



The Daily Bulletin: 2013-04-04

PUBLIC/HOUSE BILLS

H 240 (2013-2014) **INSURANCE TECHNICAL/CLARIFYING CHANGES.-AB** Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO EXPAND THE CHOICES FOR HEALTH INSURANCE IN NORTH CAROLINA BY EXEMPTING HEALTH INSURANCE COMPANIES FROM OUTDATED RISK EXPOSURE REQUIREMENTS; TO REMOVE A PHOTO IDENTIFICATION REQUIREMENT FOR NEW DOMESTIC COMPANIES; TO HELP MORTGAGE GUARANTY COMPANIES ADJUST THEIR CAPITAL AND SURPLUS REQUIREMENTS; TO REVISE CERTAIN RISK-BASED CAPITAL REQUIREMENTS IN ORDER TO MAINTAIN NORTH CAROLINA'S NAIC ACCREDITATION; TO CLARIFY CONSUMER CHOICE IN HOMEOWNER'S COVERAGE FOR WIND AND HAIL; TO CLARIFY THE CERTIFICATION REQUIREMENTS FOR AN ACTUARY WHO PRESENTS A SCHEDULE OF PREMIUM RATES; TO SHORTEN CERTAIN TIME PERIODS FOR AN EXTERNAL REVIEW BY THE COMMISSIONER OF CERTAIN INSURER DETERMINATIONS; TO EXPAND ACCESS OF COVERAGE TO BUSINESSES WHO NEED BLANKET ACCIDENT AND HEALTH COVERAGE; TO MAKE CERTAIN CONFORMING CHANGES RELATED TO THE RENAMING OF THE OFFICE OF MANAGED CARE PATIENT ASSISTANCE PROGRAM AS HEALTH INSURANCE SMART NC; TO AMEND THE DEFINITION OF PRIVATE PASSENGER MOTOR VEHICLE; TO CLARIFY WHEN AN INSURER CAN COMMUNICATE WITH THE INSURED AFTER A PUBLIC ADJUSTER HAS BEEN RETAINED; AND TO CLARIFY WHEN AN AUTOMATIC STAY OF PROOF OF LOSS REQUIREMENTS, PREMIUM AND DEBT DEFERRALS, AND LOSS ADJUSTMENTS ARE TRIGGERED; TO PROVIDE NOTICE AND AN OPPORTUNITY FOR A HEARING WHEN A SUPERIOR COURT JUDGE IS CALLED UPON TO SELECT AN UMPIRE IN CERTAIN PROPERTY INSURANCE DISPUTES; AND TO ALLOW THE DEPARTMENT OF INSURANCE TO ENFORCE CERTAIN PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT BY REQUIRING INSURANCE COMPANIES TO COMPLY WITH THOSE PROVISIONS WITHIN THIS STATE.*

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

Changes long title.

Amends GS 58-36-42, providing that consumers can also choose residential property insurance coverage in the beach areas defined in GS 58-45-5(2), (previously, only referred to the coastal areas). Deletes provision limiting those coverages to when requested by the insured.

Deletes Section 19 from the 1st edition, concerning expedited external review.

Adds new Section 20, amending GS 58-40-10 (*Definitions*), providing that a private passenger motor vehicle, for the purposes of Articles 36, 37 and 40, can be a motor vehicle that is a pickup truck or van that is owned by private citizens who are residents of the same household if it has a gross vehicle weight as specified by the manufacturer of less than 14,000 pounds (was, 10,000).

Adds new Section 21, amending GS 58-33A-65(f)(3), deleting the requirement that once a public adjuster has been retained, the company adjuster or other insurance representative may not communicate directly with the insured without the permission or consent of the public adjuster or the insured's legal counsel.

Adds new Section 22, amending GS 58-2-46, changing the title to *State of disaster automatic stay of proof of loss requirements; premium and debt referrals; loss adjustments for separate windstorm policies* (was, *State of emergency automatic stay of proof of loss requirements; premium and debt referrals; loss adjustments for separate windstorm policies*). Makes conforming changes by substituting "state of disaster" for "state of emergency." Requires the Commissioner of Insurance (Commissioner) to issue an order declaring GS 58-2-46(1-4) effective in order for the provisions of this section to take effect. Provides that the application of any provision in an insurance policy insuring real property can be stayed for the time period not exceeding the earlier of the expiration of the disaster proclamation or declaration and all renewal proclamations or the expiration of the Commissioner's order declaring subdivisions (1) through (4) effective for the specific disaster. Also provides that certain companies must give their customers who reside in the geographic area designated in the disaster proclamation or declaration the option of deferring premium or debt payments during the time period prior to the expiration of the Commissioner's order declaring subdivisions (1) through (4) effective.

Adds new Section 22(b), amending GS 58-2-47 (*Incident affecting operations of the Department; stay of deadlines and deemer provisions*), adding "disaster" and a reference to GS 166A-19.21 (Gubernatorial disaster declaration) to the section in regards to incidents beyond the Department of Insurance's (Department's) reasonable control.

Adds new Section 22(c), amending GS 58-33-70(e), adding "disaster" and a reference to GS 166A-19.21, in regards to when an experienced adjuster licensed in another state can act as an adjuster in North Carolina.

Adds new Section 22(d), amending GS 58-44-70, replacing references to a state of "emergency" with a state of "disaster." Replaces a reference to GS 166A-19.20 with GS 166A-19.21.

Adds new Section 22(e), amending GS 58-44-75 (*Definitions*), deleting the term and definition for *disaster*.

Provides new effective dates. Section 10 of this act becomes effective January 1, 2016. Section 22 of this act is effective when it becomes law. The remainder of this act becomes effective July 1, 2013.

Intro. by Dockham.

[GS 58, GS 143](#)

[View summary](#)

[Insurance, Health Insurance](#)

H 272 (2013-2014) [DOT/DMV CHANGES #2](#) Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO LAWS AFFECTING THE DEPARTMENT OF TRANSPORTATION AND THE DIVISION OF MOTOR VEHICLES.*

House committee substitute to the 1st edition makes the following changes. Deletes the proposed changes to GS 136-112 concerning the measure of damages in a condemnation action initiated by the Department of Transportation. Makes conforming changes to the long title and conforming organizational changes.

Changes the effective date to July (was, January) 1, 2014.

Intro. by Stam, Jackson, Bryan.

[GS 136](#)

[View summary](#)

[Transportation, Property and Housing, Department of Transportation](#)

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

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

Makes technical and clarifying changes.

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

[GS 113](#)

[View summary](#)

[Animals](#)

H 321 (2013-2014) [AMEND LOCAL SOLID WASTE PLANNING](#). Filed Mar 14 2013, *AN ACT TO REPEAL THE REQUIREMENT THAT LOCAL GOVERNMENTS DEVELOP AND MAINTAIN A SOLID WASTE MANAGEMENT PLAN.*

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

Makes conforming changes to GS 130A-294 (regarding the authority of the Department of Environment and Natural Resources to establish and regulate statewide solid waste management program) to reflect the repeal of the authority of local governments to develop comprehensive solid waste management plans.

Makes additional technical, clarifying, and organizational changes.

Intro. by McGrady, McElraft, G. Graham, Speciale.

[GS 130A](#)

[View summary](#)

[Environment, Local Government](#)

H 346 (2013-2014) [GOVERNING BODIES/COLLECT UNPAID JUDGMENTS](#). Filed Mar 19 2013, *AN ACT AUTHORIZING COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND THE MONEY JUDGMENT HAS NOT BEEN SATISFIED.*

House committee substitute to the 1st edition makes the following changes. Deletes the proposed language in new GS 160A-64.1 and new GS 153A-30. Provides instead in those statutes that in addition to any other enforcement available, the finance officer obtaining a final judgment awarding monetary damages against an elected or appointed member of the city council may enforce the final judgment using remedies in GS 105-336(b) or the procedure for attachment and garnishment in GS 105-368 as if the judgment was delinquent taxes and as if the finance officer was the tax collector.

Applies to final judgments awarding monetary damages that are unsatisfied or entered on or after October 1, 2013.

Intro. by Faircloth.

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

[View summary](#)

[Local Government](#)

H 350 (2013-2014) [COURT IMPROVEM'T PROJECT JUV LAW CHANGES.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE JUVENILE CODE PURSUANT TO REVISIONS PROPOSED BY THE COURT IMPROVEMENT PROJECT.*

House committee substitute to the 1st edition makes the following change. The act now applies to actions filed or pending on or after the October 1, 2013, effective date (was, applies to proceedings filed on or after the effective date).

Intro. by Jordan, C. Graham.

[GS 7B](#)

[View summary](#)

[Abuse, Neglect and Dependency](#)

H 361 (2013-2014) [JUSTICE REINVESTMENT TECHNICAL CORRECTIONS.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE JUSTICE REINVESTMENT ACT OF 2011.*

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

Intro. by Faircloth.

[GS 15, GS 15A, GS 143B](#)

[View summary](#)

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

H 384 (2013-2014) [AMEND DEFINITIONS/PROPERTY CLASSIF./EQU. DIST.](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE DEFINITION OF MARITAL PROPERTY TO PROVIDE THAT ENTIRETIES PROPERTY IS SUBJECT TO THE SAME BURDEN OF PROOF IN REBUTTING THE PRESUMPTION AS ALL PROPERTY CLASSIFIED AS MARITAL PROPERTY AND AMENDING THE DEFINITION OF DIVISIBLE PROPERTY TO CLARIFY THAT INCREASES AND DECREASES IN MARITAL DEBT MEANS PASSIVE INCREASES AND PASSIVE DECREASES IN MARITAL DEBT UNDER THE LAWS PERTAINING TO EQUITABLE DISTRIBUTION.*

House amendment to the 1st edition makes the following change. Changes the effective date from when the act becomes law to October 1, 2013.

Intro. by Davis, Stevens.

[GS 50](#)

[View summary](#)

[Civil Law, Family Law, Property and Housing](#)

H 396 (2013-2014) [ENACT PRIVATE WELL WATER EDUCATION ACT.-AB](#) Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE PRIVATE WELL WATER EDUCATION ACT AT THE REQUEST OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES.*

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

Amends GS 87-97(i), providing that the rules adopted by the Commission in regards to the sampling and testing of well water and the reporting of test results also require local health departments to educate private citizens who contact local health departments regarding the testing of an existing well (previous edition only required the local health departments to educate those citizens who were receiving new private drinking water wells). Makes clarifying changes.

Amends GS 87-97(j), requiring that the local health department must include with any test results provided to the owners of private drinking water wells (previously, newly constructed private drinking water wells), information regarding the scope of the required and optional testing as established by the rules adopted pursuant to subsection (i) of this section.

Intro. by Catlin, Moffitt, Millis, Hollo.

[GS 87](#)

[View summary](#)

[Environment, Health](#)

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.*

House amendment to the 2nd edition makes the following changes. Amends GS 115C-12(24) to require that the State Board of Education measure the educational performance and growth of students placed in alternative schools and programs through the application of the school performance scores and grades and annual performance goals, as part of its evaluation of the effectiveness of alternative learning programs.

Intro. by Langdon, Johnson, Holloway, Cotham.

GS 115C

[View summary](#)**Elementary and Secondary Education**

H 547 (2013-2014) **TAX & REGULATE VIDEO SWEEPSTAKES**. Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO REGULATE AND IMPOSE AN EXCISE TAX ON ELECTRONIC SWEEPSTAKES*.

Repeals GS 14-306.4 (prohibiting electronic machines and devices for sweepstakes). Enacts new Article 80 (regulation of electronic sweepstakes) in GS Chapter 143.

Requires a license to operate an electronic sweepstakes device or establishment. Defines an electronic sweepstakes device as a mechanically, electrically, or electronically operated device that is connected to a server through a local network and that is owned, leased, or otherwise possessed by a sweepstakes sponsor or promoter, or any of the sweepstakes sponsor's or promoter's partners, affiliates, subsidiaries, or contractors, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying sweepstakes results on a screen or other mechanism.

Sets out requirements for licensure including a \$250 application fee. Licensure is to be administered and enforced by the Department of Commerce (Department). Sets out requirements for applicants, including the necessary relationship to the state and doing business in the state. Allows the Department to refuse a license if the applicant has (1) submitted false or misleading application information, (2) had a license canceled for cause, or (3) been convicted of a violation of federal or state level gambling laws within five years of the application. Requires licensing applications to include a certificate or report from an authorized independent testing laboratory that performs specified activities on each electronic sweepstakes device listed in the application to be placed into operation at the establishment, including identifying the device components and verifying that all electronic sweepstakes devices identified in the application as being operational in the establishment use the same entries for each sweepstakes from a pool of entries hosted on a local server in the establishment. Requires the Secretary of Commerce to publish a list of authorized independent testing laboratories within 14 days of the act becoming law.

Requires a license to supply sweepstakes software to a sweepstakes gaming device operator. Specifies the information to be included in the application.

Specifies that the Article authorizes only the operation of server-based electronic sweepstakes devices that associate a prize with an entry or entries from a predetermined finite pool of winning and losing entries at the time the sweepstakes is entered. Prohibits specified activities including, willfully failing to award prizes offered other than for failure by the entrant to comply with the rules of the sweepstakes or award or advertise prizes other than those that have been properly announced; to knowingly require the participant to pay more than fair market value for the item, product, or service that entitles a participant to enter a sweepstakes; and to operate a sweepstakes game which does not have a finite number of entries. Requires licensee to comply with specified interior and exterior signage requirements. Prohibits an operator from (1) being issued an ABC permit authorizing the sale of alcoholic beverages for consumption on the sweepstakes location premises; (2) allow an individual under 18 to enter or be employed at a sweepstakes facility; (3) offer or pay out anyone a single prize with a value of more than \$10,000; and (4) cause the sweepstakes results to be located other than on a server that is at the location where the sweepstakes takes place. Requires operators to provide the Department of Revenue with information on individuals winning prizes with a value of more than \$1,000.

Sets out reasons for which the Secretary of Commerce may cancel a license, after holding a hearing on whether to cancel the license; also allows cancellation upon a licensee's written request. Requires 90 days written notice of a hearing to a person whose license may be canceled. Sets out further requirements for notice. Hearings are open to the public. Sets out further guidelines for the hearing. Allows for appeal in superior court.

Provides for enforcement of the Article. Unless a greater penalty is otherwise provided, makes it a Class 2 misdemeanor, subject to a fine between \$25,000 and \$100,000 and bar from obtaining a license, for operating an electronic sweepstakes without a license. Willful violations of other provisions of the Article are punishable by fines of \$500 to \$10,000.

Enacts new Article 2E, *Electronic Sweepstakes*, in GS Chapter 105. Levies an excise tax on each establishment as follows: (1) a rate of \$2,000 per electronic sweepstakes establishment, (2) a rate of \$1,000 per electronic sweepstakes device, and (3) a rate of 4% on gross receipts. Allows a city or county to, by resolution or ordinance, impose an excise tax on each establishment

located in that city or county of \$1,000 on each establishment and \$500 on each device. Makes conforming changes to GS 160A-211. Applies to an electronic sweepstakes establishment and devices operated on or after January 1, 2014.

Provides for temporary licensure for those submitting an application for licensure before September 1, 2013, without the required certificate or report, that will be valid through September 30, 2013.

Unless otherwise indicated, applies to establishments and devices operating on or after the date that the act becomes law.

Intro. by Wray, Collins.

[GS 105, GS 143, GS 160A](#)

[View summary](#)

[Tax, Lottery and Gaming](#)

H 565 (2013-2014) [AMEND REAL ESTATE APPRAISERS' LAWS/FEEES](#). Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGULATING REAL ESTATE APPRAISERS*.

