



## The Daily Bulletin: 2013-04-15

### PUBLIC/HOUSE BILLS

H 333 (2013-2014) [SEX OFFENDER RESIDENCY/REGIS. AMENDMENTS](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY SEX OFFENDER STATUTES RELATING TO RESIDENCY AND REGISTRATION.*

House amendment to the 1st edition makes the following changes. Deletes the proposed changes to GS 14-208.16(a) and SL 2006-247, Section 11(c) (which provided that the prohibition on registered sex offenders from knowingly residing within 1,000 feet of any public or nonpublic school or childcare center applied to any registrant who did not establish his or her residence prior to August 16, 2006). Amends GS 14-208.11(a1) deleting the proposed change that law enforcement officers, regardless of their jurisdiction, must immediately arrest or seek an order for the arrest of a person violating provisions concerning failure to register, falsification of verification notice, and failure to return verification form in subdivision (a).

**Intro. by Warren, Moffitt, Schaffer, Whitmire.**

[GS 14](#)

[View summary](#)

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

H 793 (2013-2014) [HOAS/FIDELITY BONDS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT CERTAIN CONDOMINIUM AND PLANNED COMMUNITY ASSOCIATIONS SHALL OBTAIN AND MAINTAIN A FIDELITY BOND INSURING THE ASSOCIATIONS FROM LOSSES RESULTING FROM THEFT OR DISHONESTY COMMITTED BY MEMBERS OF THE EXECUTIVE BOARD OR PERSONS EMPLOYED BY THE ASSOCIATIONS, PROVIDING THAT ANY MANAGEMENT AGENT OR COMPANY HIRED BY AN ASSOCIATION SHALL AT ALL TIMES BE COVERED BY A FIDELITY BOND, AND PROVIDING FINANCIAL AUDIT REQUIREMENTS FOR ASSOCIATIONS.*

Amends GS Chapter 47C (*North Carolina Condominium Act*) and GS Chapter 47F (*North Carolina Planned Community Act*), providing that associations or unit owners' associations that have annual assessments for common expenses of \$100,000 or more must obtain and maintain a fidelity bond that insures the association against losses resulting from theft or dishonesty by the officers, members, or employees of the association. Coverage will be in the amount of at least \$1 million and the bond will be obtained on behalf of the association by the executive board.

Provides that management agents or companies hired by an association or unit owners' association must be covered at all times by a fidelity bond. Sets out the process to determine who is a management agent or company for the purposes of this section. Provides that a management agent or company is any person who, for compensation or the expectation of compensation, performs two or more of six specified activities, including preparing budgets, financial statements, or other financial reports for an association or unit owners' association or collecting, disbursing, or otherwise exercising dominion or control over money or other property belonging to an association or unit owners' association. Coverage provided must be at a minimum of \$1 million and the bond is required to comply with specified conditions, including but not limited to, being written by an insurance company authorized to write fidelity bonds in North Carolina, covering the association's or unit owners' association manager and all or a portion of the employees, and protecting all or a portion of the association funds in custody of the manager or employees.

Provides that an annual independent financial audit will be required if the association or unit owners' association has annual assessments for common expenses of \$250,000 or more. The audit, if required, must be completed no later than one year after the end of the association's fiscal year and will be made available to unit or lot owners within 30 days after its completion.

Makes conforming changes to the applicability section of GS Chapters 47C and 47F.

Effective July 1, 2013.

**Intro. by Saine, R. Moore.**

**GS 47C, GS 47F**

[View summary](#)

**Property and Housing**

H 794 (2013-2014) **VOTER FREEDOM ACT OF 2013**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "POLITICAL PARTY," TO AMEND THE NOMINATION PROCESS, TO AMEND THE REQUIREMENTS FOR UNAFFILIATED AND WRITE-IN CANDIDATES, TO ALLOW NOMINATION BY CONVENTION BY SMALLER PARTIES, AND TO PROVIDE THAT SMALLER PARTIES ELECTING TO HAVE PRIMARIES WILL HAVE THE RESULTS DETERMINED BY PLURALITY.*

Amends GS 163-96(a) reducing the percentage requirement of entire votes cast in the state for Governor or for presidential electors to qualify as a political party in North Carolina from 2% to 0.25%. Further requires a petition by a group of voters seeking political party status to be signed by at least 200 registered voters from each of four (rather than three) congressional districts. Petitions must be filed by 12:00 noon on the third Friday in July preceding the day on which is to be held the first general state election.

Amends GS 163-98 adjusting the time frame for the president of the new political party's convention to certify to the State Board of Elections names of persons chosen as the new party's candidates in the upcoming general election to be no later than the first day of August (rather than the first day of July) prior to the general election.

Amends GS 163-98 adding subsection (b) providing an exception that a political party with less than 10% of the registered votes in this state is not subject to the Primary Act, Article 10, if proper notification is given to the State Board.

Amends GS 163-98 adding subsection (c) identifying the status of candidates affiliated with a new political party and outlining a procedure for the State Board to add names to ballots.

Amends GS 163-98 adding subsection (d) requiring political parties exempt from Article 10 of this Chapter nonetheless be subject to GS 163-113 (withdrawal of nominee), 163-114 (filling vacancy in nomination after convention), and 163-115 (nominations when vacancies occur). Effective when the act becomes law.

Amends GS 163-111 adding subsection (g) prohibiting second primaries for political parties with less than 10% of registered voters.

Enacts GS 163-111.1 of Article 10 of GS Chapter 163 outlining procedures for the determination of primary results for political parties that have less than 10% of the required voters in the state. This section prevails over any local act.

Amends GS 163-122(a) changing the date by which a petition by an unaffiliated candidate to be included on a ballot must be filed with the State Board of Elections from the last Friday in June to the third Friday in July. Also reduces the required percentage of qualified voters who must sign the petition from 2% of the total number of voters who voted in the most recent general election to 0.25% if the office is statewide. Also requires the petition be signed from voters in three (was, four) Congressional districts. If the office is a district office under the jurisdiction of the State Board of Elections or if the office is a county office or single county legislative district, the percentage of qualified voters that must sign the petition is changed from 4% to 1%.

Amends GS 163-296 requiring unaffiliated candidates who seek to have their names printed on the regular municipal ballot to do so in the manner provided in GS 163-122 and removing the requirement that the petition be signed by at least 4% of the qualified voters of the municipality.

Changes "petitions" to "declaration of intent" in the following sections: GS 163-123(c)(1), (2), and (3) and GS 163-123(f1).

Amends GS 163-123(c)(1) requiring only that an applicant for write-in candidacy for a statewide office file a declaration of intent with the State Board of Elections supporting that applicant's candidacy for a specified office on or before noon on the 90th day before the general election. All other requirements of the candidate and procedures for the Board of Elections in this section are deleted.

Amends GS 163-123(c)(2) removing the requirement that a declaration of intent for a district office candidate be signed by 250 qualified voters for write-in candidates seeking a district office under the jurisdiction of the State Board of Elections.

Amends GS 163-123(c)(3) requiring only that an applicant for write-in candidacy for a county office, school administrative unit office, or a legislative district consisting of a single county or portion of a county file a declaration of intent with the county board of elections supporting that applicant's candidacy for a specified office on or before noon on the 90th day before the general election. All other requirements of the candidate and procedures for the Board of Elections in this section are deleted.

Amends GS 163-123 deleting subsection (d), the form of the petition.

Unless otherwise indicated, applies to primaries and elections held on or after January 1, 2014.

**Intro. by Saine, Luebke, Lewis, R. Moore.**

**GS 163**

[View summary](#)

**Elections**

H 797 (2013-2014) **BUSINESS FACILITIES DEVELOPMENT**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE A FUND TO PROVIDE LOANS TO LOCAL GOVERNMENT UNITS FOR THE DEVELOPMENT OF SITE INFRASTRUCTURE*.

Provides that the funds of the Site Infrastructure Development Fund can be used only for site development, in accordance with GS 143B-437.02 (previously, funds could also be used to acquire options and hold options for the purchase of land in accordance with GS 143B-437.02(m)). Amends GS 143B-437.02(c) (*Definitions*), providing a new definition for the term *site development* and also setting out and defining the terms *subsidized loan* and *economic development commission*.

Amends GS 143B-437.02(d) (*Eligibility*), providing that in order to be eligible for consideration for site development for a project, a local government unit must execute a written agreement with the state which includes:

- (1) A requirement that the unit obtain from a business leasing or purchasing property acquired or improved by a subsidized loan an agreement to meet performance criteria that protects the state's investment and secures the benefits anticipated by the lease or sale to the business.
- (2) A requirement that any performance criteria used by the unit include, at a minimum, the creation and maintenance of an appropriate level of employment by the business leasing or purchasing property acquired or improved by a subsidized loan and any other criteria the Department of Commerce (Department) considers appropriate.
- (3) A requirement that the unit repay any portion of a subsidized loan reduced for job creation if the business leasing or purchasing property acquired or improved by a subsidized loan fails to meet the performance criteria.
- (4) A requirement that the unit enter into an agreement with a business leasing or purchasing property acquired or improved by a subsidized loan, whereby the business agrees to reimburse the unit for any amount of repayment required by subdivision (3) of this subsection and agrees to structure the lease or sale as a conditional grant, revocable lease, or otherwise include terms permitting liquidated damages.
- (5) A requirement that the unit enter into an agreement with a business leasing or purchasing property acquired or improved by a subsidized loan, whereby the business agrees to meet the requirements of subsections (e) through (g) of this section.

(Previously, to be eligible for consideration, the only requirements were that a business had to invest at least \$100 million of private funds in the project and employ at least 100 new employees).

Makes technical and conforming changes to GS 143B-437.02(e), (f), (g), and (h). Provides that the Department must administer the selection process of the projects to receive site development, in consultation with the NC Rural Economic Development Center Inc. Amends the application evaluation step to require the Department to consider eight specified factors, including, but not limited to, the project's impact on gross regional product and gross state product, the extent to which the project impacts an existing industrial cluster, and the long-term prospects for growth at the project site or sites (previously, the

Economic Investment Committee evaluated the different applications and specified criteria). Deletes the requirement that there be a finding that the affected local governments have participated in a recruitment and offered incentives in a manner appropriate to the project. Provides that the Secretary of Commerce (was, the Department), after the project is approved as being eligible and appropriate for site development, will enter into an agreement to provide site development with available funds for the project.

Sets out the requirements associated with a subsidized loan and the processes and procedures for repayment. Requires the Department to remit payments made pursuant to a subsidized loan to the State Community College System. Provides that, in order to ensure that public funds are used only to carry out public purposes, the Department will require each local government unit that leases or sells property improved by a subsidized loan to obtain an agreement from the acquiring business to meet performance criteria to protect the state's investment (previously, this section set out specified performance criteria which were required to be in the agreement; these requirements are now abolished).

Requires the Department, as part of the monitoring and reporting of the Infrastructure Development Program, to report to the Joint Legislative Commission on Governmental Operations on the status of any property sold or leased to a business.

Deletes GS 143B-437.02(m) regarding options and hold options for the purchase of land, which is no longer a permitted use of the funds from the Site Infrastructure Development Fund.

Makes technical and conforming changes throughout.

Appropriates an unspecified amount from the General Fund to the Commerce Finance Center for 2013-14.

States the General Assembly's intent to make annual appropriations to the act and for the Golden Leaf Foundation to allocate at least 15% of its annual receipts to a loan program to comport with the program in the act.

Effective when it becomes law, applying to site development agreements entered into on or after that date.

**Intro. by Jeter, Stam, Murry.**

[APPROP, GS 143B](#)

[View summary](#)

**[Banking and Finance, Budget/Appropriations, Local Government](#)**

H 802 (2013-2014) [LANDLORD/TENANT/SHORTEN EVICTION TIME](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LAWS RELATED TO LANDLORD AND TENANT RELATIONSHIPS TO SHORTEN THE TIME PERIOD REQUIRED TO EVICT A TENANT.*

Amends GS 7A-222 to require a magistrate to render judgment in a summary ejectment action on the same day as the conclusion of all of the evidence. Amends GS 7A-223 to require the magistrate to conduct a trial on the date listed on the summons in an action demanding summary ejectment. Provides that the provisions of GS 42-30 apply (Judgment by confession, where plaintiff has proved case, or failure to appear). Prohibits a magistrate from continuing a summary ejectment action unless (1) the plaintiff has consented, or (2) the service of process has not been obtained, in which case the action may not be continued for longer than five days without the plaintiff's consent. Any magistrate who violates these actions must pay the plaintiff \$50 per day multiplied by the number of days that the magistrate continued the action beyond the allowed time periods. Amends GS 7A-228 to require notice of appeal in a summary ejectment action to be filed within five days after entry of judgment. Provides that failure to pay the cost of court to appeal within 10 days after entry of judgment in a summary ejectment action results in automatic dismissal. Requires a person appealing a summary ejectment action as an indigent to file an affidavit, within five days of entry of judgment, that the person is unable by reason of poverty to pay the appeal costs.

Requires the authorization of a person to appeal as an indigent to be made thin 10 days after entry of judgment in a summary ejection action.

Amends GS 42-25.9 to allow a landlord to dispose of personal property remaining on the premises, five days (was, ten days), after being placed in lawful possession by execution of a writ of possession. Requires notice to the tenant three (was, seven) day before the landlord sells property. Requires surplus proceed to be disbursed to the tenant, upon request, five days (was, ten days) after the sale. Makes conforming changes.

Amends GS 42-28 to require that the clerk of superior court issue a summons within one day of the filing of the complaint, when the lessor files a complaint pursuant to GS 42-26 (Tenant holding over may be dispossessed in certain cases) or GS 42-27 (Local: Refusal to perform contract ground for dispossession) and asks to be put in possession of the leased premises. If the clerk fails to issue the summons or set a court date on the summons that is seven days or less from the issuance of the summons, then the clerk must pay to the lessor \$50 per day, multiplied by the number of days that the date of the issuance of the summons or date of the trial exceeds the requirements.

Amends GS 42-36.2 to shorten from ten days to five days the amount of time allowed for the release of property, storage of property, and for the tenant to request release of the property. Makes conforming changes.

Applies to all actions for summary ejection filed on or after July 1, 2013.

**Intro. by Earle, T. Moore, W. Brawley, Cunningham.**

[GS 7A, GS 42](#)

[View summary](#)

[Civil Law, Property and Housing](#)

H 803 (2013-2014) [HEALTHY AND HIGH PERFORMANCE SCHOOLS ACT](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE HEALTHY AND HIGH PERFORMANCE SCHOOLS ACT OF 2013*.

Creates new Article 17A, *Healthy Schools*, in GS Chapter 115C.

**Healthy Schools Fund.** Establishes the Healthy Schools Fund (Fund) as a nonreverting fund administered by the State Board of Education (SBoE) and funded by annual appropriations. Requires the Fund to be used as follows: (1) to provide additional funding for healthy school meals, the SBoE must reimburse public schools as follows: a. 10¢ for each breakfast meal served that meets specified requirements, b. 10¢ for each lunch meal served that meets the requirements of GS 115C-270.4 and GS 115C-270.5; (2) to eliminate the reduced price co-payment, SBoE must reimburse public schools 40¢ for each lunch served to students who qualify for reduced price meals; (3) to provide resources to implement the school breakfast program, for the 2013-2014 school year, the SBoE must provide \$7 per student to public schools in which more than 40% of students qualify for free or reduced price meals; (4) to encourage schools to serve local foods, the SBoE must provide an additional 5¢ per lunch meal reimbursement to public and public charter schools when at least one component of a reimbursable lunch meal is comprised entirely of locally grown and unprocessed foods; (5) to increase physical activity in schools, the SBoE must make grants available through a competitive process to public and public charter schools, provided that schools must meet the requirements of GS 115C-270.14 and seek to increase the amount of physical activity in which their students engage; and (6) to support school gardens, the SBoE must make grants available through a competitive process to public schools and other organizations.

**School Nutrition.** Requires breakfast and lunch to meet or exceed the federal nutritional standards in applicable state and federal law. Also requires breakfast and lunch served to students in public schools to meet or exceed specified nutritional and serving requirements. Requires public schools to offer free breakfast to all students and provides additional requirements for schools where more than 40% of the students qualify for free or reduced price meals. Also requires schools to not charge students for meals if the student qualifies for reduced price meals, provide meals meeting the dietary needs of children diagnosed with medical conditions, solicit input from specified entities on nutritious meals that appeal to students, promote healthy eating, provide at least 30 minutes for children to eat lunch, and participate in federal nutritional and commodity foods programs when possible. Encourages providing cold, filtered water when meals are served. Requires each local school administrative unit to establish a central kitchen. Requires food service providers to provide specified information to public schools and requires public schools to inform parents and students of that same information, as well as the information that vegetarian food options and milk alternatives are available. Requires all beverages and snack foods provided by or sold in

public schools, whether through vending machines, fund raisers, snacks, after school meals, or other means, to meet the requirements of the Healthier US School Challenge program at the Gold Award Level. Provides exceptions. Prohibits third parties, other than school related organizations and school meal service providers, from selling food or beverages to students 90 minutes before school until 90 minutes after the school day ends. Allows for a penalty, after the first warning, of \$500 per day, paid to the Fund. Requires the Healthy Youth and Schools Commission to review school nutrition and the Article's requirements at least every three years and recommend improvements to the SBoE.

**Farm to School Program.** Requires schools to serve locally grown, locally processed, and unprocessed foods from growers engaged in sustainable agriculture whenever possible, with preference given to products grown in the state or in contiguous states. Requires the Department of Public Instruction, in conjunction with the Department of Health and Human Services (DHHS), the Department of Agriculture and Consumer Services, and other entities to develop programs to promote locally grown and unprocessed foods from growers engaged in sustainable agriculture. Requires the SBoE to report to the General Assembly, by September 30 each year, on the farm-to-school initiatives.

