



The Daily Bulletin: 2013-03-28

PUBLIC/HOUSE BILLS

H 11 (2013-2014) [SPECIAL ELECTION DATES](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT SPECIAL ELECTIONS MAY BE HELD ONLY ON THE DATE OF PRIMARY IN EVEN-NUMBERED YEARS, ON THE DATE OF THE GENERAL ELECTION, OR ON THE DATE OF THE MUNICIPAL GENERAL ELECTION, EXCEPT IN CASES OF A PUBLIC HEALTH OR SAFETY EMERGENCY OR FOR RECALL ELECTIONS OF MUNICIPAL INCORPORATIONS GOVERNED BY LOCAL ACT.*

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

Amends GS 163-287(c), providing that the last sentence of subsection (a) of GS 163-287 does not apply to any special election related to public health or safety, including a vacancy in the office of sheriff. Changes reference to "election" to "special election" in GS 69-25.1.

Amends GS 69-25.2 and GS 105-465, deleting language stating that no new registration of voters will be required for the special elections. Also deletes language related to the registration of these voters and related notice requirements.

Amends GS 105-473(a), deleting provision allowing all voters in the County that are properly registered no later than 21 days prior to the election to vote in the special election.

Amends GS 105-509(b), 105-510(b), and 105-511.2(a) making clarifying and technical changes.

Intro. by Warren, Cleveland, Hager.

[GS 105](#), [GS 115C](#), [GS 18B](#), [GS 69](#), [GS 106](#), [GS 115D](#), [GS 130A](#), [GS 139](#), [GS 147](#), [GS 153A](#), [GS 158](#), [GS 159](#), [GS 160A](#), [GS 162A](#), [GS 163](#)

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[Local Government, Elections, Tax](#)

H 180 (SL 2013-16) (2013-2014) [MECHANICS LIENS/TECHNICAL CORRECTIONS](#). Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL CORRECTIONS TO THE LAWS GOVERNING MECHANICS LIENS.*

A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL CORRECTIONS TO THE LAWS GOVERNING MECHANICS LIENS. Enacted March 28, 2013. Effective April 1, 2013.

Intro. by Stevens.

[GS 44A](#), [GS 58](#)

[View summary](#)

[Building and Construction, Property and Housing](#)

H 232 (2013-2014) [STATE HEALTH PLAN/STATUTORY CHANGES.-AB](#) Filed Mar 5 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES STATUTES, AS REQUESTED BY THE STATE HEALTH PLAN.*

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

Amends GS 135-48.40(b)(1) to provide that all full-time employees (was, permanent full-time employees) of an employing unit are eligible for coverage under the State Health Plan (Plan) on a partially contributory basis subject to the provisions of GS

135-48.43. Deletes requirements regarding hours worked per week and months worked per calendar year as factors in determining eligibility for coverage under the Plan. Instead states that the full-time status of an employee will be determined by the employing unit under Section 4980H of the Internal Revenue Code and the applicable regulations, as amended. Effective July 1, 2013.

Amends GS 135-48.43 regarding the effective dates of coverage. Provides that employees and retirees who satisfy the eligibility requirements of GS 135-48.40, as amended by this act, will be offered coverage with effective dates as specified in this section. Amends the effective date for new employees to provide that new employees are eligible to apply for coverage on the first day of the month following the date that the employee is determined by the employing unit to be a full-time employee as defined in GS 135-48.40(b)(1), as amended in this act, or if later, the first day of any applicable stability periods established by the employing unit under the provisions of Section 4980H of the Internal Revenue Code and the applicable regulations, as amended. Further amends this section to delete age requirements regarding enrollment when first eligible for the employee or the employee's dependents and to delete the requirement for a 12-month waiting period for a preexisting health condition. Effective July 1, 2013.

Intro. by Dockham.

[GS 135, GS 147](#)

[View summary](#)

[Health Insurance](#)

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

House committee substitute to the 1st edition makes the following change. Changes the long title as indicated.

Intro. by McGrady, Samuelson, Szoka, Turner.

[GS 130A](#)

[View summary](#)

[Business and Commerce](#)

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

Correction: The act repeals SL 2012-142, Section 7A.3(e), which sets out the guidelines for determining school performance scores and grades that the State Board of Education must award. The Section also required the State Board of Education to report to the Joint Legislative Education Oversight Committee annually by January 15 on recommended adjustments to the school performance grade elements and scales for award of scores and grades.

The act does not repeal the subsection to GS 115C-238.29F that requires a charter school to insure that there is wide public distribution of its report card issued by the State Board of Education (SBE) and to notify the parent or guardian of all students if the charter school receives a grade of D or F.

Intro. by Langdon, Johnson, Holloway, Cotham.

[GS 115C](#)

[View summary](#)

[Elementary and Secondary Education](#)

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

Amends GS 163-227.2(b), allowing one-stop voting to be conducted on election day but only at the office of the county board of elections (board); if the board does not offer it there, then at a site reasonably close to the county board of elections.

Amends GS 163-227(b) and (f), requiring the board of elections to, during each of the first primary and general elections in even-numbered years, conduct at least 20 hours of one-stop voting between Saturdays and Sundays, with not less than 6 nor more than 8 of those 20 hours on the final Saturday.

Amends GS 164-227.2(g), requiring incorporated municipalities with a population of 15,000 or more with a public or private college campus to have at least one additional site where absentee ballots can be cast for the general election in even-numbered years.

Amends GS 126-4 by adding a new subdivision that provides the State Personnel Commission (Commission) will establish policies and rules regarding allowing employees to take 24 hours per year of paid leave for election service. Directs the Commission on what to include in the policy.

Amends GS 163-46 (*Compensation of precinct officials and assistants*), providing that county board of elections will not compensate a precinct official for any hours worked for which the official takes paid leave, in line with a policy adopted pursuant to GS 126-4(5b).

Amends 126-4(5) (*Powers and duties of State Personnel Commission*), providing that the date of the general election will now be a legal public holiday and that the State Personnel Commission will establish rules and policies governing its administration.

Amends 115C-84.2(b), providing that the date of the general election will be a holiday for all public school personnel and students.

Appropriates from the General Fund to the State Board of Elections (Board) \$390,871 for the 2013-14 fiscal year to meet federal Help America Vote Act requirements.

Prompts the Board to create an online system for registering to vote and reporting changes in address and affiliation. Access will be available at public libraries, community colleges, and employment security locations.

Amends GS 163-82.19(a), providing that when filling out certain forms at the DMV, the DMV attendant will ask if the person is a citizen of the United States. If the applicant states that he or she is a US citizen and of age to register to vote, the person taking the application must affirmatively inform the applicant of the opportunity provided on that form to register to vote or update registration.

Amends GS 163-82.20(b), providing that a duty of a voter registration agency is to affirmatively inform each applicant of the opportunity to register to vote if the applicant is eligible.

Amends GS 163-41 by creating a new subsection, GS 163-41(a1), which provides that all chief justices and judges must be certified as knowledgeable on election laws and procedures related to voting. Certification is available in a variety of ways.

Provides that the Board will publish in conjunction with the "Judicial Voter Guide" and the "Voter Guide" a voter guide in regional editions covering all state legislative races and statewide races not covered in the previous guides.

Amends GS 115C-81(g)(1), providing that local boards of education will require specific instruction on the process of voting and registering to vote during the "American History I" course in high school.

Amends GS 163-275 (*Certain acts declared felonies*), making it a Class I felony for any person to corruptly hinder, interfere with, or prevent another person from registering to vote or aiding another person in registering to vote in any election. Any attempt to do the same will result in the same penalties.

Establishes a voter intimidation registry within the offices of the State Board of Elections and the Department of Justice, with the purpose of tracking the location of persons who are convicted of a violation of new GS 163-275(19).

Effective January 1, 2014.

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

GS 115C, GS 126, GS 163

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[State Board of Elections, Elections](#)

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.*

Declares that it is the intent of the General Assembly to move salaries for North Carolina's teachers to the national average by the 2019-20 school year.

Teacher salary schedules 2013-14 fiscal year. Establishes the monthly salary schedules for the 2013-14 fiscal year for certified personnel of local school administrative units (LEAs) who are classified as teachers. The schedule contains 37 steps with each step corresponding to one year of teaching experience. Salaries range from \$3,172 for teachers with a class "A" certification and zero years of experience to \$5,478 for those with 36+ years of experience, and from \$3,553 for teachers that have National Board for Professional Teaching Standards (NBPTS) certification and three years of experience to \$6,135 for those with 36+ years of experience. Salaries range from \$3,489 for teachers with a class "M" certification and zero years of experience to \$6,026 for those with 36+ years of experience, and from \$3,908 for those who are NBPTS certified with three years of experience to \$6,749 for those with 36+ years of experience. Provides that teachers employed during the 2012-13 school year who did not work the required number of hours to acquire an additional year of experience do not receive a decrease in salary as otherwise required by the salary schedule. Directs that teachers obtaining a master's degree or receiving NBPTS certification are not to be prohibited from receiving the appropriate increase in salary.

Teacher salary schedules 2014-15 fiscal year. Establishes the monthly salary schedules for the 2014-15 fiscal year for certified personnel of LEAs who are classified as teachers. The schedule contains 38 steps with each step corresponding to one year of teaching experience. Salaries range from \$3,267 for teachers with a class "A" certification and zero years of experience to \$5,642 for those with 37+ years of experience, and from \$3,659 for teachers that have NBPTS certification and three years of experience to \$6,319 for those with 36+ years of experience. Salaries range from \$3,594 for teachers with a class "M" certification and zero years of experience to \$6,206 for those with 37+ years of experience, and from \$4,025 for those who are NBPTS certified with three years of experience to \$6,951 for those with 37+ years of experience.

Specifies the following annual longevity payment rates for teachers: (1) 1.5% of base salary for 10 to 14 years of state service, (2) 2.25% of base salary for 15 to 19 years of state service, (3) 3.25% of base salary for 20 to 24 years of state service, and (4) 4.5% of base salary for 25 or more years of state service. Provides that the longevity payment must be in a lump sum paid once a year.

Authorizes the following salary supplements: (1) for teachers with certification based on academic preparation at the six-year degree level, \$126 in addition to the compensation provided for certified personnel classified as "M" teachers and (2) for teachers with certification based on academic preparation at the doctoral degree level, \$253 per month in addition to the compensation provided for certified personnel who are classified as "M" teachers.

Specifies that the first step of the salary schedule for school psychologists for the 2013-14 fiscal year is equivalent to step 10 on the salary schedule for class "M" teachers and equivalent to step 11 on the salary schedule for class "M" teachers for the 2014-15 fiscal year. Directs that certified psychologists be placed on the salary schedule at an appropriate step based on their years of experience and receive longevity payments based on years of state service in the same manner as teachers. Authorizes the following salary supplements for school psychologists: (1) \$126 per month for certified psychologists with certification based on academic preparation at the six-year degree level and (2) \$253 per month for certified psychologists with certification based on academic preparation at the doctoral level.

Specifies that speech pathologists who are certified as speech pathologists at the master's degree level and audiologists who are certified as audiologists at the master's degree level and who are employed in the public schools as speech and language specialists and audiologists must be paid on the school psychologist salary schedule. Authorizes the following salary supplements: (1) \$126 per month for speech pathologists and audiologists for certified speech pathologists and audiologists with certification based on academic preparation at the six-year degree level and (2) \$253 per month for speech pathologists and audiologists for certified speech pathologists and audiologists with certification based on academic preparation at the doctoral degree level.

Directs that certified school nurses who are employed in the public schools as nurses be paid on the "M" salary schedule. Specifies that, as used in this section, the term "teacher" also includes instructional support personnel.

School-based administrator salary schedule 2013-14 fiscal year. Directs that the base salary schedule for school-based administrators applies only to principals and assistant principals. Establishes the base salary schedule for the 2013-14 fiscal year, commencing July 1, 2013, for principals and assistant principals. Provides that school-based administrators (1) who were employed during the 2012-13 school year, (2) did not work the required number of months to acquire an additional year of experience, and (3) who were employed during the 2013-14 school year in the same classification do not receive a decrease in salary as would otherwise be required by the salary schedule. Sets out the salary schedule.

School-based administrator salary schedule 2014-15 fiscal year. Also establishes the base salary schedule for the 2014-15 fiscal year, commencing July 1, 2014, for principals and assistant principals. Provides that school-based administrators (1) who were employed during the 2013-14 school year, (2) did not work the required number of months to acquire an additional year of experience, and (3) who were employed during the 2013-14 school year in the same classification do not receive a decrease in salary as would otherwise be required by the salary schedule. Sets out the salary schedule.

Provides a schedule for placement of principals and assistant principals on the salary schedule based on number of teachers supervised. Specifies that the number of teachers supervised includes teachers and assistant principals paid from state funds only; it does not include teachers or assistant principals paid from non-state funds or the principal or teacher assistants.

The beginning classification for principals in alternative schools and in cooperative innovative high school programs is the Principal III level. Principals in alternative schools who supervise 33 or more teachers are classified according to the number of teachers supervised.

Directs that a principal be placed on the step on the salary schedule that reflects total number of years of experience as a certificated employee of the public schools and an additional step for every three years of experience as a principal. Specifies that a principal or assistant principal also continue to receive any additional state-funded percentage increases earned for the 1997-98, 1998-99, and 1999-2000 school years for improvement in student performance or maintaining a safe and orderly school.

Directs that principals and assistant principals with certification based on academic preparation at the six-year degree level shall be paid a salary supplement of \$126 per month and at the doctoral degree level shall be paid a salary supplement of \$253 per month.

Directs that longevity pay for principals and assistant principals must be as provided for state employees under the State Personnel Act.

Specifies that if a principal is reassigned to a higher job classification because the principal is transferred to a school within a local school administrative unit with a larger number of state-allotted teachers, the principal must be placed on the salary schedule as if the principal had served the principal's entire career as a principal at the higher job classification. If a principal is reassigned to a lower job classification because the principal is transferred to a school within a local school administrative unit with a smaller number of state-allotted teachers, the principal must be placed on the salary schedule as if the principal had served the principal's entire career as a principal at the lower job classification. Applies to all transfers on or after the effective date of this section except transfers in school systems created by merging two or more school systems. Transfers in these merged systems are exempt from the provisions of this subsection for one calendar year following the date of the merger.

Directs that participants in an approved full-time master's in school administration program receive up to a 10-month stipend at the beginning salary of an assistant principal during the internship period of the master's program. Specifies that for the 2006-07 fiscal year and subsequent fiscal years, the stipend may not exceed the difference between the beginning salary of an assistant principal plus the cost of tuition, fees, and books and any fellowship funds received by the intern as a full-time student, including awards of the Principal Fellows Program. The Principal Fellows Program or the school of education where the intern participates in a full-time master's in school administration program must supply the DPI with certification of eligible full-time interns.

During the 2013-15 fiscal biennium, the placement on the salary schedule of an administrator with a one-year provisional assistant principal's certificate must be at the entry-level salary for an assistant principal or the appropriate step on the teacher salary schedule, whichever is higher.

Provides the monthly salary range for assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers for the 2013-14 fiscal year, beginning July 1, 2013, and the 2014-15 fiscal year, beginning July 1, 2014. Directs the local board of education to determine the appropriate category and placement for each assistant superintendent,

associate superintendent, director/coordinator, supervisor, or finance officer within the salary ranges and within funds appropriated by the General Assembly. The category in which an employee is placed must be included in the contract of any employee.

Also provides the monthly salary ranges for superintendents employed by LEAs for the 2013-14 fiscal year, beginning July 1, 2013, and the 2014-15 fiscal year, beginning July 1, 2014. Directs the local board of education to determine the appropriate category and placement for the superintendent based on the average daily membership of the local school administrative unit and within funds appropriated by the General Assembly.