Amends GS 93E-1-3(a), providing that a registered trainee can prepare an appraisal report under the supervision of a certified real estate appraiser (previously, a registered trainee could prepare an appraisal report under the supervision of a licensed or certified appraiser). Makes changes throughout to remove reference to licensed appraisers.

Amends GS 93E-1-6 (*Qualifications for registration and certification; applications; application fees; examinations*), providing that an applicant for certification as a certified residential real estate appraiser or certified general real estate appraiser must hold a bachelor's degree from an accredited college or university (or community college in the case of residential appraiser). Also requires an applicant to have satisfactorily completed a course of instruction in real estate appraisal principles; such courses must have been completed on or after January 1, 2008. Extends the experience period in which one must obtain a specified number of experience hours or the minimum requirement as imposed by the Appraisal Foundation to an eight-year period immediately preceding the date of the application (was, five-year period immediately preceding). Requires all applicants to consent to a criminal history record check, refusal of which can serve as grounds for denial of an application. Provides the policy, procedures, and processes for the record checks and safekeeping of confidential information.

Amends GS 93E-1-6.1 (*Trainee supervision*), requiring all trainees and any appraisers desiring to supervise a trainee to complete a course in trainee supervision, as required in rules adopted by the North Carolina Appraisal Board (Board).

Amends GS 93E-1-8 (*Education program approval and fees*), making technical and conforming changes.

Amends GS Chapter 93E by creating a new 93E-1-15 (*Payment of fees by electronic means*), providing that the Board may allow any of its fees to be paid through electronic means. A processing fee that does not exceed the actual cost to the Board for the processing can be charged.

Amends GS 93E-2-4 (*Qualifications for registration; duties of registrants*), providing that the registration issued by the Board to appraisal management companies will certify that the entity has established a trust or escrow account in which the portion of all receipts from the entity's clients that are to be paid to appraisers are deposited into the account when the fees are received from the entity's client. This certification will also include the name of the financial institution in which the account is established. Also requires that the trust or escrow account will be a demand deposit account in a federally insured depository institution conducting lawful business in North Carolina that agrees to make the institution's records of the appraisal management company's accounts available for inspection. Also requires that registered appraisal management companies ensure that appraisers receive fees within 45 days of the date the appraisal is transmitted.

Amends GS 93E-2-6 by adding a new subsection, GS 93E-2-6(d), providing that the Board may allow any of its fees to be paid through electronic means. A processing fee that does not exceed the actual cost to the Board for the processing can be charged.

Amends GS 93E-2-8 (*Disciplinary authority*), providing that if an applicant or registrant has commingled appraisal fees owed to appraisers with the appraisal management company's operating or other funds, or failed to maintain proper trust or escrow accounts, the Board can deny, suspend, revoke, or refuse to issue or renew the registration of an appraisal management company. Provides that all financial records related to the required trust or escrow account will be subject to audit for cause or random audit, subject to the discretion of the Board. Inspection of these records does not require prior notice. Written

authorization will be given to the bank, allowing the bank to release any and all requested information, relative to the accounts, to the parties authorized under this section to inspect those records. Provides the Board is exempt from the requirements of GS Chapter 53B, regarding subpoenas issued to compel the production of a licensee's trust account records held by an appraisal management company.

Amends GS 93E-2-9 by adding a new subsection, GS 93E-2-9(c1), requiring every appraisal management company to maintain complete records showing the deposit, maintenance, and withdrawal of appraisal fees held in escrow or in trust for appraisers. The Board can require copies of these records to be sent to them. The CEO or financial officer of the appraisal management company will certify under oath to the veracity and accuracy of the copies. Expenses associated with these records will be borne by the company.

Amends GS 114-19.30 (*Criminal history record check of applicants or registrants for registration as real estate appraisal management companies*), changing title of the section to *Criminal history record check of applicants for trainee registration appraiser certification, or registrants for registration as real estate appraisal management companies*. Provides that the Department of Justice can also provide to the NC Appraisal Board, from the State and National Repositories of Criminal Histories, the criminal history of any applicant or registrant for registration under Article 1 of GS 93E (was, only applicants or registrants under Article 2 of GS 93E).

Effective July 1, 2014.

Intro. by Szoka, Howard, B. Brown, Saine.

[GS 114](#)

[View summary](#)

[Occupational Licensing, Property and Housing](#)

H 576 (2013-2014) [HONOR TOWN OF WADE](#). Filed Apr 4 2013, *A HOUSE RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF WADE WHILE OBSERVING THE TOWN'S ONE HUNDREDTH ANNIVERSARY.*

As title indicates.

Intro. by Szoka.

[Cumberland, HOUSE RES](#)

[View summary](#)

H 577 (2013-2014) [HONOR THE TOWN OF LINDEN](#). Filed Apr 4 2013, *A HOUSE RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF LINDEN WHILE OBSERVING THE TOWN'S ONE HUNDREDTH ANNIVERSARY.*

As title indicates.

Intro. by Szoka.

[Cumberland, HOUSE RES](#)

[View summary](#)

H 578 (2013-2014) [HONOR TOWN OF STEDMAN](#). Filed Apr 4 2013, *A HOUSE RESOLUTION HONORING THE FOUNDERS OF THE TOWN OF STEDMAN, WHILE OBSERVING THE TOWN'S ONE HUNDREDTH ANNIVERSARY.*

As title indicates.

Intro. by Szoka.

[Cumberland, HOUSE RES](#)

[View summary](#)

H 579 (2013-2014) [CFCC MARINE TECHNOLOGY PROGRAM FUNDS](#). Filed Apr 4 2013, *<p>A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MARINE TECHNOLOGY PROGRAM AT CAPE FEAR COMMUNITY COLLEGE.</p>*

Appropriates \$688,670 for 2013-2014 and \$688,670 for 2014-2015 from the General Fund to the Community College System Office to be used for Cape Fear Community College's Marine Technology program. Effective July 1, 2013.

Intro. by *<p>Davis.</p>*

[APPROP](#)

[View summary](#)

[Budget/Appropriations, Higher Education](#)

H 580 (2013-2014) [ESTABLISH STATEWIDE TELEPSYCHIATRY PROGRAM](#). Filed Apr 4 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.*

Identical to [S 562](#), filed 3/28/13.

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 [Martin, Burr, Avila, Lambeth](#).

[APPROP, GS 122C](#)

[View summary](#)

[Budget/Appropriations, Mental Health](#)

H 581 (2013-2014) [TROPHY WILDLIFE SALE PERMIT](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE WILDLIFE RESOURCES COMMISSION TO ADOPT RULES TO IMPLEMENT THE TROPHY WILDLIFE SALE PERMIT.*

As title indicates.

Intro. by [Elmore, West](#).

[GS 113](#)

[View summary](#)

[Animals](#)

H 582 (2013-2014) [LEGAL SERVICES](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO SUPPORT AND ASSIST SMALL BUSINESSES AND ASSOCIATION MEMBERS WITH AFFORDABLE LEGAL SERVICES BY ALLOWING NONPROFIT CORPORATIONS OPERATING AS A PROFESSIONAL AND TRADE ASSOCIATION OR A BUSINESS LEAGUE TO PROVIDE LEGAL SERVICES TO ITS MEMBERS USING ATTORNEYS DULY LICENSED TO PRACTICE LAW IN THIS STATE.*

Adds new subsection (c) to GS 84-5.1 as the title indicates. Provides that a nonprofit organization, tax exempt under 26 U.S.C. § 501(c)(6) or authorized under GS Chapter 55A and operating as a professional and trade association or business league, as defined under Internal Revenue Service guidelines, may provide legal services to its members solely by and through attorneys licensed to practice law in North Carolina, subject to the rules and regulations of the North Carolina State Bar, as approved by the Supreme Court of North Carolina. Provides additional guidelines, registration requirements, and operational criteria for a nonprofit wishing to provide access to legal services for its members using licensed North Carolina attorneys.

Intro. by McGrady, Torbett, Harrison, Blackwell.

[GS 84](#)

[View summary](#)

[Nonprofits](#)

H 583 (2013-2014) [HONOR SPORTS HALL OF FAME](#). Filed Apr 4 2013, *A HOUSE RESOLUTION HONORING THE NORTH CAROLINA SPORTS HALL OF FAME AND ITS INDUCTEES.*

As title indicates.

Intro. by T. Moore.

[HOUSE RES](#)

[View summary](#)

[Cultural Resources and Museums](#)

H 584 (2013-2014) [SUSPEND TRUCK INSPECTION/SEVERE WEATHER](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNOR TO TEMPORARILY SUSPEND ROUTINE WEIGHT INSPECTIONS OF TRUCKS PRIOR TO SEVERE WEATHER EVENTS.*

Amends GS 20-118.1 to allow the Governor, at the request of the Commissioner of Agriculture, to temporarily suspend the weight inspections when the weather is likely to cause serious losses or damages to crops ready to be harvested. Ends the suspension when the Governor determines that the threat of serious losses or damages has passed.

Intro. by Dixon, Horn, J. Bell, Brisson.

[GS 20](#)

[View summary](#)

[Transportation](#)

H 585 (2013-2014) [PREA COMPLIANCE](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL CORRECTIONAL FACILITIES AND JUVENILE FACILITIES IN THIS STATE SHALL COMPLY WITH THE PROVISIONS OF THE FEDERAL PRISON RAPE ELIMINATION ACT (PREA).*

As title indicates.

Intro. by Lewis.

[GS 143B, GS 148, GS 153A](#)

[View summary](#)

[Corrections \(Sentencing/Probation\), Public Safety and Emergency Management](#)

H 586 (2013-2014) [PUV/REPEAL FOREST PLANNING REQUIREMENT](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO PRESERVE THE FREEDOM OF OWNERS OF FORESTLAND IN THE PRESENT-USE VALUE PROPERTY TAX REDUCTION PROGRAM TO MANAGE THEIR PROPERTY AS THEY SEE FIT.*

Repeals GS 105-277.3(g), which provided that if the owner of forestland demonstrates that the forestland complies with a written sound forest management plan for the production and sale of forest products, then the forestland is operated under a sound management program. Amends the definition of forestland in GS 105-277.2 to remove the sound management program requirement. Effective July 1, 2013.

Intro. by Pittman.

[GS 105](#)

[View summary](#)

Tax

H 587 (2013-2014) [ALTERNATE ACT/PLAN FOR CERTAIN STUDENTS \(NEW\)](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE AN ALTERNATE ACT AND PLAN PRECURSOR TEST FOR CERTAIN STUDENTS.*

Amends GS 115C-174.11(c)(4) to provide that the requirement that the State Board of Education (Board) require that the ACT be administered for all students in the 11th grade does not apply to those students enrolled in the Occupational Course of Study or the Extended Course of Study, and allows for the development of an alternative assessment measure. Makes a conforming change to GS 115C-174.22.

Requires the Board to apply to the US Department of Education for an amendment to the federal waiver obtained regarding accountability measures under the Elementary and Secondary Education Act, to implement the act.

Statutory changes are effective September 1, 2014, or upon the approval of the required waiver amendment, whichever occurs earlier.

Intro. by Whitmire, Holloway, Blackwell, Glazier.

[GS 115C](#)

[View summary](#)

Education

H 588 (2013-2014) [PUBLIC SCHOOL REPORT/FLEXIBILITY](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE INDIVIDUALIZED EDUCATION PROGRAM FORMS MORE EFFICIENT AND REDUCE THE FREQUENCY OF CERTAIN EDUCATION REPORTS.*

Amends GS 115C-107.2(d) to also require the forms developed by the State Board for local education agencies to limit the requirement for narrative reporting to essential components requiring personalized student information, and, whenever practicable, be in electronic format.

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

Amends GS 115C-174.11 to prohibit the State Board of Education from requiring schools that demonstrate that at least 80% of students performing at or above grade level on any required assessment to use a specific remediation method for those identified as needing remedial instruction in that subject matter.

Prohibits the State Board of Education from requiring a local school administrative unit, in relation to providing charter transportation for school-related events and activities, to (i) maintain a list of companies or individuals approved by the Board to provide transportation services for school-related activities or (ii) limit the local school administrative unit's ability to contract for charter transportation services to an approved list of companies or individuals.

Applies beginning with the 2013-14 school year.

Intro. by Whitmire, Langdon, Glazier, Martin.

[GS 115C](#)

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

H 589 (2013-2014) [VIVA/ELECTION REFORM \(NEW\)](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO RESTORE CONFIDENCE IN GOVERNMENT BY ESTABLISHING THE VOTER INFORMATION VERIFICATION ACT TO PROMOTE THE ELECTORAL PROCESS THROUGH EDUCATION AND INCREASED REGISTRATION OF VOTERS AND BY REQUIRING VOTERS TO PROVIDE PHOTO IDENTIFICATION BEFORE VOTING TO PROTECT THE RIGHT OF EACH REGISTERED VOTER TO CAST A SECURE VOTE WITH REASONABLE SECURITY MEASURES THAT CONFIRM VOTER IDENTITY AS ACCURATELY AS POSSIBLE WITHOUT RESTRICTION, AND TO FURTHER REFORM THE ELECTION LAWS.*

To be summarized.

Intro. by Warren, Murry, T. Moore, Samuelson.

[GS 20](#), [GS 130A](#), [GS 161](#), [GS 163](#)

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

H 590 (2013-2014) [REBUTTABLE PRESUMPTION/SHARED PARENTING](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO CHILD CUSTODY TO PROVIDE FOR A REBUTTABLE PRESUMPTION OF SHARED PARENTING.*

Identical to [H 534](#), filed 4/3/13.

Amends GS 50-13.2 (*Who entitled to custody; terms of custody; visitation rights of grandparents; taking child out of State*), changing title to *Who entitled to custody; presumption of shared parenting; terms of custody; visitation rights of grandparents; taking child out of State*. Provides that there is a presumption that shared parenting is in the best interest of the child. This presumption can be rebutted by the greater weight of the evidence. Defines shared parenting as each parent sharing, as close as possible, an equal amount of time with the child.

Intro. by Schaffer, R. Brown, McElraft.

[GS 50](#)

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

H 591 (2013-2014) [REPORTING AND TERMS FOR LONG. DATA BOARD](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO SPECIFY THE TERM OF OFFICE FOR APPOINTED MEMBERS OF THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM BOARD, TO MAKE THE STATE INFORMATION OFFICER CHAIR OF THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM BOARD, TO SPECIFY THE TIMES FOR MEETING OF THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM BOARD, AND TO REQUIRE QUARTERLY REPORTING OF PROGRESS ON THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM.*

Amends GS 116E-3 to make the following changes concerning the North Carolina Longitudinal Data System Board (Board). Removes the ability of the State Chief Information Officer's designee to serve in place of the Officer. Specifies that terms for appointed members begin on May 1, 2013, and every four years thereafter. Names the State Chief Information Officer as the chair. Requires the Board to hold an initial meeting upon appointing a majority of the appointed members and requires meeting at least quarterly. Amends GS 116E-4 to require the Board to make its report by May 31 (was, December 15) and expands the list of entities to whom the report must be made.

Intro. by Blackwell, Holloway, Johnson, Jordan.

[GS 116E](#)

[View summary](#)[State Government](#)

PUBLIC/SENATE BILLS

S 44 (SL 2013-20) (2013-2014) [WORKERS COMP COVERAGE/PUBLIC RECORDS](#). Filed Feb 4 2013, *A BILL TO BE ENTITLED AN ACT TO PERMIT DISCLOSURE OF CERTAIN INFORMATION PERTAINING TO WORKERS' COMPENSATION COVERAGE BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON WORKERS' COMPENSATION INSURANCE COVERAGE COMPLIANCE AND FRAUD PREVENTION AND DETECTION.*

A BILL TO BE ENTITLED AN ACT TO PERMIT DISCLOSURE OF CERTAIN INFORMATION PERTAINING TO WORKERS' COMPENSATION COVERAGE BY THE NORTH CAROLINA INDUSTRIAL COMMISSION, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMITTEE ON WORKERS' COMPENSATION INSURANCE COVERAGE COMPLIANCE AND FRAUD PREVENTION AND DETECTION. Enacted April 3, 2013. Effective April 3, 2013.

