NALOXONE ACCESS.

House: Amend Adopted A1

House: Amend Adopted A2

House: Passed 2nd Reading

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

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

S 44: WORKERS COMP COVERAGE/PUBLIC RECORDS.

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 45: INCAPACITY TO PROCEED AMENDMENTS.

Ratified

S 71: AMEND IRRIGATION CONTRACTORS LICENSING LAWS.

House: Passed 1st Reading

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

S 83: ENCOURAGE VOLUNTEER CARE IN FREE CLINICS.

House: Passed 1st Reading

House: Ref To Com On Health and Human Services

S 97: PROPERTY TAX/DEANNEXATION.

House: Passed 3rd Reading

House: Ordered Enrolled

S 159: REQUIRE CERTAIN GENERAL REAPPRAISALS.

Senate: Passed 2nd Reading

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

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee B

S 207: MAINTAINING WATER & SEWER FISCAL HEALTH.

House: Passed 1st Reading

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

S 209: CITIES/OVERGROWN VEGETATION NOTICE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 222: REVISE CONTROLLED SUBSTANCES REPORTING.

Senate: Withdrawn From Com

Senate: Re-ref to Judiciary II. If fav, re-ref to Finance

S 223: SEVERANCE & RELOCATION FOR AREA DIRECTORS.

House: Rec From Senate

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

House: Rec From Senate

S 280: DCR/HISTORIC SITES/FEES (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 306: CAPITAL PUNISHMENT/AMENDMENTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 04/03/2013

S 334: DOROTHEA DIX LEASE.

House: Rec From Senate

S 355: TECH CORRECTION/GASTON, NASH, UNION LOCAL ACT.

Senate: Reptd Fav

Senate: Reptd Fav

S 411: ETHICS REQUIREMENTS FOR MPOS/RPOS.

Senate: Reptd Fav

Senate: Re-ref Com On Judiciary I

S 418: APPROPRIATIONS ACT OF 2013.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 419: GOVERNOR'S BUDGET.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 420: UI LAWS ADMINISTRATIVE CHANGES (NEW).

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 421: EUGENICS COMPENSATION PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Appropriations/Base Budget

S 422: RESTORE HOLD HARMLESS REIMBURSEMENT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 423: FORSYTH TECH REPURPOSE FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Appropriations/Base Budget

S 424: UNC SCHOOL OF ARTS/STUDENT FEES.

Senate: Passed 1st Reading

Senate: Refto Education/Higher Education. If fav, re-ref to Finance

S 425: OLYMPIC GAMES SPECIAL PLATE PROCEEDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 426: CHANGE DEADLINE/AUDITEE RESPONSE.-AB

Senate: Passed 1st Reading

Senate: RefTo Com On Program Evaluation

S 427: HONOR COMMUNITY COLLEGES' 50TH ANNIVERSARY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 428: VOTING REFORM ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 429: LIMIT SUCCESSOR ASBESTOS-RELATED LIABILITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary I

S 430: CLARIFY ELECTRIC LOAD CONTROL PROCESS.

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 431: CONFIRM COMMISSIONER OF BANKS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 432: MILITARY APPRECIATION DAY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 433: PREVENT PAY FOR WEIGHT EXCEEDING ALLOWANCE.

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

S 434: IGNITION INTERLOCK REQ'D / ALL DWIS.

Senate: Passed 1st Reading

Senate: Ref to Judiciary II. If fav, re-ref to Finance. If fav, re-ref to Appropriations/Base Budget

S 435: AMEND DISPENSING OPTICIANS LAWS/FEES.

Senate: Passed 1st Reading

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

S 436: CLARIFY LOCAL GOVERNMENT OVERSIGHT.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 437: STOP HARSHER REINTERPRETATION OF TAX PENALTY.

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

S 438: INTERPRETING SERVICES IN THE COURTS.

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

S 439: AMEND & RESTATE NC LIMITED LIABILITY CO. ACT.

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary I

S 440: ADDRESS PRIMARY CARE SHORTAGE/STUDY.

Senate: Passed 1st Reading

Senate: Ref to Health Care. If fav, re-ref to Education/Higher Education

S 441: STATE HIGHWAY PATROL/RESIDE IN SAME COUNTY.

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

S 442: OMNIBUS STATE IT GOVERNANCE CHANGES.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

S 443: DISPOSITION OF ABANDONED FIREARMS (NEW).

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

S 444: UNC/CHEROKEE LANGUAGE.