Directs that longevity pay for superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers must be as provided for state employees under the State Personnel Act.

Directs that superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers with certification based on academic preparation at the six-year degree level receive a salary supplement of \$126 per month. Directs that superintendents, assistant superintendents, associate superintendents, directors/coordinators, supervisors, and finance officers with certification based on academic preparation at the doctoral degree level receive a salary supplement of \$253 per month.

Prohibits the State Board of Education from permitting LEAs to transfer state funds from other funding categories for salaries for public school central office administrators.

Provides for a salary increase of 3% beginning July 1, 2013, and an additional 3% beginning July 1, 2014, for all permanent full-time personnel paid from the Central Office Allotment. Directs the State Board of Education (SBE) to allocate these funds to LEAs and directs local boards of education to establish guidelines for providing salary increases to these personnel.

Additionally provides for a 3% salary increase for permanent, full-time noncertified employees of LEAs whose salaries are supported from the state's General Fund beginning July 1, 2013, and by an additional 3% beginning July 1, 2014. Directs local boards of education to provide annual salary increases of 3% for fiscal years 2013-14 and 2014-15 for employees who were employed for all or part of those fiscal years and who continue their employment for the following fiscal year. Provides that the pay increase be pro rata for part-time employees, based on the number of hours worked. Authorizes the SBE to adopt salary ranges for noncertified personnel to support increases of 3% for the 2013-14 fiscal year and again in the 2014-15 fiscal year.

Requires that funds in the Reserve for Compensation Increases be used to increase annual salaries by 3% for the 2013-14 fiscal year and by an additional 3% for the 2014-15 fiscal year for employees of schools operated by DPI, DHHS, and the Department of Public Safety who are paid on the Teacher Salary Schedule or the School-Based Administrator Salary Schedule.

Appropriates \$214,793,331 from the General Fund to the Reserve for Compensation Increases for the 2013-14 fiscal year and \$436,030,461 for the 2014-15 fiscal year to implement the provisions of this act

This act is effective July 1, 2013.

Intro. by Glazier, Michaux, Lucas, Goodman.

APPROP

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Budget/Appropriations, Education

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*.

Amends the requirements for private protective services licensing in GS 74C-8 to provide that in the event that a qualifying agent upon whom a business entity relies in order to do business ceases to perform his duties, the business entity must obtain a substitute qualifying agent within 90 (was, 30) days, unless the Private Protective Services Board (Board) extends the period for good cause for an additional 30 days upon the filing of a petition by the business entity and upon a hearing by the Board. Allows the Board to require the payment of a late fee for a business entity failing to obtain a substitute qualifying agent. Requires a license applicant to pay the initial fee and make the required Private Protective Services Education Fund (Fund) contribution within 90 days from the date the applicant receives notice of pending licensure approval unless the Board extends

the period for good cause for an additional 30 days upon filing a petition and having a hearing. Allows the Board to require the payment of a late fee.

Amends GS 74C-9 to set a \$100 cap on the late fees authorized above. Allows the board to grant a 90-day extension to a licensee, trainee, or registrant who is temporarily unable to complete the renewal application requirements because of a physical disability or medical condition. Provides specifications for the documentation necessary for the extension.

Amends GS 74C-12 to also allow the Board to deny, suspend, or revoke a trainer certification.

Amends GS 74C-13 to require a proprietary employer who employs an armed guard to submit an application to the Board and requires the employer to renew its license every two years.

Effective July 1, 2013.

Intro. by McNeill, Burr.

GS 74C

[View summary](#)

Business and Commerce, Occupational Licensing

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.*

Amends GS 115C-105.25 as the title indicates. Directs the State Board of Education (SBE) to grant maximum flexibility to local school administrative units (LEAs) in the spending of state funds. Reduces the limitations on a local board's ability to make transfers between funding allotment categories. Adds limitation to restrict the transfer of funds allotted for teacher assistants only to the classroom teacher allotment category. Limits the transfer of funds allotted for classroom teachers to the assistant teacher category. Provides for the transfer of funds allotted for children with disabilities, or for career and technical education, only as permitted by federal law and the terms of federal grants.

Amends GS 115C-301 to make the restrictions pertaining to maximum class size applicable only to kindergarten through third grade. Provides maximum flexibility to LEAs in using allotted teacher positions to maximize student achievement in grades four through twelve. Deletes provisions setting a maximum teaching load for teachers of grades seven through twelve and providing for alternative maximum class sizes in certain subjects. Makes clarifying changes to the basis on which the SBE may make allotment adjustments.

Makes conforming changes to GS 115C-47(10) and GS 115C-276(k).

Makes this act effective July 1, 2013.

Intro. by Ramsey, Lambeth, Whitmire.

GS 115C

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H 472 (2013-2014) **AUTO INSURANCE RATE-MAKING REFORM**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW INSURANCE COMPANIES WRITING PRIVATE AUTOMOBILE INSURANCE IN NORTH CAROLINA TO OFFER OPTIONAL PROGRAM ENHANCEMENTS AND TO ALIGN AUTO INSURANCE RISK AND RATES IN NORTH CAROLINA BY ALLOWING THE CLASSIFICATION OF YOUNG DRIVERS AS A FACTOR IN THE SETTING OF RATES.*

Amends GS Chapter 58 by creating a new section, GS 58-36-43 (*Private passenger automobile optional program enhancements authorized not altering coverage under Rate Bureau jurisdiction*), providing that member companies writing private passenger car insurance under this Article can add optional enhancements to their car programs as endorsements to an automobile policy if the insurer has filed the proposed enhancements with the Commissioner of Insurance (Commissioner) and

they are approved. Approved enhancements are outside the authority of the Rate Bureau. Insurers will use a statistical code for reporting premiums and losses from program enhancements and will advise the Department of Insurance where this code will be reported.

Amends GS 58-3-25, providing that except as specified in GS 58-36-65 (*Classifications and Safe Driver Incentive Plan for nonfleet private passenger motor vehicle insurance*) and GS 58-37-35 (*The Facility; functions; administration*), no insurer can base any standard or rating plan for private passenger automobiles or motorcycles in any part on the age or sex of the persons insured.

Amends GS 58-36-65, providing that the Commissioner can give consideration to whether any licensed drivers are under 19 years of age when issuing modifications to rate classifications, schedules, or rules to classify drivers of nonfleet private passenger motor vehicles. Allows for the cancellation or refusal of a car insurance policy if an applicant knowingly makes a material misrepresentation as to whether the applicant is 19 years of age or older. Allows premium surcharges for insureds who are less than 19 years old. Provides that except as provided in this section and GS 58-36-30(d), no classification or subclassification plan can be based in any way on the gender or age of insureds.

Amends GS 58-37-35 (*The Facility; functions; administration*), providing that an owner's household where each licensed operator is 18 years of age or older (was, had two years' driving experience as licensed drivers) is a "clean risk" if points have not been awarded, as specified.

Effective July 1, 2013, applying to policies issued or renewed after that date.

Intro. by Dockham, Murry, Wray.

GS 58

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Insurance, Transportation

H 473 (2013-2014) [NC CAPTIVE INSURANCE ACT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE NORTH CAROLINA CAPTIVE INSURANCE ACT.*

Identical to [S 476](#), filed 3/27/13.

Intro. by Dockham, Howard, Johnson, Tine.

GS 58, GS 97

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Insurance

H 474 (2013-2014) [REDEPOSIT GOVT. FUNDS INTO INS. DEPOSIT ACCT.](#) Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE REDEPOSIT OF STATE AND LOCAL GOVERNMENT FUNDS INTO INSURED DEMAND, MONEY MARKET, AND NEGOTIABLE ORDER OF WITHDRAWAL DEPOSIT ACCOUNTS.*

As title indicates. Amends GS 159-30(b1), GS 115D-58.6(a1), and GS 147-69.1(c)(5) making technical changes and providing for the redeposit of idle state and local government funds into federally insured deposit accounts.

Intro. by S. Ross, Dockham, Lambeth, Goodman.

GS 115D, GS 147, GS 159

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Banking and Finance, Local Government, State Government

H 475 (2013-2014) [FERRY TOLLING ALTERNATIVES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE MANDATORY FERRY TOLLING AND TO PROVIDE THE DEPARTMENT WITH EXPANDED AUTHORIZATION TO GENERATE RECEIPTS TO SUPPORT ONGOING OPERATION OF THE FERRY SYSTEM.*

Amends GS 136-82 to no longer require the Department of Transportation (DOT) to collect ferry tolls. Defines *ferry system*. Allows the DOT to operate or contract for the following receipt-generating activities and use the proceeds to promote, improve, repair, maintain, or operate the ferry system: (1) operation of concessions on the ferries and at the ferry facilities, including internet access; (2) the sale of name rights to any ferry vessel, route, or facility; and (3) advertising on or within any ferry vessel. Makes clarifying and technical changes.

Intro. by Jeter, Tine, Torbett, Iler.

[GS 136](#)

[View summary](#)

[Transportation](#)

H 476 (2013-2014) [REWRITE UNDERGROUND DAMAGE PREVENTION ACT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT REWRITING THE LAWS REGULATING UNDERGROUND UTILITY DAMAGE PREVENTION*.

Repeals Article 8 (*Underground Damage Prevention*) of GS Chapter 87.

Enacts new Article 8A (Underground Utility Safety and Damage Prevention Act) of GS Chapter 87. Provides that the act supersedes and preempts any city or county ordinance (1) requiring operators to obtain city or county permits to identify facilities; (2) requiring pre-marking or marking of facilities; (3) specifying the types of paint or other marking devices that are used to identify facilities; or (4) requiring removal of unexpired marks, which will be the responsibility of the city or county. Defines a *facility* as an underground line, underground system, or underground infrastructure used for producing, storing, conveying, transmitting, identifying, locating, or distributing communication, electricity, gas, petroleum, petroleum products, hazardous liquids, water, steam, or sewage. Prohibits costs or expenses associated with an excavator's compliance with the Article from being charged to an operator and prevents the operator's costs or expenses of compliance from being charged to any excavator. Prohibits the Notification Center from imposing charges.

Requires the operators (any person, public utility, communications or cable service provider, municipality, electrical utility, or electric or telephone cooperative that owns or operates a facility in the state) to maintain a Notification Center (Center) to provide services required in the Article and to join the Center and use the Center's services to perform required acts. Sets deadlines for joining the Center based on the entity's number of customers. Sets the Center's duties and responsibilities, including establishing and operating a damage prevention training program for members. Requires the Center to receive notice from persons intending to excavate or demolish in the state and to transmit specified information to the appropriate operator.

Establishes information that the operator must provide to the excavator and specifies timelines by which the information must be provided. Sets out further provider responsibilities including preparing installation records for facilities installed in a public street, alley, or right-of-way dedicated to public use. Requires facilities installed on or after the effective date of the Article to be electronically locatable. Allows an operator to reject an excavation or demolition notice due to homeland security considerations.

Establishes excavator responsibilities, including providing notice to the Center of the intent to excavate or demolish. Provides timing requirements for different types of notice. Sets out information that must be included in the notices. Requires excavators to comply with 10 specific requirements including confirming a positive response system through the System before excavation or demolition that all operators have responded and that all facilities affected have been marked, planning the excavation or demolition to avoid damage or minimize interference with facilities, and giving the operator a reasonable time in which to remove or protect the operator's facilities before demolition commences.

Sets out exemptions from the notice requirements. Provides for notification to the Center in the case of emergency excavation or demolitions. Makes it a Class 3 misdemeanor to falsely claim that an emergency exists requiring an excavation or demolition.

Requires that notice be given upon discovering damage to a facility. Provides for notification in the instance of damage resulting in the discharge of electricity or the escape of any flammable, toxic, or corrosive gas or liquid.

Allows designers to submit design notice to the Center. Requires a response in a specified manner within 15 working days.

Provides that if an operator has been given notice by the Center and fails to respond or properly locate the facility, the person excavating may proceed with the excavation.

Provides for civil penalties not to exceed \$2,500 for each violation of the article. Includes other provisions concerning civil remedies. Includes a severability clause.

Effective October 1, 2014, and applies to all activities regulated by Article 8A, as enacted by the act, that occur on or after that date.

Intro. by Hager, Moffitt, Murry.

[GS 87](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 477 (2013-2014) [ALLISON'S LAW/USE OF GPS TRACKING DEVICE/DVPO](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT ALLOWING A COURT TO CONSIDER AS A TYPE OF RELIEF IN GRANTING A DOMESTIC VIOLENCE PROTECTIVE ORDER THE USE OF A GPS TRACKING DEVICE ON A PERSON WHO HAS COMMITTED ACTS OF DOMESTIC VIOLENCE AND REQUIRING THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY TO REPORT ON IMPLEMENTATION AND COST IMPACT.*

Amends GS 50B-3 by adding a new GS 50B-3(a)(9a), which provides that being electronically monitored by way of a Global Positioning System (GPS) device, or other similar device, is considered a type of relief granted under a protective order. The defendant is responsible for any costs associated with the use of the device.

Effective July 1, 2014, applying to offenses committed on or after that date.

Intro. by Lambeth, S. Ross, Schaffer.

[GS 50B](#)

[View summary](#)

[Family Law](#)

H 478 (2013-2014) [TOWN OF MATTHEWS SPECIAL PLATE](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL PLATE FOR THE TOWN OF MATTHEWS.*

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 \$20 and requires that \$10 of that amount be transferred quarterly to the Town of Matthews. Effective July 1, 2013.

Intro. by Cotham, W. Brawley.

[GS 20](#)

[View summary](#)

[Transportation, Department of Transportation](#)

H 479 (2013-2014) [AMEND ELECTROLYSIS PRACTICE ACT/FEEES](#). Filed Mar 28 2013, *A BILL ENTITLED AN ACT AMENDING THE ELECTROLYSIS PRACTICE ACT TO AUTHORIZE THE BOARD OF ELECTROLYSIS EXAMINERS TO HOLD AND USE FUNDS AND TO MAKE CONFORMING AMENDMENTS.*

Amends GS Chapter 88A, the Electrolysis Practice Act, as follows: (1) repeals GS 88A-7, which made funds collected by the North Carolina Board of Electrolysis Examiners (the Board) subject to the Executive Budget Act and oversight by the State Auditor; (2) amends GS 88A-8 to require that all fees payable to the Board be deposited by the executive director or treasurer in a Board-authorized financial institution that must have deposit insurance and be authorized to do business in the state. Funds and interest earned must be held and expended under the Board's supervision and used to pay all expenses incurred by the Board in carrying out the Chapter; (3) amends GS 88A-9 to establish a \$100 reexamination fee and a \$25 returned check fee; (4) amends GS 88A-11.1 to provide that the authority to regulate laser practitioners (was, clinicians) remains with the Board; (5) amends GS 88A-13 to authorize the Board to approve all continuing education

requirements and changes the annual continuing education requirement from a minimum of 10 hours to a maximum of 10 hours and extends the types of courses that must be taken to include those in the subject matter of light source or pulsed-light treatments; (6) amends GS 88A-17.1 to provide that serving as a qualified instructor may satisfy practice requirement for licensure; and (7) makes other technical and conforming changes. Effective October 1, 2013.

Intro. by R. Brown.