Intro. by Brown.

GS 58

[View summary](#)

[Employment and Retirement, Public Records and Open Meetings](#)

S 45 (SL 2013-18) (2013-2014) [INCAPACITY TO PROCEED AMENDMENTS](#). Filed Feb 4 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING INCAPACITY TO PROCEED.*

AN ACT TO AMEND THE LAWS GOVERNING INCAPACITY TO PROCEED. Enacted April 3, 2013. Sections 1 through 8 are effective December 1, 2013. The remainder is effective April 3, 2013.

Intro. by Randleman.

GS 15A, GS 122C

[View summary](#)

[Criminal Law and Procedure, Mental Health](#)

S 97 (SL 2013-19) (2013-2014) [PROPERTY TAX/DEANNEXATION](#). Filed Feb 18 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE RELEASE OF PROPERTY TAXES IN ANY AREA THAT WAS PART OF A MUNICIPALITY FOR SIX MONTHS OR LESS AND THEN DEANNEXED.*

A BILL TO BE ENTITLED AN ACT TO REQUIRE RELEASE OF PROPERTY TAXES IN ANY AREA THAT WAS PART OF A MUNICIPALITY FOR SIX MONTHS OR LESS AND THEN DEANNEXED. Enacted April 3, 2013. Effective April 3, 2013.

Intro. by Goolsby.

GS 105

[View summary](#)

[Local Government, Tax](#)

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

House committee substitute to the 3rd edition makes the following changes. Amends GS 14-17(c) to specify that nothing in the subsection is to be construed to apply to an unintentional act or omission committed by the child's birth mother during the pregnancy that culminated in the birth of the child.

Intro. by Gunn, Daniel, Randleman.

GS 14

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

S 140 (2013-2014) **FINANCIAL EXPLOITATION OF OLDER ADULTS**. Filed Feb 27 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE RECOGNITION, REPORTING, AND PROSECUTION OF THOSE WHO WOULD DEFRAUD OR FINANCIALLY EXPLOIT DISABLED OR OLDER ADULTS, AND TO CONTINUE THE TASK FORCE ON FRAUD AGAINST OLDER ADULTS, AS RECOMMENDED BY THE TASK FORCE ON FRAUD AGAINST OLDER ADULTS.*

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

Makes technical and clarifying changes, changing references to "law enforcement" to "investigating entity," and inserting references to disabled adults as also covered under the provisions of this act. Adds reference to disabled adults to the bill title to better reflect the bill content and adds a definition for *disabled person* to the act. Adds a definition for *investigating entity*; defines the term to mean a law enforcement agency investigating the alleged financial exploitation of a disabled adult or an older adult or a county department of social services investigating alleged financial exploitation of a disabled adult.

Deletes proposed GS 108A-106.1, which deals with the production of customers' financial records in cases of suspected financial exploitation. Makes conforming changes deleting references to that provision. Amends GS 108A-14 to add as a duty and responsibility of the director of social services receiving and evaluating reports of financial exploitation of disabled adults, investigating credible reports of financial exploitation under new Article 6A of GS Chapter 108A, and taking appropriate action to protect these adults.

Amends proposed GS 108A-115 to require that any financial institution and its officers and employees have a duty to report a belief that a disabled or older adult is being financially exploited to the appropriate county department of social services. Clarifies that no financial institutions or its officers and employers may (was, shall) be held liable in any action if they acted in good faith.

Enacts new GS 108A-117 to require an investigating entity to provide notice to the older adult or disabled adult within 180 days after the investigating entity gains access to financial records of the older adult or disabled adult. Specifies what the notice must contain and the acceptable method for delivery of the notice. Also provides criteria for delayed notice upon the order of an appropriate court and basis for receiving an extension on any court-ordered delay of notice.

Effective October 1, 2013 (was, these provisions become effective on the first day of a month that is six months after this act becomes law).

Intro. by Bingham.

[GS 14, GS 53B, GS 108A](#)

[View summary](#)

Banking and Finance, Consumer Protection, Criminal Justice, Social Services

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

Senate amendment makes the following changes to the 1st edition.

Provides that one of the requirements to be eligible to receive and hold an ABC permit is having a valid Social Security number or being able to produce valid documentation issued to the applicant under the authority of the United States, unless the applicant is otherwise eligible to apply for a permit under this Chapter and is not present or residing in the United States (previous edition only stated having a valid Social Security number or valid documentation which demonstrated a legal presence in the United States).

Intro. by Brock.

[GS 18B](#)

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

S 636 (2013-2014) **WILDLIFE RESOURCES COMM. PENALTY CHANGES**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE BOATING SAFETY ACT BY INCREASING THE FINES AND OTHERWISE AMENDING THE PENALTY AND OTHER PROVISIONS OF THAT ACT AND BY AMENDING THE PENALTY PROVISIONS FOR SPECIFIC VIOLATIONS OF THE WILDLIFE LAWS; TO AUTHORIZE COUNTIES AND CITIES TO ATTACH AND GARNISH A MEMBER OF THE GOVERNING BODY IF THE COUNTY OR CITY HAS BEEN GRANTED A MONEY JUDGMENT AGAINST THAT MEMBER AND THE MONEY JUDGMENT HAS NOT BEEN SATISFIED; AND TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE, TO PROVIDE FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, AND TO MAKE SIMILAR STATUTORY CHANGES.*

Amends GS 75A-3 (*Wildlife Resources Commission to administer Chapter; Vessel Committee; funds for administration*), changing title to *Wildlife Resources Commission to administer Chapter; Boating Safety Committee; funds for administration*. Makes conforming changes.

Amends GS 75A-6.1(c), establishing that a violation of any rule regarding the navigational lighting adopted by the Wildlife Resources Commission (Commission) will constitute a Class 3 misdemeanor (previously, constituted a Class 3 misdemeanor and was punishable by a fine not to exceed \$100).

Amends GS 75A-10, providing that anyone who violates subsection (b1) (operating a vessel while under the influence) of this section is guilty of a Class 2 misdemeanor, punishable by a fine not less than \$250. Makes conforming and technical changes.

Amends GS 75A-13.3, providing that a person who is the lawful owner of a personal watercraft or a person having control of a personal watercraft who knowingly allows a person under 16 years of age to operate it in violation of the provisions of subsection (b) of this section is guilty of an infraction, as provided in GS 14-3.1 (was, a person under 16 years of age operating the watercraft in violation was subject to the infraction).

Amends GS 75A-16.2 to provide that a person has complied with the requirements of boating safety education if the person provides proof that they were born on or before January 1, 1988 (was, provides proof that they are at least 26 years of age). Provides that any person who violates a provision of this section or a rule adopted pursuant to this section is guilty of an infraction, as provided in GS 14-3.1, and will pay a fine of \$50 (was, the court will assess court costs for each violation but will not assess a penalty).

Amends GS 75A-18 (*Penalties*), making clarifying and technical changes. Provides that any person who violates a rule adopted by the Commission under this Chapter is guilty of an infraction, as provided in GS 14-3.1, and will pay a fine of \$50. No court costs will be assessed.

Amends GS 113-294 (*Specific violations*), providing that any person who unlawfully sells, possesses for sale, or buys any wildlife is guilty of a Class 2 misdemeanor, punishable by a fine not less than \$250. Provides that any person who unlawfully sells, possesses for sale, or buys any deer or wild turkey is guilty of a Class 2 misdemeanor, punishable by a fine not less than \$500 (was, not less than \$250). Provides that any person who unlawfully takes, possesses, or transports any elk from state-owned land is guilty of a Class 1 misdemeanor, punishable by a fine of not less than \$2,500, in addition to such other punishment prescribed for the offense. Provides that any person who unlawfully takes, possesses, or transports any deer is guilty of a Class 3 misdemeanor, punishable by a fine not less than \$250 (was, \$100). Provides that any person who unlawfully takes, possesses, or transports any deer from land that has been posted, in accordance with the provisions of GS 14-159.7, without written permission of the landowner, lessee, or the agent of the landowner or lessee is guilty of a Class 2 misdemeanor, punishable by a fine of not less than \$500. Provides that any person who unlawfully takes deer between a half hour after sunset and a half hour before sunrise with the aid of an artificial light is guilty of a Class 2 misdemeanor, punishable by a fine of not less than \$500 (was, \$250). Provides that any person who unlawfully takes any migratory game bird with a rifle, or various other unlawful actions concerning game birds, is guilty of a Class 2 misdemeanor, punishable by a fine of not less than \$250 (was, \$100). Provides fines for unlawful acts regarding the placement of processed food products as bear bait in certain areas of the state as well as any person who violates provisions of GS 113-291.12 regarding removal of feral swine from a trap, both resulting in Class 2 misdemeanors and punishable by a fine not to exceed \$250.

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

Intro. by Newton.

GS 75A, GS 113

[View summary](#)**Animals, Environment**

S 662 (2013-2014) **LABOR/FARMWORKERS' HEALTH & SAFETY AMENDMENTS**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA RELATING TO AGRICULTURAL WORKERS' HOUSING AND EMPLOYMENT CONDITIONS*.

Amends GS 95-225 (*Adoption of standards and interpretations*), adding seven new migrant housing standards, including, but not limited to, requiring all doors opening to the exterior to have functioning deadbolt locks, with each migrant worker being provided a key to any door that opens into a common area, or to their sleeping quarters, and requiring that operators provide access to laundry facilities and detergent.

Amends GS 95-227 (*Enforcement*), providing that Department of Labor (DOL) of North Carolina will establish and implement procedures to identify and prosecute the most serious violators of this Article, including those that fail to apply for or obtain permits to operate migrant housing. Establishes that the requirements of this Article will be performed by DOL employees, to the extent feasible, that are bilingual in English and Spanish.

Intro. by McKissick, Kinnaird.

GS 95

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

S 663 (2013-2014) **BLUE RIBBON COMM. RECS./SUPPORTIVE MH HOUSING**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT 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*.

Amends GS 122C-3 by adding a new subdivision, (20c), to define *local management entity/managed care organization* or *LME/MCO* as an LME that has been approved by the Department of Health and Human Services (DHHS) to operate the 1915(b)/(c) Medicaid Waiver (refers to two sections of the Social Security Act that allow states to apply for waivers from federal Medicaid policy).

Adds new Article 1B, *Transitions to Community Living*, to GS Chapter 122C. Includes definitions for terms as they apply in this Article. Directs DHHS, in consultation with the NC Housing Finance Agency (HFA), to establish and administer the NC Supportive Housing Program (SHP), a tenant-based rental assistance program. Provides that the purpose of the SHP is to transition individuals who are diagnosed with serious mental illness and serious and persistent mental illness from institutional settings to more integrated community-based settings appropriate to meet their needs. Directs DHHS, in consultation with the HFA and LME/MCOs, to arrange for program participants to be placed in available housing slots through the program with all of the rights and obligations created by a landlord-tenant relationship.

Provides guidelines for the administration of housing subsidies for supportive housing, and directs the Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services to establish eligibility requirements for the Supportive Housing Program. Designates DHHS as having ongoing responsibilities for developing and distributing a list of potentially eligible program participants for each LME/MCO by catchment area. Shifts responsibility for prioritizing this information upon receipt to each LME/MCO. Directs DHHS to annually determine the number of housing slots to be allocated to each LME/MCO as specified in this act. Directs the LME/MCO to develop a written transition plan that identifies certain needs of the individual and the available housing slots that meet the individual's needs.

Provides guidelines regarding transition services and tenancy support services. Directs DHHS to develop an application process for owners of housing units to participate in the program as landlords. Authorizes the Commission on Mental Health, Developmental Disabilities, and Substance Abuse Services to adopt any temporary rules necessary to implement this section.

Requires each LME/MCO to report annually on April 1 to DHHS on the number of individuals within the catchment area who transitioned into housing slots available through SHP during the preceding calendar year. Specifies that the report is to contain a breakdown of all the funds used by the LME/MCO to transition these individuals into the housing slots. Requires DHHS to report annually on July 1 to the General Assembly on the effectiveness of the SHP established in this section.

Provides that this section is not to be construed as requiring DHHS to provide an unlimited number of housing slots.

Requires that each LME/MCO transition at minimum 15 eligible individuals to community-based supported housing slots available through SHP no later than July 30, 2013.

Appropriates \$3,835,280 from the General Fund to the Transitions to Community Living Housing Budget for fiscal year 2013-14, and \$5,876,000 for fiscal year 2014-15. Specifies how the funds are to be used.

Enacts new GS 122E-3A to establish the Transitions to Community Living Housing Budget within the Transitions to Community Living Fund to pay for the transition of individuals with disabilities from institutional settings to integrated, community-based supported housing. Provides that any unexpended or unencumbered balance of the appropriated amount does not revert and remains available in the Transitions to Community Living Housing Budget.

Directs the HFA, in consultation with DHHS, to administer the Transitions to Community Living Housing Budget and provides that the funds are only to be made available for spending upon an act of appropriation by the General Assembly for the specified purposes.

Adds new Article 2A, Assistive Technology for Individuals Transitioning into Community Living, to GS Chapter 168. Provides definitions for terms as they apply in this Article. Directs DHHS to expand the NC Assistive Technology Program to include an assistive technology reutilization program. Declares that the purpose of the assistive technology reutilization program is for DHHS to (1) retrieve assistive technology devices (ATDs) purchased with state funds, including durable medical equipment purchased via the state Medicaid Program, from consumers who no longer use the ATDs and (2) catalogue, refurbish, sanitize, store, and reassign the ATDs for use to individuals with disabilities.

Declares a preference for providing an individual with a disability who is in need of an ATD with a suitably refurbished ATD. Also requires DHHS and LME/MCOs to provide or arrange outreach and training on ATDs for individuals with disabilities and professionals working with these individuals.

Also provides for the assessment of ATD needs, demonstrations of the use of ATDs, and proper disposal of ATDs and durable medical equipment.

Appropriates \$200,000 from the General Fund to the Transitions to Community Living Budget for the 2013-14 fiscal year and \$150,000 for the 2014-15 fiscal year. Limits the use of these funds to paying for the costs of assistive technology assessments for individuals with disabilities who are transitioning from institutional settings to integrated settings to identify the best match for the individual considering the environment, task, and ability of the user.

Provides that the appropriations in this act become effective July 1, 2013. The remainder of the act is effective when it becomes law.

Intro. by Hise.

[APPROP, GS 122C, GS 122E, GS 168](#)

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[Budget/Appropriations, Mental Health](#)

S 664 (2013-2014) [CONSOLIDATE DV COMMISSION/COUNCIL FOR WOMEN](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO IMPROVE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT AND SERVICES TO DISPLACED HOMEMAKERS BY CONSOLIDATING THE NORTH CAROLINA COUNCIL FOR WOMEN AND THE DOMESTIC VIOLENCE COMMISSION INTO ONE COMMISSION.*

Repeals GS 50B-9 (*Domestic Violence Center Fund*) and GS 143B-394.10 (*NC Fund for Displaced Homeowners*).

Changes "North Carolina Domestic Violence Commission" to "Commission on Domestic Violence, Sexual Assault, and Displaced Homemakers" (Commission) in the following statutes: GS 7B-1402(b)(18a), GS 15A-1343(b)(12), GS 50B-3(a)(12), GS 120-266(a)(1), GS 143B-262(e), and GS 143B-704(e).