**Physical and Health Education.** States the goal of children engaging in physical activity for 60 minutes each day; requires public and public charter schools to promote this goal. Specifies means thorough which physical activity is to be maximized. Establishes physical education requirements for students in kindergarten through fifth grade and sixth through eighth grade. Also establishes health education requirements for students in kindergarten through eighth grade. Requires adapted physical education for students with disabilities and prohibits requiring or withholding physical activity as punishment. Requires the SBoE to report to the General Assembly, by September 30 each year, on issues concerning the physical and health education requirements.

**Environment.** Establishes an environmental programs office in the Department of Public Instruction (DPI) to perform specified duties, including contracting with vendors to recycle all materials required by law at all public schools, develop a master recycling plan, and test drinking water in public schools for lead and promptly take any required remedial action. Requires local school administrative units to use environmentally friendly cleaning supplies and prepare a plan to use sustainable products in serving meals to students on or before December 31, 2013. Requires the SBoE, on or before December 31, 2013, to prepare and transmit to the General Assembly a report on the implementation of recycling, composting, energy reduction, pest management, air quality, and environmentally friendly cleaning supplies programs. Requires DPI, in conjunction with the Department of Environment and Natural Resources, to develop an environmental literacy plan. Establishes a School Gardens Program within DPI to perform specified functions, including establishing a Garden Advisory Committee, providing schools with horticultural guidance and technical assistance, and coordinating curricula for school gardens. Requires the program to issue a report about school gardening in the state, plans for expanding them, and recommendations for approval by June 30, 2014. Allows, when tests show the soil is safe and produce is safely handled, for produce grown in school gardens to be served to students. Also allows the sale of the produce.

**Health and Wellness.** Requires local school administrative units to collaborate with specified entities to develop a comprehensive local wellness policy, revised every three years. Requires the policies to include goals for improving environmental sustainability of schools, increasing the use of locally grown, locally processed, and unprocessed foods from growers engaged in sustainable agriculture, and increasing physical activity. Also requires schools to report to DPI, by January 15 of each year, on specified issues concerning health programs, nutrition programs, physical and health education, and wellness policy. Provides for sharing of the information. Requires DHHS, in conjunction with local school administrative units, charter schools, and DPI, to develop a plan to establish and operate school health centers in public and public charter schools by December 31, 2018. The plan must include (1) a needs assessment to determine where school health centers must be located and (2) a proposal for financial sustainability for the centers. Requires the plan to be submitted to the General Assembly by December 31, 2013. Prohibits the size of a nurse's suite from being a determining factor as to whether or not a nurse is placed at a public charter school.

**Healthy Youth and Schools Commission.** Establishes the 13-member Healthy Youth and Schools Commission (Commission) to advise the SBoE and the General Assembly on the health, wellness, and nutritional issues concerning youth and schools in the state. Specifies the Commission's functions and requires a report to the SBoE by September 30 of each year. Provides that members serve three-year staggered terms and provides for appointment, naming of chairs, and rules of procedure.

**Green Cleaning Supplies.** Requires all elementary and secondary public and nonpublic schools with 50 or more students to, when economically feasible, establish a green cleaning policy and purchase and use environmentally sensitive cleaning

products. If adopting such a policy is not economically feasible, requires annual notification of such to the Commission. Requires specified entities, including the Commission, to establish guidelines for environmentally sensitive cleaning products. Allows a school to deplete its existing cleaning and maintenance supply stocks and implement the new requirements for the following school year. Provides that no state funds are to be appropriated to implement these requirements.

**Intro. by Harrison, McGrady, Glazier, Carney.**

GS 115C

[View summary](#)

**Education, Department of Agriculture and Consumer Services, Department of Health and Human Services, State Board of Education, Health, Department of Public Instruction**

H 808 (2013-2014) **MERGE CEMETERY COMM./FUNERAL SERVICE BOARD**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO MERGE THE NORTH CAROLINA CEMETERY COMMISSION WITH THE NORTH CAROLINA BOARD OF FUNERAL SERVICE AND TO TRANSFER THE DUTIES AND POWERS OF THE NORTH CAROLINA CEMETERY COMMISSION TO THE NORTH CAROLINA BOARD OF FUNERAL SERVICE; RENAME THE NORTH CAROLINA BOARD OF FUNERAL SERVICE; AND MAKE CONFORMING CHANGES.*

Abolishes the North Carolina Cemetery Commission and expands the North Carolina Board of Funeral Service to include representatives from the cemetery profession and grants the board new powers to oversee licensure of cemeteries.

Establishes new Article 13G in GS Chapter 90 entitled *Funeral and Cemetery Services*. Repeals or recodifies existing statutes related to the Cemetery Commission found in Article 9 of GS Chapter 65 and the Practice of Funeral Service in Article 13A of GS Chapter 90. Divides new Article 13G into five parts.

Part 1 is entitled *General Provisions*. New GS 90-210.140 includes definitions of 24 terms related to both funeral services and cemeteries. New GS 90-210.141 requires licensure for both funeral service and cemetery operation. Under current law, licenses are already required in both areas. New GS 90-210.142 describes the application of the new Article 13G. The starting point is a recodified version of GS 65-47 from the law governing cemeteries and additional language is added to include funeral services. Cemeteries owned and operated by governmental agencies and churches remain exempt to the licensure requirements.

Part 2 is entitled *Funeral Service and Cemetery Board*. The starting point for much of this part are recodified versions of several provisions in current law governing the Board of Funeral Service. Additional language is added to reflect the inclusion of cemeteries. Board composition is modified to increase the total size from nine to twelve, adding a total of four related to the cemetery profession, decreasing the number of appointees recommended by the North Carolina Funeral Directors Association from four to two, and increasing the number of appointees who are unaffiliated with funeral service or cemetery operation from one to two. New GS 90-210.147 provides that seven rather than five members constitute a quorum. New GS 90-210.148 specifies the powers and duties of the boards, integrating the powers of the Cemetery Commission into the existing powers of the Board of Funeral Service. Under existing law, the Board of Funeral Service is authorized to appoint inspectors but new GS 90-210.149 requires the new combined board to appoint inspectors. The section is also amended to authorize inspectors to inspect records and enter property of licensed cemetery operations.

Part 3 is entitled *Funeral Service License* and consists primarily of recodified provisions from current law found in GS Chapter 90, Article 13A.

Part 4 is entitled *Cemetery License* and consists primarily of recodified provisions of current law found in GS Chapter 65, Article 9. New GS 90-210.165 amends the language that was included in GS 65-54 related to fees by deleting the requirement that the Cemetery Commission (now Funeral Service and Cemetery Board) be supported by fees.

Part 5 is entitled *Miscellaneous Provisions* and includes provisions recodified from both the funeral service and the cemetery laws. Provisions relate to the identification of bodies, burial without regard to race or color, and validation of certain deeds.

Terms of board members serving as of July 1, 2013, expire on December 31, 2013. Sets the expiration date of specified terms and sets terms of appointment to create staggered terms.

Makes technical and conforming changes to other statutes and directs the revisor of statutes to make other necessary changes.

Effective December 31, 2013.

**Intro. by Boles, Alexander.**

[GS 58, GS 65, GS 90, GS 130A](#)

[View summary](#)

[Health, Public Health](#)

H 809 (2013-2014) [GAME NIGHTS/NONPROFIT FUNDRAISERS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "GAME NIGHTS"; TO PROVIDE FOR THE REGULATION OF NONPROFIT ORGANIZATIONS HOLDING "GAME NIGHTS"; AND TO ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT "GAME NIGHTS."*

Enacts Part 4 in Article 37 of GS Chapter 14 authorizing and regulating "game nights" held by nonprofit organizations. A nonprofit organization operating a game night must first obtain a permit by submitting an application with complete information including a \$250 fee to either the central office or district office of the Alcohol Law Enforcement Section of the Department of Public Safety. Nonprofit organizations are prohibited from operating more than four game night events per year and each event must not exceed 5 hours. Regulates the timing of the events. Limits the costs of prizes and expenses to 50% of the event proceeds. Cash prizes are prohibited and games are limited to roulette, blackjack, poker, craps, keno, and merchandise wheel of fortune. Violations of game night regulations constitute gambling.

Amends GS 18B-1000 defining a *qualified facility* as a facility that has an on-premises malt beverage permit, an on-premises unfortified wine permit, and on-premises fortified wine permit, or a mixed beverage permit.

Enacts GS 18B-1010 authorizing simulated game nights at qualified facilities. Allows serving and selling alcohol at game nights. Also prohibits a qualified facility from hosting a game night if the qualified facility has been convicted of any ABC violation or its permits have been suspended or revoked within the past 2 years. A qualified facility or exempt organization that violates this section is guilty of a Class 2 misdemeanor and game nights are disallowed for one year.

Requires the Department of Public Safety to report to the 2017 Regular Session of the General Assembly on game night permits.

Effective October 1, 2013.

**Intro. by Boles, Moffitt, Murry.**

[GS 14, GS 18B](#)

[View summary](#)

[Criminal Law and Procedure, Nonprofits](#)

H 812 (2013-2014) [SPECIAL LICENSE PLATE DWI OFFENDERS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS CONVICTED OF IMPAIRED DRIVING TO HAVE A SPECIAL LICENSE PLATE OF A DIFFERENT COLOR.*

Amends GS 20-19 to require the Division of Motor Vehicles, when restoring a license that was revoked under specified impaired driving offenses, require the person to agree to and indicated on the license, a restriction that the person may operate only a vehicle displaying a special plate. Requires the restriction to be in place seven years from the date of restoration if the person's license was permanently revoked, or three years in all other case. Violations of the restriction result in a one year revocation. Requires the plate on all registered vehicles owned by that person, unless the vehicle is relied upon by another member of the family and the vehicle is not in the person's possession.

Enacts new GS 20-82.1 establishing the special registration plate, which must be a different color from those regularly issued. Makes the plates subject to an additional \$10 fee.

Applies to offenses committed on or after December 1, 2013.

**Intro. by Boles.**

[GS 20](#)

[View summary](#)

[Transportation](#)

H 814 (2013-2014) [STUDY WATER & SEWER SERVICE DISTRICTS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY THE REDUCTION AND CONSOLIDATION OF THE STATUTORY MODELS FOR ESTABLISHING, OPERATING, AND FINANCING CERTAIN ORGANIZATIONS THAT PROVIDE WATER AND SEWER SERVICES IN THE STATE.*

Requires a study as the title indicates. Specifies that the Environmental Review Commission (ERC) specifically consider sanitary districts, water and sewer authorities, metropolitan water districts, county water and sewer district, and similar organizations providing water or sewer service in the state. Requires the ERC to determine whether, how, and to what extent the number of statutory model should be reduced and consolidated. Requires a report to the 2013 General Assembly when it convenes in 2014.

**Intro. by Hamilton, Moffitt, R. Moore, Millis.**

[STUDY](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 815 (2013-2014) [BAN USE OF CREDIT HISTORY IN HIRING/FIRING](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS TO MAKE UNLAWFUL EMPLOYMENT DISCRIMINATION BASED UPON AN EMPLOYEE'S OR PROSPECTIVE EMPLOYEE'S CREDIT HISTORY.*

Enacts new GS 95-28.1B to make it unlawful for any employer to refuse to hire or to bar or discharge from employment, or otherwise discriminate against an individual in compensation or the terms, conditions, and privileges of employment because of the individual's credit history or credit reports, unless the information in the individual's credit history or report directly relates to a occupational occupation. Allows inquiry into and consideration of the credit history or report only after a conditional offer of employment. Provides exemptions from the statute. Makes conforming changes to GS 95-241. Applies to employers, employees, and prospective employees on and after July 1, 2013.

**Intro. by Luebke, Harrison, Adams, C. Graham.**

[GS 95](#)

[View summary](#)

[Employment and Retirement](#)

H 816 (2013-2014) [TOBACCO GROWERS ASSESSMENT ACT \(NEW\)](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TOBACCO GROWERS TO ASSESS THEMSELVES TO PROMOTE THE INTERESTS OF TOBACCO GROWERS.*

Requires the Department of Agriculture and Consumer Services to study the system for promotion of tobacco and assessment of farmers in GS Chapter 106, Article 50C. Requires a report to the Joint Legislative Oversight Committee on Health and Human Services on or before January 1, 2015.

**Intro. by Langdon.**

[STUDY](#)

[View summary](#)

[Agriculture, Department of Agriculture and Consumer Services](#)

H 817 (2013-2014) [STRATEGIC TRANSPORTATION INVESTMENTS \(NEW\)](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE ECONOMY THROUGH STRATEGIC TRANSPORTATION INVESTMENTS.*

Amends GS 136-18 to give the Department of Transportation the power to issue bonds or other eligible debt financing instruments to finance highway projects using state transportation appropriations to pay a portion of principal, interest, and

related debt issuance costs. Caps the annual principal and interest of such debt at \$300 million of the expected average annual state revenue shown for the period in the most recently issued work plan.

**Intro. by W. Brawley, Torbett, Iler, Shepard.**

[GS 136](#)

[View summary](#)

[Transportation](#)

H 818 (2013-2014) [UNIVERSITY ENERGY SAVINGS CONTRACTS \(NEW\)](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ADDITIONAL QUALIFIED UNC INSTITUTIONS TO SELF-PERFORM ENERGY CONSERVATION MEASURES.*

Establishes the ten member Study Committee on Coal Ash Disposal to study the scope of potential problems with coal ash disposal in the state and the need for clarification and expansion of the requirements for monitoring, permitting, and inspection combustion products landfills an structural fill facilities to protect public health and the environment, and to study corrective action for existing combustion products surface impoundments and the financing of corrective actions. Provides for appointing members, naming chairs, and staffing. Allows an interim report to the 2013 Regular Session of the General Assembly when it reconvenes in 2014 and terminates the Committee upon the filing of its final report, or the convening of the 2015 Regular Session of the General Assembly, whichever is earlier.

**Intro. by Hager, Ramsey.**

[STUDY](#)

[View summary](#)

[Environment](#)

H 819 (2013-2014) [HONOR BOBBY HAROLD BARBEE](#). Filed Apr 10 2013, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF BOBBY HAROLD BARBEE, SR., FORMER MEMBER OF THE GENERAL ASSEMBLY.*

As title indicates.

**Intro. by Burr, Dockham, Starnes, Howard.**

[JOINT RES](#)

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[General Assembly](#)

H 820 (2013-2014) [JUDICIAL REFORM ACT](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ABOLISH THE COURTS COMMISSION AND PROVIDE THAT THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY SHALL PROVIDE OVERSIGHT OF THE COURTS, TO PROVIDE THAT VACANCIES IN THE OFFICE OF DISTRICT COURT JUDGE SHALL BE FILLED BY APPOINTMENT OF THE GOVERNOR, AND TO PROVIDE FOR THE BEST AND MOST EFFICIENT USE OF DISTRICT COURT RESOURCES BY ENSURING THAT MAGISTRATES ARE USED FULLY FOR TRAFFIC COURT AND OTHER MATTERS TO WHICH THEY MAY BE ASSIGNED SO THAT DISTRICT COURT JUDGES ARE AVAILABLE FOR SPECIALIZED CASES AND OTHER MATTERS MORE SUITED TO THE EXPERTISE OF A DISTRICT COURT JUDGE.*

Repeals GS Chapter 7A, Article 40A (*NC Courts Commission*). Amends GS 120-70.94, expanding the subject of the study to include the budget, programs, and policies of the Judicial Department. Also directs the Joint Legislative Oversight Committee on Justice and Public Safety to study the needs of the Judicial Department as well as the structure, organization, jurisdiction, and personnel of the courts to determine ways in which the General Assembly can make legislative changes to improve the administration of justice. Effective July 1, 2013.

Amends GS 7A-142 requiring a vacancy in the office of district judge be filled for the unexpired term by appointment of the Governor. All other exemptions and provisions in this section are deleted.

Amends GS 7A-146(b) requiring utilization of magistrates for traffic court and other administrative matters to allow district court judges more availability for specialized cases and other matters more suited to the expertise of a district court judge.

Applies to cases assigned on or after July 1, 2013.

**Intro. by Burr.**

GS 7A, GS 120

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

H 821 (2013-2014) [TRIAD FARMERS MKT/RENAME FOR SEN. BOB SHAW](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO NAME THE PIEDMONT TRIAD FARMERS MARKET IN MEMORY OF SENATOR ROBERT G. SHAW.*

As title indicates.

**Intro. by Blust.**

Guilford, UNCODIFIED

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

H 822 (2013-2014) [THREE-FIFTHS VOTE TO LEVY TAXES](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE A THREE-FIFTHS VOTE FOR THE GENERAL ASSEMBLY TO LEVY STATE TAXES.*

Amends Section 23 of Article II of the NC Constitution as title indicates for all laws creating new taxes or increasing existing taxes. Excludes from the supermajority requirement laws repealing or restricting specific tax preferences and laws permitting local taxing units to levy specific taxes. Requires the proposed amendment to be submitted to the voters in the November 2014 election.

**Intro. by Blust, Jones, Holloway, Jordan.**

CONST

[View summary](#)[Constitution, Tax](#)

H 823 (2013-2014) [TAXPAYER TRANSPARENCY ACT](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE A SEARCHABLE BUDGET DATABASE FOR STATE SPENDING.*

Enacts new Article 3E, Taxpayer Transparency Act, to GS Chapter 147. Finds that taxpayers should have access to the details on how the state spends tax dollars and the performance results from those expenditures. Indicates that the purpose is to create a searchable budget database website.

Provides a list of definitions as they apply in the proposed Article 3E. Defines searchable budget database web site (searchable database) as a website that allows the public, at no cost, to search and aggregate information for all of the following: (1) the name and principal location or residence of the entity or recipient of funds; (2) amount of funds expended; (3) funding or expending agency; (4) the funding source; (5) the budget program or activity of the expenditure; (6) a descriptive purpose for the funding action or expenditure; (7) the expected performance outcome for the funding action or expenditure; (8) the past performance outcomes achieved for the funding action or expenditure; (9) any state audit or report relating to the entity or recipient of funds or to the budget program, activity, or agency; and (10) any other relevant information specified by the Office of State Budget and Management. Provides that, where possible, the searchable database should include a hyperlink to the actual grant or contract that is a funding action or expenditure. Defines funding action or expenditure as including details on the type of spending that is for \$10,000 or more, as well as tax exemptions or credits.