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

S 445: ABC PERMIT ISSUANCE.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

S 446: MODIFY INTERNAL AUDITING STATUTES.

Senate: Passed 1st Reading

Senate: Ref to Program Evaluation. If fav, re-ref to Judiciary II

S 447: ELIGIBILITY REQUIREMENTS/PUBLIC ASSISTANCE.

Senate: Passed 1st Reading

Senate: Ref To Com On Health Care

S 448: OMNIBUS STATE IT GOVERNANCE CHANGES.

Senate: Passed 1st Reading

Senate: Ref To Com On Program Evaluation

S 449: VIDEO OF DWI STOPS AND CHEMICAL TESTS.

Senate: Passed 1st Reading

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

S 450: WC/ADJUST ORGAN INJURY BENEFIT ANNUALLY.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

S 451: REVISE RESTITUTION DAMAGE AWARDS.

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

S 453: MODIFY NC HUMAN TRAFFICKING COMM. MEMBERSHIP.

Senate: Passed 1st Reading

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

S 454: REGISTRATION OF PETROLEUM DEVICE TECHNICIANS.-AB

Senate: Passed 1st Reading

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

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

Senate: Passed 1st Reading

Senate: Ref to Agriculture/Environment/Natural Resources. If fav, re-ref to Judiciary II

S 456: DESIGNATE PRIMARY STROKE CENTERS.

Senate: Passed 1st Reading

Senate: Ref To Com On Health Care

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

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 458: INCREASE SODIUM AWARENESS.

Senate: Passed 1st Reading

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

S 459: HONOR HECTOR MACLEAN.

Senate: Passed 1st Reading

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

S 460: RAIL CORRIDOR LEASE/CITY OF BELMONT (NEW).

Senate: Filed

S 461: CDL CHANGES.

Senate: Filed

S 462: EQUAL ACCESS TO CIVIL JUDGMENT EXECUTIONS.

Senate: Filed

S 463: JAIL DORMITORY MINIMUM STANDARDS.

Senate: Filed

S 464: EUGENICS COMPENSATION PROGRAM.

Senate: Filed

S 465: PROHIBIT USE OF TAX ZAPPER SOFTWARE.

Senate: Filed

S 466: ESTABLISH ALZHEIMER'S DISEASE TASK FORCE.

Senate: Filed

S 467: FORECLOSURE MEDIATION PROGRAM.

Senate: Filed

S 468: ALIGN INSPECTIONS W/INSTALLER LICENSING.

Senate: Filed

S 469: AMEND STATE BUDGET ACT - TECH.

Senate: Filed

S 470: NO BEER/WINE IF PERMIT REVOKED OR SUSPENDED.

Senate: Filed

S 471: DEBT ISSUANCE ACCOUNTABILITY ACT: GA APPROVAL.

Senate: Filed

S 472: COURT IMPROVEM'T PROJECT JUV LAW CHANGES.-AB

Senate: Filed

S 473: HEALTH COST TRANSP/SPEAKER AND PPT STANDING (NEW).

Senate: Filed

S 474: NET-ZERO ENERGY SCHOOLS.

Senate: Filed

S 475: PEO ACT AMENDMENTS.

Senate: Filed

S 476: NC CAPTIVE INSURANCE ACT.

Senate: Filed

S 477: NO SET FEE/NONCOVERED VISION SERVICES.

Senate: Filed

S 478: COMMUNITIES IN SCHOOLS FUNDS.

Senate: Filed

S 479: LIMIT STATE DEBT AS FUNCTION OF REVENUE.

Senate: Filed

S 480: UNC CAPITAL IMPROVEMENT PROJECTS.