[GS 88A](#)

[View summary](#)

[Occupational Licensing](#)

H 480 (2013-2014) [ENVIRONMENTAL PERMITTING REFORM](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE REGULATORY CERTAINTY FOR NORTH CAROLINA BY REQUIRING THE DEVELOPMENT OF MINIMUM DESIGN CRITERIA FOR STORMWATER PERMITS TO GUIDE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES IN PERMIT ISSUANCE AND TO REFORM THE PERMITTING PROCESS TO ALLOW A FAST-TRACK PERMITTING PROCESS FOR APPLICATIONS CERTIFIED BY A QUALIFIED PROFESSIONAL TO BE IN COMPLIANCE WITH THE MINIMUM DESIGN CRITERIA.*

Requires the Department of Environment and Natural Resources (DENR) to develop Minimum Design Criteria for stormwater runoff permits. Requires that the criteria include requirement for the siting, site preparation, design and construction, and post-construction monitoring and evaluation necessary for issuing a stormwater permit.

Also requires DENR to develop Minimum Design Criteria for erosion and sedimentation control plans issued by DENR and local governments. Requires that the criteria include requirements for the siting, site preparation, design and construction, and post-construction monitoring and evaluation necessary to approve an erosion and sedimentation control plan.

Requires DENR to consult with a working group, with specified experts, in developing the criteria and requires that recommendations be submitted to the Environmental Review Commission (EMC) by March 1, 2014.

Enacts new GS 143-214.7B and GS 113A-68 requiring the EMC and the Sedimentation Control Commission to adopt rules to implement fast track permitting processes for stormwater management system permits and approval of erosion and sedimentation control plans, without a technical review when the applicant (1) complies with the Minimum Design Criteria, and (2) submits a permit application sealed by a professional engineer. Rules implementing these statutes must be adopted by February 1, 2014.

Intro. by Millis, Moffitt, Catlin, Hardister.

[GS 113A, GS 143](#)

[View summary](#)

[Environment](#)

H 481 (2013-2014) [REDUCE NEEDLE STICK INJURIES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE NEEDLE STICK INJURIES AMONG LAW ENFORCEMENT OFFICERS, EMERGENCY RESPONDERS, AND OTHERS BY EXCLUDING NEEDLES, SYRINGES, AND OTHER INJECTION EQUIPMENT FROM THE LIST OF ITEMS DESIGNATED AS DRUG PARAPHERNALIA; AND BY DECRIMINALIZING THE USE, POSSESSION, MANUFACTURE, AND DELIVERY OF INJECTION EQUIPMENT UNDER THE NORTH CAROLINA DRUG PARAPHERNALIA ACT.*

Amends GS 90-113.21(a), excluding injection equipment, as the title indicates. Makes conforming changes to GS 90-113.22(a) and GS 90-113.23(a). Enacts new GS 90-113.25 (*Use, possession, manufacture, or delivery of injection equipment not unlawful*), as the title indicates. Applies to acts committed on or after December 1, 2013.

Intro. by Insko, Harrison.

[GS 90](#)

[View summary](#)

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

H 482 (2013-2014) [MEDIATION AMENDMENTS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING MEDIATED SETTLEMENT CONFERENCES IN SUPERIOR COURT, MEDIATION IN DISTRICT COURT DOMESTIC CASES, AND THE REGULATION OF MEDIATORS, TO ESTABLISH A DISPUTE RESOLUTION FUND FOR MONIES COLLECTED THROUGH THE EXISTING ADMINISTRATIVE FEE FOR THE CERTIFICATION OF MEDIATORS AND MEDIATION TRAINING PROGRAMS, AND TO MAKE IT UNLAWFUL TO FALSELY REPRESENT ONESELF AS A CERTIFIED MEDIATOR OR TO FALSELY REPRESENT A MEDIATOR TRAINING PROGRAM AS CERTIFIED.*

To be summarized at a later date.

Intro. by T. Moore, Bryan, Glazier, Schaffer.

[GS 7A](#)

[View summary](#)

[Court System](#)

H 483 (2013-2014) [ELIMINATE UNNECESSARY EDUCATOR REPORTING](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE UNNECESSARY REPORTING BY EDUCATORS.*

Amends GS 115C-105.27(b), providing that strategies for improving student performance must include a plan to identify and eliminate unnecessary and redundant reporting requirements for teachers. Streamlining the school's reporting system and procedures will also serve as a strategy for improving student performance.

Amends GS 115C-307(g), providing for the above eliminations and streamlining of processes. Provides that a duplicative report will only be required when the superintendent determines there is a compelling need and there is not a more expeditious manner of providing the information to the local board. A school improvement team can request the superintendent to consider the elimination of a redundant reporting requirement. The superintendent will then recommend to the local board the elimination. If he or she does not, the improvement team can request a hearing with the local board as provided in GS 115C-45(c).

Effective when the act becomes law, applying to the 2013-14 school year.

Intro. by Murry, Brandon, Blust, Cotham.

[GS 115C](#)

[View summary](#)

[Education](#)

H 484 (2013-2014) [PERMITTING OF WIND ENERGY FACILITIES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PERMITTING PROGRAM FOR THE SITING AND OPERATION OF WIND ENERGY FACILITIES.*

Identical to [S 491](#), filed 3/27/13.

Amends GS 62-2(b) (*Declaration of policy* section of the Public Utilities Act), providing that the provision of greater energy security will be in a manner compatible with the efficient use of resources and the state's military and economic interests.

Amends GS Chapter 143 by adding a new article, Article 21C (*Permitting of Wind Energy Facilities*).

Creates GS 143-215.115 (*Definitions*), providing the definitions and terms to be used in this article, in addition to those set forth in GS 143-212.

Creates GS 143-215.116 (*Permit to site wind energy facilities*), establishing that no activities associated with a wind energy facility are to take place in North Carolina without a permit from the Department of Environment and Natural Resources (Department).

Creates GS 143-215.117 (*Permit pre-application site evaluation meeting; notice; pre-application package requirements; annual review of military presence*), providing timeline and purpose for pre-application site evaluation meeting, which must occur no less than 120 days prior to filing an application for a permit to construct, operate, or expand a wind energy facility. Provides the reasons and uses behind a pre-application site evaluation meeting. Requires that no less than 45 days prior to the date of the permit pre-application site evaluation meeting, the applicant must submit a pre-application package to the Department. Provides what the pre-application package must contain, including a map of the approximate location of the proposed wind energy facility and a narrative description of the proposed wind energy facility or expansion. Requires the Department to send a written notice of pre-application site meeting to various state and federal agencies and departments no less than 14 days prior to the date of the meeting.

Creates GS 143-215.118 (*Permit application scoping meeting and notice*), providing that no less than 30 days prior to filing an application for a permit for a wind energy facility, the applicant must request the scheduling of a scoping meeting. No less than 21 days before the scoping meeting, the Department must send a written notice of the meeting to various state and federal agencies and departments.

Creates GS 143-215.119 (*Permit application requirements; fees; notice of receipt of completed permit; public hearing; public comment*), establishing 15 items that a permit application for a proposed wind energy facility or expansion must contain, including a copy of a deed, purchase agreement, lease agreement, or other legal device demonstrating right to construct or expand and any other data or information the Department may reasonably require. Establishes an application fee of \$3,500. Provides that within 10 days of receiving a complete permit application, the Department must provide notice of the application to various nearby commanding military officers and the local government of the proposed site. Establishes what the notice of the permit application must include and that within 10 days of receiving a request, affected entities must be provided with a copy of the filed permit, supplemented by any changes or amendments to the original permit application. The Department must also hold public hearings in each county in which the proposed facility or expansion is to be located. Provides the process and procedure for the public hearing and comment, including the parties required to receive written notice of the hearing no less than 30 days before the hearing.

Creates GS 143-215.120 (*Criteria for permit approval; time frame; permit conditions; other approvals required*), providing that the Department must approve an application for a permit for a proposed wind energy facility or expansion unless it finds one of the eight listed impediments exists, including the construction or operation of such a facility or expansion would have a significant adverse impact on fish or wildlife or such construction is inconsistent with or violates rules adopted by the Department or any other provision of law. The Department must make a final decision regarding the permit application within 90 days following the receipt of a completed application. If additional information was requested for the completed application, the Department will make a final decision within 30 days of receipt of the requested information. If the application is denied, the Department will issue a written statement providing the reasons for denial and any modifications that would make the application acceptable. Provides the Department can include, as a condition of a permit, a requirement that the permit holder mitigate any adverse impacts.

Creates GS 143-215.121 (*Financial assurance requirements*), providing that an applicant for a permit will establish financial assurance that will ensure that there are sufficient funds available for decommission of the facility and reclamation of the property to its original presence. Applicant can use any variety of insurance, letters of credit, trusts, surety bonds, or any other device to show proof of this financial protection.

Creates GS 143-215.122 (*Monitoring and reporting*), requiring applicant to submit to the Department annually any post-construction monitoring.

Creates GS 143-215.123 (*Annual review of military presence*), requiring the Department to consult, at least once per year, with representatives of the major Department of Defense installations to review information regarding military operations and plans potentially affected by the permit and facility.

Creates GS 143-215.124 (*Record keeping*), providing that the Department will serve as custodian of records.

Creates GS 143-215.125 (*Rule making*), prompting the Environmental Management Commission to adopt any rules necessary for the implementation of this Article.

Creates GS 143-215.126 (*Civil penalties*), describing the various civil penalties that can be assessed for noncompliance with this Article.

Effective when the act becomes law and applies only to those wind energy facilities or wind energy facility expansions that have not received a written "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration on or before that date.

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

GS 62, GS 143

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Energy

H 485 (2013-2014) [STOCK CAR RACING THEME PLATE PROCEEDS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL TRANSFER THE MONEY IN THE COLLEGIATE AND CULTURAL ATTRACTION PLATE ACCOUNT DERIVED FROM THE SALE OF CHARLOTTE MOTOR SPEEDWAY PLATES TO SPEEDWAY CHILDREN'S CHARITIES.*

Amends GS 20-81.12(b38), as the title indicates.

Intro. by Johnson, Ford.

GS 20

[View summary](#)

Transportation

H 487 (2013-2014) [HONOR THE STATE'S VETERANS](#). Filed Mar 28 2013, *A HOUSE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.*

Identical to [S 543](#), filed 3/28/13.

As title indicates.

Intro. by W. Brawley, West, Horn, Cleveland.

HOUSE RES

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Military and Veteran's Affairs

H 488 (2013-2014) [REGIONALIZATION OF PUBLIC UTILITIES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROMOTE THE PROVISION OF REGIONAL WATER AND SEWER SERVICES BY TRANSFERRING OWNERSHIP AND OPERATION OF CERTAIN PUBLIC WATER AND SEWER SYSTEMS TO A METROPOLITAN WATER AND SEWERAGE DISTRICT.*

To be summarized at a later date.

Intro. by Moffitt, McGrady, Ramsey.

GS 159, GS 162A

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Public Enterprises and Utilities

PUBLIC/SENATE BILLS

S 50 (SL 2013-15) (2013-2014) [DISCHARGED VETERANS/IDENTITY THEFT PROTECTION](#). Filed Feb 5 2013, *A BILL TO BE ENTITLED AN ACT TO PREVENT IDENTITY THEFT OF DISCHARGED VETERANS BY RESTRICTING THE RELEASE OF MILITARY SERVICE DISCHARGE DOCUMENTS.*

A BILL TO BE ENTITLED AN ACT TO PREVENT IDENTITY THEFT OF DISCHARGED VETERANS BY RESTRICTING THE RELEASE OF MILITARY SERVICE DISCHARGE DOCUMENTS. Enacted March 28, 2013.

Effective March 28, 2013.

Intro. by Bingham.

GS 47

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Public Records and Open Meetings, Military and Veteran's Affairs

S 84 (SL 2013-17) (2013-2014) [CANCEL AIRCRAFT LIEN W/SURETY BOND DEPOSIT](#). Filed Feb 13 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CANCELLATION OF AN AIRCRAFT LABOR AND STORAGE LIEN WHEN A SURETY BOND IN AN AMOUNT EQUAL TO ONE AND ONE-FOURTH TIMES THE AMOUNT OF THE LIEN CLAIMED IS DEPOSITED WITH THE CLERK OF COURT.*

A BILL TO BE ENTITLED AN ACT TO REQUIRE THE CANCELLATION OF AN AIRCRAFT LABOR AND STORAGE LIEN WHEN A SURETY BOND IN AN AMOUNT EQUAL TO ONE AND ONE-FOURTH TIMES THE AMOUNT OF THE LIEN CLAIMED IS DEPOSITED WITH THE CLERK OF COURT. Enacted March 28, 2013. Effective March 28, 2013.

Intro. by Clodfelter.

GS 44A

[View summary](#)

Banking and Finance

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

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

Directs the Secretary of the Department of Health and Human Services (Secretary) to certify (was, provide an unqualified attestation) every six months that any Local Management Entity/Managed Care Organization (LME/MCO) with which the Department of Health and Human Services has contracted to operate the 1915(b)(c) Medicaid Waiver for less than three years, is in compliance with the requirements of subdivisions (1) through (3) of subsection (a) of new GS 122C-124.2. Requires the Secretary to certify that an LME/MCO is in compliance with the three subdivisions of subsection (a) annually, when the contract is for at least three years.

Requires that the Secretary's written certification include the Secretary's signature, and clearly and unequivocally state that the Secretary has determined that the LMC/CMO is in full compliance with all of the listed requirements. Elaborates on the requirements with which the LME/MCO must be in full compliance providing the following: (1) have made adequate provisions against the risk of insolvency with respect to capitation payments for Medicaid enrollees and the Secretary must certify that the LME/MCO has made adequate provision against insolvency if certain specified conditions are true; and (2) the LME/MCO must be making timely provider payments, and the Secretary is to certify that the payments are being made in a timely fashion if there are no consecutive three-month periods during which the LME/MCO paid less than 90% of clean claims for covered services within the 30-day period following the receipt of the claims. Omits provision requiring the Secretary to certify in the annual evaluation that the LME/MCO is in compliance with DHHS regarding management responsibilities for the delivery of services for individuals with mental illness, intellectual or other developmental disabilities, and substance abuse disorders under the 1915(b)(c) Medicaid Waiver.

Provides procedural process to be followed if the Secretary determines that an LME/MCO is not in compliance with a requirement other than those specified in subdivisions (1) through (3) of subsection (a) of this section. Provides that nothing in subsection (c) is to be construed to confer liability on DHHS for the noncompliance of an LME/MCO.

Makes some additional clarifying changes and technical corrections. Replaces references to the Secretary making "attestations of compliance" with regards to an LME/MCO with the terms "certification" or "certification of compliance."

Amends the date for the Secretary to complete an initial certification of compliance for each LME/MCO to no later than August 1, 2013 (was, June 30, 2013).

Provides that notwithstanding any provision of law to the contrary, all requirements specified in SL 2011-264, as amended by Section 13 of SL 2012-151, remain in effect until repealed in whole or in part by an act of the General Assembly.

Intro. by Tucker, Barringer.

[GS 122C](#)

[View summary](#)

Public Assistance

S 316 (2013-2014) [PRETRIAL RELEASE/REBUTTABLE PRESUMPTION](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A REBUTTABLE PRESUMPTION EXISTS IN CERTAIN CIRCUMSTANCES THAT A PERSON CHARGED WITH A FELONY OR CLASS A1 MISDEMEANOR OFFENSE INVOLVING THE ILLEGAL USE, POSSESSION, OR DISCHARGE OF A FIREARM SHOULD NOT BE RELEASED PRIOR TO TRIAL, AND TO AMEND CERTAIN BOND PROVISIONS.*

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

Amends GS 15A-534 regarding procedures for determining the conditions of pretrial release. Increases the amount of a secured appearance bond to a minimum of \$1,000 (was, \$500) for a defendant who has failed to appear on one or more occasions and no bond has yet been required for the charges.

