



The Daily Bulletin: 2013-05-30

PUBLIC/HOUSE BILLS

H 88 (2013-2014) [LIEN AGENTS/TECHNICAL CORRECTIONS \(NEW\)](#). Filed Feb 11 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE LAW PERTAINING TO LIEN AGENTS.*

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

Amends GS 44A-11.1 to provide that an owner is not required to designate a lien agent for the addition of an accessory building or structure as defined in the North Carolina Uniform Residential Building Code (Code), the use of which is incidental to the owner-occupied residence. Also amends GS 87-14(a)(3) to extend the exemption to requiring the designation of a lien agent to an applicant for a building permit for the addition of an accessory building or accessory structure as defined in the Code, the use of which is incidental to that residential dwelling unit. Also amends GS 160A-417 (cities and towns) and GS 153A-357(e) (counties) to extend the exemption to requiring the designation of a lien agent to the permit requirements for the construction, reconstruction, alteration, repair, movement to another site, removal, or demolition of any building or structure.

Rewrites subsection (h) of GS 44A-11.2, defining *custom contractor* to mean a contractor duly licensed as a general contractor under Article 1 of GS Chapter 87, who has contracted with an owner who is not an affiliate, relative, or insider of the contractor to build a single-family residence on the owner's property to be occupied by the owner as a residence. Specifies that the notice requirement under subsections (m) and (n) of GS 44A-11.2 will be considered to have been met on the date that the lien agent receives notice of its designation as lien agent from the custom contractor, providing that certain specified conditions are met.

Makes a technical correction.

Intro. by Hurley.

[GS 44A, GS 58, GS 87, GS 153A, GS 160A](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Building and Construction](#)

H 276 (2013-2014) [ZONING/BOARD OF ADJUSTMENT CHANGES](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO CLARIFY AND MODERNIZE STATUTES REGARDING ZONING BOARDS OF ADJUSTMENT.*

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

Makes technical and clarifying changes to GS 160A-388(a1), (a2), and (b1).

Intro. by G. Graham, Stam.

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

[View summary](#)

[Land Use, Planning and Zoning, Local Government](#)

H 279 (2013-2014) [TRANSFER ENVIRONMENTAL PERMITS](#). Filed Mar 12 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO TRANSFER CERTAIN ENVIRONMENTAL PERMITS ASSOCIATED WITH PROPERTY DEVELOPMENT WHEN THE ORIGINAL PROPERTY OWNER IS UNWILLING OR UNABLE TO AGREE TO THE PERMIT TRANSFER.*

Senate committee substitute to the 3rd edition makes the following changes. Amends GS 143-214.7, GS 143-215.1, GS 113A-54.1, and GS 113A-61 to amend the conditions that must be met before the Department of Environment and Natural Resources may transfer a permit to require that the permit holder meet one of the specified descriptions, including being a partnership, limited liability corporation, corporation, or any other business association that has been dissolved (was, only a corporation that has been dissolved); also clarifies that a person lawfully divested of title to the property must have been lawfully and finally divested of title.

Intro. by Millis, Hager, McElraft, Moffitt.

[GS 113A, GS 143](#)

[View summary](#)

[Property and Housing, Environment](#)

H 343 (2013-2014) [COURTS/PROCEDURE AND FEE AMENDMENTS.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO ELIMINATE ARBITRATION CAPS IN DISTRICT COURT, TO MAKE CLARIFICATIONS TO COURT FEES, TO AMEND THE MOTION FEE EXEMPTION, TO REQUIRE COUNTIES AND MUNICIPALITIES TO ADVANCE FEES, TO PROVIDE PRIORITY FOR THE PAYMENT OF CRIMINAL COSTS AND FEES, AND TO REMOVE THE SUNSET ON CHANGES TO CERTAIN FEES COLLECTED BY REGISTER OF DEEDS.*

Senate committee substitute to the 2nd edition makes the following changes. Amends GS 7A-305(f), GS 7A-306(g), and GS 7A-307(a)(4) to require that the fee accompany any filing of a notice of hearing on a motion (was, any filing containing one or more motions) not listed in GS 7A-308 that is filed with the clerk. Also amends GS 7A-305(f) to add that costs are not assessed to a motion filed pursuant to GS 1C-1602 (allowing a debtor to elect to take the personal property and homestead exemptions instead of the exemptions provided by GS 1C-1601). Makes technical changes.

Intro. by Turner.

