



## The Daily Bulletin: Tuesday, July 2, 2013

### PUBLIC/HOUSE BILLS



H 616 (2013-2014) [TRANSITIONAL MORTGAGE LOAN ORIGINATOR](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE SECURE AND FAIR ENFORCEMENT MORTGAGE LICENSING ACT TO PROVIDE FOR THE LICENSURE OF A TRANSITIONAL MORTGAGE LOAN ORIGINATOR.*

Senate committee substitute to the 2nd edition changes the act's effective date from July 1, 2013, to September 1, 2013.

**Intro. by Szoka, Dockham, B. Brown.**

[GS 53](#)

[View summary](#)

[Banking and Finance, Occupational Licensing](#)

H 248 (SL 2013-200) (2013-2014) [TAXPAYER DEBT INFORMATION ACT](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE DISCLOSURE ON THE BALLOT THAT AUTHORIZATION OF INDEBTEDNESS INCLUDES INTEREST AND THAT TAXES MAY BE LEVIED TO REPAY THE INDEBTEDNESS.*

AN ACT TO REQUIRE DISCLOSURE ON THE BALLOT THAT AUTHORIZATION OF INDEBTEDNESS INCLUDES INTEREST AND THAT TAXES MAY BE LEVIED TO REPAY THE INDEBTEDNESS. Enacted June 26, 2013. Effective September 1, 2013.

**Intro. by Conrad, Fulghum, Cleveland, Blust.**

[GS 159](#)

[View summary](#)

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

H 492 (2013-2014) [SAFEGUARD QUALIFIED INDIVIDUALS-MEDICAID PCS \(NEW\)](#). Filed Apr 1 2013, *A BILL TO BE ENTITLED AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADJUST MEDICAID PERSONAL CARE SERVICES TO PROVIDE ADDITIONAL SAFEGUARDS FOR QUALIFIED INDIVIDUALS AND TO REPORT TO THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES, THE SENATE APPROPRIATIONS COMMITTEE ON HEALTH AND HUMAN SERVICES, AND TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

Senate amendment to the 4th edition makes the following changes. Amends GS Section 10.9F(c) of SL 2012-142 to amend the criteria to be met in order for a Medicaid recipient to be eligible for additional hours of Medicaid Personal Care Services to require that the recipient have a history of (was, exhibit) safety concerns related to inappropriate wandering, ingesting, aggressive behavior, and an increased incidence of falls.

Amends the Department of Health and Human Services reporting requirement to make it due to the Joint Legislative Oversight Committee on Health and Human Services (was, to the House Appropriations Subcommittee on Health and Human Services and to the Senate Appropriations Committee on Health and Human Services).

**Intro. by Dollar.**

UNCODIFIED

[View summary](#)**Health, Public Assistance**

H 322 (SL 2013-201) (2013-2014) **CDL REQUIREMENTS/MILITARY EXPERIENCE**. Filed Mar 14 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL SKILLS TEST FOR RETIRED OR DISCHARGED MEMBERS OF THE ARMED FORCES WHO ALSO SATISFY OTHER REQUIREMENTS.*

AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL SKILLS TEST FOR RETIRED OR DISCHARGED MEMBERS OF THE ARMED FORCES WHO ALSO SATISFY OTHER REQUIREMENTS. Enacted June 26, 2013. Effective June 26, 2013.

**Intro. by Szoka, Jeter, Millis, D. Hall.**

GS 20

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

H 428 (2013-2014) **NORTH CAROLINA SCHOOL BUS SAFETY ACT**. Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE PUNISHMENT FOR PASSING A STOPPED SCHOOL BUS IN VIOLATION OF G.S. 20-217 SHALL INCLUDE A FINE IN ALL CIRCUMSTANCES, A REVOCATION OF THE PERSON'S DRIVERS LICENSE IN CERTAIN CIRCUMSTANCES, AND DISQUALIFICATION OF THE PERSON'S COMMERCIAL DRIVING PRIVILEGES IN CERTAIN CIRCUMSTANCES; TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL WITHHOLD THE REGISTRATION RENEWAL OF A PERSON WHO FAILS TO PAY ANY FINE IMPOSED PURSUANT TO G.S. 20-217; AND TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO USE THE PROCEEDS OF ANY FINES COLLECTED FOR VIOLATIONS OF G.S. 20-217 TO PURCHASE AUTOMATED CAMERA AND VIDEO RECORDING SYSTEMS TO INSTALL ON SCHOOL BUSES.*

Senate amendments make the following changes to the 3rd edition.

Amendment #1 changes the name of the act from the *North Carolina School Bus Safety Act* to *The Hasani N. Wesley Students' School Bus Safety Act*.

Amendment #2 amends GS 20-217 to decrease the fine for a willful violation where a person is struck from \$2,500 to \$1,250 and for a willful violation where the persons struck dies from \$5,000 to \$2,500. Allows, in the case of a first felony conviction under the statute, a person to apply for a limited driving privilege after six months (was, 12 months) of license revocation.