Directs the judicial official to require the execution of a secured appearance bond that is at least double the amount of the most recent previous secured or unsecured bond when the conditions of pretrial release are being determined for a defendant who is (1) charged with an offense and (2) currently on pretrial release for a previous offense. However, provides that if no bond has yet been required for the charges, then the secured appearance bond is to be set at a minimum of \$1,000.

Makes conforming changes to the act's title.

Intro. by McKissick, Woodard.

[GS 15A](#)

[View summary](#)

**Criminal Law and Procedure, Corrections
(Sentencing/Probation)**

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.*

Amends GS 62-2(b) (*Declaration of policy* section of the Public Utilities Act), providing that the provision of greater energy security will be in a manner compatible with the efficient use of resources and the state's military and economic interests.

Amends GS Chapter 143 by adding a new article, Article 21C (*Permitting of Wind Energy Facilities*).

Creates GS 143-215.115 (*Definitions*), providing the definitions and terms to be used in this article, in addition to those set forth in GS 143-212.

Creates GS 143-215.116 (*Permit to site wind energy facilities*), establishing that no activities associated with a wind energy facility are to take place in North Carolina without a permit from the Department of Environment and Natural Resources (Department).

Creates GS 143-215.117 (*Permit pre-application site evaluation meeting; notice; pre-application package requirements; annual review of military presence*), providing timeline and purpose for pre-application site evaluation meeting, which must occur no less than 120 days prior to filing an application for a permit to construct, operate, or expand a wind energy facility. Provides the reasons and uses behind a pre-application site evaluation meeting. Requires that no less than 45 days prior to the date of the permit pre-application site evaluation meeting, the applicant must submit a pre-application package to the Department. Provides what the pre-application package must contain, including a map of the approximate location of the

proposed wind energy facility and a narrative description of the proposed wind energy facility or expansion. Requires the Department to send a written notice of pre-application site meeting to various state and federal agencies and departments no less than 14 days prior to the date of the meeting.

Creates GS 143-215.118 (*Permit application scoping meeting and notice*), providing that no less than 30 days prior to filing an application for a permit for a wind energy facility, the applicant must request the scheduling of a scoping meeting. No less than 21 days before the scoping meeting, the Department must send a written notice of the meeting to various state and federal agencies and departments.

Creates GS 143-215.119 (*Permit application requirements; fees; notice of receipt of completed permit; public hearing; public comment*), establishing 15 items that a permit application for a proposed wind energy facility or expansion must contain, including a copy of a deed, purchase agreement, lease agreement, or other legal device demonstrating right to construct or expand and any other data or information the Department may reasonably require. Establishes an application fee of \$3,500. Provides that within 10 days of receiving a complete permit application, the Department must provide notice of the application to various nearby commanding military officers and the local government of the proposed site. Establishes what the notice of the permit application must include and that within 10 days of receiving a request, affected entities must be provided with a copy of the filed permit, supplemented by any changes or amendments to the original permit application. The Department must also hold public hearings in each county in which the proposed facility or expansion is to be located. Provides the process and procedure for the public hearing and comment, including the parties required to receive written notice of the hearing no less than 30 days before the hearing.

Creates GS 143-215.120 (*Criteria for permit approval; time frame; permit conditions; other approvals required*), providing that the Department must approve an application for a permit for a proposed wind energy facility or expansion unless it finds one of the eight listed impediments exists, including the construction or operation of such a facility or expansion would have a significant adverse impact on fish or wildlife or such construction is inconsistent with or violates rules adopted by the Department or any other provision of law. The Department must make a final decision regarding the permit application within 90 days following the receipt of a completed application. If additional information was requested for the completed application, the Department will make a final decision within 30 days of receipt of the requested information. If the application is denied, the Department will issue a written statement providing the reasons for denial and any modifications that would make the application acceptable. Provides the Department can include, as a condition of a permit, a requirement that the permit holder mitigate any adverse impacts.

Creates GS 143-215.121 (*Financial assurance requirements*), providing that an applicant for a permit will establish financial assurance that will ensure that there are sufficient funds available for decommission of the facility and reclamation of the property to its original presence. Applicant can use any variety of insurance, letters of credit, trusts, surety bonds, or any other device to show proof of this financial protection.

Creates GS 143-215.122 (*Monitoring and reporting*), requiring applicant to submit to the Department annually any post-construction monitoring.

Creates GS 143-215.123 (*Annual review of military presence*), requiring the Department to consult, at least once per year, with representatives of the major Department of Defense installations to review information regarding military operations and plans potentially affected by the permit and facility.

Creates GS 143-215.124 (*Record keeping*), providing that the Department will serve as custodian of records.

Creates GS 143-215.125 (*Rule making*), prompting the Environmental Management Commission to adopt any rules necessary for the implementation of this Article.

Creates GS 143-215.126 (*Civil penalties*), describing the various civil penalties that can be assessed for noncompliance with this Article.

Effective when the act becomes law and applies only to those wind energy facilities or wind energy facility expansions that have not received a written "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration on or before that date.

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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.*

Requires the Environmental Management Commission (EMC) to adopt a rule to replace the Riparian Buffer Rule (Rule); the rule will become effective as though 10 or more written objections have been received. The rule must be substantively identical to the following provisions. (1) The EMC must give primary implementation responsibility for the Rule to the Department of Environment and Natural Resources (DENR) unless a local government requests implementation authority. (2) The EMC must exempt nonelectric utilities impacting the riparian buffer with an other than perpendicular crossing when those impacts are limited to Zone Two of the buffer. (3) The EMC must add piping of streams as a new category of allowable use when the piping is allowed under a permit issued by the US Army Corps of Engineers.

Until the effective date of the revised permanent rule that the EMC must adopt, the EMC and DENR must implement the Rule as it is provided in the act. This requirement expires when permanent rules that meet the act's provisions are effective.

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.*

Amends GS 115C-301 to give local school units the maximum flexibility to use allotted teacher positions to maximize student achievement; deletes provisions specifying maximum average class sizes, maximum teaching load, and alternative maximum class sizes. Amends the report that must be submitted by the local board of education in February of each year to the State Board of Education (SBE), to require that it include all significant increases in class size. Allows local boards of education to request allotment adjustments for significant increases in class size and clarifies when the SBE may allot additional positions. Also deletes the provision allowing a penalty for noncompliance.

Amends GS 115C-47 to make it the local board of education's responsibility to assure that the teacher positions allotted by the state are used to maximize student achievement. Makes conforming changes. Makes conforming changes to GS 115C-276(k), concerning the superintendent's annual report to the State Board of Education.

Amends GS 96-33 to provide that local school administrative units do not have to report to the Labor and Economic Analysis Division data and information requested by the Division for input into the common follow-up information management system and for such other official functions.

Requires the SBE to revise its policy on the rules and regulations for local school administrative units related to charter transportation for school-related events and activities to remove the requirements that (1) each local school administrative unit maintain a list of companies or individuals providing transportation services for activities that are approved by the SBE and (2) the local school administrative unit must limit its ability to contract for those services to an approved list of companies or individuals.

Requires the SBE to consolidate and limit reports by local school administrative units on data related to economically disadvantaged students to one report each school year.

Amends GS 115C-12(18), concerning the duty to develop and implement a uniform education reporting system (system), to remove the requirement that local school administrative units comply with the standards and procedures developed by the SBE concerning reporting fiscal and personnel information, beginning with the 1987-88 school year. Also deletes the requirement for complying with the reporting system beginning with the 1989-90 school year and for dates for implementing the revised system. Requires that SBE reporting requirements developed as a part of the system be incorporated into the Instructional Improvement System.

Establishes the 12-member Commission to Study the Provision of Exceptional Children's Services in the North Carolina Public Schools (Commission). Specifies qualifications of members to be appointed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate. Requires the Commission to review all aspects of the exceptional children's services delivered by local school administrative units in the state and oversight of those services, in addition to recommending ways to limit reporting requirements and compliance measures by identifying areas where the state requirements exceed federal requirements. Specifies issues to be examined. Requires a report to the Joint Legislative Education Oversight Committee by March 15, 2014, at which time the Commission terminates.

Repeals GS 115C-105.41 (*Students who have been placed at risk of academic failure; personal education plans; transition teams and transition plans*). Makes conforming changes to GS 115C-83.9(a).

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

Intro. by Tillman.

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

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[Education](#)

S 517 (2013-2014) [ESTABLISH "HERO CREW" JOBS FOR CLEAN ROADS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH "HERO CREWS" TO COMBAT THE INCREASE IN ROADSIDE LITTER AND DEBRIS PLAGUING THE STATE.*

Requires the Department of Transportation to establish the "Hero Crew" jobs program, using available funds, to provide cleanup, conservation, and safety of the state's roads by temporary state employees.

Intro. by Allran.

[UNCODIFIED](#)

[View summary](#)

[Department of Transportation](#)

S 518 (2013-2014) [HEALTHY MARRIAGE ACT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS PERTAINING TO DIVORCE TO ESTABLISH A TWO-YEAR WAITING PERIOD TO FILE FOR AN ABSOLUTE DIVORCE; TO ALLOW A COUPLE TO LIVE TOGETHER DURING THE TWO-YEAR WAITING PERIOD; AND TO REQUIRE UNDER CERTAIN CIRCUMSTANCES THAT PRIOR TO FILING FOR AN ABSOLUTE DIVORCE A COUPLE COMPLETE COURSES ON COMMUNICATION AND THE IMPACT OF DIVORCE ON CHILDREN.*

Amends GS 50-6 to amend the requirements for divorce to require the following. (1) Requires a two year waiting period with the spouse seeking divorce giving the other spouse notice of intent to file for divorce at the beginning of the two-year period. Does not require that the couple live separate and apart during the two-year period. (2) Requires that the husband and wife each, during the two-year period, complete courses on improving communication skills and conflict resolution. (3) Requires the husband and wife to each complete a course on the impact of divorce on children, if the couple has a child.

After satisfying the requirements, allows the couple to proceed with a divorce action by submitting evidence of completing those requirements and evidence that the plaintiff or defendant has resided in the state for six months before filing for divorce.

Makes conforming changes to GS 50-8.

Makes a conforming repeal of GS 50-10.2 (*Resumption of marital relations defined*).

Allows the Administrative Office of the Courts to adopt necessary rules.

Applies to actions for divorce filed on or after the date that the act becomes effective.

Intro. by Allran.

[GS 50, GS 52](#)

[View summary](#)**Family Law**

S 519 (2013-2014) **BREAST DENSITY NOTIFICATION & AWARENESS**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING HEALTH CARE FACILITIES THAT PERFORM MAMMOGRAPHY EXAMINATIONS TO NOTIFY EACH PATIENT WITH DENSE BREAST TISSUE OF THE SIGNIFICANCE OF BREAST DENSITY LEVELS IN THE SUMMARY OF THE WRITTEN MAMMOGRAPHY EXAMINATION REPORT PROVIDED TO THE PATIENT.*

Enacts new GS 130A-215.5 to require health care facilities that perform mammography exams to include a specified notice in the summary of the written exam report if the patient has heterogeneously or extremely dense breasts. Specifies that the statute does not create or impose liability on a health care facility for failing to comply with the requirements before October 1, 2013, create a duty of care or other legal obligation beyond the duty to provide the notice, and require that a notice that is inconsistent with specified provisions of the Mammography Quality Standards Act or regulations adopted pursuant to that act. 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 Robinson, Wade, Barringer.**GS 130A**[View summary](#)**Health**

S 520 (2013-2014) **WC/RECORD FULL IC HEARINGS**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT HEARINGS OF THE INDUSTRIAL COMMISSION ARE RECORDED.*

Amends GS 97-84 to require the recording of all Industrial Commission (Commission) hearings, unless waived by consent of all parties. Provides for the making of the recording and the preservation and custody of the recordings depending on what type of electronic or mechanical device is used to make the recording.

Intro. by Daniel.**GS 97**[View summary](#)**State Government**

S 521 (2013-2014) **CLARIFY TRANSPORTATION TOLLING STATUTES.-AB** Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY DEPARTMENT OF TRANSPORTATION TOLL CONTRACTING, COLLECTION, AND ENFORCEMENT.*

Amends GS 136-18 (*Powers of Department of Transportation*), providing that the Department of Transportation (Department) can enter into a partnership agreement with a private entity as provided under subdivision (39) of this section for one project, subject to the requirements of GS 136-18(39a) (previously, Department could only enter into an agreement for a pilot project that was a candidate for funding under the Mobility Fund and planned for construction through a public-private partnership). Allows the Department to assign its authority concerning tolls and fees to the private entity. Makes technical and clarifying changes.

Intro. by Rabon, Harrington.**GS 136**[View summary](#)**Transportation**

S 522 (2013-2014) **NEW MARKETS JOBS ACT**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT NEW MARKETS JOBS INITIATIVE.*

Adds new Article 3L, NC New Markets Job Growth Investment Initiative, to GS Chapter 105 to provide a tax credit of amounts ranging from 0 to 12% for qualified equity investments. Defines *quality equity investment* as an equity investment in, or long-term debt security issued by, a qualified community development entity that (1) is acquired after the act's effective date at its original issuance for cash; (2) has at least 85% of its purchase price used to make qualified low-income community investments in qualified state low-income community businesses, as specified; and (3) is designated as a qualified equity investment and certified by the Department of Commerce (Department). Defines *qualified active low-income community business*, *qualified community development entity*, and additional terms. Provides details on the tax credit and directs the Department to certify \$500 million qualified equity investment. Sets out the procedure for a qualified community development entity to apply to the Department for an equity investment or long-term debt security to be designated as a qualified equity investment. Allows recapture of the credit under certain circumstances. Requires that applicants pay a refundable performance fee. Requires the Secretary to issue binding letter rulings in response to applicants requesting an interpretation of the law to a specific set of facts. Provides that an entity claiming a credit for qualified equity investment is not required to pay any additional retaliatory tax as a result of claiming the credit. Prohibits a certified qualified equity investment from being decertified unless the statute's requirements have not been met. Sets out conditions for decertification. Provides that no qualified community development entity is entitled to pay any affiliate of such entity any fees in connection with any activity under this Article prior to decertification of all qualified equity investment issued to the entity. Does not prohibit a qualified community development entity from allocating or distributing income earned by it to the affiliates or paying reasonable interest on amounts lent to the entity by such affiliates.

Effective for taxable years beginning on or after January 1, 2013, and applies to qualified equity investments made on or after November 1, 2013.

Intro. by Gunn.

GS 105

[View summary](#)

Business and Commerce, Community and Economic Development, Tax

S 524 (2013-2014) **FERRY TOLLING ALTERNATIVES**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE MANDATORY FERRY TOLLING AND TO PROVIDE THE DEPARTMENT WITH EXPANDED AUTHORIZATION TO GENERATE RECEIPTS TO SUPPORT ONGOING OPERATION OF THE FERRY SYSTEM.*

Identical to [H 475](#), filed 3/28/13.

Amends GS 136-82 to no longer require the Department of Transportation (DOT) to collect ferry tolls. Defines *ferry system*. Allows the DOT to operate or contract for the following receipt-generating activities and use the proceeds to promote, improve, repair, maintain, or operate the ferry system: (1) operation of concessions on the ferries and at the ferry facilities, including internet access; (2) the sale of name rights to any ferry vessel, route, or facility; and (3) advertising on or within any ferry vessel. Makes clarifying and technical changes.

Intro. by Sanderson, Cook.