Changes "Domestic Violence Center Fund" to "Violence, Sexual Assault, and Displaced Homemakers Fund" (Fund) in the following statutes: GS 1-630(6), GS 101-2(b), and GS 161-11.2.

Amends GS 1-630(6), defining the term *shelter* as a facility that meets the criteria set forth in GS 143B-394.32(b) (rather than GS 50B-9) and is funded through the Fund providing shelter to victims of domestic violence, nonconsensual sexual conduct, or stalking.

Amends GS 7A-305(a2) to require the \$75 cost in every action for absolute divorce filed in the district court collected by the clerk and remitted to the State Treasurer to be deposited in full in the Fund established under GS 143B-394.32.

Amends GS 7B-1402(b)(18a), changing the title of "Director" to "Chair" of the Commission.

Amends GS 42-45.1(a), replacing GS 50B-9 with GS 143B-394.32(b), setting forth requirements for a safety plan provided by a domestic violence or sexual assault program.

Amends GS 114-2.7 to change "North Carolina Council for Women/Domestic Violence Commission" to "Commission on Domestic Violence, Sexual Assault, and Displaced Homemakers."

Amends GS 120-123 by deleting subsection (31), which prohibited members of the General Assembly from serving on the NC Council for Women.

Amends GS 143B-394.4(2), replacing the definition of "Council" with the definition of "Commission." *Commission* means the Commission on Domestic Violence, Sexual Assault, and Displaced Homemakers.

Amends Article 9 of Chapter 143B of the General Statutes to include Part 10E, The Commission on Domestic Violence, Sexual Assault, and Displaced Homemakers.

Enacts GS 143B-394.30, setting forth provisions related to the creation of the 12-member Commission, including its membership and transaction of business. States the Commission's purpose as (1) assessing needs related to domestic violence, sexual assault and rape crisis, and displaced homemakers; (2) assuring services, policies, and programs are provided to those in need; (3) strengthening the existing programs; and (4) recommending new programs.

Enacts GS 143B-394.31, identifying the powers and duties of the Commission and requiring the Commission to report its findings and recommendations to the General Assembly no later than April 1 each year.

Enacts GS 143B-394.32, establishing the Fund and providing for proper allocation and use of the Fund.

The terms of the members currently serving on the North Carolina Council for Women and the Domestic Violence Commission shall expire on the effective date of this act. The initial members appointed to serve on the Commission on Domestic Violence, Sexual Assault, and Displaced Homemakers in accordance with GS 143B-394.30, as enacted by Section 16 of this act, shall serve for the terms for which they were appointed and until their successors are appointed and qualified.

Intro. by Cook, Rabin, Jackson.

[GS 1, GS 7A, GS 7B, GS 15A, GS 42, GS 50B, GS 101, GS 114, GS 120, GS 143B, GS 161](#)

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Criminal Justice

S 665 (2013-2014) [STUDENT SAFETY/HEAT ILLNESS](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEVELOPMENT AND IMPLEMENTATION OF A SAFETY AND TRAINING PROGRAM FOR THE PREVENTION AND TREATMENT OF EXERTIONAL HEAT ILLNESS IN STUDENTS.*

Directs the Department of Public Instruction(DPI) to develop a safety training and education program for the prevention and treatment of exertional heat illness (EHI) in students. Requires that DPI develop the EHI safety training and education program in consultation with the North Carolina Athletic Trainers' Association, the North Carolina Medical Society, the North Carolina High School Athletic Association, the North Carolina Independent School Athletic Association, and the Korey Stringer Institute. Provides that the intended audience for the safety training and education program are school personnel, volunteers, and first responders who supervise, interact with, or provide services to students participating in athletic activities or extracurricular activities involving physical exertion. Also provides that the program is to be developed for use for students who participate in athletic and extracurricular activities involving physical exertion and their parents.

Specifies the minimum content that the program must include. Amends GS 115C-47(4) to direct local boards of education to require the implementation of the safety training and education program in their local school administrative units (LEAs). Requires annual distribution to the intended audience, including parents and students, of an information sheet on EHI, and requires parents to sign and return to school employees an acknowledgment form that the information has been received before their children can participate in activities involving physical exertion. Provides course of action to be taken if a student participating in an athletic or extracurricular activity shows signs of EHI. Requires each school to develop a venue-specific emergency action plan to deal with serious illness and acute medical conditions in which the condition of a student may deteriorate rapidly. Specifies what the action plan must include. Requires each school to maintain complete and accurate records of its compliance with the provisions pertaining to EHI.

Amends GS 115C-238.29F(a) to direct DPI to ensure that charter schools receive the safety and training program to prevent and treat EHI. Amends GS 115C-548 (private church schools or schools of religious charter) and GS 115-556 (qualified nonpublic schools) to direct the Division of Nonpublic Education, Department of Administration, to ensure that private church schools, or schools of religious charter, and qualified nonpublic schools receive the safety and training program to prevent and treat EHI.

Applies beginning with the 2014-15 school year.

Intro. by Cook, Pate, Rabin.

[GS 115C](#)

[View summary](#)

[Education](#)

S 666 (2013-2014) [ELECTION LAW CHANGES](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEPENDENCY DEDUCTIONS FOR QUALIFYING CHILDREN WHO HAVE REGISTERED TO VOTE AT A DIFFERENT ADDRESS; CLARIFY RESIDENTIAL ADDRESSES THAT MAY BE USED FOR VOTING; PROHIBIT VOTER REGISTRATIONS THAT LACK REQUIRED INFORMATION; CLARIFY THE RIGHTS OF ELECTION OBSERVERS; REPEAL SAME DAY VOTER REGISTRATION; LIMIT EARLY VOTING TO TEN DAYS; AND ELIMINATE SATELLITE EARLY VOTING SITES.*

Amends GS 105-134.6(a1) to allow the taxpayer an exemption amount for each qualifying child unless the qualifying child has changed their principal place of abode from that of the taxpayer according to the child's voter registration. Effective for taxable years beginning on or after January 1, 2014.

Amends GS 163-57(1), adding subsection (d) prohibiting a vacant lot or business address from being considered a residence unless the location is used by the person as his or her usual sleeping area.

Amends GS 163-82.4(e) to prohibit a vote from being counted for a voter who failed to provide complete information as to name, date of birth, residence address, county of residency, and citizenship status.

Amends GS 163-45(a), adding the subsection title "Appointment of Observers" and (b), adding the subsection title "Rights of Observers."

Amends GS 163-45(b), expanding the authority of an observer at a polling place to be present and move about the voting place until the chief judge and judges have completed all of their duties and to observe precinct officials checking voter registration. Requires a chief judge or judge who limits the movement or expels an observer from the polling place to specify such reasons in writing and have the writing witnessed by another judge. The observer may challenge the limitation or expulsion and if the county board finds that such action was taken without cause, the chief judge or judge will be punished according to the number of that judge's previous offenses.

Repeals GS 163-82.6A (*In-person registration and voting at one-stop sites*) and makes the following conforming changes. Amends GS 163-82.6(c), deleting the exception to provision for registration deadlines for a primary or election. Amends GS 163-59(3), deleting the provision that formerly allowed persons qualified by age to vote in the general election but not the primary to register and vote in both elections pursuant to GS 163-82.6A(f) for a party primary. Amends GS 163-166.12(b2), deleting the provision that identified the proper identification documents that were required if the individual registers and votes under GS 163-82.6A. Amends GS 163-283(3), deleting the provision that formerly allowed persons qualified by age to vote in the general election but not the primary to register and vote in both elections pursuant to GS 163-82.6A(f) for a party primary. Amends GS 163-283.1, deleting the provision that formerly allowed persons qualified by age to vote in the general election but not the primary to register and vote in both elections pursuant to GS 163-82.6A(f) for a nonpartisan primary. Amends GS 163-330, deleting the provision that formerly allowed persons qualified by age to vote in the general election but not the primary to register and vote in both elections pursuant to GS 163-82.6A(f) for a primary. Amends GS 163-227.2(a), deleting the reference to GS 163-82.6A as an applicable section for voters using absentee ballots.

Amends GS 163-227.2(b), limiting one-stop voting to the second (rather than third) Thursday before an election. The county board of elections must conduct one-stop voting on the last Saturday before the election until 1:00 P.M. with no discretion to continue.

Amends GS 163-227.2(f), deleting the provision that allowed a county board of elections to conduct one-stop voting during evenings or weekends when given proper approval.

Amends GS 163-227.2, deleting subsection (g) and (g1), which allowed for one-stop voting at locations other than the county board of elections office.

Amends GS 163-227.2, requiring that a challenge against a voter during one-stop voting may be entered at the county board office only and not at a one-stop site as previously allowed under GS 163-227.2(g).

Effective for elections occurring on or after January 1, 2014.

Intro. by Cook, Sanderson, Rabin.

[GS 105, GS 163](#)

[View summary](#)

[Elections, Tax](#)

S 667 (2013-2014) [EQUALIZE VOTER RIGHTS](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF A CHILD REGISTERS TO VOTE AT AN ADDRESS OTHER THAN THAT OF A PARENT, THAT PARENT MAY NOT CLAIM A PERSONAL EXEMPTION ON ACCOUNT OF SUCH CHILD, AND TO INFORM NEW VOTERS OF THEIR CIVIC AND TAX DUTIES.*

Amends GS 105-134.6(c) by adding subsection (16) expanding additions to taxable income to include any personal exemption allowed for a child if that child is registered to vote at an address other than that of the person claiming the exemption and the child does not cancel the child's voter registration within 30 days of receiving a letter of notification under GS 163-82.7(c1). This subdivision does not affect any legal duty of support that the parent may have with respect to the child.

Amends GS 163-82.7 by adding subsection (c1) requiring the county board of elections to include a letter of notification in addition to the notice sent to newly registered voters. The letter of notification will inform the voter that (i) if the voter is a dependent of the voter's parent or legal guardian, is 18 years of age or older, and the voter has registered at an address other than that of the parent or legal guardian, the parent or legal guardian will not be allowed to claim the voter as a dependent for state income tax purposes and (ii) if the voter owns a motor vehicle, that vehicle must be registered at the same address as the voter's address within 60 days and the vehicle must be subject to local property tax in that jurisdiction. The letter of notification must also provide a simple method for the newly registered voter to have his voter registration transferred to the correct county of residence. Additionally, the county board of elections must transmit a list of the newly registered voters and with the North Carolina driver's license number, if applicable, to the Division of Motor Vehicles (DMV) on a monthly basis. The DMV is required to audit its records to ensure compliance with motor vehicle registration and property tax records.

Amends GS 116-143.1(d) providing that evidence of voter registration in North Carolina is not sufficient evidence in and of itself for purposes of establishing eligibility for in-state tuition, but it may be provided as part of evidence related to legal

residence.

Effective January 1, 2014.

Intro. by Cook, Sanderson, Rabin.

[GS 116, GS 105, GS 163](#)

[View summary](#)

[Elections, Tax](#)

S 668 (2013-2014) [RESTRICT MENTALLY INCOMPETENT FROM VOTING](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO DISQUALIFY THOSE ADJUDICATED MENTALLY INCOMPETENT FROM VOTING*.

Subject to approval at a statewide election on November 4, 2014, amends Section 2 of Article VI of the NC Constitution to prohibit a person adjudicated incompetent who has not been restored to competency from voting. If approved, the amendment becomes effective January 1, 2015.

Amends GS 163-82.14 to require the State Board of Election to report by the 15th of each month, on information concerning individuals for whom an order adjudicating the individual incompetent has been entered, to the county board of elections. Requires the county board of elections to provide notice to the individuals and if the individual does not object, to remove the person's name from the voter registration records.

Enacts new GS 163-82.20B requiring the State Board of Elections and the Administrative Office of the Courts to develop and implement educational programs and procedures for persons to apply to register to vote at the time an order is entered that they are restored to competency.

Amends GS 163-85 to allow a challenge as to whether a person may register, remain registered, or vote to be made when a person has been adjudicated incompetent and is ineligible to vote.

Makes conforming changes to GS 163-55, GS 163-82.1, GS 163-82.6, GS 163-82.20, and GS 163-258.27.

Statutory provisions become effective only if the constitutional amendment is approved. If the amendment is approved, the statutory changes become effective January 1, 2015.

Intro. by Cook, Rabin.

[CONST, GS 163](#)

[View summary](#)

[Constitution, Elections, Mental Health](#)

S 669 (2013-2014) [REDUCE THE INDIVIDUAL INCOME TAX RATE](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO PHASE-IN A REDUCTION OF THE INDIVIDUAL INCOME TAX RATE AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY AN ELIMINATION OF THE INDIVIDUAL INCOME TAX*.

Amends GS 105-134.2(a), providing for phase-ins of reductions to the individual income tax rate. First reductions will become effective January 1, 2014, with the second and third phase of reductions becoming effective on January 1, 2015, and January 1, 2016.

Directs the Revenue Laws Study Committee to study the elimination of the individual income tax as a General Fund revenue source and report its findings and recommendations to the NC General Assembly.

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

Intro. by Rucho, Rabon, Berger.

[GS 105](#)

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

S 670 (2013-2014) **WORKERS' COMP FUND/SAFETY WORKERS ALLOCATION**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT MODIFYING THE ALLOCATION OF THE PROCEEDS FROM THE GROSS PREMIUM TAX ON INSURANCE COMPANIES TO INCLUDE DEDICATED FUNDING FOR THE WORKERS' COMPENSATION FUND FOR THE BENEFIT OF VOLUNTEER SAFETY WORKERS.*

Amends GS 105-228.5(d)(3) (concerning the additional rate on property coverage contracts) requiring an amount determined in accordance with GS 58-87-10(f) to be credited to the Workers' Compensation Fund. The remaining net proceeds must be credited to the General Fund.

Amends GS 58-87-10(e), changing the revenue source for the Workers' Compensation Fund as from a portion of the proceeds of the tax levied under GS 105-228.5(d)(3) rather than from appropriations made to the Department of Insurance.

Amends GS 58-87-10 adding subsection (f) specifying a funding method for the Workers' Compensation Fund. Requires the Department of Insurance to conduct a periodic actuarial study to determine the needs of the Fund. Further requires the study to be reviewed by the Office of State Budget and Management. The Office of State Budget and Management must consult with the Department of Insurance on an annual basis and notify the Secretary of Revenue of the amount needed to meet the needs of the Fund for the upcoming fiscal year based on the actuarial study, and that amount must be credited to the Fund.

Effective July 1, 2013.

Intro. by Tucker.

[GS 105, GS 58](#)

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

S 671 (2013-2014) **COMBINE LOBBYING AND ETHICS**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE THE ENFORCEMENT OF THE LOBBYING LAWS UNDER THE GOVERNANCE OF THE STATE ETHICS COMMISSION.*

Amends GS 120C-101(a), removing the exception for Articles 2, 4 and 8 of this chapter, thereby requiring the State Ethics Commission (Commission) to adopt rules necessary to interpret and administer all of GS Chapter 120C. Also deletes the requirement that the Secretary of State adopt any rules, orders, or forms that were necessary to administer the provisions of Articles 2, 4 and 8.

Changing responsibilities of the Secretary of State to the State Ethics Commission occurs in the following statutes: GS 120C-101(b); GS 120C-200(a), (b), and (c); GS 120C-201(a) and (b); GS 120C-207(a) and (b); GS 120C-210(a); GS 120C-220(a), (b), (c), and (d); GS 120C-401(d), (e), (g), (h), and (j); GS 120C-402(a); GS 120C-403(a); GS 120C-404(a); GS 120C-405(b); GS 120C-502(c); and GS 120C-800(f).

Amends GS 120C-101 by deleting subsections (c), concerning actions to be taken before adopting rules, and (d), concerning objections.