[GS 7A](#)

[View summary](#)

[Court System](#)

H 536 (2013-2014) [IGNITION INTERLOCK REQ'D/ALL DWIS.](#) Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS CONVICTED OF DRIVING AFTER CONSUMING ALCOHOL BEING LESS THAN TWENTY-ONE YEARS OF AGE, AND CERTAIN PERSONS WHO REFUSE A CHEMICAL ANALYSIS OR ARE CONVICTED OF DRIVING WHILE IMPAIRED OR ANY OTHER IMPAIRED DRIVING OFFENSE, TO HAVE AN IGNITION INTERLOCK SYSTEM INSTALLED ON EVERY VEHICLE THAT PERSON MAY DRIVE BEFORE THAT PERSON CAN GET A LIMITED DRIVING PRIVILEGE; TO REMOVE THE WAITING PERIOD BEFORE A PERSON MAY APPLY FOR A LIMITED DRIVING PRIVILEGE; AND TO PROVIDE FOR THE PAYMENT OF AN ADMINISTRATIVE FEE AND COSTS ASSOCIATED WITH AN IGNITION INTERLOCK SYSTEM AND CREATE AN IGNITION INTERLOCK DEVICE FUND TO ASSIST INDIGENT PERSONS.*

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

Amends GS 20-16.2(c1), providing that when a person who has an alcohol concentration of 0.08 or more (was, 0.13) refuses to submit to a chemical analysis, the law enforcement officer and the chemical analyst must, without unnecessary delay, go before an official authorized to administer oaths and execute an affidavit as to the facts of the arrest and the results of any tests given.

Amends GS 20-17.8 to require ignition interlock systems for all persons convicted of driving with an alcohol concentration of 0.08 or more (was, 0.13 or more).

Amends GS 20-179.3(g5) to provide that an ignition interlock and other restrictions apply to a limited driving privilege when the person had an alcohol concentration of 0.08 or more (was, 0.13 or more).

Intro. by Faircloth, Jordan, Jackson.

[GS 20](#)

[View summary](#)

[Transportation, Motor Vehicle](#)

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

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

Amends GS 116E-4(c) to require that the North Carolina Longitudinal Data System Board begin making quarterly reports to specified legislative entities beginning September 30, 2013 (was, May 31).

Intro. by Blackwell, Holloway, Johnson, Jordan.

[GS 116E](#)

[View summary](#)

[State Government](#)

H 641 (2013-2014) [AMEND CONDITIONAL DISCHARGE/1ST DRUG OFFENSE](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A COURT HAS THE DISCRETION TO DETERMINE WHETHER TO GRANT A CONDITIONAL DISCHARGE FOR A FIRST OFFENSE OF CERTAIN DRUG OFFENSES.*

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

Changes the short and long titles.

Amends the exception to the deferral of further proceedings, provided for in GS 90-96(a), providing that when the court makes a written finding, and the District Attorney agrees, that the offender is inappropriate for a conditional discharge (was, for deferred prosecution) for factors related to the offense, the provisions of this section do not apply and the offender will not receive a conditional discharge.

Intro. by Davis, Daughtry.

[GS 90](#)

[View summary](#)

[Courts/Judiciary, Criminal Law and Procedure](#)

H 688 (2013-2014) [AMEND CONTINUING ED REQ'S/CERT. WELL K'ORS](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED WELL CONTRACTORS.*

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

Amends GS 87-98.12 to provide that within a one-year period, a well contractor must complete the number of continuing education hours (was, two hours) as approved by the Well Contractors Certification Commission (Commission). Prohibits the Commission from requiring more than four hours of continuing education within a one-year period.

Intro. by Hardister, Millis, Tine, Jeter.

[GS 87](#)

[View summary](#)

[Occupational Licensing, Building and Construction](#)

H 980 (SL 2013-56) (2013-2014) [MEDICAID/2012-2013 ADDITIONAL APPROPRIATIONS](#) Filed Apr 17 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2012-2013 FISCAL YEAR.*

A BILL TO BE ENTITLED AN ACT TO PROVIDE ADDITIONAL FUNDING IN THE STATE MEDICAID PROGRAM FOR THE 2012-2013 FISCAL YEAR. Enacted May 30, 2013. Effective May 30, 2013.

Intro. by Burr.

APPROP

[View summary](#)

Budget/Appropriations, Department of Health and Human Services, Office of State Budget and Management, Public Assistance

ACTIONS ON BILLS

PUBLIC BILLS

H 10: REMOVE ROUTE RESTRICTION FOR NC 540 LOOP.