**Intro. by Hanes, Lambeth.**

GS 20

[View summary](#)**Transportation, Education, Motor Vehicle**

H 331 (SL 2013-202) (2013-2014) **HOAS/UNIFORM LIEN PROCEDURE**. Filed Mar 18 2013, *A BILL TO BE ENTITLED AN ACT TO STABILIZE TITLES AND TO PROVIDE A UNIFORM PROCEDURE TO ENFORCE CLAIMS OF LIEN SECURING SUMS DUE CONDOMINIUM AND PLANNED COMMUNITY ASSOCIATIONS.*

AN ACT TO STABILIZE TITLES AND TO PROVIDE A UNIFORM PROCEDURE TO ENFORCE CLAIMS OF LIEN SECURING SUMS DUE CONDOMINIUM AND PLANNED COMMUNITY ASSOCIATIONS. Enacted June 26, 2013. Effective October 1, 2013.

**Intro. by Bryan, Stam.**

GS 47C, GS 47F

[View summary](#)**Banking and Finance, Property and Housing**

H 891 (SL 2013-203) (2013-2014) **EXPLOITATION OF SRS/FREEZE DEFENDANT'S ASSETS**. Filed Apr 11 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE DISTRICT ATTORNEY TO PETITION THE COURT TO FREEZE THE ASSETS OF A DEFENDANT CHARGED WITH FINANCIAL EXPLOITATION OF AN ELDER ADULT OR DISABLED ADULT AND TO ESTABLISH A PROCEDURE TO PETITION FOR THE FREEZING OR SEIZURE OF THE DEFENDANT'S ASSETS.*

AN ACT TO ALLOW THE DISTRICT ATTORNEY TO PETITION THE COURT TO FREEZE THE ASSETS OF A DEFENDANT CHARGED WITH FINANCIAL EXPLOITATION OF AN ELDER ADULT OR DISABLED ADULT AND TO ESTABLISH A PROCEDURE TO PETITION FOR THE FREEZING OR SEIZURE OF THE DEFENDANT'S ASSETS. Enacted June 26, 2013. Effective October 1, 2013.

**Intro. by Glazier, McGrady.**

GS 14

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

H 250 (2013-2014) **CHARTER SCHOOL ENROLLMENT & CHARTER REVISIONS (NEW)**. Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ENROLLMENT PRIORITY AND PROCEDURES FOR CERTAIN STUDENTS APPLYING TO CHARTER SCHOOLS AND TO MAKE CHANGES AS TO WHAT QUALIFIES AS A MATERIAL REVISION TO A CHARTER APPLICATION.*

Senate amendments to the 4th edition make the following changes.

Amendment #1 amends GS 115C-238.29D(f) to provide that it is not considered a material charter application revision, and does not require prior approval, for a charter school to expand to offer one grade higher than the charter school currently offers (was, expand to offer grades four and five if the school has previously been authorized to offer kindergarten through third grade).

Amendment #2 amends the admission requirements in GS 115C-238.29F(g) to require the charter school, within one year after beginning operation, to make efforts for the school's population to reasonably reflect (was, within one year after the charter school begins operation, the school's population must reasonably reflect) the racial and ethnic composition of the general population residing in the local school administrative unit or that of the special population that the school seeks to serve residing within the local school administrative unit where the school is located.

Amendment #3 amends GS 115C-238.29F(g) to create a limit of no more than 15% (was, no more than 10%) of the school's total enrollment consisting of children of the school's full time employees, and, for its first year of operation, children of the initial members of the school's board of directors so long as the school is not a former public or private school. Adds the possibility of a waiver from this requirement by the State Board of Education.

**Intro. by Hardister, Brandon, Stam, Lambeth.**

GS 115C

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

H 332 (SL 2013-204) (2013-2014) **NOTARY ACT/SATISFACTION OF SECURITY INTERESTS**. Filed Mar 18 2013, *A BILL TO BE ENTITLED AN ACT MAKING CORRECTIONS AND OTHER AMENDMENTS TO THE NOTARY PUBLIC ACT, MAKING OTHER CONFORMING CHANGES, AND PROVIDING FOR AN ALTERNATIVE PROCEDURE FOR SATISFACTION OF SECURITY INSTRUMENTS.*

AN ACT MAKING CORRECTIONS AND OTHER AMENDMENTS TO THE NOTARY PUBLIC ACT, MAKING OTHER CONFORMING CHANGES, AND PROVIDING FOR AN ALTERNATIVE PROCEDURE FOR SATISFACTION OF SECURITY INSTRUMENTS. Enacted June 26, 2013. Section 1 is effective July 1, 2013. The remainder is effective June 26, 2013.

**Intro. by Bryan, Stam, Glazier.**

GS 10B, GS 41, GS 45, GS 47

[View summary](#)

**Banking and Finance, Civil Law**

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

Senate committee substitute to the 5th edition changes the number of proposed GS 87-122.1 to GS 87-123 and makes conforming changes to the statute numbers.