Amends GS 120C-102 by deleting subsections (a1)(3)(conforming change) and (d1) concerning staff sharing information and documents.

Repeals GS 120C-600, concerning the Secretary's powers and duties.

Amends GS 120C-601(a), allowing the Commission to investigate complaints of violations of this Chapter and requiring the Commission to perform systematic reviews of reports required to be filed under Articles 2, 4, or 8 of this Chapter on a regular basis to assure complete and timely disclosure of reportable expenditures.

Amends GS 120C-601(c), adding that complaints of violations of any records accumulated in the performance of a systematic review must be considered confidential records and may be released only by court order.

Amends GS 120C-601, adding subsection (e) requiring the Commission to publish annual statistics on complaints received and systematic reviews conducted under this section. This subsection provides an enumerated list of items to be included and published as public record as defined in GS 132-1(a).

Amends GS 120C-603(a), removing the Secretary of State's authority to investigate complaints of violations of this Chapter.

Amends GS 150B-1(d)(16), deleting Chapter 120C from those exempt from Article 2A of GS Chapter 150B.

Amends GS 138A-24(e), changing "shall" to "may," giving the Commission discretion to prepare a written evaluation of each statement of economic interest relative to conflicts of interest and potential conflicts of interest.

Amends GS 136-202(e), clarifying how the statement of economic interest for a Metropolitan Planning Organization will be completed and filed.

Amends GS 136-211(e), clarifying how the statement of economic interest for a Rural Transportation Planning Organization will be completed and filed.

Includes provisions governing pending actions and proceedings and investigations and audits. Requires the Commission to adopt existing rules, policies, procedures, and guidance documents; those not re-adopted by December 31, 2013, expire. Transfers specified duties from the Secretary of State to the Commission.

Effective July 1, 2013.

Intro. by Tucker, J. Davis.

[GS 120C](#), [GS 136](#), [GS 138A](#), [GS 150B](#)

[View summary](#)

[Ethics and Lobbying](#)

S 672 (2013-2014) [ECONOMICAL SCHOOL BUS REPLACEMENT CRITERIA](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH CRITERIA FOR SCHOOL BUS REPLACEMENT AND TO PROVIDE INCENTIVES TO LOCAL SCHOOL ADMINISTRATIVE UNITS THAT OPERATE BUSES WITH HIGHER MILEAGE.*

Identical to [H 560](#), filed 4/3/12.

Amends GS 115C-249 to require that in determining which school buses in the statewide fleet to replace using state funds, the State Board of Education (SBoE) must consider mileage, the safety and condition of the bus, availability of funds to replace buses, unique circumstances about a given bus, and damage to or destruction of a bus, but not the age of the bus. Requires that if a school bus is operated for 250,000 miles or more, but not more than 300,000 miles before being replaced using state funds, the SBoE must allocate a \$2,000 bonus to the local school administrative unit that owned and operated the bus. Increases the bonus to \$5,000 for a bus that is operated for 300,000 miles or more before it is replaced. Allows the local school administrative unit to use the bonus funds for additional maintenance costs of operating buses with higher mileage or for any other school purpose. States the General Assembly's intent to appropriate funds to purchase school buses to replace buses with specified mileages. Effective July 1, 2013.

Intro. by Tucker.

[GS 115C](#)

[View summary](#)

[Education](#)

S 673 (2013-2014) [STRUCTURED ENGLISH IMMERSION](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMISSION TO STUDY THE IMPLEMENTATION OF A STRUCTURED ENGLISH IMMERSION PROGRAM IN THE NORTH CAROLINA PUBLIC SCHOOLS.*

Establishes the 16-member Commission to Study the Implementation of a Structured English Immersion (SEI) Program in the North Carolina Public Schools (Commission). Defines SEI to mean an English language acquisition process for students in which nearly all classroom instruction is given in English with a curriculum and presentation designed for students who are learning the English language.

Requires that all books and instructional materials be in English and that all reading, writing, and subject matter be taught in English. Permits teachers to use a minimal amount of the student's native language when necessary, but prohibits any subject matter from being taught in any language other than English, and students in the program are to learn to read and write only in English.

Provides for eight members appointed by the Speaker of the House of Representatives (Speaker) and eight members appointed by the President Pro Tempore of the Senate (President Pro Tem) who meet the specified qualifications. Provides that the Commission is to have two co-chairs, one designated by the Speaker and one designated by the President Pro Tem.

Directs the Commission to make recommendations as to whether to implement an SEI program for English learners in North Carolina's public schools. Directs the Commission to examine at minimum all of the following in developing its recommendations: (1) student performance data and outcomes for the English as a Second Language (ESL) program currently used in the state's public schools; (2) ESL programs in other states and specifically the SEI programs currently in use in Arizona, California, and Massachusetts; and (3) the cost and feasibility of implementing SEI in the state's public schools taking into consideration listed factors.

Provides for travel and subsistence allowances for Commission members at the rates set out in GS 120-3.1, 138-5, or 138-6; the assigning of clerical staff; and meeting locations. Provides that the Commission, while in discharge of its official duties, may exercise all the powers provided under the provisions of GS 120-19 and GS 120-19.1 through GS 120-19.4.

Directs the Commission to report its findings and recommendations to the Joint Legislative Education Oversight Committee no later than March 15, 2014. Provides that the Commission is to terminate upon the filing of its final report.

Intro. by Tucker, Soucek.

STUDY

[View summary](#)

Elementary and Secondary Education

S 674 (2013-2014) **PROHIBIT COSTLY LOCAL GOVERNMENT LITIGATION**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO PROHIBIT COSTLY LITIGATION BETWEEN COUNTY GOVERNMENT AND LOCAL SCHOOL ADMINISTRATIVE UNITS*.

Amends GS 115C-426(f) to give the board of county commissioners sole authority to determine the maximum amount to be spent for a site for school purposes. Amends GS 115C-429 to provide that the board of commissioners has sole authority to determine the adequacy of county funds provided for the operating and capital expenses of a local school administrative unit. Provides that nothing in the chapter is to be construed to place a duty on the board of commissioners to provide more funds for the operating or capital expenses of a local school administrative unit than it deems necessary and appropriate to fund the public schools.

Repeals GS 115C-431 (*Procedure for resolution of dispute between board of education and board of county commissioners*).

Makes conforming changes to GS 115C-432.

Applies to county appropriations for public schools on or after the date that the act becomes effective.

Intro. by Daniel, Hise, Brown.

GS 115C

[View summary](#)

Education, Local Government

S 675 (2013-2014) **ELIMINATE EXCEPTIONS/MED TREATMENT/MINORS**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE CERTAIN EXCEPTIONS FOR PARENTAL CONSENT FOR MEDICAL TREATMENT OF UNEMANCIPATED MINORS*

UNDER THE LAWS PERTAINING TO THE PRACTICE OF MEDICINE.

Repeals GS 90-21.5(a), *Minor's consent sufficient for certain medical health services.*

Amends GS 90-21.7(a), providing that no physician licensed to practice medicine in North Carolina will provide medical health services for an unemancipated minor for the prevention, diagnosis, and treatment of (1) venereal disease and other diseases reportable under GS 130A-135, (2) abuse of controlled substances or alcohol, (3) mental illness or emotional disturbance, or (4) pregnancy unless the physician or agent first obtains written consent of the minor and the written consent, acknowledged in accordance with Chapter 10B of the General Statutes, of a parent with custody, legal guardian or legal custodian, a parent with whom the minor is living, or a grandparent with whom the minor has been living for at least six months immediately preceding the date of the minor's written consent.

Amends GS 122C-221(a), providing that a minor may be admitted to a facility if the minor is (1) mentally ill or a substance abuser, (2) in need of treatment, and (3) has complied with the consent requirements under GS 90-21.7(a). Provides exceptions for the application of GS 122C-211 (*Admissions*) to the admission of minors under this part, stating that it applies to the extent allowed under GS 90-21.7 (*Parental consent required*) and except as otherwise provided in this Part.

Effective October 1, 2013.

Intro. by Daniel, Randleman, Newton.

[GS 90, GS 122C](#)

[View summary](#)

[Health](#)

S 676 (2013-2014) [10 YR. MIN FOR 2ND GUN FELONY CONVICTION](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON CONVICTED OF A SECOND FELONY INVOLVING THE DISPLAY OR USE OF A FIREARM MAY BE INDICTED AS AN ARMED HABITUAL FELON AND SENTENCED TO A MINIMUM OF TEN YEARS.*

Adds a new Article 3D, Armed Habitual Felon, to GS Chapter 14. Defines the following terms as they apply in new Article 32: (1) *convicted* means a person judged guilty or who has pleaded guilty or no contest to a firearm-related felony, (2) *firearm-related felony* means a felony committed by a person using or displaying a firearm while committing the felony, and (3) *status offender* means a person who is an armed habitual felon as described in new GS 14-7.36.

Describes an armed habitual felon as a person who has been convicted of or pled guilty to one or more firearm-related felony offenses in any federal or state court in the United States. Provides that the person is guilty of the status offense of armed habitual felon and may be charged with that status offense under this Article. Provides exceptions when this Article does not apply. Also provides that this Article does not apply if the evidence of the use or display of the firearm is needed to prove an element of the firearm-related felony.

Requires that any person charged with a firearm-related felony who is also charged with being a status offender must, upon conviction, be sentenced and punished as a status offender under this Article.

Authorizes the district attorney to charge a person as a status offender under this Article at the district attorney's discretion. Provides that to sustain a conviction as a status offender, the person must be charged separately for the principal firearm-related felony and for the status offense of armed habitual felon. Requires that there be separate indictments for each charge. Specifies the required content of an indictment charging a person as a status offender.

Limits the record of prior conviction of a firearm-related felony as admissible in evidence in cases where a person is charged with being a status offender under this Article, only for the purpose of proving the prior conviction.

Specifies procedures for reaching a verdict and judgment and requires a finding by a jury that the defendant is a status offender for the judge to sentence the defendant under this Article. Provides that if the jury does not find the defendant to be a status offender, then the trial judge is to render judgment on the principal firearm-related felony offense as provided by law.

Includes specifications for the sentencing of a person convicted of a firearm-related felony and a status offense. Provides that a person convicted under this Article is to be sentenced as a Class C felon unless the felon has been sentenced as a Class A, B1, or B2 felon. Provides additional criteria regarding minimum time and maximum time to be served by a person sentenced under this new Article 3D.

Effective December 1, 2013, and applies to any offense that occurs on or after that date and that is the principal firearm-related felony offense for a charge as an armed habitual felon.

Enacts new GS 15A-1340.12A to direct the sentencing court to include in its judgment the fact that the defendant used or displayed a firearm while committing the felony. Applies to any judgment entered for a felony conviction on or after the effective date of this act.

Intro. by Daniel.

[GS 14, GS 15A](#)

[View summary](#)

[Criminal Law and Procedure](#)

S 678 (2013-2014) [LAW ENFORCEMENT/APPOINTED OFFICES](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO AUTHORIZE ANY PERSON WHO HOLDS AN APPOINTED OFFICE WITH A STATE OR LOCAL LAW ENFORCEMENT AGENCY TO HOLD CONCURRENTLY NO MORE THAN TWO ADDITIONAL APPOINTIVE OFFICES WITH ANOTHER AGENCY AND TO MAKE OTHER CONFORMING CHANGES.*

Amends GS 128-1.1(a) to add subsection (a1) providing discretion, notwithstanding subsection (a), to state or local law enforcement to authorize any person who holds an appointive office in a state or local law enforcement agency to hold concurrently no more than two additional appointive offices with another agency.

Amends GS 160A-284 requiring compliance with GS 128-1.1 in addition to Article VI, Sec. 9, of the Constitution for the oath of office and offices held concurrently by certain law enforcement officers.

Intro. by D. Davis.

[GS 128, GS 160](#)

[View summary](#)

[Public Safety and Emergency Management](#)

S 679 (2013-2014) [CAPACITY USE AREA/WATER REDUCTION RATE](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THAT THE PRESCRIBED WATER USE REDUCTION RATE FOR CERTAIN AREAS OF THE CENTRAL COASTAL PLAIN CAPACITY USE AREA SHALL BE CAPPED AT TWENTY-FIVE PERCENT UNLESS THE WATER LEVELS DROP BELOW THE WATER LEVELS OF JANUARY 1, 2012, AND TO DIRECT THE ENVIRONMENTAL MANAGEMENT COMMISSION TO DO A DETAILED STUDY AND ASSESSMENT OF THE CURRENT STATE OF THE ENTIRE CENTRAL COASTAL PLAIN CAPACITY USE AREA.*

Provides that the prescribed water use reduction for Greene County, the Town of Snow Hill, and all other local governments in Greene County, LaGrange and Farmville will continue to be an annual reduction of 25% from the approved base rate that was established in 2002 for each of those local governments. Provides that Greene County, the Town of Snow Hill, and all other local governments in Greene County, LaGrange and Farmville will not be required to implement any additional annual water use reduction unless water levels fall below the water levels of January 1, 2012.

Directs the Environmental Management Commission (Commission) to do a detailed assessment of the entire Central Coastal Plain Capacity Use Area, including any and all studies provided by purveyors, counties, and municipalities. The state of current water resources will be the focus of the assessment and new data and evidence from the above local governments and municipalities will be carefully considered and evaluated. The Commission will report its recommendations and findings to the Environmental Review Commission.

Directs Greene County, the Town of Snow Hill and all other local governments in Greene County, the Town of La Grange, and the Town of Farmville to raise their pumps to the top of the aquifer.

Intro. by D. Davis.

[UNCODIFIED](#)

[View summary](#)

[Environment](#)

S 680 (2013-2014) [RETIREMENT PROTECTION ACT](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS FOR THE ALLOWANCE OF RETROACTIVE MEMBERSHIP SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.*

Amends GS 135-3(8)d. as the title indicates. Allows a retirement beneficiary who (1) retired on an early or service retirement allowance, (2) returns to service as an employee or a teacher, and (3) earns at least three years of membership service after being restored to service, to count creditable service earned while in receipt of disability benefits under Article 6 of GS Chapter 135 as membership service only for the purpose of determining the member's retirement allowance.

Effective January 1, 2012, and applies to persons retiring on or after that date.

Intro. by Apodaca.

[GS 135](#)

[View summary](#)

[Employment and Retirement](#)

S 681 (2013-2014) [ADMISSIBILITY OF FORENSIC EVIDENCE](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT RELATING TO THE ADMISSIBILITY OF FORENSIC EVIDENCE.*

Amends GS 8-58.20, providing that for a forensic analysis to be admissible under this section, the analyses of DNA samples and typing results of DNA samples must be performed by an individual who can demonstrate expertise under GS 8C-1, Rule 702(a)(1), (2), and (3). Directs that the procedures for establishing a chain of custody without calling unnecessary witnesses will be governed by GS 8-58.20(g). Makes clarifying and technical changes.

Provides that the court will take judicial notice of findings under GS 8C-1, Rule 702(a)(1), (2), and (3) and apply the following:

- (1) An analysis of the defendant's blood, breath, or urine shall qualify under Rule 702(a)(1) as sufficient data.
- (2) The principles and methods previously accepted as reliable within the meaning of Rule 702(a)(2) by the appellate courts of this state. These include, by way of illustration and not limitation, gas headspace chromatography, gas chromatography–mass spectrometry, liquid chromatography–mass spectrometry, and liquid chromatography with tandem mass spectrometric detection methods.
- (3) That a defendant who has failed to object under the notice and demand statute has waived any and all objection under Rule 702(a)(3).

Effective December 1, 2013.

Intro. by J. Davis.