Directs the Director (defined as the Governor or the person designated by the Governor to administer the provisions of proposed Article 3E) to develop and make publicly available by January 1, 2015, a searchable budget database website that includes the required data for the 2013-15 fiscal biennium. Specifies that the website is to be given a unique and simplified web address. Directs each state agency for which there is a generally accessible Internet site to include a front page link to the searchable database.

Also directs that, effective July 1, 2015, the searchable database must be updated for each fiscal year no later than 30 days following the end of the fiscal year. Allows the Director to update the web site as new data becomes available. Directs all state agencies to provide the Director all data required to be in the searchable database no later than 30 days after the data becomes available. Requires the Director to add data for the budget for the 2011-13 fiscal biennium to the searchable database by January 1, 2016. Requires that all data added to the searchable database remain available to the public for a minimum of 10 years.

Provides that the Director is not in compliance with the provisions of proposed Article 3E: (1) if the required data is not available in a searchable and aggregate manner or (2) the public is redirected to other government websites, unless each of those sites has information from all agencies and each category of information can be electronically searched by field in a single search.

**Intro. by Blust, Blackwell, Saine.**

GS 147

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**Budget/Appropriations, State Government**

H 824 (2013-2014) **EPI PEN IN SCHOOLS**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE PUBLIC SCHOOLS TO HAVE 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 two for use in on school property and at school-sponsored events. Requires the principal to designate personnel to receive initial training and annual retraining on the storage and use of the pens. 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 Glazier, Murry, Holloway, Fulghum.**

GS 115C

[View summary](#)

**Education, Health**

H 825 (2013-2014) **MINOR CAN'T BE PROSECUTED FOR PROSTITUTION**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A MINOR SHALL NOT BE PROSECUTED FOR THE OFFENSE OF PROSTITUTION AND IF DETAINED FOR THAT OFFENSE SHALL BE SUBJECT TO TEMPORARY PROTECTIVE CUSTODY AS PROVIDED BY THE STATE JUVENILE LAWS.*

Enacts new GS 14-208.1 to prohibit prosecuting a minor for a violation of Article 27 (Prostitution) of GS Chapter 14. Provides that minors suspected of or charged with prostitution are subject to specified temporary protective custody provisions. Requires a law enforcement officer to immediately report an allegation of a violation of GS 14-43.11 (human trafficking) and GS 14-43.13 (sexual servitude) to the director of the county department of social services, which must commence an initial investigation into child abuse or child neglect within 24 hours. Amends the definition of abused juveniles in GS 7B-101 to include a juvenile less than 18 years old who parent, guardian, custodian, or caretaker commits or allow to be committed on offense of human trafficking, involuntary servitude, or sexual servitude against the child.

Effective October 1, 2013.

**Intro. by Glazier, McGrady, Jordan.**

GS 7B, GS 14

[View summary](#)

**Criminal Law and Procedure, Juvenile Law, Abuse, Neglect and Dependency**

H 826 (2013-2014) [WAGE THEFT/MISCLASSIFICATION/REMEDIES](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE LABOR LAWS PERTAINING TO WAGE THEFT, MISCLASSIFICATION OF EMPLOYEES, AND RECOVERY OF UNPAID WAGES.*

Amends GS 95-25.2 modifying the format of the definitions section and adding subsection (5b) defining *employment status*, subsection (8a) defining *intentional*, and subsection (16a) defining *willful*.

Amends GS 95-25.13(1) requiring only written (not oral) notification to employees at the time of hiring and upon any material change of (1) the promised wages and basis upon which wages will be calculated; (2) the method, day and place for payment; (3) the full name, mailing address, and telephone number of the employer and the federal and state tax identification number of each employer who is not a natural person; and (4) the employment status of the employee.

Amends GS 95-25.22 requiring the court to award liquidated damages in an amount equal to twice the amount found to be due to an employee when the employer has violated provisions relating to minimum wage, overtime, or wage payment unless the employer shows the act or omission constituting a violation was in good faith and the employer had reasonable grounds for believing the act or omission was not a violation of this article.

Amends GS 95-25.22 adding subsection (a2) clarifying liability of an employer found in violation of GS 95-25.13 to be in the form of actual damages, including but not limited to lost wages and benefits plus interest.

Amends GS 95-25.22 adding subsection (a3) expanding the forms of damages available to employees to include statutory damages of up to \$500 per employee per violation.

Amends GS 95-25.22(d) to require awarding costs and fees and attorneys' fees in addition to a judgment awarded to a plaintiff.

Amends GS 95-25.22 adding an exception to the statute of limitations for actions arising out of a willful violation. Such actions may be brought within three years. Actions may also be brought within one year after notification to the employee of final disposition by the state of a complaint for the same violation.

Amends GS 95-25.23 expanding civil penalties to include violations of provisions relating to minimum wage, overtime, youth employment, wage payment, or notification.

Enacts GS 95-25.23D entitling an employee to enumerated liens for the purpose of wage claims and collections under this Article and outlining perfection and priority of liens. Liens recorded pursuant to subsection (f) take precedence over all other debts, decrees, liens, or mortgages against the employer. A successful action to foreclose a lien pursuant to this section entitles the employee to court costs and reasonable attorney's fees. Provides further regulations of the liens.

**Intro. by Glazier.**

[GS 95](#)

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[Employment and Retirement](#)

H828 (2013-2014) [UPDATE PHYSICAL THERAPY PRACTICE ACT](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT UPDATING THE PHYSICAL THERAPY PRACTICE ACT.*

Amends GS 90-270.25 to authorize the North Carolina Board of Physical Therapy Examiners (Board) to remove one of its board members for specified reasons. Amends GS 90-270.26, which specifies the powers and duties of the Board, to provide that investigation records are not public records but that an investigation record or information from a record may become a public record if it is otherwise used in the hearing process. Grants the board new powers and duties, including the power to issue subpoenas, acquire and hold property, and establish or participate in mental health or substance abuse programs for physical therapists or physical therapist assistants.

Adds new GS 90-270.29.1 requiring all applicants for licensure as a physical therapist or physical therapy assistant to consent to a criminal history record check. Authorizes the Board to deny licensure based on information gathered in the record check. Adds new GS 114-19.33 authorizing the North Carolina Department of Justice to provide information to the Board in response to a request for a record check.

Amends GS 90-270.30, which relates to licensure of foreign-trained physical therapists, to authorize licensure of foreign-trained physical therapist assistants in some circumstances.

Amends GS 90-270.30 to add three new exceptions to the requirement that physical therapists and physical therapist assistants obtain a license: (1) those licensed or credentialed in another state or country and practicing in the state temporarily in connection with athletics or performing arts; (2) those licensed in another state who enter the state to provide therapy during a declared local, state, or national disaster or emergency; and (3) those who are licensed in another state but forced to leave that state because of a disaster or emergency. Individuals in the latter two categories must notify the Board and are allowed to practice without a license for a limited period of time.

Makes technical changes.

**Intro. by Fulghum, Hollo, Faircloth, Murry.**

[GS 90, GS 114](#)

[View summary](#)

[Health Care Facilities and Providers](#)

H 829 (2013-2014) [SALE OF GROWLERS BY CERTAIN ABC PERMITTEES](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN ABC PERMITTEES TO SELL MALT BEVERAGES IN CERTAIN CONTAINERS FOR CONSUMPTION OFF THE PERMITTED PREMISES.*

Amends GS 18B-1001 to provide that on premises and off premises malt beverage permits and wine shop permits, authorize the sale of malt beverages in a sanitized, resealable container that can hold up to 64 ounces and is filled and sealed for consumption off of the premises.

**Intro. by McGrady, Bryan, Moffitt, L. Hall.**

[GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control](#)

H 830 (2013-2014) [ADOPT STATE SYMBOLS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ADOPT AN OFFICIAL STATE FOSSIL, FROG, SALAMANDER, MARSUPIAL, FOLK ART, AND ART MEDIUM.*

Enacts GS 145-41 adopting the fossilized teeth of the megalodon shark as the official fossil of North Carolina (NC).

Enacts GS 145-42 adopting the pine barrens tree frog as the official frog of NC.

Enacts GS 145-43 adopting the marbled salamander as the official salamander of NC.

Enacts GS 145-44 adopting the Virginia opossum as the official marsupial of NC.

Enacts GS 145-45 adopting the whirligigs created by Vollis Simpson as the official folk art of NC.

**Intro. by Avila, Martin, McElraft, West.**

[GS 145](#)

[View summary](#)

[Cultural Resources and Museums](#)

H 831 (2013-2014) [ED. SERVICES FOR CHILDREN IN PRTFS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE EDUCATION OF CHILDREN IN PRIVATE PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES.*

Enacts new GS 115C-419 to authorize the State Board of Education (SBE) to allocate educational funds to private psychiatric residential treatment facilities (PRTF) from within the funds appropriated to the SBE and the Department of Public Instruction (DPI). Defines PRTF to mean a private psychiatric residential treatment facility licensed by the Department of Health and

Human Services (DHHS) and approved by DPI to provide special education and related services. Specifies how funds are to be allocated to PRTFs. Directs the SBE and DPI to develop policies that facilitate effective communication between PRTFs and local school administrative units (LEAs) to ensure orderly transition of students to and from PRTFs. Effective July 1, 2013.

Effective October 1, 2013, amends GS 108A-80 adding a new subsection (b1) to add a second exception (current subsection (b) also provides an exception) to the confidentiality of records provisions of this section, authorizing DHHS to share confidential information with a local education agency and DPI concerning a person receiving public assistance or social services. Limits disclosure to information necessary to facilitate providing an appropriate educational program for the person receiving assistance.

Adds a new subsection (b) to GS 122C-23.1 to require that all PRTFs serving children with disabilities as defined in GS 115C-106.3 and children eligible under GS 115C-366 to attend public schools must have a facility-based school as a condition of licensure. Provides details on the licensing requirements and the roles of DHHS and DPI in the issuance of the license. Makes a clarifying change to subsection (c) and makes organizational changes. Amends GS 122C-55, adding new subsection (g2) to provide that when there is a reason to believe that the client of a residential facility is eligible for educational services through a governmental agency, the facility is required to disclose client identifying information to the LEA responsible for the client and DPI, limiting that disclosure to information necessary to provide educational services to the client. Allows DPI to disclose identifying information to any other LEA DPI designates as the client's LEA while the client resides in the facility. Effective October 1, 2013.

**Intro. by Avila, Johnson, Glazier.**

[GS 115C, GS 108A, GS 122C](#)

[View summary](#)

[Education, Mental Health](#)

H 833 (2013-2014) [MEASURABILITY ASSESSMENTS](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEASURABILITY ASSESSMENTS OF STATE PROGRAMS.*

Enacts new GS Chapter 143E providing for the measurability assessment of any proposed or existing state programs to determine whether the program is or will be capable of reporting performance and return on investment. A measurability assessment is an independent evaluation conducted on a new or existing state program. The Office of State Budget and Management (OSBM) must use a competitive process to prequalify independent measurability assessors. OSBM is required to establish standards for assessor qualifications, independence, and conducting and reporting measurability assessments. If an assessment is required, OSBM will require the agency or institution being assessed to reimburse OSBM for the assessor's costs and for a share of OSBM costs for administering the program. Effective October 1, 2013.

**Intro. by Avila, Blackwell, Tolson, Saine.**

[GS 143E](#)

[View summary](#)

[State Government, Office of State Budget and Management](#)

H 835 (2013-2014) [HONOR DEPUTY WARREN LEWIS](#). Filed Apr 10 2013, *A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF WARREN BASCO "SNEAK" LEWIS, III, FALLEN NASH COUNTY SHERIFF'S DEPUTY.*

As title indicates.

**Intro. by Collins, Richardson.**

[HOUSE RES](#)

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[Public Safety and Emergency Management](#)

H 836 (2013-2014) [SUPPORT RESTORATION OF GLASS-STEAGALL ACT](#). Filed Apr 10 2013, *A HOUSE RESOLUTION SUPPORTING EFFORTS TO REINSTATE THE SEPARATION OF COMMERCIAL AND INVESTMENT BANKING FUNCTIONS IN*

*EFFECT UNDER THE GLASS-STEAGALL ACT.*

As title indicates.

**Intro. by Collins, Setzer, R. Brawley, R. Moore.**

**HOUSE RES**

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**Banking and Finance**

H 838 (2013-2014) **EXCEPTIONAL CHILDREN'S SERVICES/STUDY**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMISSION TO STUDY THE DELIVERY OF EXCEPTIONAL CHILDREN'S SERVICES BY LOCAL SCHOOL ADMINISTRATIVE UNITS AND THE OVERSIGHT OF THOSE SERVICES BY THE DEPARTMENT OF PUBLIC INSTRUCTION.*

Establishes Commission to Study the Provision of Exceptional Children's Services in the North Carolina Public Schools (Commission). The Commission is to include twelve members, six to be appointed by the Speaker and six to be appointed by the President Pro Tempore. Directs the Commission to review all aspects of exceptional children's services and recommend ways to limit reporting requirements and compliance measures for local units. Directs the Commission to report findings no later than March 15, 2014, and terminates the Commission upon filing of the report.

**Intro. by Martin, Horn, Johnson, Whitmire.**

**STUDY**

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**Education**

H 839 (2013-2014) **PUBLIC SCHOOL REPORTING REFORM**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO REDUCE REPORTING REQUIREMENTS FOR PUBLIC SCHOOLS.*

Requires the Department of Public Instruction to delete at least all of the eight specified reports. Effective upon the implementation of the Instructional Improvement System.

Amends GS 115C-12 deleting date requirements for local school administrative units to comply with the Uniform Education Reporting System.

Amends GS 115C-12(18), adding subsection (e) requiring reporting and data collection developed by the State Board of Education (State Board) to be incorporated into the Instructional Improvement System to minimize unnecessary reporting by local school administrative units.

Amends GS 115C-12(19), expanding the list of actions not required of local school administrative units to include subsection (iv). Accordingly, local school administrative units are not required to provide information that is unnecessary to comply with state or federal law and not relevant to student outcomes and the efficient operation of the public schools. Items to be included in the State Board's report to the Joint Legislative Education Oversight Committee are the reports that are required at state level, the evaluation and determination for continuing individual reports, and any reports that the State Board has consolidated or eliminated for the upcoming school year.

Requires the State Board to report to the Oversight Committee by March 15, 2014, on the elimination of reporting requirements and the justification for the continuation of any required reports.

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

**Intro. by Martin, Horn, Johnson, Whitmire.**

**GS 115C**

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**Education**

H 840 (2013-2014) **TASK FORCE ON DEAF EDUCATION (NEW)**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE TASK FORCE ON THE EDUCATIONAL SERVICES FOR CHILDREN WHO ARE DEAF OR HEARING IMPAIRED.*

Establishes the Division of Deaf Education (Division) within the Department of Public Instruction (Department). Directs the director of the Division to establish the administration for the Division at the residential schools for the deaf and hearing-impaired. The director will also act as the program administrator for one of the schools. Provides that the Division will have the powers and duties as provided in GS Chapter 115C, Article 9, Part 1D.

Repeals GS Chapter 143B, Article 3, Part 30 (*State Schools for Hearing-impaired Children*).

Amends GS Chapter 115C, Article 9, providing for new Part 1H (*Residential Schools for Deaf and Hearing-Impaired Students*) and Part 1I (*Residential School for the Visually Impaired*).

**Part 1H** (*Residential Schools for Deaf and Hearing-Impaired Students*).

Establishes the following schools for students who are deaf and hearing impaired: the Eastern North Carolina School for the Deaf at Wilson (K-12) and the North Carolina School for the Deaf at Morganton (K-12). The Division will be responsible for the governance of these schools and will provide oversight for the Early Intervention Program for Children Who Are Deaf or Hard of Hearing. Provides that the Division can consider for admission any children who are deaf, hearing-impaired, or deaf/multidisabled and meet specified criteria in accordance with state laws and regulations. Provides that eligible nonresident children can be admitted to the schools if the admission does not prevent the attendance of an eligible resident student. However, only resident children can receive free tuition and room and board.

Directs the Division to provide unique instructional programs which meet the needs of all the students admitted to the school and to lobby the state to provide modern equipment and supplies needed to provide the best educational conditions as possible. Additionally, the Division is required to meet certain educational related standards including but not limited to providing for a comprehensive vocational and technical training program as directed in the transition component of a student's IEP.

**Part 1I** (*Residential School for the Visually Impaired*).

Establishes the Governor Morehead School for the Blind, with the Division of Curriculum and Public Instruction responsible for the governance of the school. Provides that the Division of Exceptional Children can consider for admission any children that are visually impaired or visually impaired/multidisabled and meet specified criteria in accordance with state laws and regulations. Provides that eligible nonresident children can be admitted to the schools if the admission does not prevent the attendance of an eligible resident student. However, only resident children can receive free tuition and room and board.

Directs the Division of Exceptional Children to provide unique instructional programs which meet the needs of all the students admitted to the school and to lobby the state to provide modern equipment and supplies needed to provide the best educational conditions as possible. Additionally, the Division of Exceptional Children will meet, at the minimum, the following educational related standards: (1) maintain a collaborative relationship with institutions of higher education to provide teacher training opportunities and (2) provide for a comprehensive vocational and technical training program as directed in the transition component of a student's IEP.

Amends GS 143B-146.1(b), the definitions section for Part 3A., *Education Programs in Residential Schools*, providing that a *participating school* is now defined as a residential school except as otherwise provided in GS Chapter 115C, Article 9, Parts 1H and Parts 1I. Deletes the term *superintendent* and its definition.