GS 136

[View summary](#)

Transportation

S 525 (2013-2014) **LIMIT USE OF HIGHWAY FUND CREDIT BALANCE**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT THE TAXPAYERS OF NORTH CAROLINA FROM THE DIVERSION OF FUEL TAX PROCEEDS FOR NONTRANSPORTATION USES BY REQUIRING THAT THE UNRESERVED CREDIT BALANCE IN THE HIGHWAY FUND BE USED FOR ROAD-RELATED USES.*

Identical to [H 157](#), filed 2/26/13.

Amends GS 136-44.2 as the title indicates. Requires that the unreserved credit balance in the Highway Fund (the excess) on the last day of a fiscal year, which exceeds the amount estimated in the Current Operations Appropriations Act for the following fiscal year, be allocated to either a reserve for (1) access and public roads or (2) for other urgent road construction or road maintenance needs. Prohibits the funds from this reserve being used for any other urgent road construction or road maintenance need (was, an other urgent need) project from being used for an economic development purpose (was, administrative costs, information technology costs, or economic development). Effective July 1, 2014.

Intro. by Tarte, Rabon, Harrington.

[GS 136](#)

[View summary](#)

Transportation

S 526 (2013-2014) [APPRENTICESHIP PROGRAM TAX CREDIT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE A TAX CREDIT FOR EMPLOYERS WHO PARTICIPATE IN AN APPRENTICESHIP PROGRAM APPROVED BY THE NORTH CAROLINA DEPARTMENT OF LABOR.*

Enacts new GS 105-129.16H to establish a \$1,000 tax credit for each employed apprentice for a taxpayer employing an apprentice under an apprenticeship agreement registered with the Apprenticeship and Training Bureau of the Department of Labor. The credit is allowed only if the apprentice was in the taxpayer's employ for at least seven months of the taxable year and allows the credit for an individual apprentice for up to four taxable years. Requires that written certification be made in order to claim the credit. Effective for taxable years beginning on or after January 1, 2014.

Intro. by Bingham.

[GS 105](#)

[View summary](#)

Tax

S 527 (2013-2014) [TRESPASS ON SCHOOL GROUNDS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE IT A CLASS 1 MISDEMEANOR TO TRESPASS ON SCHOOL GROUNDS.*

Enacts new GS 14-132.3 making it a Class 1 misdemeanor to enter the premises (as defined) of an elementary, middle, or secondary school during the period of one hour before school starts and one after after school ends, unless the person (1) is an enrolled student, parent or guardian of such, or an employee of the school or district; (2) has permission from a school official to be on the school premises; (3) is attending a school event, class, or meeting to which the person, the public, or a student's family is invited; or (4) has reported the person's presence on the school premises in the manner required for school visitors. Applies to offenses committed on or after December 1, 2013.

Intro. by Bingham.

[GS 14](#)

[View summary](#)

Criminal Law and Procedure

S 528 (2013-2014) [CLARIFY PETIT JUROR OATH](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT PETIT JURORS ARE REQUIRED TO TAKE THE OATH SET FORTH IN THE NORTH CAROLINA CONSTITUTION AND TO PROVIDE CONSISTENCY BETWEEN THE STATUTES SETTING FORTH THE OATHS TO BE TAKEN BY PETIT JURORS.*

Amends GS 9-14 (*Jury Sworn; judge decides competency*), providing that the oath grand jurors will affirm or swear includes the oath required by Article VI , Section 7, of the Constitution of North Carolina and the oath required by GS 11-11.

Amends GS 11-11, making a clarifying change.

Intro. by Goolsby.

GS 9, GS 11

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

S 529 (2013-2014) [SEARCH WARRANT/CELL PHONE LOCATION INFO](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE A SEARCH WARRANT TO OBTAIN THE LOCATION INFORMATION OF A CELL PHONE OR OTHER ELECTRONIC DEVICE*.

Amends GS 15A-260 to add definitions for (1) electronic device, (2) investigative or law enforcement officer, and (3) location information.

Enacts new GS 15A-265, prohibiting in subsection (a) an investigative or law enforcement officer or any person from obtaining location information (information concerning the location of an electronic device generated or derived in whole or part from the operation of that device) without first obtaining a search warrant as provided for in Article 11 of GS Chapter 15A.

Provides in subsection (b) that the requirement for a search warrant prior to obtaining location information does not apply under the following exceptions: (1) when responding to the user's call for emergency services, (2) with the consent of the user of the service, (3) in response to the user's call for emergency services if the investigative or law enforcement officer believes that there is an emergency situation with danger of death or serious physical injury to any person and the request for location information is narrowly tailored to address the emergency and subject to specified limitations.

Makes a willful and knowing violation of subsection (a) of this section a Class 1 misdemeanor. Deems any evidence obtained in violation of this section to be inadmissible in any criminal, civil, administrative, or other proceeding, except as proof of a violation of this section.

Prohibits receiving into evidence or otherwise disclosing in a trial or hearing or any procedure in federal or state court any location information or evidence derived from location information unless each party has been furnished, not less than 10 days before the court proceeding, with a copy of the order and application under which the information was obtained. Permits the judge to waive the 10-day period if the judge finds that meeting that deadline was not possible and that the party receiving the information less than 10 days before the proceeding will not be prejudiced by the delay in receiving the information.

Requires any judge issuing or denying any application for a search warrant for location information during the preceding year to report on those warrants by January 31 of each calendar year to the Administrative Office of the Courts (AOC). Specifies what information the report is to contain.

Directs the AOC to provide the General Assembly, by April 1 of each year beginning with 2014, with a complete report concerning the number of applicants for orders authorizing or requiring the disclosure of location information under this section, the number of times access to the location information was obtained, and the number of orders granted or denied. Specifies data to be included in the report. Authorizes the AOC to issue binding regulations dealing with the content and form of the report required to be filed by judges. Provides that a nonclassified summary of the report is to be made publicly available on the website for the General Assembly and the AOC in April of each year, beginning with 2014.

Effective December 1, 2013, and applies to offenses occurring on or after that date, and the requirements apply to persons seeking location information on or after that date. Provides that prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable except for this act remain applicable to those prosecutions.

Intro. by Goolsby, Daniel.

GS 15A

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

S 530 (2013-2014) [PROHIBIT E-CIGARETTE SALES TO MINORS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE DISTRIBUTION OF TOBACCO-DERIVED PRODUCTS AND VAPOR PRODUCTS TO MINORS.*

Amends GS 14-313, changing its title to *Youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers* (was, *Youth access to tobacco products*). Provides new terms and definitions to GS 14-313(a), the definitions section, including *tobacco-derived product* and *vapor product*. Makes technical and clarifying changes, highlighting the difference between traditional tobacco and tobacco-derived products and newer vapor products. Provides that it is also a Class 2 misdemeanor to sell, distribute, or purchase on behalf of any person under the age of 18 any tobacco products, tobacco-derived products, vapor products, or components of vapor products. Provides language for the sign which should be prominently displayed near the point of sale prohibiting the sale of these products. Makes conforming changes for the inclusion of these new products and terms in various prohibitions and limitations that previously only applied to tobacco products. Provides for the removal of vending machines distributing tobacco-derived products, vapor products, or components of vapor products by December 1, 2013. Provides rules and procedures for the sale of tobacco products, tobacco-derived products, vapor products, or components of vapor products over the Internet. Adds exception for minor receiving such products as part of his work duties. Provides that rules and regulations regarding these products will be uniform across the state. No rules or regulations to the contrary will be enacted after December 1, 2013.

Intro. by Goolsby.

GS 14

[View summary](#)

[Criminal Law and Procedure](#)

S 531 (2013-2014) [STATE EMPLOYEES HEALTH SAVINGS ACCOUNT OPTION](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO OFFER AN OPTIONAL HEALTH SAVINGS ACCOUNT.*

Requires the State Treasurer to develop a health savings account option for teachers and state employees that complies with federal law. Requires the State Treasurer to annually prefund participants' accounts with a portion of the savings from shifting State Health Plan members to health savings accounts. Also allows the State Treasurer to make payments to participants' accounts throughout the calendar year. Requires the health savings account option to be offered no later than January 1, 2015.

Intro. by Daniel, Hise.

UNCODIFIED

[View summary](#)

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

S 532 (2013-2014) [FUNDS/NC CATALYST](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT APPROPRIATING CDBG FUNDS TO THE DEPARTMENT OF COMMERCE FOR HOUSING AND MIXED-USE PROJECTS IN REDEVELOPMENT AREAS.*

Appropriates \$5,625,000 from federal community development block grant funds appropriated to the state for fiscal year 2013-14 to the Department of Commerce for NC Catalyst to be used as the title indicates. Effective July 1, 2013.

Intro. by Parmon.

UNCODIFIED

[View summary](#)

[Budget/Appropriations, Property and Housing, Department of Commerce](#)

S 533 (2013-2014) [STUDY TELEMEDICINE & HEALTH HOME INITIATIVES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CREATE AN INTERAGENCY TASK FORCE TO STUDY THE EXPANSION OF TELEMEDICINE IN THIS STATE AND THE IMPLEMENTATION OF A HEALTH HOME INITIATIVE FOR PATIENTS WITH CHRONIC CONDITIONS.*

Requires the Department of Health and Human Services, in consultation with the Department of Insurance, the Division in the Department of State Treasurer that is responsible for the State Health Plan, and others, to create an interagency task force to study (1) advancing the use of telemedicine (using synchronous vide conferencing, remote patient monitoring, and asynchronous health images or other health transmission supported by mobile devices or other telecommunications technology by a health care provider to deliver services related to the diagnosis or treatment of a patient at a site other than where the provider is located) in the state by requiring health insurers, health maintenance organizations, the state's Medicaid Plan, and the State Health Plan to provide the same coverage and reimbursement for services delivered through telemedicine as provided for services delivered through in-person consultation and (2) implementing a health home initiative for Medicaid enrollees and others with multiple chronic conditions to enable health care providers to communicate with one another using health information technology to address the patients' needs in a collective, comprehensive, and cost-effective manner.

Requires a report to the Joint Legislative Oversight Committee on Health and Human Services by December 1, 2014.

Intro. by Parmon.

[STUDY](#)

[View summary](#)

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

S 534 (2013-2014) [CDBG FUNDS/HOUSING](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT APPROPRIATING CDBG FUNDS TO THE DEPARTMENT OF COMMERCE FOR SCATTERED SITE HOUSING.*

Appropriates \$12.8 million from federal community block grant funds appropriated to the state for fiscal year 2013-14 to the Department of Commerce to be used as title indicates. Effective July 1, 2013.

Intro. by Parmon.

[UNCODIFIED](#)

[View summary](#)

[Business and Commerce, Budget/Appropriations, Property and Housing](#)

S 535 (2013-2014) [CAREGIVER RELIEF ACT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS TO PROVIDE RELIEF FOR CAREGIVERS IN THIS STATE.*

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

Adds new Article 24, Caregiver Relief Act, to GS Chapter 95. Provides under state law for caregivers who provide direct care to certain family members to take leave time in instances where leave would not be available to the caregivers under federal law. Provides that the following definitions apply under this proposed Article: (1) *Department* is the Department of Labor; (2) *FMLA*--the federal Family and Medical Leave Act of 1993; (3) *eligible employee*--as defined in the FMLA; (4) *grandchild*--the child of a biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis to the employee; and (5) *grandparent*--the parent of a parent. Under federal law, the FMLA specifies the family members for which an eligible employee may take leave to provide care; this act provides that an employer required to comply with the FMLA is to provide the same leave to an eligible employee for certain family members in need of care as would be provided under the FMLA. Provides that an eligible employee who takes leave under this provision is entitled to the same protections and rights that an eligible employee is entitled to under the FMLA. Provides that any right or obligation under this proposed Article is enforceable by a civil action in addition to any other remedies at law or equity. Provides that the Article applies to all employers in the state who are subject to the FMLA. Makes a conforming change to GS 95-241(a). Effective July 1, 2013, and applies to covered employers and eligible employees on or after that date.

Intro. by Kinnaird, Parmon, Bryant.

GS 95

[View summary](#)**Employment and Retirement, Department of Labor, Health**

S 536 (2013-2014) **HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING FOR HEALTHY FAMILIES AND HEALTHY WORKPLACES BY ENSURING THAT ALL WORKERS HAVE PAID SICK DAYS TO ADDRESS THEIR OWN HEALTH NEEDS AND THE HEALTH NEEDS OF THEIR FAMILIES.*

Identical to [H 100](#), filed 2/13/13.

Public policy issue. Enacts new Article 3A of GS Chapter 95, to be cited as the *Healthy Families and Healthy Workplaces Act* (HFHW Act). Denotes that state public policy in promoting the general welfare of the people of North Carolina requires the enactment of new Article 3A under the police power of the state.

Definitions. Provides definitions for the following terms as used in the HFHW Act: (1) child, (2) domestic violence, (3) employee, (4) employ, (5) employer, (6) federal act, (7) health care provider, (8) immediate family member, (9) parent, (10) paid sick time or paid sick days, (11) sexual assault, (12) stalking, and (13) small business.

Exemptions. Provides that the proposed HFHW Act does not apply to (1) bona fide volunteers in an organization where an employer-employee relationship does not exist or (2) any person who is exempt from the Wage and Hour Act under GS 95-25.14(a)(2) through (8), GS 95-25.14(b), GS 95-25.14 (b1), GS 95-25.14(c), and GS 95-25.14(e). Makes an exception regarding domestic workers, providing that they are exempt only if they are employed in the place of residence of their employer.

Paid sick time accrual. Provides that paid sick time begins to accrue at the start of employment at a rate of one hour of paid sick time for every 30 hours worked. Provides additional guidelines regarding discretionary advancement of sick time by the employer, limits on the amount of paid sick time accrued, and the accrual of paid sick time when there is a separation of employment followed by a rehiring by the same employer. Provides that with the exception of the specified exemptions to the proposed HFHW Act, any employee who works in North Carolina and who must be absent from work for the reasons delineated in proposed new GS 95-31.5(a) is entitled to paid sick time.

Use of paid sick time. Directs that paid sick time is to be provided by an employer to an employee who meets any of the following reasons listed in proposed new GS 95-31.5: (1) to care for a member of the employee's immediate family suffering from health issues or to care for the employee's own health, unless the care is covered under federal law or (2) to allow an employee to address the psychological, physical, or legal effects on himself or herself or an immediate family member of domestic violence, sexual assault, or stalking.

Permits the employer to require certification of the qualifying health issue or event when a paid sick time period covers more than three consecutive work days. Provides guidelines for determining what may be deemed acceptable certification.

Provides that an employer may not require certification from a health care provider that is employed by the employer. Prohibits an employer from requiring the disclosure of details relating to domestic violence, sexual assault, stalking, or an employee's medical condition as a condition of providing paid sick time to an employee. Directs an employer to treat as confidential any information that the employer acquires about the employee or the employee's immediate family regarding domestic violence, sexual assault, stalking, or health conditions. Prohibits the employer from requiring an employee to secure a replacement worker as a condition of providing sick time under the proposed HFHW Act.

Directs the employee to make a good faith effort, when the use of sick time is foreseeable, to provide the employer with advance notice.

States that this act provides minimum requirements regarding paid sick time and should not be construed to limit, preempt, or otherwise affect other applicability of law, regulation, or policy that extends additional or greater protections to employees, nor should this proposed act be construed to discourage employers from adopting more generous paid sick time policies.

Provides that employers already offering a paid sick time policy do not have to modify that policy providing that the paid sick time policy currently in place offers an employee, at his or her discretion, the option to take paid sick time that is equivalent to the amount and for the same purposes offered under the proposed HFHW Act.