[GS 8](#)

[View summary](#)

[Evidence](#)

S 682 (2013-2014) [EVIDENCE & DNA EXPUNCTION LAWS.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING DISPOSITION OF BLOOD EVIDENCE, ADMISSIBILITY OF REPORTS AFTER NOTICE AND DEMAND, AND EXPUNCTION OF DNA SAMPLES TAKEN UPON ARREST, AND TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT.*

Identical to [H 386](#), filed 3/20/13.

Amends GS 20-139.1 to provide that an agency that conducts a chemical analysis of blood or urine samples for the presence of alcohol, a controlled substance or its metabolite, or any impairing substance may destroy the samples 12 months after the

agency issues its report on all the examinations conducted without further notice to the parties. Also provides that if either party files a motion to preserve the evidence then the evidence must remain in the custody of the analyzing agency or the agency that collected the sample until a court of competent jurisdiction enters an order regarding the disposition of the evidence.

Amends GS 8-58.20(f), 8-58.20(g)(5), 20-139.1(c1), 20-139.1(c3), 20-139.1(e1), 90-95(g), and 90-95(g1) to provide for the admissibility of reports and other evidence after notice and demand if the defendant's attorney of record, or if there is no attorney, the defendant, fails to file a written objection to the admissibility of the evidence, reports, samples, statement, or testimony.

Amends GS 15A-266.3A(k) to require the SBI to act within 90 days (was, 30) of receipt of the verification form to mail notice acting on a defendant's request for expunction of a DNA record and destruction of DNA and to provide notice to the defendant of the disposition of the request for expunction.

Effective December 1, 2013, and all provisions of this act, except the amendments to GS 20-139.1 and GS 15A-266.3A(k), apply to proceedings that occur on or after December 1, 2013.

Intro. by Goolsby.

[GS 8](#), [GS 15A](#), [GS 20](#), [GS 90](#)

[View summary](#)

Evidence

S 684 (2013-2014) [ELIMINATE DESIGNATION TO POLITICAL PARTY](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE DESIGNATION OF TAX ON A TAX RETURN BY AN INDIVIDUAL TO A POLITICAL PARTY FOR THE NORTH CAROLINA POLITICAL PARTIES FINANCING FUND.*

As title indicates. Effective for taxable years beginning on or after January 1.

Intro. by Goolsby.

[GS 105](#)

[View summary](#)

Tax

S 685 (2013-2014) [CONCEALED HANDGUN PERMIT/CERTAIN EXCEPTIONS](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY NORTH CAROLINA DISTRICT OR SUPERIOR COURT JUDGE, MAGISTRATE, CLERK OF COURT, OR REGISTER OF DEEDS WHO HAS A CONCEALED HANDGUN PERMIT THAT IS VALID IN NORTH CAROLINA IS EXEMPT FROM THE GENERAL PROHIBITION AGAINST CARRYING A CONCEALED WEAPON AND FROM THE PROHIBITIONS AGAINST CARRYING A WEAPON ON CERTAIN PREMISES OR IN CERTAIN CIRCUMSTANCES.*

Amends GS 14-269(b) by adding a new (b)(4d) and (b)(4e), providing that any person who is a NC district court judge, superior court judge, or a magistrate, as well as any person who is elected and serving as a clerk of court or register of deeds, who has a concealed handgun permit issued in accordance with law is exempt from the prohibition of carrying a concealed weapon, provided that the individual will not carry at any time while consuming alcohol or an unlawful controlled substance or while either remains in the person's body and that the weapon is secure in a locked compartment when it is not on the person.

Amends GS 14-415.27, changing the title of the section to *Expanded permit scope for certain persons* (was, *Expanded permit scope for district attorneys, assistant district attorneys, and investigators employed by office of the district attorney*). Adds district and superior court judges, magistrates, clerks of court, and registers of deeds to those that may carry a concealed handgun in specified areas, including a law enforcement or correctional facility.

Makes technical changes.

Effective December 1, 2013.

Intro. by Goolsby.

[GS 14](#)

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

S 686 (2013-2014) **PROTECT/REWARD PUBLIC EMPLOYEE WHISTLEBLOWER**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ENHANCE EFFICIENCY IN GOVERNMENT BY PROTECTING PUBLIC EMPLOYEES WHO REPORT WASTE, MISMANAGEMENT, AND WRONGDOING AND AUTHORIZING COMPENSATION BONUSES BASED UPON THE AMOUNT OF PUBLIC FUNDS SAVED DUE TO AN EMPLOYEE'S REPORT.*

Enacts Article 80 of Chapter 143 of the General Statutes to create "Public Employee Whistleblower Protection." A public employee who files a good faith report with an appropriate authority alleging waste, mismanagement, or wrongdoing in government cannot be subject to adverse action in retaliation for making the report. Awards a compensation bonus of up to \$100,000 if the employee's report is substantiated and results in savings of public funds. Any public employee who retaliates against another public employee for making a protected report may be subject to disciplinary action. If certain disciplinary action is taken against the employee within one year after reporting an alleged wrongdoing by the public agency, the employee may institute a civil cause of action against the employing public agency to seek one of four enumerated remedies. Such civil action must be commenced within one year after the accrual of the cause of action or exhaustion of all available grievance or other administrative and judicial remedies.

Intro. by Goolsby.

GS 143

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

S 687 (2013-2014) **INVOLUNTARY COMMITMENT CUSTODY ORDERS**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT ALLOWING A CLERK OR ASSISTANT OR DEPUTY CLERK OF SUPERIOR COURT OR A MAGISTRATE TO ISSUE BY FACSIMILE TRANSMISSION AN INVOLUNTARY INPATIENT COMMITMENT CUSTODY ORDER TO A PETITIONING PHYSICIAN, ELIGIBLE PSYCHOLOGIST, OR DESIGNEE AT A TWENTY-FOUR-HOUR FACILITY WHEN THE RESPONDENT IS ALREADY PHYSICALLY PRESENT AT THE TWENTY-FOUR-HOUR FACILITY.*

Amends GS 122C-261(d), altering the format of the subsection to be further divided into subsections 1-7.

Amends GS 122C-261(d) to include subsection (5) allowing the clerk or magistrate to issue custody orders by facsimile transmission in specific situations to affiants meeting certain criteria. Upon receipt of custody orders, the physician or eligible psychologist must immediately (i) notify the respondent that the respondent is not under arrest and has not committed a crime but is being taken into custody to receive treatment and for the respondent's own safety and the safety of others, (ii) take the respondent into custody, and (iii) complete and sign the appropriate portion of the custody order and return the order to the clerk or magistrate by facsimile transmission. The original order must be mailed back to the clerk or magistrate no later than 5 days after transmitting it by facsimile. The term "designee" as used in subsection (5) includes the 24-hour facility's on-site police security personnel.

Amends GS 122C-261(e) to include an exception provided in subsection (d).

Effective October 1, 2013.

Intro. by Parmon, Brunstetter.

GS 122C

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

S 688 (2013-2014) **ONLINE VOTER REG. W/LICENSE/ID**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW VOTERS WITH DRIVERS LICENSES OR IDENTIFICATION CARDS AND VERIFIABLE SOCIAL SECURITY NUMBERS TO REGISTER TO VOTE ONLINE.*

Amends GS 163-82.5 (*Distribution of application forms*), to provide that the State Board of Elections (Board) will make the voter registration application forms available for completion and submission on a secure website, in accordance with this Article.

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

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

Provides that the secure website is to allow qualified individuals to: (1) submit an application to register to vote or report a change in name, address, or party affiliation; (2) submit information to establish that the individual is eligible to register online; and (3) submit the individual's email address.

Directs the county board of elections, with the Board, to verify the individual's NC driver's license or Social Security number, update the statewide registration database and search for possible duplicate registrations, and verify the person's address, pursuant to GS 163-82.7. If the Board verifies the NC driver's license or Social Security number in accordance with GS 163-82.12, the DMV will transfer the digital signature of the applicant in the DMV records to the Board. If the Board cannot verify the driver's license or Social Security number in accordance with GS 163-82.12, the Board will notify the individual submitting the application by email, if provided. Such an individual will be offered an opportunity to register in accordance with GS 163-82.6 or GS 163-82.6A.

Amends GS 163-82.10(a), providing that electronic mail addresses submitted under this Article, any electronic data associated with online registration under GS 163-82.5A, and driver's license numbers generated by the voter, board, or county board of election in the voter registration process will be kept confidential and not considered public records.

Effective December 1, 2013.

Intro. by Bryant, Parmon, McKissick.

[GS 163](#)

[View summary](#)

[Elections](#)

S 689 (2013-2014) [AMEND TRAPPING LAW](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE TRAPPING LAW RELATING TO CONIBEAR TYPE TRAPS.*

Amends GS 113-291.6(d) removing limiting language for all conibear type traps to only be set in water and in areas in which beaver and otter may be lawfully trapped, by deleting the previous width and height standards in the provision.

Intro. by Sanderson.

[GS 113](#)

[View summary](#)

[Animals](#)

S 690 (2013-2014) [PROPERTY INSURANCE RATE-MAKING REFORM](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE FAIRNESS AND EQUITY OF THE PROPERTY INSURANCE RATE-MAKING PROCESS BY PROVIDING FOR GREATER TRANSPARENCY REGARDING THE ROLE OF CATASTROPHE MODELING IN PROPERTY INSURANCE RATE FILINGS; AND BY PROVIDING THAT COSTS OF REINSURANCE INCLUDED IN A PROPERTY RATE FILING BE PROPERLY ALLOCABLE TO NORTH CAROLINA; AND BY ESTABLISHING A TWO-TIERED RATE THAT PROVIDES FOR A STATEWIDE RATE AND AN ADDITIONAL CATASTROPHE RATE BASED ON ACTUAL HISTORICAL LOSSES AS WELL AS CATASTROPHE MODELING.*

Amends GS 58-36-10, changing "may" to "shall," requiring consideration to be given to the experience of property insurance business during the most recent five-year period for which that experience is available in the case of property insurance rates under this Article.

Amends GS 58-36-10 to add the requirement that if the Rate Bureau presents any modeled hurricane losses with a property insurance rate filing, the Bureau must present data from more than one such model.

Amends GS 58-36-15, adding subsections (d2) and (d3). Subsection (d2) requires a minimum amount of supporting data to be included in any property insurance rate filing where a catastrophe model is used. Subsection (d3) requires the Rate Bureau, no later than January 1, 2015, to transition to a two-tier system for property insurance rate filings for policies issued or renewed after that date. A policy holder's total rate for property insurance will then be the sum of the two rate tiers meeting all of the enumerated requirements in (d3)(1-2).

Effective July 1, 2013.

Intro. by Sanderson, Cook.

[GS 58](#)

[View summary](#)

[Insurance](#)

S 691 (2013-2014) [UNLAWFUL TO ASSIST ANOTHER TO COMMIT SUICIDE](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL TO ASSIST ANOTHER TO COMMIT SUICIDE*.

Enacts GS 14-17.2 in GS Chapter 14 making assisted suicide unlawful. It is unlawful for any person who knows that another individual intends to commit suicide to 1) provide the means by which the individual attempts or does commit suicide; 2) participate in an act by which the individual attempts or does commit suicide; or 3) help the individual plan to commit suicide. This section does not apply to withholding or withdrawing medical treatment. The court may grant injunctive relief under this subsection against any person who is reasonably believed to be in violation (or about to be in violation) of subsection (b) of this section. Also allows for civil damages. The licensing agency which issued a license or certification to a licensed health care professional who assists in a suicide may revoke or suspend the license or certification upon the receipt of specified evidence. Applies to offenses committed on or after December 1, 2013.

Intro. by Sanderson, Brock, Cook.

[GS 14](#)

[View summary](#)

[Criminal Law and Procedure](#)

S 692 (2013-2014) [ESTABLISH A+ SCHOOLS SPECIAL FUND.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE A+ SCHOOLS SPECIAL FUND IN THE DEPARTMENT OF CULTURAL RESOURCES, THE NORTH CAROLINA ARTS COUNCIL*.

Identical to [H 376](#), filed 3/20/13.

Amends GS 143B, creating a new section, GS 143B-87.2 (*A+ Schools Special Fund*). Provides for the creation of the A+ Schools Special Fund, a special interest-bearing revenue fund in the Department of Cultural Resources (Department), North Carolina Arts Council (Council). The fund consists of all receipts derived from private donations, grant funds, and earned revenue. The revenue in the fund may only be used for contracted services, conferences, meetings, travel, staff expenses, as well as other administrative costs. The staff of the Council and the Department will decide how to use the funds for the purposes of the A+ Schools program.

Applies to the A+ Schools program transferred to the Council in SL 2010-31.

Requires the Department to submit a report to the Joint Legislative Commission on Governmental Operations, the House of Representatives Appropriations Subcommittee on General Government, the Senate Appropriations Committee on General Government and Information Technology, and the Fiscal Research Division by September 30 of each year. The report will include the source and amount of all funds and how those funds were used during the prior fiscal year.

Effective July 1, 2013.

Intro. by Sanderson.

[GS 143B](#)

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

S 693 (2013-2014) [EXEMPT DCR FROM UMSTEAD ACT.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF CULTURAL RESOURCES FROM THE UMSTEAD ACT, WHICH PROHIBITS STATE GOVERNMENT FROM ENGAGING IN THE SALE OF GOODS IN COMPETITION WITH CITIZENS OF THE STATE.*

Identical to [H 395](#), filed 3/20/13.

Amends GS 66-58 (*Sale of merchandise or services by governmental units*), providing that the Department of Cultural Resources is exempt from the prohibition of the sale of goods in competition with citizens of North Carolina.

Intro. by Sanderson.

GS 66

[View summary](#)

Business and Commerce, State Government, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)

S 694 (2013-2014) [EXECUTIVE MANSION/SALE OF EXCESS PROPERTY.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW ALL PROCEEDS FROM THE SALE OF PROPERTY HELD IN THE EXECUTIVE MANSION TO BE DEPOSITED IN THE EXECUTIVE MANSION SPECIAL FUND IN KEEPING WITH MUSEUM STANDARDS, AS PROMULGATED BY AMERICAN ALLIANCE OF MUSEUMS, THE MAJOR INSTITUTIONAL ACCREDITATION AGENCY FOR MUSEUMS.*

Identical to [H 372](#), filed 3/20/13.

Amends GS 143B-79 (*Executive Mansion Fine Arts Committee--creation, powers and duties*), to provide that if any property is sold from the Executive Mansion, the net proceeds of the sale will be deposited in the State Treasury to the credit of the Executive Mansion, Special Fund (previously, depending on how the property was acquired, proceeds could have gone to the General Fund and/or the Executive Mansion Fund).

Intro. by Sanderson.

GS 143B

[View summary](#)**State Property**

S 695 (2013-2014) [DCR/GENERATE REVENUE/VENDOR SERVICES.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES TO GENERATE REVENUE BY PROVIDING FOOD AND VENDING SERVICES AT MUSEUMS AND HISTORIC SITES.*

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

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

Intro. by Sanderson.

GS 111

[View summary](#)

Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Cultural Resources and Museums

S 696 (2013-2014) [EXEMPT DCR FEE CHANGES/CHAPTER 150B.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DEPARTMENT OF CULTURAL RESOURCES AND THE TRYON PALACE COMMISSION FROM CERTAIN RULE-MAKING REQUIREMENTS WHEN CHANGING ADMISSION AND ACTIVITY FEES AT STATE HISTORIC SITES, MUSEUMS, AND TRYON PALACE HISTORIC SITES AND GARDENS.*

Identical to [H 377](#), filed 3/20/13.

Amends GS 121-7.3 to permit the Department of Cultural Resources (Department) to charge a reasonable admission fee to any historic site as well as to any museum administered by the Department. Provides that the collected fees, which are to be deposited in a nonreverting account under current law, must be used to support the operation of each historic site as well as each museum.