Amends GS 143B-146.2(a), making conforming changes, deleting language that states that the Governor Morehead School and the schools for the deaf will participate in the ABC's Program.

Amends GS 143B-146.8(f) and GS 143B-146.15, making conforming changes.

Amends GS 143B-146.21 (*Policies, reports, and other miscellaneous provisions*), making conforming changes, deleting language related to the provision of sign language training, as this is now provided for in the new sections of the act as established above.

Repeals subsection (e) of Section 10.21A of SL 2012-31.

Provides that the State Board of Education will reorganize staffing of the residential schools, eliminating the position of the Executive Director of Residential Schools and providing that one of the directors from the residential schools for the deaf and hearing-impaired will be appointed the director of the Division of Deaf Education.

**Intro. by Martin, Farmer-Butterfield, Blackwell, Horn.**

[GS 115C, GS 143A, GS 143B](#)

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[Education](#)

H 841 (2013-2014) [URBAN FARMS/ZONING LAWS EXCLUSION](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE COUNTIES AND CITIES WITH LIMITED ZONING AUTHORITY OVER CERTAIN LARGE-SCALE POULTRY FARMS.*

Amends GS 160A-360(k) providing an exemption for property located in the corporate limits of a municipality that is used for bona fide farm purposes. Such property is exempt from exercise of the municipality's powers under this Article, unless the exercise of zoning power is required by a compelling public safety, health or environmental protection interest.

Amends GS 153A-340 clarifying that small-scale retail operations at the bona fide farm with a primary function of selling products grown or produced on the farm are included in the category of "all other forms of agriculture" for the purpose of defining the scope of "bona fide farm purposes."

**Intro. by Ramsey, Moffitt, Whitmire.**

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

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[Agriculture, Local Government](#)

H 842 (2013-2014) [STUDY OF SPIRITUOUS LIQUOR SALES-DISTILLERY \(NEW\)](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO STUDY THE SALE OF SPIRITUOUS LIQUOR BY THE HOLDER OF A DISTILLERY PERMIT TO PATRONS WHO HAVE PARTICIPATED IN A TOUR OF A DISTILLERY.*

Adds new subdivision GS 18B-1105(4) to allow a specified licensed distillery to sell spirituous liquor distilled at the distillery, in closed containers, to consumers who participate in tours of the distillery, to be consumed off the premises of the distillery. Restricts such sale practices to those distilleries (1) located in an area where the establishment of an ABC store has been approved under GS 18B-602(g) and (2) which hold tours of the distillery and its full operation as a regular course of business. Provides that retail sales of spirituous liquor under proposed subdivision (4) is subject to the provisions of GS 18B-802 and that the spirituous liquor must be sold at the price set by the the Alcoholic Beverage Control Commission for that brand of liquor and include all applicable excise and sales tax. Requires that all excise and sales tax be remitted by the permit holder to the Department of Revenue. Distinguishes between prearranged tours of the distillery and walk-in tours, selling hours and days when sales of spirituous liquor may be sold based on whether the tour is prearranged or a walk-in tour. Sets limits for the amount of spirituous liquor that may be sold in a single business day to a distillery patron. Directs the ABC Commission to adopt rules regulating the retail sale of spirituous liquor at distilleries. Effective October 1, 2013.

**Intro. by J. Bell, Moffitt, B. Brown, G. Graham.**

[GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control](#)

H 843 (2013-2014) [STUDENTS & ADMINISTRATION EQUALITY ACT](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY STUDENT OR STUDENT ORGANIZATION THAT IS CHARGED WITH A VIOLATION OF CONDUCT AT A CONSTITUENT INSTITUTION HAS A RIGHT TO BE REPRESENTED BY AN ATTORNEY OR NON-ATTORNEY ADVOCATE IN CERTAIN CASES.*

Enacts GS 116-40.11 extending the right to legal counsel to students and student organizations accused of violating the disciplinary or conduct rules of a constituent institution.

**Intro. by J. Bell, Glazier, Baskerville, Jordan.**

GS 116

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

H 844 (2013-2014) **INDIAN TRIBE RECOGNITION**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTORY PROVISIONS RECOGNIZING THE INDIAN TRIBES OF NORTH CAROLINA TO PROVIDE ALL STATE-RECOGNIZED TRIBES WITH UNIFORM RECOGNITION.*

Identifies each state-recognized North Carolina tribe as an American Indian Tribe with a recognized tribal governing body carrying out and exercising substantial governing duties and powers similar to the state and also eligible for special programs and services provided by the United States in the following statutes: GS 71A-3, GS 71A-4, GS 71A-6, GS 71A-7, GS 71A-7.1, and GS 71A-7.2.

**Intro. by C. Graham, Boles, T. Moore, Stam.**

GS 71A

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

H 845 (2013-2014) **COUNTY RECYCLABLE COLLECTIONS PROGRAMS**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT CLARIFYING THE AUTHORITY OF COUNTIES TO ESTABLISH RESIDENTIAL RECYCLABLE MATERIALS COLLECTION PROGRAMS.*

Amends GS 153A-292 to provide that a county board of commissioners may, by ordinance, establish a program to collect residential recyclable materials. Permits the commissioners to impose a fee for a residential recyclable materials collection program provided by the county. Sets parameters and guidelines for imposing a fee for the collection program and for providing exemptions from payment of the fee. Provides that if the governing body of a city adopts a resolution permitting the county to do so, then a county may operate a residential recyclable materials collection program within the corporate limits of a city.

**Intro. by Foushee, Insko.**

GS 153A

[View summary](#)**Environment, Local Government**

H 846 (2013-2014) **JOB AND EDUCATION PRIVACY ACT**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ENACT THE JOB AND EDUCATION PRIVACY ACT TO PREVENT EMPLOYERS AND COLLEGES FROM REQUIRING INDIVIDUALS TO DISCLOSE ACCESS INFORMATION FOR SOCIAL MEDIA AND PERSONAL ELECTRONIC MAIL ACCOUNTS.*

Enacts new GS Chapter 99F, *Job and Education Privacy Act*, preventing employers and colleges from requiring individuals to disclose access information for social media and personal electronic mail accounts and prohibits related acts. It is unlawful to take retaliatory action against any individual for that individual's refusal to disclose information protected by this chapter. There are several enumerated exceptions identifying specific scenarios in which this chapter would not apply.

**Intro. by D. Hall, Saine.**

GS 99F

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

H 847 (2013-2014) **MISSION FOUNDATION SPECIAL PLATE**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO PRODUCE A SPECIAL REGISTRATION PLATE FOR MISSION HEALTHCARE FOUNDATION, INC.*

Amends GS 20-79.4(b) as title indicates. Plate issuance is contingent on the receipt of at least 300 plate applications. Establishes a special plate fee of \$20 and requires that \$10 of that amount be transferred quarterly to the Mission Healthcare Foundation Inc. to support its mission of sustaining and expanding its provision of health services to western North Carolina. Effective July 1, 2013.

**Intro. by Moffitt, Ramsey, Fisher.**

GS 20

[View summary](#)

**Transportation, Department of Transportation**

H 848 (2013-2014) **STUDY--CHILDREN'S HEALTH AND TOXIC CHEMICALS (NEW)**. Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO STUDY (1) WAYS TO PROTECT CHILDREN FROM THE HEALTH IMPACTS OF TOXIC CHEMICALS FOUND IN CHILDREN'S PRODUCTS AND (2) A PROCESS FOR THE DIVISION OF PUBLIC HEALTH IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO IDENTIFY AND DESIGNATE CHEMICALS OF HIGH CONCERN AND PRIORITY CHEMICALS.*

Enacts new Article 24, *NC Toxic-Free Kids Act*, to GS Chapter 130A to prohibit, beginning July 1, 2015, manufacturers, wholesalers, and retailers from manufacturing, knowingly selling, or distributing for sale or use a children's product that contains (1) Bisphenol A, (2) Phthalates at more than .10 percent by weight, or (3) TRIS in amounts greater than 50 parts per million in a component. Defines *children's product*, *chemical*, and additional terms used in the Article. Defines the term *chemical of high concern* and directs the Department of Environment and Natural Resources (DENR) and the Division of Public Health (Division) in the Department of Health and Human Services to generate a list of such chemicals to be reviewed and revised every three years. Authorizes designation of priority chemicals, which are chemicals of high concern that meet one of the specified conditions, and requires DENR to publish by May 1, 2014, a list of priority chemicals in the North Carolina Register and on the DENR website. Requires a manufacturer of a children's product that contains a priority chemical to file annual notice with DENR, beginning November 1, 2014. Defines *alternative* as a substitute process or product that serves a functionally equivalent purpose to a chemical in a children's product. Provides that an alternatives assessment must identify alternatives that reduce or eliminate the use of and potential for exposure to the chemical and requires each assessment to include certain items and address specified requirements. Sets out a schedule, with various start dates based on the chemical, to require manufacturers to submit alternative assessments to DENR for children's products. Exempts manufacturers with annual gross sales of less than \$5 million from the assessment requirement. Makes the proposed Article 24 effective December 1, 2013.

Directs DENR and the Division to report to the General Assembly by January 1, 2016, on the required notices and alternatives assessments.

Includes a number of "whereas" clauses setting out policy reasons in support of this legislation.

**Intro. by McGrady, Fulghum, Harrison, Glazier.**

GS 130A

[View summary](#)

**Business and Commerce, Department of Environmental Quality (formerly DENR), Department of Health and Human Services**

H 849 (2013-2014) **LRC/IMPROVE HOME GUN SAFETY**. Filed Apr 11 2013, *A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS TO IMPROVE FIREARM SAFETY IN HOMES TO REDUCE ACCIDENTAL SHOOTINGS BY CHILDREN AND INTENTIONAL CRIMINAL ACTS BY PEOPLE WHO ARE PROHIBITED BY LAW FROM OWNING OR POSSESSING FIREARMS.*

Authorizes the Legislative Research Commission (Commission) to study ways to improve firearm safety in homes. The Commission may study (1) ways to reduce accidental shootings by children and (2) ways in which to require lawful owners of firearms to protect themselves and others by restricting access to firearms by minors and people who are prohibited or

restricted by law from owning or possessing firearms. Allows for an interim report and requires the Commission to submit a final report to the 2015 General Assembly upon its convening.

**Intro. by Farmer-Butterfield.**

[JOINT RES](#)

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[Criminal Justice, General Assembly](#)

H 850 (2013-2014) [POSSESSION OF NEEDLES/TELL LAW OFFICER](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO ALERTS AN OFFICER OF THE PRESENCE OF A HYPODERMIC NEEDLE OR OTHER SHARP OBJECT POSSESSED BY THE PERSON PRIOR TO A SEARCH BY THE OFFICER SHALL NOT BE CHARGED WITH POSSESSION OF DRUG PARAPHERNALIA FOR POSSESSION OF THE NEEDLE OR OTHER SHARP OBJECT.*

As title indicates. Effective December 1, 2013.

**Intro. by Faircloth.**

[GS 90](#)

[View summary](#)

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

H 852 (2013-2014) [CIVIL RIGHTS DIVISION TO HUMAN RELATIONS COMM](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO TRANSFER THE CIVIL RIGHTS DIVISION FROM THE OFFICE OF ADMINISTRATIVE HEARINGS TO THE NORTH CAROLINA HUMAN RELATIONS COMMISSION.*

Transfers the Civil Rights Division (Division) from the Office of Administrative Hearings to the North Carolina Human Relations Commission (Commission), which is part of the Department of Administration. Amends GS 143B-391 to (1) expand the powers and duties of the Commission to include the authority to direct and supervise the Civil Rights Division and (2) establish the Division as a unit within the Commission but provides that the Division shall exercise all its prescribed statutory powers independently.

Makes conforming changes to GS 143B-391.1 (*Division designated as deferral agency for cases deferred by the Equal Employment Opportunity Commission*) and GS 126-14.4 (*Remedies available to employees under the State Personnel Act*). Provides that actions or proceedings pending on July 1, 2013, brought by or against the Civil Rights Division will not be affected by the transfer.

Effective July 1, 2013.

**Intro. by Floyd.**

[GS 7A, GS 126, GS 143B](#)

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[State Government](#)

H 853 (2013-2014) [SCHOOL FUNDING FORMULA CHANGES](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY THE ALLOTMENT FORMULA FOR SMALL SCHOOL SYSTEM SUPPLEMENTAL FUNDING AND TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY OTHER EDUCATION FUNDING FORMULAS.*

Modifies the allotment formula for small school system supplemental funding to each county school administrative unit with a daily membership of fewer than 4,080 students. The allocation formula must (1) round all fractions of positions to the next whole position, (2) provide 5.5 additional regular classroom teachers in certain counties, (3) provide additional program enhancement teachers adequate to offer the standard course of study, (4) change the duty-free period allocation to 1 teacher assistant per 400 average daily membership, (5) provide a base for the consolidated funds allotment of \$717,360 for the 2013-14 and 2014-15 fiscal years, and (6) allot vocational education funds for grade 6 as well as 7-12. Includes a phase-out provision for those units that become ineligible because of population increase. Require the State Board of Education to report to the Joint Legislative Education Oversight Committee by May 1, 2014, if it determines counties have supplanted funds. Encourages

local boards to use at least 20% of the funds to improve the academic performance of children performing at Levels I or II on reading or math end-of-grade tests in grades 3-8.

Directs the Joint Legislative Education Oversight Committee (Committee) to study other education funding formulas and make recommendations to the General Assembly on (1) revamping funding formulas to reward high performance, (2) reweighting the formulas for allotting funds to low-wealth counties, and (3) adjusting average daily membership four times a year to accurately reflect the number of students in each local school administrative unit. The Committee must report its findings to General Assembly when it reconvenes in 2014.

Effective July 1, 2013.

**Intro. by Whitmire, West, Queen, Steinburg.**

**UNCODIFIED**

[View summary](#)

**Budget/Appropriations, Education**

H 854 (2013-2014) **BROADBAND/USF STUDY (NEW)**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATING TO BROADBAND INFRASTRUCTURE IN RURAL COMMUNITIES AND CHANGES IN THE UNIVERSAL SERVICE FUND USE AND REPORTING.*

Enacts new GS 62-36.2, as the title indicates. Also allows the Utilities Commission to issue an order canceling or suspending any certificate of convenience and necessity 30 days after the date of the service of the order for failing to file the required annual report at the time it was due.

Applies to all universal service support payments distributed on or after December 31, 2013.

**Intro. by Tine, Saine, Horn, Waddell.**

**GS 62**

[View summary](#)

**Public Enterprises and Utilities**

H 855 (2013-2014) **HUMAN TRAFFICKING**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF ABUSED JUVENILE TO INCLUDE A MINOR WHO IS A VICTIM OF HUMAN TRAFFICKING, TO PROVIDE THAT MISTAKE OF AGE AND CONSENT OF A MINOR ARE NOT DEFENSES TO PROSECUTION OF AN OFFENSE OF HUMAN TRAFFICKING, TO REQUIRE MANDATORY RESTITUTION FOR VICTIMS OF HUMAN TRAFFICKING, TO PROVIDE THAT A MINOR SHALL NOT BE PROSECUTED FOR THE OFFENSE OF PROSTITUTION, TO PROVIDE FOR THE EXPUNCTION OF CERTAIN PERSONS CONVICTED OF PROSTITUTION, TO PROVIDE THAT A PERSON WITH ONE CONVICTION FOR PROSTITUTION THAT IS THE RESULT OF BEING A HUMAN TRAFFICKING VICTIM IS ELIGIBLE FOR VICTIM'S COMPENSATION, TO MAKE EDUCATORS AWARE OF HUMAN TRAFFICKING ISSUES AND TO PROVIDE RESOURCES AND MATERIALS ON HUMAN TRAFFICKING TO EDUCATORS AND FOR DISTRIBUTION TO SCHOOL PERSONNEL, STUDENTS, AND PARENTS, AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A CENTRAL HOTLINE FOR REPORTING SUSPECTED CASES OF HUMAN TRAFFICKING.*

Amends the definition of abused juveniles in GS 7B-101 to include a juvenile less than 18 years old whose parent, guardian, custodian, or caretaker commits or allows to be committed an offense of human trafficking, involuntary servitude, or sexual servitude against the child.

Amends GS 14-43.11 (*Human trafficking*), GS 14-43.12 (*Involuntary servitude*), and GS 14-43.13 (*Sexual servitude*), establishing that a mistake of age or consent of a minor is not a defense to prosecution for offenses committed under these sections.

Enacts new GS 14-43.20 (*Mandatory restitution; victim services; forfeiture*), providing that restitution is mandatory under this article for a victim. For the purposes of this section a "victim" is an individual subjected to the practices set out in GS 14-43.11, GS 14-43.12, or GS 14-43.13. Provides that in addition to any other amount of loss identified, the court will order

restitution including the greater of: (1) the gross income or value to the defendant of the victim's labor or services or (2) the value of the victim's labor as guaranteed under the Minimum Wage Law and overtime provisions of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law.

Provides that the Department of Health and Human Services can provide or fund emergency services and assistance to those who are victims of offenses under GS 14-43.11, GS 14-43.12, or GS 14-43.13. Also includes a certification clause requiring that the Attorney General, a district attorney, or any law enforcement official will certify in writing to the United States Department of Justice or other federal agency, such as the United States Department of Homeland Security, that an investigation or prosecution under this article for a violation of GS 14-43.11, GS 14-43.12, or GS 14-43.13 has begun and the individual who is a likely victim of one of those crimes is willing to cooperate or is cooperating with the investigation to enable the individual, if eligible, to qualify for an appropriate special immigrant visa and to access federal benefits. Cooperation with law enforcement is not required of victims who are under 18 years of age. This certification will be made available to the victim and the victim's designated legal representative. Provides that specified property forfeiture provisions are applicable.