Notification, posting, and records. Requires employers to provide notice to employees, in Spanish and English, of their entitlement to paid sick time as well as other related information. Notice may be provided by supplying each employee with a notice in Spanish and English or by conspicuously displaying a poster in the place of employment in both languages. Prohibits employers from retaliating against employees who request or use paid sick time. Provides that an employee has a right to file a complaint with the Commissioner of Labor (Commissioner) or in the General Court of Justice if an employer (1) denies an employee paid sick time or (2) retaliates against an employee for requesting or taking paid sick time.

Enforcement. Authorizes the Commissioner to enforce and administer the provisions of the proposed HFHW Act. Provides criteria regarding employer's liability for a violation under the proposed HFHW Act, including provisions for the potential awarding of liquidated damages for a violation of the act. Directs that actions under the proposed HFHW Act must be brought within two years pursuant to GS 1-53. Also provides that the rights and remedies created under the HFHW Act are supplementary to all existing common law and statutory rights and remedies. Directs the Commissioner to adopt rules to implement the proposed act.

Provides that the provisions of the proposed act are severable.

Makes conforming changes to GS 95-241(a).

Contains a number of whereas clauses.

Effective July 1, 2013, and applies only to covered employment on or after that date and does not apply to any collective bargaining agreement entered into before July 1, 2013, that is still in effect on that date.

Intro. by Kinnaird, Parmon, Bryant.

GS 95

[View summary](#)

Employment and Retirement, Health

S 537 (2013-2014) [AMEND SENTENCING/DRUG VIOLATIONS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE SENTENCE THAT MAY BE IMPOSED ON CERTAIN PERSONS CONVICTED OF A DRUG TRAFFICKING OFFENSE.*

Amends GS 90-95(h)(5) to add to the instances when a sentencing judge can reduce a fine or prison term or suspend the prison term imposed and place a person on probation when the sentencing judge finds that the person has no prior convictions for crimes that produced or threatened serious bodily harm; has no prior felony convictions for the manufacture, sale, delivery, or possession of controlled substances; and the sentencing judge finds, by a preponderance of the evidence, that the person did not possess a firearm during the commission of the offense, (previously, could only receive a reduced sentence after providing substantial assistance in the identification, arrest, or conviction of accomplices, accessories, co-conspirators, or principals). Makes technical changes.

Provides that a person convicted under GS 90-95(h)(5) prior to the effective date of this act may petition the sentencing court for a change in the person's sentence. If the judge finds the person meets the criteria set forth, he may make any sentencing change allowed under this subdivision.

Effective December 1, 2013.

Intro. by Kinnaird.

GS 90

[View summary](#)

Corrections (Sentencing/Probation)

S 538 (2013-2014) [RESULT FROM DOR INACTION ON REVIEW REQUESTS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO GRANT A TAXPAYER'S REQUEST FOR A REFUND OR TO REMOVE A PROPOSED ASSESSMENT BY OPERATION OF LAW IF THE DEPARTMENT OF REVENUE HAS NOT ISSUED A FINAL DETERMINATION WITHIN THE STATUTORY TIME FRAME.*

Amends GS 105-241.14 as the title indicates. Also includes three circumstances under which failure to respond within the time limit will not be considered a grant of a requested refund or removal of a proposed assessment.

Applies to requests for review filed or pending on the date that the act becomes law.

Intro. by Clodfelter, Tucker.

GS 105

[View summary](#)

Department of Revenue, Tax

S 539 (2013-2014) **JURY LIST/DATE OF BIRTH INFORMATION**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A COUNTY JURY COMMISSION TO OBTAIN DATE OF BIRTH INFORMATION FROM BOARDS OF ELECTIONS WHEN PREPARING THE MASTER JURY LIST AND TO ENSURE THE CONFIDENTIALITY OF THE DATES OF BIRTH OF PROSPECTIVE JURORS.*

Amends GS 163-82.10B, as the title indicates.

Intro. by Clodfelter, Tarte.

GS 163

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Court System

S 540 (2013-2014) **MODIFY EXEMPTIONS/FRATERNAL INS. BENEFITS**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE EXEMPTION LAWS AND CONFORMING THE STATUTE GOVERNING THE ATTACHMENT OF INSURANCE BENEFITS PAID BY FRATERNAL BENEFIT SOCIETIES TO THAT FOR LIFE INSURANCE.*

Amends subsection (a)(8) of GS 1C-1601 to clarify that the property exemption which allows a debtor to protect certain property from the claims of creditors applies to compensation for bodily personal injury (was, personal injury). Amends subsection (d) to provide that provisions regarding recent purchases include intangible personal property as well as tangible personal property. Applies to claims arising on or after the effective date.

Amends GS 58-24-85 to provide that any money or other benefits paid by a fraternal benefit society to the estate of an insured member becomes a part of the estate of the member and is available for the payment of debts. Applies to benefits paid or payable on or after the effective date.

Effective October 1, 2013.

Intro. by Clodfelter.

GS 1C, GS 58

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Insurance

S 541 (2013-2014) **REPEAL PUBLIC CAMPAIGN FINANCING**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL THE NORTH CAROLINA PUBLIC CAMPAIGN FINANCING FUND AND THE VOTER-OWNED ELECTIONS FUND.*

Repeals GS Chapter 163, Article 22D (*The North Carolina Public Campaign Fund*) and Article 22J (*The Voter-Owned Elections Act*). Makes conforming changes to GS 84-34. Repeals GS 105-159.2 (*Designation of tax to North Carolina Public Campaign Fund*). Makes conforming and technical changes to GS 163-278.5 and GS 163-278.23. Makes conforming changes to GS 163-278.13. Transfers the balances of the funds to the General Fund, except that unexpended funds from the tax on attorneys must be retained by the State Board of Elections for printing voter guides.

Intro. by Cook, Rabin.

GS 105, GS 84, GS 163

[View summary](#)

Elections

S 542 (2013-2014) [DRUG TESTING FOR LTC APPLICANTS & EMPLOYEES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE LONG-TERM CARE FACILITIES TO REQUIRE APPLICANTS FOR EMPLOYMENT AND CERTAIN EMPLOYEES TO SUBMIT TO DRUG TESTING FOR CONTROLLED SUBSTANCES.*

Enacts new GS 131D-45 (concerning adult care homes) and GS 131E-114.4 (concerning nursing homes) to make an offer of employment in either type of home conditioned on the applicant's consent to a controlled substances exam and screening. Provides that if the results indicate the presence of a controlled substance, the home must not employ the applicant unless the applicant provides the home with written verification from his or her doctor stating that every controlled substance identified has been prescribed. Specifies information to be included in the verification. Also allows the home to conduct a second test to verify an initial positive test. Allows the home to require random controlled substance testing as a condition of continued employment and require examination and screening of an employee that the home has reasonable grounds to believe is abusing controlled substances. Provides the home, officers, and employees thereof who comply with the statute with immunity for the failure of the home to employ an individual based on the screening results and also makes those individuals conducting the exams and screenings immune from civil liability for conducting or failing to conduct the exam and screening if they are requested and received in compliance with the statute and relevant Article. Makes the exam and screening results confidential and not a public record. Effective October 1, 2013.

Intro. by Cook, Jackson, Rabin.

[GS 115D, GS 115E](#)

[View summary](#)

[Employment and Retirement, Adult Services](#)

S 543 (2013-2014) [HONOR THE STATE'S VETERANS](#). Filed Mar 28 2013, *A SENATE RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO OUR VETERANS.*

As title indicates.

Intro. by Pate, Meredith, Rabin.

[SENATE RES](#)

[View summary](#)

[Military and Veteran's Affairs](#)

S 544 (2013-2014) [NONDISCRIMINATION IN STATE EMPLOYMENT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE NONDISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS OF THE STATE PERSONNEL ACT.*

Identical to [H 429](#), filed 3/26/13.

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

Intro. by Stein.

[GS 126](#)

[View summary](#)

[Employment and Retirement, State Personnel](#)

S 545 (2013-2014) [MASTER METERS/LANDLORD-TENANT AGREEMENT](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING FOR THE USE OF A MASTER METER FOR ELECTRIC AND NATURAL GAS SERVICE WHEN THE TENANT AND LANDLORD HAVE AGREED IN THE LEASE THAT THE COST OF THE SERVICES SHALL BE INCLUDED IN THE RENTAL PAYMENTS AND THE SERVICE SHALL BE IN THE LANDLORD'S NAME.*

Amends GS 143-151.42, as the title indicates.

Intro. by Rabin.

GS 143

[View summary](#)

Property and Housing, Public Enterprises and Utilities

S 546 (2013-2014) [MERIT SCHOLARSHIP PROGRAM FOR NEEDY STUDENTS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A MERIT SCHOLARSHIP TO PROVIDE ADDITIONAL FUNDS FOR NEEDY STUDENTS WHO DEMONSTRATE ACADEMIC EXCELLENCE.*

Enacts new GS 115C-499.10 to provide that a student who is eligible for a scholarship for needy students under GS 115C-499.2 is also eligible for an additional merit scholarship if the student graduated from high school earning a grade point average of at least 3.0. Specifies that students who fail to meet the GPA requirement may be eligible for the merit scholarship if the student completes two specified requirements. Provides requirements for a student to continue to be eligible for the merit scholarship. Prohibits a student from receiving a merit scholarship for more than four full academic years. Limits the scholarships to \$1,000 per academic semester and requires that it be used for costs of attendance.

Amends GS 115C-499.4 to allow the State Education Assistance Authority to use up to 1.5% of the funds appropriated for the merit scholarships for administrative purposes.

Appropriates \$5 million for 2013-14 and \$5 million for 2014-15 from the General Fund to the State Education Assistance Authority for the scholarships.

Effective July 1, 2013, and applies to the 2013-14 fall academic semester and each subsequent academic semester.

Intro. by Ford, Tarte.

APPROP, GS 115C

[View summary](#)

Budget/Appropriations, Education

S 547 (2013-2014) [ENERGY SAVINGS CONTRACTING AMENDMENTS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES GOVERNING GUARANTEED ENERGY SAVINGS CONTRACTS FOR GOVERNMENTAL UNITS.*

To be summarized at a later date.

Intro. by Hunt.

GS 143

[View summary](#)

Energy

S 548 (2013-2014) [SCHOOL CLOSED DUE TO INCLEMENT WEATHER](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO GIVE QUALIFYING LOCAL BOARDS OF EDUCATION THE ABILITY TO BETTER MANAGE INSTRUCTIONAL TIME LOST DUE TO INCLEMENT WEATHER OR OTHER EMERGENCY SITUATIONS.*

Amends GS 115C-84.2(a) (concerning school calendar requirements) and GS 115C-283.29F(d)(1) (concerning charter school instructional days and hours) to require a school to make up a maximum of the average number of days or hours made up for the last five years if a school is closed due to inclement weather, a natural disaster, damage to a school facility, or a state of emergency.

Applies only to the 2012-13 school year.

Intro. by Soucek.

GS 115C

[View summary](#)

Elementary and Secondary Education

S 549 (2013-2014) **GUN PRIVACY**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE LIST OF PERSONS WHO OBTAIN A PERMIT TO PURCHASE A PISTOL OR A CONCEALED HANDGUN PERMIT AND THE IDENTIFYING INFORMATION REGARDING THOSE PERSONS IS CONFIDENTIAL AND IS NOT A PUBLIC RECORD.*

Amends GS 14-405 (*Record of permits kept by sheriff*), GS 14-406 (*Dealer to keep record of sales*), and GS 14-415.17 (*Permit; sheriff to retain and make available to law enforcement agencies a list of permittees*), as the title indicates. Effective October 1, 2013.

Intro. by Tucker, Meredith.

GS 14

[View summary](#)

Criminal Law and Procedure, Public Records and Open Meetings

S 550 (2013-2014) **STUDY DECREASING DWI/DUI PAPERWORK**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO STUDY THE PROCEDURE FOR PROCESSING AN IMPAIRED DRIVING SUSPECT AND TO MAKE RECOMMENDATIONS AS TO HOW TO REDUCE THE AMOUNT OF PAPERWORK INVOLVED.*

As title indicates. Requires a report to the General Assembly when it reconvenes in 2014.

Intro. by Tucker.

STUDY

[View summary](#)

Department of Public Safety

S 551 (2013-2014) **AMEND LAWS PERTAINING TO MEDICAID.-AB** Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES REQUESTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO LAWS PERTAINING TO MEDICAID.*

Amends GS 108A-70.5(b)(2) to clarify within the definition of *estate* that for the purposes of recovery under the statute and for individuals who have received benefits under a qualified long-term care partnership policy, estate also includes other specified property and assets.

Enacts new GS 28A-2A-24 to require the personal representative of the estate, before any probate estate may be closed, with respect to a decedent enrolled in the state's Medicaid program at the time of death, to file a release from the Division of Medical Assistance (Division) with the clerk of court. Specifies information to be included in the release.

Enacts new GS 36C-8-118 to require any trustee with a duty or power to pay debts of a deceased trust beneficiary to give notice to the Division if the deceased trust beneficiary received assistance from the state's Medicaid program. Requires that notice be given within 90 days of the beneficiary's death. Allows the Division to make a claim against any trust deemed an available resource.

Amends GS 108C-3 to expand the types of providers that are designated as limited categorical risk and to expand those that are designated as moderate categorical risk.

Effective October 1, 2013.

Intro. by Hise.[GS 28A, GS 36C, GS 108A, GS 108C](#)[View summary](#)**Civil Law, Public Assistance**

S 552 (2013-2014) [PUBLIC PAID CLAIMS DATA/HEALTH INFO EXCHANGE](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE GREATER TRANSPARENCY AND ACCOUNTABILITY THROUGH ACCESS TO DATA ON MENTAL HEALTH CLAIMS PAID BY THE STATE AND FEDERAL GOVERNMENTS UNDER THE MEDICAID PROGRAM.*

Requires that all local management entities approved by the Department of Health and Human Services to operate a prepaid health insurance program to report monthly to North Carolina Community Care Networks Inc. (CCNC) on all client specific paid claims, encounter data, and shadow claims necessary to track and analyze mental health expenditures. Requires CCNC to ensure access to and use of the reported data in compliance with HIPAA and other privacy laws. Provides that privileged medical information or protected health information is confidential and not a public record. Effective January 1, 2014.

Intro. by Hise.[UNCODIFIED](#)[View summary](#)**Mental Health, Public Assistance**

S 553 (2013-2014) [LME/MCO ENROLLEE GRIEVANCES & APPEALS](#). Filed Mar 28 2013, *AN ACT TO ESTABLISH GRIEVANCE AND APPEAL PROCEDURES FOR LOCAL MANAGEMENT ENTITY/MANAGED CARE ORGANIZATION (LME/MCO) MEDICAID ENROLLEES; TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A SUPPORTIVE HOUSING PROGRAM FOR INDIVIDUALS TRANSITIONING FROM INSTITUTIONAL SETTINGS TO INTEGRATED COMMUNITY-BASED SETTINGS, TO CLARIFY HOW FUNDS APPROPRIATED TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE ESTABLISHMENT AND OPERATION OF THIS PROGRAM SHALL BE USED, AND TO CREATE A COMMUNITY LIVING HOUSING FUND WITHIN THE HOUSING FINANCE AGENCY TO INTEGRATE INDIVIDUALS WITH DISABILITIES INTO COMMUNITY-BASED SUPPORTED HOUSING; AND TO MODIFY ALLOCATION OF STATE'S SHARE IN HOSPITAL PROVIDER ASSESSMENT TAX.*

To be summarized at a later date.