Senate: Filed

S 481: DEPT. OF INSURANCE/PUBLIC HEALTH SERVICE ACT.*Senate: Filed***S 482: REGULATE CERTIFIED FOOD PROTECTION MANAGERS.***Senate: Filed***S 483: DOJ LEASES/SETOFF DEBT (NEW).***Senate: Filed***S 484: 2013 PRESIDENT PRO TEMPORE'S APPOINTMENTS.***Senate: Filed***S 485: UNC/REPORT/E-COMMERCE/IMPROVEMENTS (NEW).***Senate: Filed***S 486: PERTUSSIS EDUCATION & AWARENESS.***Senate: Filed***S 487: APPROPRIATIONS ACT OF 2013.***Senate: Filed***S 488: AMEND NURSING HOME ADMINISTRATOR ACT/FEEES.***Senate: Filed***S 489: CONSUMER FINANCE ACT AMENDMENTS.***Senate: Filed***S 490: EXCLUDE CUSTOM SOFTWARE FROM PROPERTY TAX (NEW).***Senate: Filed***S 491: PERMITTING OF WIND ENERGY FACILITIES.***Senate: Filed***S 492: ENERGY/WATER BENCHMARKING FOR STATE BUILDNGS.***Senate: Filed***S 493: 2014 REGULATORY REFORM ACT (NEW).***Senate: Filed**Senate: Filed**Senate: Filed***S 494: COMMUNITY SERVICE/POST-RELEASE SUPERVISION.***Senate: Filed***S 495: ELECTION REFORM ACT.***Senate: Filed***S 496: SHP/PREMIUMS FOR ALTERNATIVE COVERAGE OPTIONS.***Senate: Filed***S 497: EXPANDED WEST. CRIME LAB/EXISTING STATE BLDG.***Senate: Filed***S 498: MODIFY RELIGIOUS EMPLOYER EXCEPTION.***Senate: Filed*

S 499: UPDATE/MODERNIZE/MIDWIFERY PRACTICE ACT.*Senate: Filed***S 500: EXPAND PHARMACISTS' IMMUNIZING AUTHORITY.***Senate: Filed***S 501: CLARIFY ATV DEF/EST. GEN. GOV. OVERSIGHT COMM (NEW).***Senate: Filed***S 502: STATE HIGHWAY PATROL SECONDARY EMPLOYMENT.***Senate: Filed***S 503: EXEMPT START-UPS FROM PRIVILEGE LIC. TAXES.***Senate: Filed***S 504: LOWER AG. PRIVILEGE LICENSE TAXES.***Senate: Filed***S 505: CLARIFY AGRICULTURAL ZONING.***Senate: Filed***S 506: DEFINE AGRICULTURAL OPERATION.***Senate: Filed***S 507: ELIMINATE OUTDATED ENV. REPORTS.***Senate: Filed***S 508: ELIMINATE INITIAL OWNERSHIP REQ. FOR PUV.***Senate: Filed***S 509: NC AGRICULTURE AND FORESTRY ACT.***Senate: Filed***S 510: BERNARD ALLEN FUND MODIFICATIONS.***Senate: Filed***S 511: MODIFY PUV APPLICATION AG LANDS.***Senate: Filed***S 512: STATE EMPLOYEE PAYROLL DEDUCTION FOR BUS PASS.***Senate: Filed***S 513: NC WATER SECURITY ACT.***Senate: Filed***S 514: FILLING VACANCIES IN LOCAL OFFICE.***Senate: Filed***S 515: JORDAN LAKE WATER QUALITY ACT (NEW).***Senate: Filed***S 516: PUBLIC SCHOOL REGULATORY REFORM.***Senate: Filed***LOCAL BILLS**

H 191: GRIFTON/DEANNEXATION.

House: Passed 2nd Reading

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

House: Passed 2nd Reading

House: Passed 3rd Reading

H 195: CORNELIUS/EXTEND USE OF DESIGN-BUILD.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/28/2013

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

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/28/2013

H 229: HOLDEN BEACH/CANAL DREDGING DISTRICT FEE.

House: Passed 2nd Reading

House: Passed 3rd Reading

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

House: Reptd Fav

House: Re-ref Com On Regulatory Reform

House: Reptd Fav

House: Re-ref Com On Regulatory Reform

H 421: MARSHVILLE DEANNEXATION.

House: Passed 1st Reading

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

H 422: MARSHVILLE CHARTER AMENDMENT/UTILITY BILLING.

House: Passed 1st Reading

House: Ref To Com On Government

H 423: SCHOOL CALENDAR FLEXIBILITY/KANNAPOLIS.

House: Passed 1st Reading

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

H 424: SCHOOL CALENDAR FLEXIBILITY/CABARRUS COUNTY.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

House: Ref To Com On Government

H 456: DV FATALITY REVIEW TEAM/MECKLENBURG CO.

House: Filed

H 468: HIGH POINT ELECTIONS/TRYON CHARTER AMENDMENTS

House: Filed

H 470: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.

House: Filed

H 471: VANCE/WARREN/RENEWABLE ENERGY FACILITY SITING.

House: Filed

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

House: Passed 1st Reading

House: Ref To Com On Finance

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

House: Passed 1st Reading

House: Ref To Com On Finance

House: Passed 1st Reading

House: Ref To Com On Finance

S 177: HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS.

House: Rec From Senate

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

Senate: Passed 2nd Reading

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