Enacts new GS 14-208.1 to prohibit prosecuting a minor for a violation of Article 27 (Prostitution) of GS Chapter 14. Provides that minors suspected of or charged with prostitution are subject to specified temporary protective custody provisions. Requires a law enforcement officer to immediately report an allegation of a violation of GS 14-43.11 (human trafficking) and GS 14-43.13 (sexual servitude) to the director of the county department of social services, which must commence an initial investigation into child abuse or child neglect within 24 hours.

Enacts new GS 15A-145.6 (*Expunctions for certain defendants convicted of prostitution*), providing the terms and definitions to be used in this section, including *prostitution offense* and *violent felony or violent misdemeanor*. Allows a person who pleads guilty or was found guilty of a prostitution offense to file a petition in court, where the conviction occurred, for expunction of the offense provided that they meet the following criteria:

(1) The person has not previously been convicted of any violent felony or violent misdemeanor under the laws of the United States or the laws of this state or any other state.

(2) The person satisfies any one of the following:

a. The person's participation in the prostitution offense was a result of having been a trafficking victim under GS 14-43.11 (human trafficking) or GS. 14-43.13 (sexual servitude) or a victim of a severe form of trafficking under the federal Trafficking Victims Protection Act (22 U.S.C. § 7102(13)). b. The person was less than 18 years old at the time that the person committed the offense.

Petition may not be filed earlier than three years after serving the full sentence. Provides the rules for filing such petitions and what they must state and contain in order to be considered. The petitions are to be served on the district attorney (DA) of the convicting court. The DA has 30 days thereafter to file any objection. The DA must make his or her best effort to contact the victim in order to notify the victim of the expunction request. Provides the specified steps and issues that will be followed by the court in rendering a decision on the petition. Orders the court to restore the person to the status occupied prior to the arrest or indictment if the court finds specified requirements are met, including, but not limited to, the petitioner has no outstanding warrants or pending criminal cases and the criteria set out in subsection (b) of this section are satisfied. Provides other effects and requirements that must take place after a petition for expunction is granted (for example, the court will order that the conviction of the prostitution offense be expunged from the records of the court and direct all law enforcement agencies to do the same).

Amends GS 15B-2 (*Definitions*) of Article 1 (*Crime victim's compensation act*), adding the following classification to the definition of a *claimant*--"a person who was convicted of a first offense under Article 27 and whose participation in the offense was a result of having been a trafficking victim or a victim of a severe form of trafficking under the federal Trafficking Victims Protection Act." Also provides that a claimant cannot be the offender or an accomplice of the offender, except as provided in sub-subdivision (e) of this subdivision (previously, no language referring to sub-subdivision (e) was included).

Enacts GS 115C-12(41), providing that the State Board of Education, in collaboration with the Division of Social Services, in order to provide awareness and training materials on human trafficking, will provide awareness and training materials for local boards of education on human trafficking, including strategies for the prevention of trafficking.

Enacts GS 115C-47(61), providing that local boards of education must obtain resource information on human trafficking and materials for distribution that describe local, state, and national resources in which strategies for the prevention of trafficking of children can be found.

Enacts GS 143B-153(9), providing that the Department of Health and Human Services (DHHS) must establish a single, statewide toll-free telephone number to be used as a central hotline for reporting suspected cases of human trafficking. DHHS will also work with the county departments of social services to establish hotlines for reporting cases of human trafficking.

Effective December 1, 2013.

**Intro. by Schaffer, Presnell.**

[GS 115C, GS 7B, GS 14, GS 15A, GS 15B, GS 143B](#)

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[Criminal Law and Procedure](#)

H 856 (2013-2014) [LRC STUDY/MINIMUM DESIGN DAILY FLOW RATES](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY AND REPORT ON WHETHER EXISTING MINIMUM DESIGN DAILY FLOW RATES FOR NORMAL USE AND OCCUPANCY SITUATIONS NEED UPDATING.*

As title indicates. Requires the Legislative Research Commission to report to the 2013 General Assembly when it reconvenes in 2014.

**Intro. by Hamilton, Catlin, Millis.**

[STUDY](#)

[View summary](#)

[Building and Construction, General Assembly](#)

H 857 (2013-2014) [PUBLIC CONTRACTS/CONSTRUCTION METHODS/DB/P3](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING PUBLIC CONTRACTS TO UTILIZE THE DESIGN BUILD METHOD OR PUBLIC PRIVATE PARTNERSHIP CONSTRUCTION CONTRACTS.*

Amends GS 143-64.31, expanding the types of services intended to be contracted out, as a matter of state public policy, to now also include design-build services and public-private partnership construction services. Makes conforming changes.

Amends GS 143-64.32, deleting subsection (b).

Amends GS 143-128(a1), adding subsections (6) and (7) expanding the list of authorized construction methods for which the state, a county, a municipality, or other public body must award contracts to erect, construct, or repair buildings to include design-build contracts and public-private partnerships construction contracts.

Enacts GS 143-128.1A authorizing design-build contracts, enumerating criteria for determining an appropriate design-build method, and requiring public notice of information about a government project for the purpose of fair and open competition. Sets out further design-build requirements.

Enacts GS 143-128.1B regulating contracts for capital improvement projects undertaken by a government entity and a private developer. The contract may provide that the private developer must be responsible for (1) construction of the entire public-private project, (2) reconstruction or repair of the public-private project or any part thereof subsequent to construction, (3) construction of any addition to the project, (4) renovation of the project, and (5) purchase of equipment for the project. A private developer and its contractors are required to make a good faith effort to recruit and select minority businesses for participation in contracts. Specifies bonding requirements. A cause of action exists for any claimant who performed work under a contract, has not been paid for that work, and 90 days has expired since the last performance of labor. Any person entitled to bring an action or any defendant in an action on a payment bond shall have the right to require the governmental entity or the private developer to certify a copy of the payment bond, development contract, and construction contracts covered by the bond. The prevailing party to a suit brought under the provisions of this subsection may be granted attorneys' fees. Sets out further requirements for programming requirements and for selecting developers.

Effective when the act becomes law and expires July 1, 2019.

**Intro. by Arp, Bryan, Moffitt, Hager.**

GS 143

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**Building and Construction, Local Government, State Government**

H 858 (2013-2014) **STUDY HS ATHLETIC CONFERENCES**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMISSION TO STUDY THE CLASSIFICATION AND ALIGNMENT OF HIGH SCHOOLS BY THE NORTH CAROLINA HIGH SCHOOL ATHLETIC ASSOCIATION FOR THE PURPOSES OF ATHLETIC COMPETITION.*

Establishes the 15-member Commission to Study the North Carolina High School Athletic Association Classification and Alignment of High School Athletics (Commission). Requires the Commission to study five specified matters related to the state's high school competitive athletic activities, including the appeals process for challenging classification and conference assignments, and the significance of travel time and distance as a factor in assigning schools to an athletic conference. Provides for the appointment of members and designating chairs, as well as member compensation and Commission staffing. Requires the Commission to report to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services by March 1, 2014, at which time the Commission terminates.

**Intro. by Blackwell, Fulghum.**

STUDY

[View summary](#)

**Elementary and Secondary Education**

H 859 (2013-2014) **STATE IT GOVERNANCE/NO STATE AGENCIES EXEMPT**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL STATE AGENCY EXEMPTIONS RELATING TO STATE INFORMATION TECHNOLOGY GOVERNANCE, SECURITY, AND PROCUREMENT.*

Amends GS 147-33.80 as the title indicates, making Article 3D, *State Information Technology Services*, applicable to the General Assembly, the Judicial Department, and the University of North Carolina and its constituent institutions. Directs these agencies to participate in the information technology procurement programs, services, or contracts offered by the Office of Information Technology services (was, these agencies may elect to participate). Makes conforming changes to GS 147-33.82(b), GS 147-33.83(a), GS 147-33.91 and deletes GS 147-33.111(b), which exempted the previously identified state agencies from the security standards developed by the state Chief Information Officer (CIO) and allowed them to develop their own. Makes stylistic changes to GS 147-33.81 (*Definitions*).

Amends GS 147-33.84 to provide that any state agency, may request in writing to the CIO for authority to deviate from the provisions in GS 147-33.83(a) (was, provided for certain deviations by the Department of Revenue). Directs the CIO to review deviations that are granted to state agencies under this section before July 1, 2013, and requires the CIO to adopt a plan to bring each deviation within the CIO's general governance under this article as soon as practical.

Deletes provisions in GS 143-661(a) authorizing the Criminal Justice Network Governing Board established within the office of the CIO to exercise all of its statutory power independent of control by the CIO's office. Makes an additional conforming change to GS 143C-3-3(e).

**Intro. by Blackwell, Saine, Tolson, Avila.**

GS 143, GS 143C, GS 147

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**State Government**

H 860 (2013-2014) **EXEMPT REAL PROPERTY FOR BURIAL PURPOSES**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND A PROPERTY TAX EXEMPTION AND FAIRER TREATMENT TO FOR-PROFIT, TRUST-ENDOWED, STATE-*

*REGULATED CEMETERIES.*

Amends GS 105-278.2 to provide that any real property set apart for human burial purposes is designated a special class of property and is exempt from taxation. Current law includes an exemption but does not allow the exemption if property is owned and held for purposes of (1) sale or rental or (2) the sale of burial rights. Deletes provisions in current law that applied to taxable real property set apart for burial purposes. Effective for taxable years beginning on or after July 1, 2013.

**Intro. by Stevens, Glazier.**

[GS 105](#)

[View summary](#)

[Tax, Health](#)

H 861 (2013-2014) [HONOR 2012 GREAT PLACES IN NORTH CAROLINA](#). Filed Apr 11 2013, *A HOUSE RESOLUTION HONORING THE 2012 GREAT PLACES IN NORTH CAROLINA.*

As title indicates.

**Intro. by Stevens.**

[HOUSE RES](#)

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[Cultural Resources and Museums](#)

H 862 (2013-2014) [HEALTH INSURANCE MARKET REFORMS](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS CHANGES TO THE HEALTH INSURANCE LAWS IN RESPONSE TO THE AFFORDABLE CARE ACT.*

Enacts GS 58-3-300 defining habilitative services as those services covered by the North Carolina Health Choice Program as of January 1 of the calendar year proceeding the coverage year. Applies to non-grandfathered health benefit plans, in the individual and small group markets, that are issued or renewed on or after January 1, 2014.

Prohibits small employer carriers from issuing the basic or standard health benefit plan. Provides for the termination of plans that are not grandfathered health plans, on the next anniversary date on or after January 1, 2014, and requires the carrier to offer the employer replacement coverage. Includes additional requirements for plans issued to a self-employed individual. Repeals GS 58-50-110(21a) (defining self employed individual), GS 58-50-126 (alternative coverage permitted), GS 58-50-127 (small employer carrier plan elections), GS 58-50-135 (Elections by carriers), GS 58-50-155 (Standard and basic health care plan coverages), and GS 58-50-156 (Coverage of certain prescribed drugs for cancer treatment). Amends GS 58-50-110(22) removing the distinction that the term "small employer" included self-employed individuals. Amends GS 58-50-115 deleting "self-employed individuals" in subsection (a) and deleting subsection (d) (which required carriers to offer small employers at least one basic and one standard health care plan or alter coverages in GS 58-50-126). Effective January 1, 2015, repeals GS 58-50-125(a) and (b). Amends GS 58-50-130(b) specifying that the small employer health benefit plans that receive the enumerated premium rates are plans that were grandfathered health benefit plans as defined in GS 58-50-305. Amends GS 58-50-130 adding subsection (i) prohibiting a small employer carrier from modifying the premium rate charged to a small group non-grandfathered health benefit plan or small employer group member for 12 months from the initial issue date or renewal date. Effective January 1, 2014.

Enacts Part 8 of Article 50 in Chapter 58 of the General Statutes establishing uniform standards for health benefit plan rating. Identifies premium ratios that are to be deemed unreasonable in relation to benefits.

Enacts GS 58-50-53 establishing the State law for utilization review and grievances related to non-grandfathered health benefit plans as the same as provided under the Affordable Care Act.

Enacts GS 58-50-73 identifying the State law for external review related to non-grandfathered health benefit plans as the same as those provided under the Affordable Care Act.

Requires the Department of Insurance to monitor the health insurance market for negative impacts of the Patient Protection and Affordable Care Act, and publish quarterly reports on the impacts beginning on October 1, 2013, and continuing until July 1, 2015.

Also requires the Department of Insurance to re-scope previously awarded Exchange-related grants so as to fund the increased regulatory costs due to the Affordable Care Act. Appropriates funds from those grants that have not otherwise been appropriated to the Department, for fiscal year 2013-14, for allowable expenses under the grants. Effective July 1, 2013.

Unless otherwise provided, the act is effective when it becomes law.

**Intro. by Insko, Glazier, Farmer-Butterfield.**

GS 58

[View summary](#)

**Health Insurance**

H 863 (2013-2014) **CLARIFY DOT DRIVEWAY PERMIT AUTHORITY**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY TO ISSUE, DENY, OR CONDITION DRIVEWAY CONNECTION PERMITS TO STREETS AND HIGHWAYS ON THE STATE HIGHWAY SYSTEM.*

Amends GS 136-18 regarding the powers of the Department of Transportation (DOT), as the title indicates. Authorizes the DOT to establish policies and adopt rules for issuing street or driveway connection permits allowing the construction of a connection to any street or highway that is a part of the State Highway System. Attaches no liability in damages to the DOT for any injury to persons or property arising out of the issuance or denial of a street or driveway connection permit for failure to regulate any street or driveway connection. Provides factors which the DOT must consider in adopting rules to govern the issuance of driveway permits. Authorizes the DOT to exercise its discretion and judgment regarding the issues of safety and efficiency in determining whether to issue or withhold a permit for a street or driveway connection. Also authorizes the DOT to revoke a previously issued permit if the permit holder does not comply with the provisions of the permit. Effective July 1, 2013.

**Intro. by W. Brawley.**

GS 136

[View summary](#)

**Transportation, Department of Transportation**

H 865 (2013-2014) **EXPAND PROPERTY TAX HOMESTEAD EXCLUSION**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO EXPAND THE HOMESTEAD EXEMPTION AND CIRCUIT BREAKER.*

Amends GS 105-277.1 (*Elderly or disabled property tax homestead exclusion*), which provides that the amount of the appraised value of the residence of an elderly and disabled homeowner equal to the exclusion amount is excluded from taxation. The exclusion amount is calculated as being the greater amount from the following:

(1) \$25,000.

(2) An amount equal to the following:

a. If there has not been a general reappraisal pursuant to GS 105-286 since the time the applicant became eligible for the exclusion allowed under this section, 50% of the appraised value of the residence.

b. If there has been a general reappraisal pursuant to GS 105-286 since the time the applicant became eligible for the exclusion allowed under this section, an amount equal to the sum of the following:

1. The difference between the appraised value of the residence and the appraised value of the residence determined pursuant to GS 105-286 as of January 1 of the year of eligibility, cumulatively adjusted according to the annual consumer price index until the year of the last general reappraisal conducted pursuant to GS 105-286; and 2. 50% of the appraised value of the residence determined pursuant to GS 105-286 as of January 1 of the year of eligibility, cumulatively adjusted according to the annual consumer price index until the year of the last general reappraisal conducted pursuant to GS 105-286.

(Previously, the exclusion amount was the greater of \$25,000 or 50% of the appraised value of the residence.)

Amends GS 105-277.1(a3) (*Income Eligibility Limit*), providing that for the taxable year beginning on July 1, 2013, the income eligibility limit is \$30,900 for single applicants and \$61,800 for married applicants residing with their spouses (previously, the income eligibility limit was \$25,000). For taxable years beginning on or after July 1, 2014, the income eligibility limit is the amount for the preceding year, adjusted by the same percentage of this amount as the percentage of any cost-of-living adjustment made to the benefits under Titles II and XVI of the Social Security Act for the preceding calendar year.

Amends GS 105-277.1B (*Property tax homestead circuit breaker*), making conforming changes and providing that a permanent residence owned and occupied by multiple qualifying owners is entitled to full benefit of the property tax homestead circuit breaker notwithstanding that only one of them meets the length of occupancy and ownership requirements and age or disability requirement of this section (previously, multiple qualifying owners, other than husband and wife, were not granted the tax homestead circuit breaker unless all of the owners qualified and elected to defer taxes under this section).

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

**Intro. by Foushee, Insko.**

GS 105

[View summary](#)

**Property and Housing, Tax**

H 866 (2013-2014) [PPROM AWARENESS](#). Filed Apr 11 2013, *A HOUSE RESOLUTION SUPPORTING AWARENESS OF A DISORDER KNOWN AS PRETERM PREMATURE RUPTURE OF MEMBRANES.*

As title indicates.

**Intro. by Martin, Jones, Schaffer.**

HOUSE RES

[View summary](#)

**Health**

H 867 (2013-2014) [MEDICAID COUNTY OF RESIDENCE](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW FOR THE MOVEMENT OF CERTAIN MEDICAID RECIPIENTS.*

Provides that individuals who receive services pursuant to the State's Medicaid managed care waiver are exempt from Medicaid's home origin requirement with regard to services provided under the waiver. Provides that Medicaid services provided through the managed care waiver are based on the individual's current county of residence. Provides that those individuals who participate in one part of the waiver program, referred to as the "innovations waiver slots," are not required to reapply for Medicaid if they move to or seek services in another county.

**Intro. by Avila, Burr, Hollo, Brisson.**

UNCODIFIED

[View summary](#)

**Public Assistance**

H 868 (2013-2014) [RESID. SCHOOL CHANGES](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL UNNECESSARY STATUTES, MAKE CONFORMING CHANGES TO THE GENERAL STATUTES, AND CLARIFY OPERATION AND OVERSIGHT OF CERTAIN RESIDENTIAL SCHOOLS FORMERLY GOVERNED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.*

Deletes Part 30 of GS Chapter 143B, Article 3, which established the state schools for hearing-impaired children in the cities of Wilson and Morganton.