Intro. by Hise.[GS 84, GS 122C, GS 108D](#)[View summary](#)

S 554 (2013-2014) [AMEND CHILD WELFARE & PUBLIC HEALTH LAWS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES REQUESTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO LAWS PERTAINING TO CHILD ABUSE, NEGLECT, AND DEPENDENCY AND PUBLIC HEALTH.*

To be summarized at a later date.

Intro. by Hise.[GS 7B, GS 130A](#)[View summary](#)**Abuse, Neglect and Dependency, Public Health**

S 555 (2013-2014) [NURSING BD/REGULATE NURSE PRACTITIONERS/FEEES](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE NURSING PRACTICE ACT TO AUTHORIZE THE BOARD OF NURSING TO REGULATE NURSE PRACTITIONERS AND TO ESTABLISH CERTAIN NEW FEES RELATED TO REGULATING NURSE PRACTITIONERS.*

Amends GS 90-3 to require an applicant seeking to be considered qualified for a physician assistant or nurse practitioner position on the NC Medical Board (Board) to hold an active license (was, license or approval) to perform medical acts, tasks, and functions in the state.

Amends GS 90-8.2 and GS 90-171.23 to delete the requirement of a Board subcommittee to work with a Board of Nursing subcommittee to develop rules governing the performance of medical acts by registered nurses. Amends GS 90-18(c) to make conforming changes and instead refer to rules adopted by the Board of Nursing.

Recodifies GS 90-18.2 (*Limitations on nurse practitioners*) as GS 90-171.49 and makes conforming changes to GS 90-171.20.

Amends GS 90-171.27 to cap the fee for the application for license as a nurse practitioner at \$100, the fee for renewal of the license at \$100, and the reinstatement fee for a lapsed license at \$100.

Makes conforming and clarifying changes to GS 90-171.49.

Intro. by Hise.

GS 90

[View summary](#)

Health Care Facilities and Providers

S 556 (2013-2014) [WIND UP HIGH RISK HEALTH INSURANCE POOL](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO WIND UP THE NORTH CAROLINA HEALTH INSURANCE RISK POOL*.

Enacts new GS 58-50-260 sunsetting the NC Health Insurance Risk Pool (Pool) on January 1, 2014. Specifies timeframe for submitting invoices for services provided under the Pool, as well as for appeals and grievances. Requires the commission to submit a plan, by September 1, 2013, for dissolution of the Pool. Specifies items to be addressed in the plan. The plan for the dissolution of the pool becomes effective upon written approval by the Commissioner of Insurance (Commissioner). Sets deadline for actions by or against the Pool. Requires that funds in excess of the reserve amount that remain in the NC Health Insurance Risk Pool Fund (Fund) at the time of dissolution are to be paid into the General Fund as are any reserve funds remaining in the Fund after the resolution of timely filed actions.

Transfers \$1 million from the Insurance Regulatory Fund to the Fund to be used for purposes allowed under GS 58-50-225 (North Carolina Health Insurance Risk Pool Fund) or for winding up the Pool.

Effective January 1, 2015, repeals GS 58-50-225(c) (which required the Teachers' and State Employees' Comprehensive Major Medical Plan and any successor Plan to pay an annual surcharge to the Fund in the amount of \$1.50 per member per year based on enrollment of active employee Plan members and their dependents covered under the Plan).

Effective January 1, 2017, repeals the Plan (Part 6 of Article 50 of GS Chapter 58).

Intro. by Hise.

GS 58

[View summary](#)

Health Insurance

S 557 (2013-2014) [NC PRE-K FUNDING PILOT \(NEW\)](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT to REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION, TO CREATE A PILOT PROGRAM FOR FUNDING OF THE NC PREKINDERGARTEN PROGRAM AND REPORT ON THAT PROGRAM BY JANUARY 31, 2014*.

As title indicates, makes the specified report due by January 31, 2014 (was, 2013).

Intro. by Hise.

UNCODIFIED

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

S 558 (2013-2014) [TREASURER'S INVESTMENTS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING THE STATE TREASURER'S INVESTMENT AUTHORITY WITH REGARD TO SPECIAL FUNDS HELD BY THE TREASURER.*

To be summarized at a later date.

Intro. by Hise.

GS 147

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

S 559 (2013-2014) [DEALER LICENSE PLATE/IND. DEALER](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW A DEALER LICENSE PLATE TO BE DISPLAYED ON A MOTOR VEHICLE DRIVEN BY CERTAIN PERSONS EMPLOYED BY AN INDEPENDENT CAR DEALER OR RELATED TO A PERSON EMPLOYED BY AN INDEPENDENT CAR DEALER.*

Amends GS 20-79(d)(5)(f), as the title indicates.

Intro. by Hise.

GS 20

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

S 560 (2013-2014) [INSURANCE PREMIUM ASSISTANCE FOR PREGNANCY](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE HEALTH INSURANCE PREMIUM ASSISTANCE FOR LOWER-INCOME, UNINSURED PREGNANT WOMEN.*

Enacts new Part 10 (Insurance Premium Assistance in Pregnancy) in Article 2 of GS Chapter 108A. Establishes the Insurance Premium Assistance in Pregnancy Program (Program) to be administered by the Department of Health and Human Services (DHHS). In order to participate, requires that an individual be a state resident who is lawfully present in the United States and not on active punishment, who has a medically verified pregnancy and does not have minimum essential coverage, and has a household income of no more than 185% of the federal poverty level. Qualifying individuals are eligible for premium assistance from the state to help purchase coverage under a health plan during pregnancy through the end of the second calendar month following pregnancy. Requires that the assistance amount be the amount necessary to purchase coverage up to the amount provided in specified federal regulations. Requires DHHS to remit the assistance amount to the individual's insurer. Effective January 1, 2014, and applies to pregnancies medically verified on or after that date.

Provides that pregnant women with a household income equal to or less than 133% of the federal poverty level are eligible for services related only to pregnancy and other conditions determined by DHHS as conditions that may complicate pregnancy. Effective January 1, 2014, and applies to pregnancies medically verified on or after that date.

Requires DHHS to timely submit any state plan amendments necessary or take other appropriate actions so that the changes above may take effect on January 1, 2014.

Intro. by Hise.

GS 108A

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

S 561 (2013-2014) [CHIROPRACTOR CO-PAY PARITY](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT TO REENACT A LAW CONCERNING HEALTH BENEFIT PLAN CO-PAYMENTS FOR CHIROPRACTIC SERVICES.*

Amends GS 58-50-30 to prohibit an insurer from imposing as a limitation on treatment or level of coverage a co-payment amount charged to the insured for chiropractic services that is higher than the one charged for the services of a licensed primary care physician for a comparable medically necessary treatment or condition.

Applies to insurance policies issued, renewed, or amended on or after January 1, 2014.

Intro. by Hise.

GS 58

[View summary](#)

Health Insurance

S 562 (2013-2014) **ESTABLISH STATEWIDE TELEPSYCHIATRY PROGRAM**. Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO DEVELOP AND ESTABLISH A STATEWIDE TELEPSYCHIATRY PROGRAM.*

Requires the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (Division), to develop and submit a plan for implementing a statewide telepsychiatry program to specified General Assembly committees by June 1, 2013. Requires that the plan be substantially similar to the Albemarle Hospital Foundation telepsychiatry program and include specified items.

Appropriates \$2 million for 2013-14 and \$2 million for 2014-15 from the General Fund to the Division to (1) establish and administer the telepsychiatry program, (2) purchase needed telepsychiatry equipment, and (3) contract with outside vendors to manage the program. Effective July 1, 2013.

Enacts new Article 1B, *Statewide Telepsychiatry Program* (Program), in GS Chapter 122. Requires the Division to establish a program allowing referring sites to utilize consulting providers at a consultant site to provide timely psychiatric assessment and rapid initiation of the treatment of patients at the referring site. Defines *telepsychiatry* as the delivery of acute mental health or substance abuse care by means of two-way real-time interactive audio or video by a consulting provider at a consultant site to an individual patient at a referring site; excludes the standard use of phones, fax machines, unsecured e-mail, or any combination thereof in the course of care. Requires the Commission to adopt necessary rules and includes items that must be specified in the rules. Requires DHHS to periodically evaluate the effectiveness of the program. Effective January 1, 2014.

Intro. by Hise.

APPROP, GS 122C

[View summary](#)

Budget/Appropriations, Mental Health

LOCAL/HOUSE BILLS

H 68 (2013-2014) **ESTABLISH OMBUDSMAN/FOSTER CARE/GASTON COUNTY**. Filed Feb 5 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A FOSTER CARE OMBUDSMAN PILOT PROGRAM IN GASTON COUNTY.*

House committee substitute makes the following changes to the first edition.

Section 1(a) deletes the description of the purpose and whom the program would apply to.

Section 1(b) deletes language stating the ombudsman will have access to records in the possession or control of the Gaston Department of Social Services that are necessary for the ombudsman to fulfill his or her duties.

Section 1(c) reorganizes this section and the descriptions of the ombudsman, listing nine responsibilities of the ombudsman, including providing to the director of social services a periodic report on foster placements within the county and comply with any other duties or responsibilities deemed appropriate.

Section 2, new section to the bill, amends GS 7B-906(c), providing that at every review hearing the court will consider information from the foster care ombudsman to aid in its review.

Section 3, new section to the bill, amends GS 7B-907 (*Permanency planning hearing*), providing that the clerk will issue a notice of a permanency planning hearing at least 15 days in advance to the foster care ombudsman. Provides that at any permanency planning review the court will consider information from the foster care ombudsman that will aid in its review.

Intro. by Torbett.

Gaston, STUDY, GS 7B

[View summary](#)

Child Welfare

H 222 (2013-2014) [BUNCOMBE COUNTY/USE DESIGN-BUILD METHODS](#). Filed Mar 5 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW BUNCOMBE COUNTY TO USE THE DESIGN-BUILD METHOD OF CONSTRUCTION*.

House amendment to the 2nd edition makes the following changes. Provides that Buncombe County may use the design-build method of construction for the construction or renovation of buildings, facilities, and infrastructure owned by the County (was, City). The act only applies to those activities for a specified economic development project in Asheville.

Intro. by Moffitt, Ramsey.

Buncombe

[View summary](#)

Building and Construction

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

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

Adds Section 7 of Chapter 335 of the 1971 Session Laws to the bill in order to make a technical correction to a reference.

Intro. by Hager.

Rutherford

[View summary](#)

Transportation

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

House committee substitute to the 1st edition makes the following changes. Adds Brunswick County to the bill's coverage. Makes conforming change to the long title.

Intro. by Tine.

Brunswick, Dare, GS 153A

[View summary](#)

Transportation

H 486 (2013-2014) [WAKE MUNICIPALITIES/DOUGHNUT ANNEXATIONS](#). Filed Mar 28 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING MUNICIPALITIES WITHIN WAKE COUNTY TO ANNEX AREAS LYING WITHIN THE MUNICIPALITIES' CORPORATE BOUNDARIES*.

Allows the governing body of any municipality in Wake County to annex any area, or part thereof, which is surrounded by the corporate boundaries of the municipality. Provides that the procedural requirements of Part 7 of GS Chapter 160A apply and the property tax liability is to be determined as provided in GS 160A-58.10.

Intro. by Holley.

Wake

[View summary](#)

LOCAL/SENATE BILLS

S 523 (2013-2014) [WRIGHTSVILLE BEACH DEANNEX/WILMINGTON ANNEX \(NEW\)](#). Filed Mar 28 2013, *AN ACT TO REMOVE DESCRIBED PARCELS FROM THE CORPORATE LIMITS OF THE TOWN OF WRIGHTSVILLE BEACH AND TO ANNEX THOSE PARCELS TO THE CORPORATE LIMITS OF THE CITY OF WILMINGTON.*

Amends GS 105-236(a)(3) regarding penalties for failure to file a state tax return to define *amount of tax* for purposes of this subdivision. Provides that if there is a refund due on the same date that the return is due and that refund is not paid, then a penalty is assessed equal to 5% of the amount of the tax, providing that the failure to pay is for no more than one month. If the failure to pay continues beyond one month, there is a penalty of an additional 5% for each additional month or fraction of a month during which the failure to pay continues; however, the penalty may not total more than 10% or \$5, whichever is greater. Effective for taxable years beginning on or after January 1, 2013.

Further amends GS 105-236(a)(3), effective January 1, 2014, to cap the penalty at 10% and 25% in the aggregate, removing possibility of the \$5 limit.

Makes an additional conforming change, repealing Section 2.18 of SL 2012-79, which amended GS 105-236 effective January 1, 2014.

Intro. by Rucho, Rabon, Rabin.

GS 105

[View summary](#)

Tax

ACTIONS ON BILLS

PUBLIC BILLS

H 11: SPECIAL ELECTION DATES.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/02/2013

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

House: Withdrawn From Cal

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 89: DENR SUPPORT FOR REGIONAL WATER SUPPLY SYSTEM.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/02/2013

H 135: ADJUST LANDFILL PERMIT FEE TIMING.

House: Reptd Fav
House: Re-ref Com On Finance

H 136: BERNARD ALLEN FUND MODIFICATIONS.

House: Reptd Fav
House: Re-ref Com On Appropriations

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

Senate: Rec From House
Senate: Passed 1st Reading
Senate: Ref To Com On Insurance

H 180: MECHANICS LIENS/TECHNICAL CORRECTIONS.

Signed by Gov. 3/28/2013
Ch. SL 2013-16

H 181: PHYSICIAN SUPRVSN. REQUIRED/NURSE ANESTHETIST.

Senate: Rec From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 192: ALLOW ROW USAGE IN CENTRAL BUSINESS DISTRICTS.

House: Assigned To Regulatory Reform Subcommittee on Local Government

H 194: ALLOW PAVE CERTIFICATION/VETERINARY LICENSE.

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

H 223: ELECTRIC MEMBERSHIP CORPS/MEMBER CONTROL.

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

H 232: STATE HEALTH PLAN/STATUTORY CHANGES.-AB

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

H 247: FREEDOM TO NEGOTIATE HEALTH CARE RATES.

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

H 285: AMEND RESPIRATORY CARE PRACTICE ACT.

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

H 297: MATCHING FUNDS REPEAL.

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

H 315: PLASTICS LABELING REQUIREMENTS.

House: Reptd Fav Com Substitute
House: Re-ref Com On Regulatory Reform

H 319: DOROTHEA DIX LEASE.

House: Withdrawn From Com
House: Re-ref Com On Judiciary

H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB

House: Assigned To Regulatory Reform Subcommittee on Business and Labor

H 403: ASSESS PROPANE DEALERS/DISTRIBUTORS.

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

H 440: NORTH CAROLINA BENEFIT CORPORATION ACT.

House: Passed 1st Reading

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

H 442: MUNICIPAL INCORPORATION CHANGES.

House: Passed 1st Reading

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

H 443: NC PUBLIC CHARTER SCHOOL BOARD.

House: Passed 1st Reading

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

H 444: CONFIRM ANDREW T. HEATH TO INDUSTRIAL COMM.

House: Passed 1st Reading

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/02/2013

H 445: NCSU TURTLE RESCUE TEAM SPECIAL PLATE.

House: Passed 1st Reading

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

H 446: MOREHEAD PLANETARIUM SPECIAL PLATE.

House: Passed 1st Reading

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

H 447: RESTORE TEACHING FELLOWS PROGRAM.

House: Passed 1st Reading

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

H 448: CONTAIN COUNTIES' INMATE MEDICAL COSTS.

House: Passed 1st Reading

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

H 449: STATE CONTRACTS/FURNITURE.

House: Passed 1st Reading

House: Ref To Com On Finance

H 450: CRIMINAL CONTEMPT/BAIL PROCEDURE (NEW).