Amends GS 121-7.3 and GS 143B-71 to exempt the Department and the Tryon Palace Commission (Commission) from the rule-making requirements of Article 2A, GS Chapter 150B, regarding changing admission fees or related activity fees at historic sites, museums, and Tryon Palace Historic Sites and Gardens. Requires the Commission and the Department to provide a report to the Joint Legislative Commission on Governmental Operations indicating the amount and purpose of a fee change within 30 days of the date that the fee change is effective.

Intro. by Sanderson.

GS 121, GS 143B

[View summary](#)

Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Cultural Resources and Museums

S 697 (2013-2014) [TITLE TO UNCLAIMED COLLECTIONS.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES, OFFICE OF ARCHIVES AND HISTORY, TO USE THE NET PROCEEDS OF THE SALE OF ARTIFACTS FOR MAINTENANCE OR CONSERVATION OF OTHER ARTIFACTS AND TO CLARIFY THE PROCESS FOR TRANSFERRING TITLE OF UNCLAIMED OR UNDOCUMENTED PROPERTY LOANED TO MUSEUMS AND HISTORICAL REPOSITORIES TO THOSE MUSEUMS AND HISTORICAL REPOSITORIES.*

Identical to [H 367](#), filed 3/20/13.

Amends GS 121-7 (*Historical museums*), to allow the proceeds of an artifact sale to also be used for the maintenance or conservation of other artifacts in addition to the purchase of artifacts.

Deletes GS 121-7(c) and (d), concerning title of an artifact whose owner is unknown or cannot be found and filing a claim of title.

Creates a new Article in GS 121, Article 5 (*Museum and Archives Repository Property*).

Creates new Article 5 in GS Chapter 121. Creates new GS 121-50 (*Legislative findings and declaration*), providing that the constant management of loaned and titled property is a hindrance to the operation of museums and archives. Purpose of new article is to terminate stale claims and fairly and reasonably allocate the determination of title and financial responsibility.

Creates new GS 121-51 (*Definitions*), providing the terms and definitions to be used in this article, including *address*, *archives repository*, *loan*, *museum*, *property*, and *valid claim*.

Creates new GS 121-52 (*Acquisition of title to loaned property*), providing that loaned property where the term has expired and at least seven years have passed without written or other contact or the term of the loan did not have an expiration date but at least seven years have passed without contact, the museum or archive may acquire title.

Provides the process by which the museum or archive may acquire title under this section after seven years of no contact.

Creates new GS 121-53 (*Responsibilities of owners of loaned property; representation of ownership; disputed ownership*), providing that it is the responsibility of the owner of loaned property to notify the museum or archives of the owner's identity and current address.

Also requires all claimed owners to present evidence of ownership to the museum or archives after all changes in ownership, whether by sale, gift, devise, operation of law, or any other means.

A museum or archive is not liable for actions taken in reasonable reliance on the representation of the person who first transfers an item to the museum or archive that he or she is the true owner.

Where cases of disputed ownership arise, a museum or archive may retain possession of loaned property and not be held liable until it relies on a court order or judgment to release the property.

Creates new GS 121-54 (*Museum or archives repository's lien for expenses*), providing that when the lender of loaned property is known, a museum or archive may charge expenses relating to the reasonable care of the loaned property.

If the lender of loaned property is not known, a lien against the value of the property can be placed for reasonable expenses to protect the property.

Creates new GS 121-55 (*Acquisition of undocumented property*), providing that when a museum or archive is in possession of property and it does not know who the owner is and no one had claimed it within seven years, after the museum or archive follows the notification policy in subsection (b) of the Article, it is free and clear from all claims. However, if a museum or archive wishes to do this they still must provide public notice in the manner described in GS 121-52.

Intro. by Sanderson.

[GS 121](#)

[View summary](#)

[Cultural Resources and Museums](#)

S 698 (2013-2014) [SHORTEN REVIEW PERIOD/STATE PROPERTY SALES.-AB](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO SHORTEN THE REVIEW PERIOD FOR POTENTIAL DISPOSITIONS OF STATE-OWNED REAL PROPERTY.*

Identical to [H 370](#), filed 3/20/13.

Amends GS 146-28 to require the Department of Administration (Department) to investigate a proposed transaction within 60 days (was, promptly investigate) of receiving an application for the sale, lease, or rental of any land owned by the state or a state agency. Requires the Department to determine whether or not it is in the state's best interest to sell, lease, or rent out the land. Amends GS 146-29 to require the Department to proceed with the sale, lease, or rental within 30 days after determining that it is in the state's best interest. Effective October 1, 2013.

Intro. by Sanderson.

[GS 146](#)

[View summary](#)

[State Property](#)

S 699 (2013-2014) **JUDICIAL APPOINTMENT/VOTER RETENTION**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REPLACE THE PRESENT PRACTICE OF SELECTING JUSTICES AND JUDGES OF THE APPELLATE DIVISION AND JUDGES OF THE SUPERIOR COURT GENERALLY BY GUBERNATORIAL APPOINTMENT, FOLLOWED BY ELECTIONS, WITH A METHOD BY WHICH (1) TWO CANDIDATES FOR JUSTICE AND JUDGE WILL BE NOMINATED BY A JUDICIAL NOMINATING COMMISSION, THE GOVERNOR WILL APPOINT ONE OF THEM, AND AT THE NEXT ELECTION THE VOTERS WILL CHOOSE IN A NONPARTISAN ELECTION BETWEEN THE TWO PERSONS, (2) AT THE END OF THE TERM OF A JUSTICE OR JUDGE WHO HAS SUCCESSFULLY WON AN ELECTION, THE QUESTION OF THE JUSTICE'S OR JUDGE'S RETENTION IN OFFICE IS SUBMITTED FOR APPROVAL OR DISAPPROVAL BY NONPARTISAN VOTE OF THE PEOPLE, (3) PROVISION IS MADE FOR THE CASE OF WITHDRAWAL OF A CANDIDATE BEFORE THE ELECTION, AND (4) PROVISION IS MADE FOR APPOINTMENT OF THE CHIEF JUSTICE FROM AMONG THE ASSOCIATE JUSTICES.*

Subject to approval by the voters at the November 4, 2014, general election, amends Section 16 of Article IV of the North Carolina Constitution to create a nomination, appointment, and retention election system for appellate judges and justices and superior court judges. Makes conforming statutory changes to GS Chapter 7A only if the voters approve the constitutional amendment.

Constitutional Amendment. Current law provides for the election of judges of the superior court, judges of the court of appeals, and justices of the supreme court. This act creates a new appointment and retention process for vacancies of superior court judges, court of appeals judges, and supreme court justices. To fill such a vacancy, the Governor will appoint a person from among two nominees from the Judicial Nominating Commission (Commission) for a term that extends through January 31 after the next statewide election for members of the General Assembly that is held more than 210 days after the vacancy. That election will be between the two candidates nominated by the Commission, with the winning candidate elected to a regular term. Provides procedures when the person appointed or when the person not appointed by the Governor chooses by July 31 of the election year not to seek election. Makes an incumbent who was successful in a contested election or in a retention election and files for retention by February 1 of the election year subject to approval by nonpartisan ballot. The regular term of office for judges on the superior court and appellate division judges and justices is eight years, expiring on January 31. If the voters fail to approve the retention of the judge or justice by a majority of votes cast, the office will become vacant at the end of the term and the Governor will appoint a replacement as detailed above. Provides procedure when a vacancy occurs in the office of chief justice.

The term of office of a person elected before January 1, 2013, to the office of chief justice, associate justice, or judge of the Appellate Division for a term which extends beyond January 1, 2013, and who is in office on December 31, 2012, is extended through January 31 of the year following the eighth year after the date any such justice or judge was last elected to the office. If the person continues to serve for the remainder of the term, that person may stand for retention in the office for a succeeding regular term as provided, subject to the provisions of law relating to mandatory retirement. If the person continues to serve for the remainder of the term but does not stand for retention election, a vacancy is created in the office upon expiration of the term, and this vacancy shall be filled by nomination and appointment as provided. The term of office of a person appointed before January 1, 2013, to a vacancy occurring during the period beginning on the sixtieth day before the 2012 general election and ending December 31, 2012, to the office of chief justice, associate justice, or judge of the Appellate Division for a term which extends beyond January 1, 2013, and who is in office on December 31, 2012, shall end on January 31, 2015. If such person wishes to remain in office at the end of that term, he or she must sit for a retention election as specified at the statewide election for members of the General Assembly held in 2014. Vacancies occurring in the appellate division before January 1, 2012, will be filled by the nomination and appointment procedure detailed above. Upon the death, resignation, removal, or retirement of any incumbent on or after January 1, 2013, the resulting vacancy will be filled by nomination and appointment as detailed above.

Directs the General Assembly to create a Judicial Nominating Commission, as specified.

Statutory Provisions. Requires persons appointed by the Governor to fill vacancies to first be nominated by a 16-member Judicial Nominating Commission (Commission), created in new Article 1A of GS Chapter 7A. Specifies Commission members, appointing procedures, and term limits and enumerates Commission duties and nominating procedures. Requires the Governor to issue commissions to those judges or justices nominated and appointed to office.

Amends GS 7A-16 (concerning the court of appeals) to state the court of appeals consists of 15 judges, with the chief judge selected by the supreme court chief justice. Deletes provisions pertaining to previous judge appointments and terms. Makes conforming changes to GS 7A-10, GS 163-1, GS 163-9, various sections of Article 25 (Subchapter X) of GS Chapter 163, and GS 163-182.16. Amends GS 143-318.11(a) to permit a closed session to consider the candidates seeking judicial nomination by the Commission. Repeals GS 163-328(e), 163-329(a), and 163-329(b1).

Enacts new GS 163-333.1 to codify guidelines pertaining to elections occurring after the Governor fills a vacancy by

appointment and when either candidate nominated by the Commission chooses not to run for election. Enacts new GS 163-331.2 to provide guidelines governing retention elections.

Intro. by Clodfelter.

CONST, GS 7A, GS 143, GS 163

[View summary](#)

Constitution, Court System, Elections

S 700 (2013-2014) **EPI PENS IN SCHOOLS**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION TO PROVIDE FOR A SUPPLY OF EMERGENCY EPINEPHRINE AUTO-INJECTORS ON SCHOOL PROPERTY FOR USE IN AN EMERGENCY.*

Enacts new GS 115C-375.2A to require local boards of education to provide a supply of emergency epinephrine auto-injectors (pen), with at least one for use in different areas of the school. Requires the principal to designate personnel to receive initial training and annual retraining on the storage and use of the pen. Also requires the principal to collaborate with school personnel to develop an emergency action plan for using the pens in an emergency. Specifies components to be included in the plan. Prohibits the emergency supply from being used as a medication supply for students known to have conditions requiring the use of the pens. Provides protection from liability, except in cases of gross negligence, wanton conduct, or intentional wrongdoing. Applies beginning with the 2013-14 school year.

Intro. by Brock.

GS 115C

[View summary](#)

Education, Health

S 703 (2013-2014) **LIMIT LOCAL REGULATION OF OUTDOOR SMOKING**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT PROHIBITING LOCAL GOVERNMENTS AND LOCAL COMMUNITY COLLEGES FROM REGULATING OUTDOOR SMOKING IN A MANNER THAT IS MORE RESTRICTIVE THAN STATE LAW.*

Amends GS 130A-498 (concerning local governments) and GS 115D-20.1 (concerning community colleges), as the title indicates. Effective October 1, 2013.

Intro. by Newton, Jackson, Brock.

GS 115D, GS 130A

[View summary](#)

Higher Education, Local Government, Health

S 705 (2013-2014) **LOCAL CONDEMNORS ACCOUNTABILITY ACT**. Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROTECT THOSE WHOSE PROPERTY IS BEING TAKEN BY EMINENT DOMAIN BY PROVIDING THAT WHEN A LOCAL GOVERNMENT CONDEMNOR IS NOT AN ELECTED BOARD, A MAJORITY OF THE ELECTED BOARDS APPOINTING IT MUST APPROVE FILING OF THE CONDEMNATION ACTION.*

Subject to approval by voters at the statewide election on November 4, 2014, amends Article 1 of the NC Constitution by adding Section 19.1. Provides that if the General Assembly authorizes by law the exercise of the power of eminent domain by any local government subdivision, and the governing body of that entity is not composed entirely of elected persons (other than those appointed to fill vacancies), then prior to commencement of any condemnation action, the action may be filed only if a majority of the members of that entity are appointed by boards consisting of elected officials and a majority of all the entities making appointments to that entity have approved initiation of the condemnation action.

Intro. by Clark.

CONST

[View summary](#)

Constitution, Property and Housing, Local Government

S 709 (2013-2014) [DOT STUDY 75 MPH SPEED/DEVELOP PILOT PROPOSAL \(NEW\)](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF INCREASING THE SPEED LIMIT ON UP TO FOUR CONTROLLED ACCESS HIGHWAYS TO SEVENTY-FIVE MILES PER HOUR, DEVELOP A PILOT PROGRAM PROPOSAL, AND REPORT TO THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE BY JANUARY 31, 2014.*

As title indicates.

Intro. by Hunt, Rabon, Harrington.

[GS 20](#)

[View summary](#)

[Transportation](#)

S 710 (2013-2014) [FAIR SHARE CONTRIBUTION FOR ELECT. VEHICLES](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO IMPOSE AN ANNUAL FEE ON THE OWNER OF A PLUG-IN ELECTRIC VEHICLE THAT DOES NOT RELY ON A NONELECTRIC SOURCE OF POWER.*

Amends GS 20-52 and GS 20-66 as title indicates. Sets the fee at \$100. Applies to initial or renewal motor vehicle registrations on or after January 1, 2014.

Intro. by Hunt, Rabon, Harrington.

[GS 20](#)

[View summary](#)

[Transportation](#)

LOCAL/HOUSE BILLS

H 270 (SL 2013-21) (2013-2014) [RONDA RECALL](#). Filed Mar 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN THE TOWN OF RONDA ON THE ISSUE OF WHETHER OR NOT VOTERS OF THAT TOWN SHOULD BE ABLE TO RECALL FROM OFFICE THE ELECTED OFFICERS OF THAT TOWN.*

A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A REFERENDUM IN THE TOWN OF RONDA ON THE ISSUE OF WHETHER OR NOT VOTERS OF THAT TOWN SHOULD BE ABLE TO RECALL FROM OFFICE THE ELECTED OFFICERS OF THAT TOWN. Enacted April 4, 2013. Effective April 4, 2013.

Intro. by Elmore.

[Wilkes](#)

[View summary](#)

H 490 (2013-2014) [LEE COUNTY ELECTIONS](#). Filed Apr 1 2013, *A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION FOR THE LEE COUNTY BOARD OF EDUCATION AND FOR THE CITY OF SANFORD TO PARTISAN.*

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

Makes organizational changes, changing Section 3 to Section 3(a).

Provides new Section 3(b) to the bill. Establishes that if approval of Section 3 (concerning election of the mayor and city council on a partisan basis) is required under Section 5 of the Voting Rights Act of 1965, this section is effective January 1, 2014.

Intro. by Stone.[Lee, GS 115C](#)[View summary](#)

H 562 (2013-2014) [CRAMERTON CHARTER REVISAL](#). Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CRAMERTON.*

Revises and consolidates the Cramerton Town Charter. Repeals SL 1967-1061 (incorporating the Town). Sets out provisions concerning incorporation and corporate powers and the corporate boundaries. Provides that the town is governed by the board of commissioners and the mayor and sets out their terms and related provisions. Also provides for regular and special elections and referenda. Provides that the town will operate under a council-manager form of government and provides for the appointment of a town attorney, clerk, tax collector, and administration and department heads.