Enacts a new Article 9C in GS Chapter 115C to make the State Board of Education (SBE) the sole governing agency for the Governor Morehead School for the Blind, the Eastern North Carolina School for the Deaf, and the North Carolina School for

the Deaf collectively identified as the "residential schools" for the purposes of new Article 9C. Directs the SBE to adopt rules to carry out all duties and responsibilities of this article, specifying that the rules should minimally include (1) codes of conduct and appeals provisions for students, (2) policies and procedures for academic performance and academic discipline, and (3) rules setting reasonable fees and charges for extracurricular activities and athletics. Exempts the SBE from the provisions of GS Chapter 150B in adopting these rules but does require the SBE (1) to give notice of the adoption of the rules 30 days in advance of their adoption and (2) to provide an opportunity for comment by interested parties.

Amends GS 143B-146.1(b)(4) to define *participating school* to mean a residential school, except as otherwise provided in proposed Article 9C of GS Chapter 115C, that is required to participate in the ABCs program.

Amends GS 143B-146.2(a) to delete requirement that the Governor Morehead School and the schools for the deaf participate in the ABC's Program. Provides that the Secretary of Health and Human Services (Secretary), in consultation with the General Assembly and the SBE, may designate residential schools (was, *other* residential schools) that must participate in the ABC's program.

Provides that the Secretary is to evaluate the principal (was, the Secretary or the Superintendent). Makes it the duty of the principal to notify the Secretary (was, Secretary or Superintendent) of any report made to law enforcement under this section. Deletes requirement that Secretary adopt policies and offer training to ensure that personnel offering direct services to children attending schools for the deaf become proficient in sign language. Makes additional conforming changes.

Provides that unless rules adopted under repealed Article 30 or any statutory provisions of GS Chapter 143B prior to being amended in this act are inconsistent with the provisions of proposed Article 9C, those rules are to remain in effect until they are superseded by rules adopted under Article 9C of GS Chapter 115C as enacted by Section 2 of this act. Confers continued responsibility for maintenance and repair of grounds and facilities and providing utilities for the Governor Morehead School on the Department of Health and Human Services (DHHS). Also provides that DHHS is to continue its responsibility for information technology support for the the Eastern NC School for the Deaf, the NC School for the Deaf, and the Governor Morehead School.

**Intro. by Farmer-Butterfield, Tolson.**

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

[View summary](#)

[Education, Health](#)

H 869 (2013-2014) [GUN PERMITS VALID FOR 3 YEARS](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERMIT TO PURCHASE A PISTOL AND A CONCEALED HANDGUN PERMIT SHALL BE VALID FOR A PERIOD OF THREE YEARS FROM THE DATE THE PERMIT IS ISSUED RATHER THAN A PERIOD OF FIVE YEARS.*

As title indicates. Applies to permits issued on or after December 1, 2013. Permits issued under Article 52A (*Sale of weapons in certain counties*) before December 1, 2013, remain valid until five years from the date of issuance. A concealed handgun permit issued under Article 54B (*The Felony Firearms Act*), remains valid until five years from the date the permit was issued, unless it is revoked or suspended before then.

**Intro. by Adams.**

[GS 14](#)

[View summary](#)

[Criminal Law and Procedure](#)

H 871 (2013-2014) [REGULATE COMMUNITY ASSOCIATION MANAGERS](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE REAL ESTATE COMMISSION TO REGULATE COMMUNITY ASSOCIATION PROPERTY MANAGERS.*

Enacts new Article 2A (Community Association Property Management) in GS Chapter 93A. Gives the North Carolina Real Estate Commission (Commission) the power to administer the Article and adopt rules. Makes it unlawful to act as a community association property manager, engage in the business of community association property management, or hold self out to be a community association property manager, or use such title, on or after October 1, 2103, without being licensed by the Commission. Prohibits issuing a license to a partnership, association, corporation, limited liability company, or other

business entity. Prohibits a licensee from exercising control over the reserves or investment accounts of a community association or an operating account of a community association unless specified conditions are met. Also prohibits a licensee from giving legal or financial advice. Requires community association property managers to be covered by a bond of at least \$20,000. Sets out further bonding requirements. Requires contracts to provide community association property management services be in writing and provide that the contract (1) expires in one year but allows for continuation on a month-to-month basis, (2) contains an escape clause, and (3) contains a notice of cancellation with proper notice before the contract expires and before contract renewal. Requires community associations to register with the Commission annually and sets out information that must be provided. Requires a \$100 registration fee.

Makes a conforming change to GS 93A-2 by defining community association property management. Makes a conforming change to GS 93A-16.

**Intro. by R. Moore, Iler, Alexander, W. Brawley.**

[GS 93A](#)

[View summary](#)

[Property and Housing](#)

H 872 (2013-2014) [PROTECT NC RIGHT-TO-WORK](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT PROTECTING THE RIGHT-TO-WORK BY MAKING IT AN UNENFORCEABLE UNFAIR TRADE PRACTICE FOR ANY CONTRACT TO REQUIRE A CONTRACTOR OR SUBCONTRACTOR TO USE UNIONIZED LABOR.*

Enacts GS 75-43 (*Contract provision relating to union membership of contractor's employees is void and unenforceable*), providing that any provision in any agreement or contract that requires a contractor or subcontractor to employ union members for performance of that agreement or contract is void and unenforceable as a matter of public policy, as set forth in GS 95-78. It is also considered an unfair trade practice, under GS 75-1.1, to require a contractor or subcontractor to employ union members for performance of an agreement or contract. Provides that these provisions apply to agreements and contracts performed in North Carolina, with the exception for an agreement or contract paid, in whole or in part, with federal funds. Applies to agreements or contracts entered into on or after the date that the act becomes law.

**Intro. by Moffitt.**

[GS 75](#)

[View summary](#)

[Employment and Retirement](#)

H 873 (2013-2014) [WORKFORCE DEVELOPMENT/CC](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO FURTHER ENCOURAGE WORKFORCE DEVELOPMENT REFORM BY EXPANDING THE ROLE OF THE STATE BOARD OF COMMUNITY COLLEGES AND INCREASING COLLABORATION AMONG CERTAIN STATE AGENCIES IN DELIVERING SERVICES TO ASSIST UNEMPLOYED INDIVIDUALS REENTER THE WORKFORCE.*

As the title indicates. Provides for the following: (1) an alignment of community college courses with laborshed demands, defining *laborshed* to mean the area or region from which an employment center draws its commuting employees; (2) an increase in access to a range of state services for unemployed individuals; (3) an increase in tuition at community colleges to support financial assistance in the enrollment in programs for high-demand occupations; and (4) a transfer of the apprenticeship program to the Community Colleges System Office. Specifies reporting requirements.

Repeals GS 143A-71, which transferred the Apprenticeship Council to the Department of Labor. Enacts new GS 115D-5.2 to transfer the Apprenticeship Council, via a Type I transfer, to the NC Community Colleges System Office. Provides that if this transfer requires approval by the Office of Apprenticeship, United States Department of Labor, this section is effective upon the date the transfer is approved. Prohibits changes in the organizational structure of the programs transferred under this section, other than those provided by this section, from occurring before January 1, 2014. Provides for the current members of the Apprenticeship Council to serve the remainder of their terms. Authorizes the State Board of Community Colleges to fill vacancies on the Apprenticeship Councils terms expire or any vacancies that occur prior to the the expiration of a term of

office. Requires the Community Colleges Board to present any plans for organizational changes to the Joint Legislative Education Oversight Committee no less than 30 days before they are proposed to become effective.

Makes conforming changes to GS 94-1, GS 94-2, GS 94-3, GS 94-4, GS 94-6, and GS 94-12.

**Intro. by Ramsey, Moffitt, Lambeth, Murry.**

**GS 94, GS 115D, GS 143A**

[View summary](#)

**Higher Education, Employment and Retirement, State Agencies**

H 874 (2013-2014) **BROADEN AGRICULTURAL PRESENT USE VALUE**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO BROADEN THE AGRICULTURAL PRESENT-USE VALUATION CLASSIFICATION*.

Amends GS 105-277.3(a), providing that for agricultural land to be designated as a special class property, being appraised, assessed, and taxed as provided in GS 105-277.2 through GS 105-277.7, other than agricultural land used as a farm for aquatic species, the tract of land must meet the income requirement for agricultural land and must consist of at least five acres that are in actual production (was, ten acres).

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

**Intro. by Ramsey, Fisher, Moffitt, Queen.**

**GS 105**

[View summary](#)

**Agriculture, Tax**

H 875 (2013-2014) **DEFERRED PRESENTMENT SERVICES**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW AND REGULATE THE BUSINESS OF PROVIDING DEFERRED PRESENTMENT SERVICES TO CERTAIN PERSONS*.

Enacts new GS 53-281.1 to provide for and regulate deferred presentment transactions, defined as agreements where one party accepts a check from a customer and holds the check for a period of time before cashing or depositing. Permits licensed owners of check-cashing businesses (licensees) to charge a fee to defray certain operational costs when entering into deferred presentment transactions, provided the fee does not exceed 15% of the cash advance amount and the maximum cash advance amount does not exceed \$500. Permits the customer to redeem his or her check before the date of deposit after paying the check amount to the licensee. Requires the licensee to cash or deposit the check within 35 days. Requires a licensee to provide the customer with a receipt and written explanation of all fees and other information related to the transaction in clear and understandable language. Prohibits a licensee from knowingly entering into a transaction with a customer who has another outstanding payday loan or with a member of the Armed Forces or his or her spouse or dependent.

Permits a licensee to charge a fee for returned checks, but states that the customer will not be subject to criminal prosecution unless the customer attempted to misrepresent or defraud. Forbids a licensee from reporting to a credit reporting agency any customer's debt, and prevents the licensee from engaging in listed activities including unfair and deceptive trade practices. Specifies acceptable methods of payment for the cash advance, and requires licensee to wait 24 hours before entering into another transaction with a customer after full payment of the check. Prohibits rollover of a transaction, defined as the termination or extension of a transaction by the payment of an additional fee or the substitution of a new check. Allows an extended payment plan once a year, subject to the listed terms. States that deferred presentment transactions are not subject to the NC Consumer Finance Act.

Requires the Commissioner of Banks to implement a common database with real-time internet access to prevent a customer from having a deferred presentment transaction that exceeds the limits in new GS 53-281.1. Requires the database to be accessible by October 1, 2013. Specifies information that is to be entered into the database. Requires a licensee to designate a transaction as closed and inform the database provider within 24 hours after the transaction is paid

in full and closed. Makes information in the database privileged and confidential. Allows for a database verification fee of up to \$1, and allows the licensee to pass the fee onto the customer.

Requires each application for a license to offer deferred presentment transactions to include a surety bond of \$10,000. If business will be conducted at multiple locations, the amount is increased by \$10,000 per location with a maximum of \$50,000.

Makes conforming changes.

Effective July 1, 2013.

**Intro. by W. Brawley, R. Moore, Johnson, Burr.**

GS 53

[View summary](#)

**Banking and Finance**

H 876 (2013-2014) [LOCAL LEO/SERVE SUBPOENA BY PHONE](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT ANY EMPLOYEE OF A LOCAL LAW ENFORCEMENT AGENCY MAY SERVE A SUBPOENA FOR THE ATTENDANCE OF A WITNESS BY TELEPHONE COMMUNICATION.*

Amends Rule 45(b), as the title indicates.

Requires the Administrative Office of the Courts to update the subpoena form to indicate that any employee of a local law enforcement agency may serve a subpoena for the attendance of a witness by telephone.

**Intro. by Turner.**

GS 1A

[View summary](#)

**Civil Procedure**

H 877 (2013-2014) [NAVIGATOR TRAINING AND CERTIFICATION \(NEW\)](#). Filed Apr 11 2013, *AN ACT TO PROVIDE FOR THE CERTIFICATION OF HEALTH INSURANCE NAVIGATORS UNDER THE FEDERAL AFFORDABLE CARE ACT.*

Enacts new Part 8, *Health Insurance Navigators*, in Article 50 of GS Chapter 58. Prohibits functioning as a navigator (as defined) without a license. Requires the Commissioner of Insurance to issue a license when five specified requirements are met, including passing an exam. Requires licensed navigators to provide factually accurate insurance advice and guidance to uninsured individuals and groups seeking coverage on an exchange and to provide factually accurate information to uninsured persons and businesses regarding the availability of premium tax credits and cost-sharing reductions. Prohibits specified acts, including soliciting a person or business already insured under an existing health benefit plan and receiving anything of value from an insurer, health benefit plan, business, or consumer for providing advice or services. Violations of the Part or of the Affordable Care Act is ground for denial, suspension, or revocation of a license. This part does not apply to patient navigators.

**Intro. by Collins.**

GS 58

[View summary](#)

**Health Insurance**

H 878 (2013-2014) [CRNAS IN COUNTIES WITH CRITICAL ACCESS HOSP](#). Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW FOR NURSE ANESTHETISTS TO PROVIDE ANESTHESIA SERVICES IN COLLABORATION WITH CERTAIN HEALTH CARE PROVIDERS IN A COUNTY IN WHICH A LICENSED CRITICAL ACCESS HOSPITAL IS LOCATED.*

Amends GS 90-18(c)(14a) and GS 90-171.20(7)e., as the title indicates, if House Bill 181 (*Physician Suprvsn. Required/Nurse Anesthetist*) becomes law.

**Intro. by Cunningham.**

GS 90

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

H 879 (2013-2014) **GRAND JURORS/SERVICE**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING THAT JURORS WHO SERVE THEIR FULL TERM OF SERVICE ON A GRAND JURY SHALL NOT BE REQUIRED TO SERVE AGAIN AS A GRAND JUROR OR AS A JUROR FOR A PERIOD OF SIX YEARS.*

Amends GS 15A-622, as the title indicates.

Amends GS 9-7 to make conforming changes and to require that information on individuals who serve a full term on a grand jury be retained for six years.

**Intro. by Davis, Daughtry.**

GS 9, GS 15A

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

H 881 (2013-2014) **GREATER FINANCIAL OVERSIGHT OF LME/MCOS**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING BY MENTAL HEALTH LOCAL MANAGEMENT ENTITIES/MANAGED CARE ORGANIZATIONS PRIOR TO ENGAGING IN REAL ESTATE PROJECTS COSTING OVER ONE HUNDRED THOUSAND DOLLARS AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONSIDER THE AVAILABLE FINANCIAL RESERVES OF A LOCAL MANAGEMENT ENTITY WHEN NEGOTIATING PER MEMBER PER MONTH CONTRACT RATES.*

Adds a new subsection (b1) to GS 122C-147 to require mental health Local Management Entities/Managed Care Organizations (LME/MCO) entering into real estate projects costing more than \$100,000 to report at least 90 days before purchasing, altering, improving, or rehabilitating the real estate, to the Boards of the County Commissioners within the geographic area served, the Department of Health and Human Services (DHHS), and the Joint Legislative Commission on Governmental Operations on the following areas: (1) costs of the project disaggregated into use categories, (2) sources of funding, (3) amount of financial reserves, (4) administrative costs for two prior fiscal years and the current fiscal year, (5) denial rates for properly requested Medicaid services from two prior fiscal years and the current fiscal year, and (6) the percentage of available reserves as a percentage of the annual operating budget. Effective July 1, 2014.

Amends Section 1(a) of SL 2011-264, as amended, directing DHHS to consider the available financial reserves and administrative costs of an LME functioning as a managed care organization in DHHS' negotiations of per member per month payment rates.

**Intro. by Farmer-Butterfield.**

GS 122C

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

H 882 (2013-2014) **BUSINESS COURT LRC**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE BUSINESS COURT PROCESS IN NORTH CAROLINA.*

Requires the Legislative Research Commission to study the process of designating cases as complex business cases and assigning them to business court judges, including the possibility of sending appeals from complex business courts directly to the Supreme Court. Requires a report to the 2013 General Assembly when it reconvenes in 2014.

**Intro. by Bryan, Daughtry, Jordan.**

STUDY

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

H 885 (2013-2014) [BERTIE COUNTY TORNADO ANNIVERSARY](#). Filed Apr 11 2013, *A HOUSE RESOLUTION RECOGNIZING THE ANNIVERSARY OF THE APRIL 16, 2011, TORNADOES THAT AFFECTED MANY COUNTIES IN NORTH CAROLINA, ESPECIALLY BERTIE COUNTY.*

As title indicates.

**Intro. by Mobley.**

[HOUSE RES](#)

[View summary](#)

H 886 (2013-2014) [REPEAL PORTIONS OF FEDERAL HEALTH INS. TAX](#). Filed Apr 11 2013, *A HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE REPEAL OF PORTIONS OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT.*

As title indicates.

**Intro. by Collins.**

[HOUSE RES](#)

[View summary](#)

[Health](#)

## PUBLIC/SENATE BILLS

S 222 (2013-2014) [REVISE CONTROLLED SUBSTANCES REPORTING](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REVISE THE NORTH CAROLINA CONTROLLED SUBSTANCES REPORTING SYSTEM ACT, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE.*

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

Amends GS 90-113.73 (*Requirements for controlled substances reporting system*), providing that the dispensers of specified controlled substances must report the information required under this section no later than the close of business three business days after the day when the prescription was delivered, beginning the next day after the delivery date; however, dispensers are encouraged to report the information no later than 24 hours after the prescription was delivered (was, dispenser was required to submit the information no later than 24 hours after the prescription was dispensed). Deletes the requirement that the dispensers submit the specialty of the practitioner and documentation of photographic identification presented by the person seeking dispensation of the prescription, when required by GS 90-106.1.

Amends GS 90-113.74 (*Confidentiality*), making technical and clarifying changes. Provides that information can be reported regarding the prescribing practice of a practitioner pursuant to rules adopted in subsection (b2). GS 90-113.74(b2) establishes that in order to receive a report pursuant to subdivision (2) of subsection (b1) of this section, an agency responsible for licensing, registering, or certifying a practitioner with prescriptive or dispensing authority must adopt rules establishing the criteria by which the Department may report the information to the agency.