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee C

H 451: ELECTION OMNIBUS.

House: Passed 1st Reading

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

H 452: 2013 SCHOOL SAFETY ACT.

House: Passed 1st Reading

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

H 453: CORRECT TAXATION OF COMPUTER SOFTWARE.

House: Passed 1st Reading

House: Ref to the Com on Appropriations Subcommittee on Information Technology, if favorable, Finance

H 454: CAREER PREP ADULT HIGH SCHOOLS.

House: Passed 1st Reading

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

H 455: VOTING IMPROVEMENT ACT.

House: Passed 1st Reading

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

H 472: AUTO INSURANCE RATE-MAKING REFORM.

House: Filed

H 473: NC CAPTIVE INSURANCE ACT.

House: Filed

H 474: REDEPOSIT GOVT. FUNDS INTO INS. DEPOSIT ACCT.

House: Filed

H 475: FERRY TOLLING ALTERNATIVES.

House: Filed

H 476: REWRITE UNDERGROUND DAMAGE PREVENTION ACT.

House: Filed

H 477: ALLISON'S LAW/USE OF GPS TRACKING DEVICE/DVPO.

House: Filed

H 478: TOWN OF MATTHEWS SPECIAL PLATE.

House: Filed

H 479: AMEND ELECTROLYSIS PRACTICE ACT/FEES.

House: Filed

H 480: ENVIRONMENTAL PERMITTING REFORM.

House: Filed

H 481: REDUCE NEEDLE STICK INJURIES.

House: Filed

H 482: MEDIATION AMENDMENTS.

House: Filed

H 483: ELIMINATE UNNECESSARY EDUCATOR REPORTING.

House: Filed

H 484: PERMITTING OF WIND ENERGY FACILITIES.

House: Filed

H 485: STOCK CAR RACING THEME PLATE PROCEEDS.

House: Filed

H 487: HONOR THE STATE'S VETERANS.

House: Filed

H 488: REGIONALIZATION OF PUBLIC UTILITIES.

House: Filed

S 11: ESTABLISH ORGAN DONATION MONTH.

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 20: GOOD SAMARITAN LAW/NALOXONE ACCESS.

House: Passed 3rd Reading

House: Ordered Engrossed

S 24: CONSTRUCTION/DEMOLITION LANDFILL SITING.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/02/2013

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

Senate: Rec To Concur In H Amend

Senate: Placed On Cal For 04/02/2013

S 44: WORKERS COMP COVERAGE/PUBLIC RECORDS.

Ratified

S 45: INCAPACITY TO PROCEED AMENDMENTS.

Pres. To Gov. 03/28/2013

S 50: DISCHARGED VETERANS/IDENTITY THEFT PROTECTION.

Signed by Gov. 3/28/2013

Ch. SL 2013-15

S 84: CANCEL AIRCRAFT LIEN W/SURETY BOND DEPOSIT.

Signed by Gov. 3/28/2013

Ch. SL 2013-17

S 97: PROPERTY TAX/DEANNEXATION.

Ratified

S 159: REQUIRE CERTAIN GENERAL REAPPRAISALS.

Senate: Passed 3rd Reading

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 04/02/2013

S 209: CITIES/OVERGROWN VEGETATION NOTICE.

House: Rec From Senate

S 223: SEVERANCE & RELOCATION FOR AREA DIRECTORS.

House: Passed 1st Reading

House: Ref To Com On Government

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

House: Rec From Senate

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

House: Passed 1st Reading

House: Ref To Com On Education

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 316: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 04/02/2013

S 334: DOROTHEA DIX LEASE.

House: Passed 1st Reading

House: Ref To Com On Judiciary

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

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

Senate: Passed 1st Reading

Senate: Ref To Com On Transportation

S 461: CDL CHANGES.

Senate: Passed 1st Reading

Senate: Ref To Com On Transportation

S 462: EQUAL ACCESS TO CIVIL JUDGMENT EXECUTIONS.

Senate: Passed 1st Reading

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

S 463: JAIL DORMITORY MINIMUM STANDARDS.

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

S 464: EUGENICS COMPENSATION PROGRAM.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 465: PROHIBIT USE OF TAX ZAPPER SOFTWARE.

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

S 466: ESTABLISH ALZHEIMER'S DISEASE TASK FORCE.

Senate: Passed 1st Reading

Senate: Ref To Com On Health Care

S 467: FORECLOSURE MEDIATION PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 468: ALIGN INSPECTIONS W/INSTALLER LICENSING.

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 469: AMEND STATE BUDGET ACT - TECH.

Senate: Passed 1st Reading

Senate: RefTo Com On Appropriations/Base Budget

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

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 471: DEBT ISSUANCE ACCOUNTABILITY ACT: GA APPROVAL.

Senate: Passed 1st Reading

Senate: Refto Finance. If fav, re-ref to Appropriations/Base Budget

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

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary I

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

Senate: Passed 1st Reading

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

S 474: NET-ZERO ENERGY SCHOOLS.

Senate: Passed 1st Reading

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

S 475: PEO ACT AMENDMENTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Insurance

S 476: NC CAPTIVE INSURANCE ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Insurance

S 477: NO SET FEE/NONCOVERED VISION SERVICES.

Senate: Passed 1st Reading

Senate: RefTo Com On Insurance

S 478: COMMUNITIES IN SCHOOLS FUNDS.

Senate: Passed 1st Reading

Senate: Ref to Education/Higher Education. If fav, re-ref to Appropriations/Base Budget

S 479: LIMIT STATE DEBT AS FUNCTION OF REVENUE.

Senate: Passed 1st Reading

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

S 480: UNC CAPITAL IMPROVEMENT PROJECTS.

Senate: Passed 1st Reading

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

S 481: DEPT. OF INSURANCE/PUBLIC HEALTH SERVICE ACT.

Senate: Passed 1st Reading

Senate: Ref To Com On Insurance

S 482: REGULATE CERTIFIED FOOD PROTECTION MANAGERS.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

S 483: DOJ LEASES/SETOFF DEBT (NEW).

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

S 484: 2013 PRESIDENT PRO TEMPORE'S APPOINTMENTS.

Senate: Passed 1st Reading

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

S 485: UNC/REPORT/E-COMMERCE/IMPROVEMENTS (NEW).

Senate: Passed 1st Reading

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

S 486: PERTUSSIS EDUCATION & AWARENESS.

Senate: Passed 1st Reading

Senate: Ref To Com On Health Care

S 487: APPROPRIATIONS ACT OF 2013.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 488: AMEND NURSING HOME ADMINISTRATOR ACT/FEEES.

Senate: Passed 1st Reading

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

S 489: CONSUMER FINANCE ACT AMENDMENTS.

Senate: Passed 1st Reading

Senate: Ref To Com On Commerce

S 490: EXCLUDE CUSTOM SOFTWARE FROM PROPERTY TAX (NEW).

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

S 491: PERMITTING OF WIND ENERGY FACILITIES.

Senate: Passed 1st Reading

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

S 492: ENERGY/WATER BENCHMARKING FOR STATE BUILDNGS.

Senate: Passed 1st Reading

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

S 493: 2014 REGULATORY REFORM ACT (NEW).

Senate: Passed 1st Reading

Senate: Ref To Com On Transportation

Senate: Passed 1st Reading

Senate: Ref To Com On Transportation

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

S 494: COMMUNITY SERVICE/POST-RELEASE SUPERVISION.

Senate: Passed 1st Reading

Senate: RefTo Com On Judiciary I

S 495: ELECTION REFORM ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 496: SHP/PREMIUMS FOR ALTERNATIVE COVERAGE OPTIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Insurance

S 497: EXPANDED WEST. CRIME LAB/EXISTING STATE BLDG.

Senate: Passed 1st Reading

Senate: Ref to Rules and Operations of the Senate. If fav, re-ref to Appropriations/Base Budget

S 498: MODIFY RELIGIOUS EMPLOYER EXCEPTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Insurance

S 499: UPDATE/MODERNIZE/MIDWIFERY PRACTICE ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Health Care

S 500: EXPAND PHARMACISTS' IMMUNIZING AUTHORITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 501: CLARIFY ATV DEF/EST. GEN. GOV. OVERSIGHT COMM (NEW).

Senate: Passed 1st Reading

Senate: RefTo Com On Transportation

S 502: STATE HIGHWAY PATROL SECONDARY EMPLOYMENT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 503: EXEMPT START-UPS FROM PRIVILEGE LIC. TAXES.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 504: LOWER AG. PRIVILEGE LICENSE TAXES.

Senate: Passed 1st Reading

Senate: RefTo Com On Finance

S 505: CLARIFY AGRICULTURAL ZONING.

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

S 506: DEFINE AGRICULTURAL OPERATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Agriculture/Environment/Natural Resources

S 507: ELIMINATE OUTDATED ENV. REPORTS.

Senate: Passed 1st Reading

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

S 508: ELIMINATE INITIAL OWNERSHIP REQ. FOR PUV.

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

S 509: NC AGRICULTURE AND FORESTRY ACT.

Senate: Passed 1st Reading

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

S 510: BERNARD ALLEN FUND MODIFICATIONS.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 511: MODIFY PUV APPLICATION AG LANDS.

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

S 512: STATE EMPLOYEE PAYROLL DEDUCTION FOR BUS PASS.

Senate: Passed 1st Reading

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

S 513: NC WATER SECURITY ACT.

Senate: Passed 1st Reading

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

S 514: FILLING VACANCIES IN LOCAL OFFICE.

Senate: Passed 1st Reading

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

S 515: JORDAN LAKE WATER QUALITY ACT (NEW).

Senate: Passed 1st Reading

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

S 516: PUBLIC SCHOOL REGULATORY REFORM.

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

S 517: ESTABLISH "HERO CREW" JOBS FOR CLEAN ROADS.

Senate: Filed

S 518: HEALTHY MARRIAGE ACT.

Senate: Filed

S 519: BREAST DENSITY NOTIFICATION & AWARENESS.

Senate: Filed

S 520: WC/RECORD FULL IC HEARINGS.

Senate: Filed

S 521: CLARIFY TRANSPORTATION TOLLING STATUTES.-AB

Senate: Filed

S 522: NEW MARKETS JOBS ACT.

Senate: Filed

S 524: FERRY TOLLING ALTERNATIVES.

Senate: Filed

S 525: LIMIT USE OF HIGHWAY FUND CREDIT BALANCE.

Senate: Filed

S 526: APPRENTICESHIP PROGRAM TAX CREDIT.

Senate: Filed

S 527: TRESPASS ON SCHOOL GROUNDS.

Senate: Filed

S 528: CLARIFY PETIT JUROR OATH.

Senate: Filed

S 529: SEARCH WARRANT/CELL PHONE LOCATION INFO.

Senate: Filed

S 530: PROHIBIT E-CIGARETTE SALES TO MINORS.

Senate: Filed

S 531: STATE EMPLOYEES HEALTH SAVINGS ACCOUNT OPTION.

Senate: Filed

S 532: FUNDS/NC CATALYST.

Senate: Filed

S 533: STUDY TELEMEDICINE & HEALTH HOME INITIATIVES.

Senate: Filed

S 534: CDBG FUNDS/HOUSING.

Senate: Filed

S 535: CAREGIVER RELIEF ACT.

Senate: Filed

S 536: HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS.

Senate: Filed

S 537: AMEND SENTENCING/DRUG VIOLATIONS.

Senate: Filed

S 538: RESULT FROM DOR INACTION ON REVIEW REQUESTS.

Senate: Filed

S 539: JURY LIST/DATE OF BIRTH INFORMATION.

Senate: Filed

S 540: MODIFY EXEMPTIONS/FRATERNAL INS. BENEFITS.

Senate: Filed

S 541: REPEAL PUBLIC CAMPAIGN FINANCING.

Senate: Filed

S 542: DRUG TESTING FOR LTC APPLICANTS & EMPLOYEES.*Senate: Filed***S 543: HONOR THE STATE'S VETERANS.***Senate: Filed***S 544: NONDISCRIMINATION IN STATE EMPLOYMENT.***Senate: Filed***S 545: MASTER METERS/LANDLORD-TENANT AGREEMENT.***Senate: Filed***S 546: MERIT SCHOLARSHIP PROGRAM FOR NEEDY STUDENTS.***Senate: Filed***S 547: ENERGY SAVINGS CONTRACTING AMENDMENTS.***Senate: Filed***S 548: SCHOOL CLOSED DUE TO INCLEMENT WEATHER.***Senate: Filed***S 549: GUN PRIVACY.***Senate: Filed***S 550: STUDY DECREASING DWI/DUI PAPERWORK.***Senate: Filed***S 551: AMEND LAWS PERTAINING TO MEDICAID.-AB***Senate: Filed***S 552: PUBLIC PAID CLAIMS DATA/HEALTH INFO EXCHANGE.***Senate: Filed***S 553: LME/MCO ENROLLEE GRIEVANCES & APPEALS.***Senate: Filed***S 554: AMEND CHILD WELFARE & PUBLIC HEALTH LAWS.***Senate: Filed***S 555: NURSING BD/REGULATE NURSE PRACTITIONERS/FEEES.***Senate: Filed***S 556: WIND UP HIGH RISK HEALTH INSURANCE POOL.***Senate: Filed***S 557: NC PRE-K FUNDING PILOT (NEW).***Senate: Filed***S 558: TREASURER'S INVESTMENTS.***Senate: Filed***S 559: DEALER LICENSE PLATE/IND. DEALER.***Senate: Filed***S 560: INSURANCE PREMIUM ASSISTANCE FOR PREGNANCY.**

Senate: Filed

S 561: CHIROPRACTOR CO-PAY PARITY.

Senate: Filed

S 562: ESTABLISH STATEWIDE TELEPSYCHIATRY PROGRAM.

Senate: Filed

LOCAL BILLS

H 68: ESTABLISH OMBUDSMAN/FOSTER CARE/GASTON COUNTY.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/02/2013

H 191: GRIFTON/DEANNEXATION.

House: Passed 3rd Reading

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

Senate: Rec From House

Senate: Passed 1st Reading

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

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

House: Passed 2nd Reading

House: Passed 3rd Reading

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

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 229: HOLDEN BEACH/CANAL DREDGING DISTRICT FEE.

Senate: Rec From House

Senate: Passed 1st Reading

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

H 245: TROUTMAN DEANNEXATION.

House: Reptd Fav

House: Re-ref Com On Finance

H 290: RUTHERFORD AIRPORT AUTHORITY.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

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

House: Assigned To Regulatory Reform Subcommittee on Business and Labor

House: Assigned To Regulatory Reform Subcommittee on Business and Labor

H 294: AUTHORITY TO REMOVE ABANDONED VESSELS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/02/2013

H 318: WINSTON-SALEM/SEISMIC CODES.

House: Reptd Fav

House: Re-ref Com On Regulatory Reform

H 326: RUTHERFORD COUNTY CONDEMNATION CONSENT.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/02/2013

H 334: BUNCOMBE CTY LOTTERY FUND USE EXPANSION (NEW).

House: Reptd Fav

House: Re-ref Com On Finance

H 441: ROBESON COUNTY DRAINAGE DISTRICT.

House: Passed 1st Reading

House: Ref To Com On Government

H 456: DV FATALITY REVIEW TEAM/MECKLENBURG CO.

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee C

H 486: WAKE MUNICIPALITIES/DOUGHNUT ANNEXATIONS.

House: Filed

S 177: HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS.

House: Passed 1st Reading

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

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

Senate: Passed 3rd Reading

S 523: WRIGHTSVILLE BEACH DEANNEX/WILMINGTON ANNEX (NEW).

Senate: Filed

Senate: Filed

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