Provides that the act does not affect terms of the current mayor and board of commissioners nor does it abate or affect any action of proceedings pending at the effective date of the act. Specifies statutes and session laws not affected by the act.

Intro. by Bumgardner.[Gaston](#)[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 11: SPECIAL ELECTION DATES.

Senate: Rec From House

Senate: Passed 1st Reading

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

H 41: 0.00 ALCOHOL RESTRICTION - ALL DWI.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 139: ADOPT UNIFORM DEPLOYED PARENT CUST/VISIT. ACT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 146: BACK TO BASICS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 153: ESTABLISH GENERAL GOV'T OVERSIGHT COMMITTEE.

House: Reptd Fav

House: Re-ref Com On Regulatory Reform

H 163: WC/TAXI DRIVER/INDEPENDENT CONTRACTOR.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 173: REVISE CONTROLLED SUBSTANCES REPORTING.

House: Withdrawn From Com

House: Ref to the Com on Judiciary Subcommittee B, if favorable, Health and Human Services

H 211: WEIGHT LIMITS/ANIMAL FEED TRUCKS.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Transportation

H 214: AMEND REAL ESTATE LICENSE LAW/RECORDS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 240: INSURANCE TECHNICAL/CLARIFYING CHANGES.-AB

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 242: VOLUNTEER FIRE DEPT. SALES TAX REFUND CHANGE.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 243: LIENS/SELF-SERVICE STORAGE FACILITIES.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary I

H 254: ZONING CHANGES/NOTICE TO MILITARY BASES.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

H 259: HONOR EDWARD L. WILLIAMSON.

Senate: Rec From House

Senate: Passed 1st Reading

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

H 272: DOT/DMV CHANGES #2

House: Reptd Fav Com Sub 1

House: Re-ref Com On Transportation

House: Reptd Fav Com Sub 1

House: Re-ref Com On Transportation

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

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

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 321: AMEND LOCAL SOLID WASTE PLANNING.

House: Reptd Fav Com Substitute

House: Re-ref Com On Government

H 346: GOVERNING BODIES/COLLECT UNPAID JUDGMENTS.

House: Reptd Fav Com Sub 1

House: Re-ref Com On Finance

H 350: COURT IMPROVEM'T PROJECT JUV LAW CHANGES.-AB

House: Reptd Fav Com Sub 1

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 361: JUSTICE REINVESTMENT TECHNICAL CORRECTIONS.-AB

House: Reptd Fav Com Sub 1

House: Re-ref Com On Appropriations

H 366: NC FARM ACT OF 2014 (NEW).

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Passed 2nd Reading

House: Passed 3rd Reading

H 370: SHORTEN REVIEW PERIOD/STATE PROPERTY SALES.-AB

House: Reptd Fav

House: Re-ref Com On Finance

H 384: AMEND DEFINITIONS/PROPERTY CLASSIF/EQU. DIST.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 387: AMEND CERTAIN CRIMINAL PROVISIONS.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 388: ASSIGNED COUNSEL/AMEND AND CLARIFY.-AB

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 392: WARRANT STATUS/DRUG SCREEN PUBLIC ASSIST (NEW).

House: Postponed To 04/09/2013

H 396: ENACT PRIVATE WELL WATER EDUCATION ACT.-AB

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 435: SCHOOL PERFORMANCE GRADES.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 520: CONVERT AIR CARRIER FUEL REFUND TO EXEMPTION.

House: Passed 1st Reading
House: Ref To Com On Finance

H 521: GOVERNANCE OF DEP'T OF PUBLIC INSTRUCTION.

House: Passed 1st Reading
House: Ref To Com On Education

H 522: FOREIGN LAWS/PROTECT CONSTITUTIONAL RIGHTS (NEW).

House: Passed 1st Reading
House: Ref to the Com on Public Utilities and Energy, if favorable, Judiciary Subcommittee B

H 528: MASS LAYOFFS/DISPLACED WORKER ASSISTANCE.

House: Passed 1st Reading
House: Ref To Com On Appropriations

H 532: NO DRINKING IN EMS & LAW ENFORCEMENT VEHICLES.

House: Passed 1st Reading
House: Ref To Com On Judiciary Subcommittee B

H 534: REBUTTABLE PRESUMPTION/SHARED PARENTING.

House: Passed 1st Reading
House: Ref To Com On Judiciary Subcommittee C

H 535: ALL ARRESTEES FINGERPRINTED/PHOTOGRAPHED.

House: Passed 1st Reading
House: Ref to the Com on Judiciary Subcommittee B, if favorable, Appropriations

H 536: IGNITION INTERLOCK REQ'D/ALL DWIS.

House: Passed 1st Reading
House: Ref to the Com on Judiciary, if favorable, Finance, if favorable, Appropriations

H 539: MAP 21 CONFORMING REVISIONS.

House: Passed 1st Reading
House: Ref to the Com on Judiciary, if favorable, Government, if favorable, Appropriations

H 540: TURNPIKE AUTHORITY/NO BILL UNTIL \$5 OWED.

House: Passed 1st Reading
House: Ref to the Com on Transportation, if favorable, Finance

H 542: CHARLOTTE CHECKERS SPECIAL PLATE.

House: Passed 1st Reading
House: Ref to the Com on Transportation, if favorable, Finance

H 543: GUARDIANSHIP ROLES OF MHDDSA PROVIDERS (NEW).

House: Passed 1st Reading
House: Ref To Com On Judiciary Subcommittee A

H 547: TAX & REGULATE VIDEO SWEEPSTAKES.

House: Passed 1st Reading
House: Ref to the Com on Commerce and Job Development, if favorable, Finance

H 548: MARINE FISHERIES RULEBOOK PRODUCTION.

House: Passed 1st Reading
House: Ref To Com On Government

H 549: RECOGNIZE CHOWANOKE NATION.

House: Passed 1st Reading

House: Ref To Com On Government

H 550: NCSC SPECIAL PLATE.

House: Passed 1st Reading

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

H 552: REMOVE AREA FROM COUNTY SERVICE DISTRICT.

House: Passed 1st Reading

House: Ref To Com On Government

H 556: VARIOUS SPECIAL PLATES.

House: Passed 1st Reading

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

H 558: SOIL & WATER/REGIONAL JAILS REFUNDS (NEW).

House: Passed 1st Reading

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

House: Passed 1st Reading

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

H 559: TEEN DATING VIOLENCE PREVENTION ACT.

House: Passed 1st Reading

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

H 560: ECONOMICAL SCHOOL BUS REPLACEMENT CRITERIA.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 563: FOREIGN TRADE ZONE/EXPAND DEF OF PUB CORP.

House: Passed 1st Reading

House: Ref To Com On Commerce and Job Development

H 565: AMEND REAL ESTATE APPRAISERS' LAWS/FEEES.

House: Passed 1st Reading

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

H 566: HONOR COMMUNITY COLLEGES' 50TH ANNIVERSARY.

House: Passed 1st Reading

House: Cal Pursuant 32(a)

House: Placed On Cal For 04/10/2013

H 570: NOTIFY FAMILY OF CEMETERY CONSTRUCTION.

House: Passed 1st Reading

House: Ref To Com On Judiciary Subcommittee B

H 571: COLLABORATION AMONG STATE DIABETES PROGRAMS.

House: Passed 1st Reading

House: Ref To Com On Health and Human Services

H 572: NC EXTENSION & COMMUNITY ASSOC. ANNIVERSARY.

House: Passed 1st Reading

House: Cal Pursuant 32(a)

House: Placed On Cal For 04/24/2013

H 573: STORMWATER MANAGEMENT FEE USES.

House: Passed 1st Reading

House: Ref To Com On Finance

H 574: COASTAL PROP. INSURANCE MITIGATION.

House: Passed 1st Reading

House: Ref To Com On Insurance

H 576: HONOR TOWN OF WADE.

House: Filed

H 577: HONOR THE TOWN OF LINDEN.

House: Filed

H 578: HONOR TOWN OF STEDMAN.

House: Filed

H 579: CFCC MARINE TECHNOLOGY PROGRAM FUNDS.

House: Filed

H 580: ESTABLISH STATEWIDE TELEPSYCHIATRY PROGRAM.

House: Filed

H 581: TROPHY WILDLIFE SALE PERMIT.

House: Filed

H 582: LEGAL SERVICES.

House: Filed

H 583: HONOR SPORTS HALL OF FAME.

House: Filed

H 584: SUSPEND TRUCK INSPECTION/SEVERE WEATHER.

House: Filed

H 585: PREA COMPLIANCE.

House: Filed

H 586: PUV/REPEAL FOREST PLANNING REQUIREMENT.

House: Filed

H 587: ALTERNATE ACT/PLAN FOR CERTAIN STUDENTS (NEW).

House: Filed

H 588: PUBLIC SCHOOL REPORT/FLEXIBILITY.

House: Filed

H 589: VIVA/ELECTION REFORM (NEW).

House: Filed

H 590: REBUTTABLE PRESUMPTION/SHARED PARENTING.

House: Filed

H 591: REPORTING AND TERMS FOR LONG. DATA BOARD.

House: Filed

S 20: GOOD SAMARITAN LAW/NALOXONE ACCESS.

Ratified

Pres. To Gov. 04/05/2013

S 24: CONSTRUCTION/DEMOLITION LANDFILL SITING.

Pres. To Gov. 04/04/2013

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

Pres. To Gov. 04/04/2013

S 117: LILY'S LAW.

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

S 123: CLARIFY SEX OFFENDER RESIDENCE LAW.

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

S 140: FINANCIAL EXPLOITATION OF OLDER ADULTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 175: BANKING LAWS CLARIFICATIONS/CORRECTIONS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

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

House: Passed 1st Reading

House: Ref To Com On Health and Human Services

S 240: DEVELOP RULES FOR RELEASE OF PATH MATERIALS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 306: CAPITAL PUNISHMENT/AMENDMENTS.

House: Rec From Senate

S 316: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.

House: Rec From Senate

S 336: COLLABORATION AMONG STATE DIABETES PROGRAMS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 353: HEALTH AND SAFETY LAW CHANGES (NEW).

Senate: Withdrawn From Cal

Senate: Placed On Cal For 04/08/2013

S 369: NAME CHANGE REQUIREMENTS FOR MINORS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 372: OMNIBUS COUNTY LEGISLATION.

Senate: Withdrawn From Com

Senate: Re-ref Com On State and Local Government

S 379: EXP. OF NATURAL GAS & PROPANE FOR AGRICULTURE (NEW).

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 386: BOARD OF AGRICULTURE SWINE APPT (NEW).

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 387: FOREST SERVICE CHANGES/BEDDING LAW ROE (NEW).

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 433: PREVENT PAY FOR WEIGHT EXCEEDING ALLOWANCE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 445: ABC PERMIT ISSUANCE.

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Engrossed

S 505: CLARIFY AGRICULTURAL ZONING.

Senate: Withdrawn From Com

Senate: Re-ref Com On State and Local Government

S 557: NC PRE-K FUNDING PILOT (NEW).

Senate: Withdrawn From Com

Senate: Re-ref Com On Health Care

LOCAL BILLS

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

Senate: Withdrawn From Com

Senate: Re-ref Com On Finance

H 224: ASHEVILLE ETJ AND ANNEXATION.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

H 252: ASHEVILLE TRANSFERS.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Finance

H 270: RONDA RECALL.

Ratified

Ch. SL 2013-21

H 302: REPEAL KANNAPOLIS ANNEXATION.

House: Passed 3rd Reading

H 314: AYDEN CHARTER/TERMS OF OFFICE EXTENDED.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 347: AMEND GREENSBORO FIRE RETIREMENT/CHARTER (NEW).

House: Reptd Fav

House: Re-ref Com On State Personnel

H 349: FAYETTEVILLE/MAY DISCLOSE POLICE COMPLIANT.

House: Reptd Without Prejudice

House: Re-ref Com On Judiciary

H 354: 2 COUNTY COMMISSIONERS MAY SERVE/AB TECH. BD.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 408: BEAUFORT/RIGHT-OF-WAY SAFETY.

House: Reptd Fav

House: Re-ref Com On Judiciary Subcommittee B

H 490: LEE COUNTY ELECTIONS.

House: Amend Adopted A1

House: Amendment Withdrawn A2

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 500: KANNAPOLIS ANNEXATIONS.

House: Withdrawn From Com

House: Serial Referral To Education Stricken

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

H 523: PITT CO. BD. OF EDUCATION.

House: Passed 1st Reading

House: Ref To Com On Education

H 524: GREENSBORO CHARTER AMENDMENTS.

House: Passed 1st Reading

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

H 525: CITY OF GREENSBORO/MOTOR VEHICLE TAX.

House: Passed 1st Reading

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

H 526: CHADBOURN VOLUNTARY ANNEXATION.

House: Passed 1st Reading

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

H 527: HIGH POINT MPO.

House: Passed 1st Reading

House: Ref To Com On Government

H 529: EDGECOMBE COUNTY OCCUPANCY TAX AUTHORIZATION.

House: Passed 1st Reading

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

H 530: BUNCOMBE MPO MEMBERSHIP.

House: Passed 1st Reading

House: Ref To Com On Government

H 531: WEAVERVILLE, BUNCOMBE & HENDERSON.

House: Passed 1st Reading

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

House: Passed 1st Reading

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

H 533: DETENTION OF MENTALLY ILL IN FACILITY (NEW).

House: Passed 1st Reading

House: Ref To Com On Government

H 537: EDENTON-CHOWAN SCH. BD. TERMS.

House: Passed 1st Reading

House: Ref To Com On Education

H 538: APEX LAND USE CHANGES.

House: Passed 1st Reading

House: Ref To Com On Government

H 541: DURHAM VOLUNTARY ANNEXATIONS.

House: Passed 1st Reading

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

H 544: WILMINGTON CHARTER/CIVIL SERVICE COMMISSION.

House: Passed 1st Reading

House: Ref To Com On Government

H 545: MODIFY HENDERSON CO. OCCUPANCY TAX.

House: Passed 1st Reading

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

H 546: ROANOKE RAPIDS GRADED SCHOOL DISTRICT.

House: Passed 1st Reading

House: Ref To Com On Government

H 551: AMEND WILMINGTON FIREFIGHTERS' RELIEF FUND.

House: Passed 1st Reading

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

H 553: AMEND CARTERET CO. OCCUPANCY TAX.

House: Passed 1st Reading

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

H 554: WINSTON-SALEM FRANCHISES.

House: Passed 1st Reading

House: Ref to the Com on Government, if favorable, Public Utilities and Energy

H 555: DESIGN-BUILD/BUNCOMBE.

House: Passed 1st Reading

House: Ref To Com On Government

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/08/2013

H 557: UTILITIES/MI-CONNECTION/SERVICE AREA.

House: Passed 1st Reading

House: Ref to the Com on Government, if favorable, Public Utilities and Energy

H 561: HENDERSON OCCUPANCY TAX AUTHORIZATION.

House: Passed 1st Reading

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

H 562: CRAMERTON CHARTER REVISAL.

House: Passed 1st Reading

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

H 564: MONTREAT & BILTMORE FOREST LAND USE.

House: Passed 1st Reading

House: Ref To Com On Government

H 567: LUMBERTON DEANNEXATION.

House: Passed 1st Reading

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

H 568: ASHEVILLE DEANNEXATION.

House: Passed 1st Reading

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

H 569: FOXFIRE/SATELLITE ANNEXATIONS.

House: Passed 1st Reading

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

H 575: MORRISVILLE ZONING ORDINANCES.

House: Passed 1st Reading

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

S 56: WALLACE/SATELLITE ANNEXATIONS.

House: Reptd Fav

House: Re-ref Com On Finance

S 258: ASHEBORO/CHARTER AMENDMENTS.

House: Rec From Senate

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