Sections 1 and 2 of this act become effective on January 1, 2014, and apply to prescriptions delivered on or after that date. The remainder of this act is effective when it becomes law.

**Intro. by Allran, Bingham.**

[GS 90](#)

[View summary](#)

[Health](#)

S 358 (2013-2014) [GUARANTEED ASSET PROTECTION WAIVERS](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE GUARANTEED ASSET PROTECTION WAIVERS TO BE AUTHORIZED IN THIS STATE.*

Senate amendment to the 3rd edition makes the following changes. Provides that the act applies to guaranteed asset protection waivers entered into on or after October 1, 2013.

**Intro. by Meredith, Newton, Ford.**

[GS 66](#)

[View summary](#)

[Banking and Finance](#)

S 361 (2013-2014) [EXCELLENT PUBLIC SCHOOLS ACT OF 2013](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE LITERACY VOLUNTEER LEAVE TIME; MAXIMIZE INSTRUCTIONAL TIME; STRENGTHEN TEACHER EDUCATION PROGRAMS AND TEACHER LICENSURE REQUIREMENTS; ESTABLISH PLANS FOR PAY FOR EXCELLENCE; ASSIGN SCHOOL PERFORMANCE GRADES AND ADD STUDENT GROWTH COMPONENT; AND ESTABLISH TEACHER CONTRACTS.*

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

Makes technical corrections to clarify that changes to GS 115C-296, regarding teacher licensure requirements, reports, lateral entry, and mentor programs apply beginning with the 2013-14 school year as this provision is amended in Section 3.(a) of this act, and that other changes to GS 115C-296 set out in Section 3.(b) of this act apply beginning with the 2014-15 school year. Also makes technical corrections to clarify that for teachers in the fourth or fifth year of their current five-year license renewal cycle, the changes required by GS 115C-296(b)(1)b. as amended in Section 3.(a) and again in Section 3.(b) of this act apply beginning with the first year of their next five-year renewal cycle.

Amends the school performance elements in the college/career readiness category (new GS 115C-83.11(d)(2)). Amends GS 115C-12(9)c1. to clarify that as part of the annual "report card" for each LEA, the SBE will award a separate indicator reflecting a measure of student growth earned by each school within the LEA. Makes a conforming change to GS 115C-47(58) regarding the content of the overall school performance to be displayed by the local board on the website for its LEA. Also makes conforming changes to GS 115C-238.29F(1) regarding North Carolina report cards for charter schools and GS 115C-238.66(11) regarding state report cards for regional schools. Applies beginning with the 2012-13 school year.

Amends new GS 115C-325.1 to provide that "demote," as it applies to this section, does not include any reduction of pay as compared to a prior term of contract. Clarifies that "demote" does mean to reduce the salary of a person classified or paid by the SBE as a classroom teacher or as a school administrator during the time of the contract. Adds a definition for *year*, meaning a calendar year beginning July 1 and ending June 30.

Requires in GS 115C-325.3 a superintendent who recommends that a local board not offer a renewed contract to a teacher to give the teacher written notice no later than June 1 (was, May 15). Provides that a teacher has the right to petition the local board no later than 10 days after receiving the written notice (was, no later than June 1). Requires the local board to provide nonrenewal notification within 10 days of the hearing (was, by July 1) or on a later date with the written consent of the teacher and the superintendent. Requires that a decision not to offer a teacher a renewed contract cannot be arbitrary, capricious, discriminatory, or for personal or political reasons. Enacts new subsection regarding the failure to offer a contract or provide notice of nonrenewal of a contract to a teacher. Provides options which the local board may exercise upon discovery of the absence of a contract. Provides that an individual that mutually modifies a contract with the local board to permit part-time employment or who enters into a part-time contract is not a teacher as defined in new GS 115C-325.1(5).

Amends GS 115C-325.4 to provide that grounds for dismissal or demotion of a teacher include a justifiable decrease in the number of positions due to district reorganization, decreased enrollment, or decreased funding.

Makes an organizational change, combining, in GS 115C-325.7, the guidelines for a local board hearing regarding the nonrenewal of a teacher's contract with the guidelines that apply for a board hearing for (1) dismissal, (2) demotion, (3) reduction to part-time employment for disciplinary reasons, or (4) disciplinary suspension without pay. Amends new GS

115C-325.8 to provide for a right of appeal from a final decision of the local board to the superior court of the state based on one or more specified grounds.

Adds provision directing the State Board of Education (SBE) to develop by rule as provided in Article 2A of GS Chapter 150B a model contract for local boards to use in awarding teacher contracts. Allows the SBE to adopt a temporary rule for a model contract as provided in GS 150B-21.1 so as to provide a contract to local boards no later than January 1, 2013, but directs the SBE to replace the temporary rule with a permanent rule as soon as is practical.

Repeals GS 115C-325(c)(1) effective May 1, 2013. Provides that individuals who have not received career status before the 2012-13 school year will not be granted career status during the 2012-13 school year. Provides that all teachers without career status prior to the 2012-13 school year will be offered only one-year contracts, except for qualifying teachers offered a four-year contract as provided in new Section 6.(g) of this act. Provides specifications as to the review, by the superintendent, of the performance and evaluations of all teachers employed by the local board for at least three consecutive years and the awarding of four-year contracts to at least 25% of those teachers employed by the local board for three consecutive years beginning with the 2014-15 school year. Provides that teachers employed on a four-year contract by a local board of education will receive a \$500 annual payraise for each year of the four-year contract, beginning with the 2014-15 school year.

Section 6.(a) of this act repeals GS 115C-325 effective June 30, 2018. Provides that GS 115C-325 only applies to teachers with career status after June 30, 2014. Makes Section 6.(b), dealing with teacher contracts effective July 1, 2014. Provides that GS 115C-325.1 through GS 115C-325.13, as enacted by this act, apply to all teachers on one- or four-year contracts beginning July 1, 2014. Provides that GS 115C-325.1 and GS 115C-325.13 apply to all teachers employed by local boards or the state on July 1, 2018. Makes Section 6.(c), amending GS 115C-45(c) regarding appeals to a local board of education and to superior court, and Section 6.(d), amending GS 115C-287.1 regarding the method of employment of principals, assistant principals, supervisors, and directors, effective July 1, 2014, and applies to all employees employed on or after that date.

Effective July 1, 2014, amends GS 115C-105.38A(d) to provide that if a licensed staff member taking the general knowledge test for a second time after completing the remediation plan fails to pass the test on the second attempt, the SBE is required to begin a dismissal proceeding under GS 115C-325(q)(2a) or GS 115C-325.13. Further amends GS 115C-105.38A(d), effective June 30, 2018, to provide that the SBE is to begin dismissal proceedings solely under GS 115C-325.13. Effective July 1, 2014, makes conforming changes to GS 115C-105.38A(f) to provide that nothing in this section is to be construed as restricting or postponing dismissal actions under new GS 115C-325.13 or GS 115C-325.4. Effective June 30, 2018, further amends GS 115C-105.38A(f) to provide for the dismissal of a teacher, assistant principal, director, or supervisor only under GS 115C-325.13 and to provide for the dismissal or demotion of an employee for any of the grounds listed under GS 115C-325.4.

Also makes conforming changes to GS 115C-105.39(b), effective July 1, 2014, to allow dismissal under GS 115C-325.13 or GS 115C-325(q)(2) of teachers, assistant principals, directors, and supervisors assigned to a school identified as low-performing in accordance with either of those statutes. Effective June 30, 2018, provides that the SBE may proceed with dismissal under GS 115C-325.13 of teachers, assistant principals, directors, and supervisors assigned to a school identified as low-performing under GS 115C-325.13.

Effective July 1, 2014, amends GS 115C-238.68(3) to reinsert language that permits a career status teacher who receives a leave of absence to teach at a regional school to return to a public school in the LEA with career status at the end of the leave of absence or the end of employment at the public school. Also reinserts provision that the teacher's name be placed on a list of available teachers in accordance with GS 115C-325(e)(2), if an appropriate position is not available. Effective June 30, 2018, deletes the aforementioned reinserted provisions.

Current law requires that LEAs conduct at minimum an annual evaluation of all licensed employees at a school identified as low-performing. Effective July 1, 2014, amends GS 115C-333 to provide that if the employee is a teacher (1) with career status as defined under GS 115C-325(a)(6) or (2) a teacher as defined under GS 115C-325.1(5), either the principal, assistant principal who supervises the teacher, or an assistance team is to evaluate the teacher. Also provides that if a licensed employee who receives a below proficient, unsatisfactory, or below standard rating on an evaluation and the employee is a career status teacher, the evaluation team or individual is to recommend to the superintendent that the superintendent recommend to the local board that the career status teacher be dismissed or demoted. Provides that if an employee upon subsequent evaluation fails to become proficient in the performance standards in the mandatory improvement plan, if the employee is a teacher with career status, the career status teacher is to be demoted or dismissed under GS 115C-325 or if the employee is a teacher on contract, the contract is not to be renewed. Requires annual notice to the SBE by a local board that dismisses a career status teacher of a low-performing school for any reason except a reduction in force under GS 115C-325(e)(1)1. or dismisses a

contract teacher for cause. Directs the SBE not maintain the dismissed employee's name on a list distributed to local boards if the employee is subsequently employed and receives a proficient rating on all of the performance standards identified as areas of concern on the mandatory improvement plan unless the employee is a career status teacher subsequently dismissed under GS 115C-325 except for a reduction in force or a contract teacher subsequently dismissed under GS 115C-325.4.

Effective July 1, 2014, amends GS 115C-333.1 to require career status teachers with a four-year contract (was, who have been employed for three years) and assigned to schools not identified as low-performing to be evaluated annually unless the local board determines otherwise. Provides criteria for dismissal or demotion of career status teachers and contract teachers that mirror the criteria for career status and contract teachers at low-performing schools. Provides that the absence of a mandatory improvement plan does not prohibit a superintendent from initiating a dismissal proceeding under GS 115C-325 or GS 115C-325.4 (was, under GS 115C-325). Also requires notice to the SBE of a local board's dismissal of a career status teacher for any reason other than a reduction in force and of the dismissal of a contract teacher for cause.

Amends GS 115C-404(b), effective July 1, 2014, to clarify that failing to maintain the confidentiality of documents received under this section (regarding juvenile court information) is grounds for dismissal for employees not employed on contract, employees who are employed on contract, and employees who have attained career teacher status in accordance with GS 115C-325(e)(1)i. Effective June 30, 2018, amends GS 115C-404(b) to apply this section to employees not employed on contract and contract employees and eliminates reference to career status teachers.

Effective June 30, 2018, further amends GS 115C-333.1 to provide for annual evaluations of all teachers who have been employed for three or more years assigned to schools that are not identified as low-performing. Also provides that upon reassessment, if the teacher fails to show proficiency in the required performance measures, the teacher's contract may not be renewed. Requires notice to the SBE of a dismissal by a local board of a teacher for cause or an election to not renew a teacher's contract based on the recommendation of the superintendent.

Amends provisions of GS 143B-146.8, effective July 1, 2014, regarding evaluation of licensed personnel and principals for education programs in residential schools to make them applicable to teachers with career status as defined under GS 115C-325(a)(6) and contract teachers as defined in GS 115C-325.1(5). Makes further conforming changes regarding action plans and reevaluation in education programs at residential schools. Effective June 30, 2018, amends GS 143B-146.8, to make distinctions only as to teachers with three or more years of experience and those with less than three years of experience for evaluation purposes at low-performing schools and eliminates distinctions based on career status or contract status.

Amends GS 143B-146.7(b), effective June 30, 2018, to provide that after identifying a school as low-performing, the SBE is to proceed under GS 115C-325.11 to dismiss licensed instructional personnel assigned to that school (effective July 1, 2014, the SBE is to proceed under GS 115C-325(p1) or GS 115C-325.11).

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

**Intro. by Berger, Tillman, Soucek.**

[GS 115C, GS 126, GS 143B](#)

[View summary](#)

[Education, State Board of Education](#)

## LOCAL/HOUSE BILLS

H 193 (SL 2013-26) (2013-2014) [EXPAND USES FOR MECK CT/CHARLOTTE LOCAL TAXES](#). Filed Feb 28 2013, *A BILL TO BE ENTITLED AN ACT TO EXPAND THE PERMISSIBLE USES OF THE LOCAL MECKLENBURG COUNTY AND CITY OF CHARLOTTE LOCAL TAXES.*

A BILL TO BE ENTITLED AN ACT TO EXPAND THE PERMISSIBLE USES OF THE LOCAL MECKLENBURG COUNTY AND CITY OF CHARLOTTE LOCAL TAXES. Enacted April 15, 2013. Effective April 15, 2013.

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

[Mecklenburg](#)

[View summary](#)

[Tax](#)

H 409 (2013-2014) [SHELBY DEANNEXATION](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF SHELBY.*

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

Provides that the purpose for developing the described property is for operating a public school, including a charter school, Pinnacle Classical Academy.

**Intro. by T. Moore.**

[Cleveland](#)

[View summary](#)

H 418 (2013-2014) [BUNCOMBE CULTURE & REC. AUTHORITY \(NEW\)](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING BUNCOMBE COUNTY TO ESTABLISH A CULTURE AND RECREATION AUTHORITY.*

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

Changes the short and long titles.

Deletes the requirement that one of the members of the authority must be appointed jointly by the Board of Commissioners of Buncombe County and the City Council of Asheville.

Establishes that the purpose of the authority will also extend to the management and operation of libraries and cultural organizations (previously, the purpose only included parks, greenways, and recreation facilities).

Amends the *General Powers of the Authority* and *Funds sections*, making technical and conforming changes in order to include cultural programs and cultural organizations.

**Intro. by Ramsey, Moffitt.**

[Buncombe](#)

[View summary](#)

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

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

Makes a clarifying change, providing that the referendum must be approved by the voters for the provision to elect the mayor and council members for three-year terms in the 2014 election to take effect.

**Intro. by Faircloth.**

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

[View summary](#)

H 506 (2013-2014) [WEDDINGTON/FIRE DEPT AGREEMENTS](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF WEDDINGTON TO ENTER INTO LONG-TERM AGREEMENTS WITH VOLUNTEER FIRE DEPARTMENTS TO PROVIDE FIRE PROTECTION SERVICES TO THE CITIZENS OF THE TOWN.*

House amendment to the 1st edition makes the following changes. Provides that any agreement under the act is binding on and enforceable against the town during the full term of the agreement (was, against the current and future members of the town council).

**Intro. by Horn.**

[Mecklenburg, Union](#)

[View summary](#)

[Public Safety and Emergency Management](#)

H 531 (2013-2014) [WEAVERVILLE, BUNCOMBE & HENDERSON](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF WEAVERVILLE, TO MAKE A SIMILAR TECHNICAL CORRECTION AS TO THE CITY OF ASHEVILLE, TO ALLOW THE COUNTY OF BUNCOMBE TO ZONE CERTAIN DONUT HOLES, TO REPEAL THE BUNCOMBE COUNTY CULTURE AND RECREATION AUTHORITY, AND TO ALLOW THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY TO STANDARDIZE THE CEILING ON FIRE DISTRICT TAXES IN HENDERSON COUNTY.*

Changes made by the House committee substitute to the 1st edition are to be summarized.

**Intro. by Ramsey, Moffitt.**

[Buncombe](#)

[View summary](#)

H 870 (2013-2014) [DUPLIN COUNTY BOARDS OF COMMS. AND EDUC. \(NEW\)](#). Filed Apr 11 2013, *AN ACT TO DECREASE THE DUPLIN COUNTY BOARD OF EDUCATION AND THE BOARD OF COMMISSIONERS OF DUPLIN COUNTY TO A FIVE-MEMBER BOARD, TO ESTABLISH REVISED DISTRICTS FOR THOSE BOARDS, AND TO CONFIRM THAT REDISTRICTING REQUIREMENTS FOLLOWING EACH FEDERAL CENSUS APPLY TO THOSE BOARDS.*

Amends GS 143-318.10(e), establishing that in addition to the requirements of GS 143-318.10(f), when a public body meets in closed session, it will keep a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired.

Enacts GS 143-318.10(f), providing that all closed sessions held by a public body will be recorded by either recording the audio only or audio and video. Recordings that become eligible for public inspection must be retained for at least two years from the date of the public release of the recording. Provides that the obligation to record a closed session meeting, as described above, does not apply to a closed session or a portion of a session that is closed pursuant to GS 143-318.11(a)(6).

This act becomes effective October 1, 2013. Public bodies using sound or video and sound recording pursuant to GS 143-318.10(e) before October 1, 2013, must use those or similar resources to record closed sessions held on or after October 1, 2013. Public bodies not using sound or video and sound recording pursuant to GS 143-318.10(e) before October 1, 2013, must begin using sound or video and sound recordings for closed sessions no later than July 1, 2014.