Senate: Conf Report Adopted

H 13: STATE AGENCY PROPERTY USE/BIENNIAL REPORT.

Senate: Conf Com Appointed

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 06/04/2013

H 90: HONOR HAYESVILLE'S 100TH ANNIVERSARY.

Senate: Rec From House

Senate: Passed 1st Reading

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

H 114: NO SS# REQ/ABSOLUTE DIVORCE (NEW).

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 142: PROVIDE ACCESS TO CAMPUS POLICE RECORDS.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 146: BACK TO BASICS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 254: ZONING CHANGES/NOTICE TO MILITARY BASES.

Signed by Gov. 5/30/2013

Ch. SL 2013-59

H 276: ZONING/BOARD OF ADJUSTMENT CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 06/04/2013

H 279: TRANSFER ENVIRONMENTAL PERMITS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 06/04/2013

H 301: CLARIFYING CHANGES/ENGINEERS/SURVEYORS LAWS.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 343: COURTS/PROCEDURE AND FEE AMENDMENTS.-AB

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

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

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB

Senate: Rec From House

Senate: Passed 1st Reading

Senate: Ref To Com On Health Care

H 383: AMEND GRAIN DEALER LICENSING LAWS.-AB

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

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

Senate: Withdrawn From Com

Senate: Re-ref to Judiciary I. If fav, re-ref to Health Care

H 449: STATE CONTRACTS/FURNITURE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 515: AMEND CREDIT UNION LAWS.

Senate: Reptd Fav

Senate: Re-ref Com On Judiciary I

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

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

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

House: Reptd Fav Com Sub 2

House: Re-ref Com On Appropriations

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

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 593: REGISTER OF DEEDS HOURS.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 616: TRANSITIONAL MORTGAGE LOAN ORIGINATOR.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: RefTo Com On Commerce

H 641: AMEND CONDITIONAL DISCHARGE/1ST DRUG OFFENSE.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 06/04/2013

H 664: CELL TOWER DEPLOYMENT ACT.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

H 687: HOMELESS SHELTERS/REMOVE AGE LIMITS.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 688: AMEND CONTINUING ED REQ'S/CERT. WELL K'ORS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 06/04/2013

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 06/04/2013

H 788: WATER/SEWER AUTHORITY/RATE FLEXIBILITY.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/04/2013

H 813: BAN SYNTHETIC CANNABINOIDS (NEW).

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 828: UPDATE PHYSICAL THERAPY PRACTICE ACT.

Senate: Rec From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 980: MEDICAID/2012-2013 ADDITIONAL APPROPRIATIONS

Ratified

Pres. To Gov. 5/30/2013

Signed by Gov. 5/30/2013

Ch. SL 2013-56

H 1007: CONFIRM AYERS AS EXEC DIRECTOR NCUC.

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

S 189: AMEND LAW DEFINING HOME SCHOOLS.

Signed by Gov. 5/30/2013

Ch. SL 2013-57

S 222: REVISE CONTROLLED SUBSTANCES REPORTING.

House: Reptd Fav

House: Re-ref Com On Health and Human Services

S 234: HUNTER EDUCATION/APPRENTICE PERMIT.

Ratified

Pres. To Gov. 05/31/2013

S 316: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.

House: Reptd Fav

House: Re-ref Com On Appropriations

S 334: DOROTHEA DIX LEASE.

Senate: Rec To Concur H Com Sub

Senate: Placed On Cal For 06/03/2013

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

House: Reptd Fav

House: Re-ref Com On Finance

S 430: CLARIFY ELECTRIC LOAD CONTROL PROCESS.

Signed by Gov. 5/30/2013

Ch. SL 2013-58

S 465: PROHIBIT USE OF TAX ZAPPER SOFTWARE.

House: Reptd Fav

House: Re-ref Com On Appropriations

S 659: MAP 21 CONFORMING REVISIONS.-AB

House: Reptd Fav

House: Re-ref Com On Government

S 726: HONOR ECU MEN'S BASKETBALL TEAM.

Senate: Passed 1st Reading

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

LOCAL BILLS

H 517: ROCKINGHAM/NO RIGHT-OF-WAY SPOTLIGHTING.

Senate: Reptd Fav

Senate: Placed On Cal For 06/04/2013

H 545: MODIFY HENDERSON CO. OCCUPANCY TAX.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 06/03/2013

H 671: MILLS RIVER/DEANNEXATION.

Senate: Passed 2nd Reading

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