**Intro. by Dixon.**

[GS 143](#)

[View summary](#)

[Public Records and Open Meetings](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

**H 88: LIEN AGENTS/TECHNICAL CORRECTIONS (NEW).**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 110: PUBLIC CONTRACTS/PROJECT LABOR.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 127: ARTS EDUCATION AS A GRADUATION REQUIREMENT.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 137: REWARD AMT/ARREST OF FUGITIVE FROM JUSTICE.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 150: ZONING/DESIGN & AESTHETIC CONTROLS.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Commerce*

**H 156: HONEST LOTTERY ACT.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 192: ALLOW ROW USAGE IN CENTRAL BUSINESS DISTRICTS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**H 198: MARCH OF DIMES ANNIVERSARY.**

*House: Withdrawn From Com*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 04/17/2013*

**H 203: REVISIONS/HOMEOWNER/HOMEBUYER PROTECTION ACT.**

*House: Postponed To 04/17/2013*

**H 240: INSURANCE TECHNICAL/CLARIFYING CHANGES.-AB**

*House: Passed 3rd Reading*

**H 289: STATE COMPUTER EQUIPMENT/BUY REFURBISHED.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 301: CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Commerce*

**H 313: DOT SALES OF UNUSED PROPERTY.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 321: AMEND LOCAL SOLID WASTE PLANNING.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 333: SEX OFFENDER RESIDENCY/REGIS. AMENDMENTS.**

*House: Amend Adopted A1*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 336: CONTINUING BUDGET AUTHORITY (NEW).**

*House: Serial Referral To Appropriations Added*

**H 346: GOVERNING BODIES/COLLECT UNPAID JUDGMENTS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 368: BD. OF AGRICULTURE FORESTRY/NURSERY APPTS.-AB**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 383: AMEND GRAIN DEALER LICENSING LAWS.-AB**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 386: EVIDENCE & DNA EXPUNCTION LAWS.-AB**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 390: STATE IT GOVERNANCE CHANGES.-AB**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 407: TRUSTEE-ATTY FEE/FORECLOSURES/CLERK APPROVAL.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary I*

**H 433: LAND USE SURROUNDING MILITARY INSTALLATIONS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 439: ECONOMIC DEVELOPMENT JOBSITES PROGRAM.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Finance*

**H 452: 2013 SCHOOL SAFETY ACT.**

*House: Withdrawn From Com*

*House: Re-ref Com On Appropriations Subcommittee on Education*

**H 467: BREAST DENSITY NOTIFICATION & AWARENESS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Health Care*

**H 482: MEDIATION AMENDMENTS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 488: REGIONALIZATION OF PUBLIC UTILITIES.**

*House: Passed 3rd Reading*

**H 489: CLARIFY ELECTRIC LOAD CONTROL PROCESS.**

*House: Withdrawn From Com*

*House: Re-ref Com On Public Utilities and Energy*

**H 507: HONOR NEWLAND'S CENTENNIAL.**

*House: Withdrawn From Cal*

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

**H 508: HONOR FOUNDERS OF MECKLENBURG COUNTY.**

*House: Withdrawn From Cal*

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

**H 510: FOSTER CARE CHILDREN'S BILL OF RIGHTS.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 514: HONOR PETE CUNNINGHAM.**

*House: Withdrawn From Cal*

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

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

*House: Placed On Cal For 04/16/2013*

**H 599: SUPPORTING PRAYER WEEK IN NC.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 682: NEW MARKETS JOBS ACT.**

*House: Serial Referral To Finance Added*

**H 847: MISSION FOUNDATION SPECIAL PLATE.**

*House: Passed 1st Reading*

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

**H 848: STUDY--CHILDREN'S HEALTH AND TOXIC CHEMICALS (NEW).**

*House: Passed 1st Reading*

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

**H 849: LRC/IMPROVE HOME GUN SAFETY.**

*House: Passed 1st Reading*

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

**H 850: POSSESSION OF NEEDLES/TELL LAW OFFICER.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary*

**H 851: REQUIRED NUMBER OF OPERATING BRAKE LIGHTS.**

*House: Passed 1st Reading*

*House: Ref To Com On Transportation*

**H 852: CIVIL RIGHTS DIVISION TO HUMAN RELATIONS COMM.**

*House: Passed 1st Reading*

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

**H 853: SCHOOL FUNDING FORMULA CHANGES.**

*House: Passed 1st Reading*

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

**H 854: BROADBAND/USF STUDY (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Public Utilities and Energy*

**H 855: HUMAN TRAFFICKING.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee A*

**H 856: LRC STUDY/MINIMUM DESIGN DAILY FLOW RATES.**

*House: Passed 1st Reading*

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

**H 857: PUBLIC CONTRACTS/CONSTRUCTION METHODS/DB/P3.**

*House: Passed 1st Reading*

*House: Ref To Com On Government*

**H 858: STUDY HS ATHLETIC CONFERENCES.**

*House: Passed 1st Reading*

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

**H 859: STATE IT GOVERNANCE/NO STATE AGENCIES EXEMPT.**

*House: Passed 1st Reading*

*House: Ref To Com On Government*

**H 860: EXEMPT REAL PROPERTY FOR BURIAL PURPOSES.**

*House: Passed 1st Reading*

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

**H 861: HONOR 2012 GREAT PLACES IN NORTH CAROLINA.**

*House: Passed 1st Reading*

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

**H 862: HEALTH INSURANCE MARKET REFORMS.**

*House: Passed 1st Reading*

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

**H 863: CLARIFY DOT DRIVEWAY PERMIT AUTHORITY.**

*House: Passed 1st Reading*

*House: Ref To Com On Transportation*

**H 864: PROHIBIT E-CIGARETTE SALES TO MINORS.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 865: EXPAND PROPERTY TAX HOMESTEAD EXCLUSION.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 866: PPRM AWARENESS.**

*House: Passed 1st Reading*

*House: Ref To Com On Health and Human Services*

**H 867: MEDICAID COUNTY OF RESIDENCE.**

*House: Passed 1st Reading*

*House: Ref To Com On Health and Human Services*

**H 868: RESID. SCHOOL CHANGES.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 869: GUN PERMITS VALID FOR 3 YEARS.**

*House: Passed 1st Reading*

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

**H 871: REGULATE COMMUNITY ASSOCIATION MANAGERS.**

*House: Passed 1st Reading*

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

**H 872: PROTECT NC RIGHT-TO-WORK.**

*House: Passed 1st Reading*

*House: Ref To Com On Commerce and Job Development*

**H 873: WORKFORCE DEVELOPMENT/CC.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 874: BROADEN AGRICULTURAL PRESENT USE VALUE.**

*House: Passed 1st Reading*

*House: Ref to the Com on Agriculture, if favorable, Finance*

**H 875: DEFERRED PRESENTMENT SERVICES.**

*House: Passed 1st Reading*

*House: Ref to the Com on Banking, if favorable, Finance*

**H 876: LOCAL LEO/SERVE SUBPOENA BY PHONE.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee C*

**H 877: NAVIGATOR TRAINING AND CERTIFICATION (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Insurance*

**H 878: CRNAS IN COUNTIES WITH CRITICAL ACCESS HOSP.**

*House: Passed 1st Reading*

*House: Ref to the Com on Health and Human Services, if favorable, Regulatory Reform*

**H 879: GRAND JURORS/SERVICE.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee C*

**H 880: ROOFING CONTRACTORS/CONSUMER PROTECTION.**

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary Subcommittee A, if favorable, Finance, if favorable, Appropriations*

**H 881: GREATER FINANCIAL OVERSIGHT OF LME/MCOS.**

*House: Passed 1st Reading*

*House: Ref To Com On Health and Human Services*

**H 882: BUSINESS COURT LRC.**

*House: Passed 1st Reading*

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

**H 883: EDUCATION REQUIRED/COMMUNITY ASSOC BD MEMBERS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary Subcommittee B, if favorable, Finance*

**H 884: DROPOUT PREV./RECOVERY PILOT CHARTER SCHOOL (NEW).**

*House: Passed 1st Reading*

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

*House: Passed 1st Reading*

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

**H 885: BERTIE COUNTY TORNADO ANNIVERSARY.**

*House: Passed 1st Reading*

*House: Cal Pursuant 32(a)*

*House: Placed On Cal For 04/16/2013*

**H 886: REPEAL PORTIONS OF FEDERAL HEALTH INS. TAX.**

*House: Passed 1st Reading*

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

**H 887: PUBLIC CONTRACTS/PUBLIC-PRIVATE PARTNERSHIPS.**

*House: Passed 1st Reading*

*House: Ref To Com On Commerce and Job Development*

**H 888: STUDY DRUG LAWS/ELLISON V. TREADWAY (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 889: NCEMPA/DUKE ENERGY NEGOTIATIONS.**

*House: Passed 1st Reading*

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

**H 890: LANDFILL FEE USE.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 891: EXPLOITATION OF SRS/FREEZE DEFENDANT'S ASSETS.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 892: NO FISCAL NOTE FOR RULE REPEAL.**

*House: Passed 1st Reading*

*House: Ref To Com On Regulatory Reform*

**H 893: STUDY NONPROFIT COMPENSATION.**

*House: Passed 1st Reading*

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

**H 894: SOURCE WATER PROTECTION PLANNING (NEW)**

*House: Passed 1st Reading*

*House: Ref To Com On Government*

*House: Passed 1st Reading*

*House: Ref To Com On Government*

**H 895: UNC/MAHEC/HONOR REP. MARY NESBITT.**

*House: Passed 1st Reading*

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

**H 896: SUPERINTENDENT DESIGNEE/EMPLOYMENT HEARINGS.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 897: EXPANDED WEST. CRIME LAB/EXISTING STATE BLDG.**

*House: Passed 1st Reading*

*House: Ref To Com On Appropriations*

**H 898: HONOR WALTER CHURCH.**

*House: Passed 1st Reading*

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

**H 899: LOCAL AUTHORITY/LARGE-SCALE CHICKEN FARMS.**

*House: Passed 1st Reading*

*House: Ref To Com On Agriculture*

**H 900: EXEMPT CONTINUING CARE FACILITIES FROM CON.**

*House: Passed 1st Reading*

*House: Ref to the Com on Health and Human Services, if favorable, Regulatory Reform*

**H 901: ADJOURNMENT RESOLUTION (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee C*

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee C*

**H 902: EDUCATION AND WORKFORCE INNOVATION ACT.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 903: UNC & COMM. COLLEGE CREDIT TRANSFERS.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 904: IN-STATE TUITION/SOME N.C. IMMIGRANT YOUTH.**

*House: Passed 1st Reading*

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

**H 905: HOG LAGOON PHASE OUT/LIVESTOCK TREATMENT.**

*House: Passed 1st Reading*

*House: Ref To Com On Agriculture*

**H 906: N.C. PUBLIC CONTRACTOR SAFETY ACT.**

*House: Passed 1st Reading*

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

**H 907: PERMANENT PLATES/NONPROFIT TRANSP. AGENCY.**

*House: Passed 1st Reading*

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

**H 908: WHITE COLLAR CRIME INVESTIGATION (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 909: STUDY/INCREASE ASSISTED LIVING IN RURAL AREAS.**

*House: Passed 1st Reading*

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

**H 910: INDEPENDENT REDISTRICTING COMMISSION.**

*House: Passed 1st Reading*

*House: Ref to the Com on Elections, if favorable, Appropriations*

**H 911: ADJUST HIGHWAY EQUITY FORMULA.**

*House: Passed 1st Reading*

*House: Ref to the Com on Transportation, if favorable, Appropriations*

**H 912: VOLUNTARY CONTRIBUTIONS TO THE GENERAL FUND (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**H 913: VOTER INTEGRITY.**

*House: Passed 1st Reading*

*House: Ref To Com On Elections*

**H 914: PUBLIC SAFETY/GUN TRANSFER/BACKGROUND CHECK.**

*House: Passed 1st Reading*

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

**H 915: ROAD SAFETY THROUGH DRIVERS LICENSE ACCESS.**

*House: Passed 1st Reading*

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

**H 916: SURVEY EQUAL PAY PRACTICES IN PRIVATE SECTOR.**

*House: Passed 1st Reading*

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

**H 917: ADOPT DUBLIN PEANUT FESTIVAL.**

*House: Passed 1st Reading*

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

**H 918: ELECTIONEERING AND IE REPORTING CHANGES.**

*House: Passed 1st Reading*

*House: Ref To Com On Elections*

**H 919: CAMPAIGN FINANCE ELECTRONIC REPORTING.**

*House: Passed 1st Reading*

*House: Ref To Com On Elections*

**H 920: FARMLAND PRESERVATION/DOT PROJECTS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Agriculture, if favorable, Transportation*

**H 921: UTILITIES/ELECTRIC SMART METERS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Rules, Calendar, and Operations of the House, if favorable, Public Utilities and Energy*

**H 922: EXTEND FEDERAL EMERGENCY UI.**

*House: Passed 1st Reading*

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

**H 923: SPECIFY TIME/REINSTATE LICENSE/CHILD SUPPORT.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 924: MULTICOUNTY ECONOMIC DEVELOPMENT COOP.**

*House: Passed 1st Reading*

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

**H 925: LRC STUDY LIENS/NOTIFICATION OF PAYMENT.**

*House: Passed 1st Reading*

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

**H 926: NOTARIES/PRIVATE RIGHT OF ACTION.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee B*

**H 927: UNC/WILLIAM RICHARDSON DAVIE STATUE.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 928: CAROLINA FIELD OF HONOR/FUNDS.**

*House: Passed 1st Reading*

*House: Ref To Com On Appropriations*

**H 929: STATE MOTOR FLEET/INCREASE FUEL EFFICIENCY.**

*House: Passed 1st Reading*

*House: Ref To Com On Government*

**H 930: DOG BREEDING STDS./LAW ENFORCEMENT TOOLS.**

*House: Passed 1st Reading*

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

**H 931: HIGHWAY MEMORIAL STREAMLINING.**

*House: Passed 1st Reading*

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

**H 932: FREEDOM OF MOVEMENT/SOUTHWESTERN NC.**

*House: Passed 1st Reading*

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

**H 933: INFORMED CONSENT FOR HIV/AIDS TESTING.**

*House: Passed 1st Reading*

*House: Ref To Com On Health and Human Services*

**H 934: PREVENTIVE CARE AND PAYMENT REFORM ACT.**

*House: Passed 1st Reading*

*House: Ref To Com On Insurance*

**H 935: NC PRE-K LAW CHANGES.**

*House: Passed 1st Reading*

*House: Ref To Com On Education*

**H 936: WILDLIFE POACHER REWARD FUND.**

*House: Passed 1st Reading*

*House: Ref to the Com on Agriculture, if favorable, Finance*

**H 937: AMEND VARIOUS FIREARMS LAWS.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary Subcommittee A*

**H 938: CLARIFY WETLANDS PERMITTING**

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

**H 939: RESTRICT RAILROAD HEIGHT CHANGE AT CROSSINGS.**

*House: Passed 1st Reading*

*House: Ref To Com On Transportation*

**H 940: HONOR PHI BETA SIGMA FRATERNITY.**

*House: Passed 1st Reading*

*House: Cal Pursuant 32(a)*

*House: Placed On Cal For 04/16/2013*

**H 941: LRC STUDY/MEDICAL USE OF CANNABIS.**

*House: Passed 1st Reading*

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

**H 942: DISCHARGE FIREARM WITH RECKLESS DISREGARD.**

*House: Passed 1st Reading*

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

**H 943: THE NC SMALL BUSINESS TECH. & INNOVATION ACT.**

*House: Filed*

**H 944: OPPORTUNITY SCHOLARSHIP ACT.**

*House: Filed*

**S 91: PROHIBIT EXPUNCTION INQUIRY.**

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**S 98: REQUIRE PULSE OXIMETRY NEWBORN SCREENING.**

*House: Rec From Senate*

**S 117: LILY'S LAW.**

*Senate: Rec To Concur H Com Sub*

*Senate: Placed On Cal For 04/16/2013*

**S 122: SEX TRAFFICKING/SEX OFFENDER REGISTRATION.**

*House: Postponed To 04/16/2013*

**S 124: SHOOT GUN INSIDE/TO INCITE FEAR.**

*House: Passed 1st Reading*

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

**S 163: RECLAIMED WATER AS A SOURCE WATER. (NEW)**

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

**S 222: REVISE CONTROLLED SUBSTANCES REPORTING.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Finance*

*Senate: Withdrawn From Com*

*Senate: Placed On Cal For 04/16/2013*

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

*Ratified*

**S 234: HUNTER EDUCATION/APPRENTICE PERMIT.**

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

**S 358: GUARANTEED ASSET PROTECTION WAIVERS.**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

**S 388: UNEMPLOYMENT INSURANCE LAW CHANGES--2 (NEW).**

*House: Passed 1st Reading*

*House: Ref To Com On Agriculture*

*House: Passed 1st Reading*

*House: Ref To Com On Agriculture*

**S 411: ETHICS REQUIREMENTS FOR MPOS/RPOS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Transportation, if favorable, Government*

**S 456: DESIGNATE PRIMARY STROKE CENTERS.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 04/18/2013*

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

*House: Rec From Senate*

**S 528: CLARIFY PETIT JUROR OATH.**

*House: Passed 1st Reading*

*House: Ref To Com On Judiciary*

**S 603: CLARIFY ISSUANCE OF PLATES/CERTIFICATES LAW.-AB**

*House: Rec From Senate*

**S 659: MAP 21 CONFORMING REVISIONS.-AB**

*House: Rec From Senate*

**S 709: DOT STUDY 75 MPH SPEED/DEVELOP PILOT PROPOSAL (NEW).**

*House: Rec From Senate*

**S 712: ID CARD FOR HOMEBOUND PERSONS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**LOCAL BILLS**

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

*Ratified*

*Ch. SL 2013-26*

**H 261: KANNAPOLIS/DEANNEXATION.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

**H 290: RUTHERFORD AIRPORT AUTHORITY.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On State and Local Government*

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

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 375: INCREASE ALLOWED SIZE OF PASSENGER BUSES.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Transportation*

**H 409: SHELBY DEANNEXATION.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

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

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**H 456: DV FATALITY REVIEW TEAM/MECKLENBURG CO.**

*Senate: Rec From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Judiciary II*

**H 468: HIGH POINT ELECTIONS/TRYON CHARTER AMENDMENTS**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 04/16/2013*

**H 506: WEDDINGTON/FIRE DEPT AGREEMENTS.**

*House: Amend Adopted A1*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 531: WEAVERVILLE, BUNCOMBE & HENDERSON.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**H 544: WILMINGTON CHARTER/CIVIL SERVICE COMMISSION.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 546: ROANOKE RAPIDS GRADED SCHOOL DISTRICT.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 870: DUPLIN COUNTY BOARDS OF COMMS. AND EDUC. (NEW).**

*House: Passed 1st Reading*

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

**S 67: SURRY COMM. COLLEGE/YADKIN CTY. LAND TRANSFER (NEW).**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 290: WAYNESVILLE ANNEXATION.**

*Senate: Passed 3rd Reading*

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