**Intro. by Hager, Moffitt, Murry.**

GS 87

[View summary](#)

**Public Enterprises and Utilities**

H 433 (SL 2013-206) (2013-2014) [LAND USE SURROUNDING MILITARY INSTALLATIONS](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO SUPPORT THE ACTIVITIES OF THE ARMED FORCES AND TO MAINTAIN AND ENHANCE THE MILITARY'S PRESENCE IN NORTH CAROLINA BY REGULATING THE HEIGHT OF BUILDINGS AND STRUCTURES LOCATED IN AREAS THAT SURROUND MILITARY INSTALLATIONS IN THE STATE.*

AN ACT TO SUPPORT THE ACTIVITIES OF THE ARMED FORCES AND TO MAINTAIN AND ENHANCE THE MILITARY'S PRESENCE IN NORTH CAROLINA BY REGULATING THE HEIGHT OF BUILDINGS AND STRUCTURES LOCATED IN AREAS THAT SURROUND MILITARY INSTALLATIONS IN THE STATE. Enacted June 26, 2013. Section 3 is effective June 26, 2013. The remainder is effective October 1, 2013, and applies to tall buildings and structures for which construction is initiated on or after that date.

**Intro. by J. Bell, Stam, McElraft, Whitmire.**

GS 143

[View summary](#)

**Land Use, Planning and Zoning, Military and Veteran's Affairs**

H 15 (2013-2014) [VARIOUS EMERGENCY MANAGEMENT CHANGES](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO (1) FACILITATE THE USE OF VEHICLES EXCLUSIVELY FOR LAW ENFORCEMENT, FIREFIGHTING, OR OTHER EMERGENCY RESPONSE PURPOSES BY THE DIVISION OF PARKS AND RECREATION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE NORTH CAROLINA FOREST SERVICE OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES; AND (2) DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO STUDY METHODS OF ALLOWING PRISONERS TO CONTRIBUTE TO CLEANUP AND MITIGATION EFFORTS IN CONNECTION WITH STATES OF EMERGENCY DECLARED IN THIS STATE.*

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

Amends GS 20-130.1, which makes it unlawful to install, activate, or operate red or blue lights on any vehicle in this state, to expand the exceptions to this prohibition to include vehicles operated by official members or teams of REACT International Inc. to provide additional manpower authorized by law enforcement, firefighting, or other emergency response entities.

Amends GS 143-341(8)(i)7a, regarding the powers and duties of the Department of Administration (Department) to establish and operate a central motor pool and subsidiary related facilities to create an exception to the prohibition that the Department not assign any state-owned motor vehicle to be used for commuting other than those authorized by the procedure described in this subdivision. Provides an exception which allows the Department to assign a vehicle to an official elected to a statewide office who has statewide emergency response duties and to exempt the assignment from the payment of reimbursement for commuting under this subdivision.

Amends the title to more precisely reflect the bil content. Renumbers the bill sections accordingly.

**Intro. by Faircloth, Saine, Boles.**

[STUDY, GS 20, GS 143](#)

[View summary](#)

[Department of Administration, Department of Public Safety, Public Safety](#)

H 459 (SL 2013-207) (2013-2014) [CHRONIC CARE COORDINATION ACT](#). Filed Mar 27 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO COORDINATE CHRONIC DISEASE CARE.*

AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO COORDINATE CHRONIC DISEASE CARE. Enacted June 26, 2013. Effective June 26, 2013.

**Intro. by Dollar, Murry, Hollo, Lambeth.**

[GS 130A](#)

[View summary](#)

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

H 94 (2013-2014) [AMEND ENVIRONMENTAL LAWS 2013](#). Filed Feb 12 2013, *AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO (1) REPEAL 2008 AND SUBSEQUENT MODEL YEAR HEAVY-DUTY DIESEL VEHICLE REQUIREMENTS; (2) DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE CONTINUED NEED TO CONDUCT VEHICLE EMISSIONS INSPECTIONS; (3) PROVIDE THE ENVIRONMENTAL MANAGEMENT COMMISSION WITH THE FLEXIBILITY TO DETERMINE WHETHER RULES ARE NECESSARY FOR CONTROLLING THE EFFECTS OF COMPLEX SOURCES ON AIR QUALITY; (4) AMEND THE RULES THAT PERTAIN TO OPEN BURNING FOR LAND CLEARING OR RIGHT-OF-WAY MAINTENANCE; (5) CLARIFY THAT AN AIR QUALITY PERMIT SHALL BE ISSUED FOR A TERM OF EIGHT YEARS AND PROVIDE THAT A THIRD PARTY WHO IS DISSATISFIED WITH A DECISION OF THE ENVIRONMENTAL MANAGEMENT COMMISSION REGARDING AN AIR QUALITY PERMIT MAY FILE A CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURE ACT WITHIN 30 DAYS; (6) AMEND COASTAL AREA MANAGEMENT ACT MINOR PERMIT NOTICE REQUIREMENTS; (7) AMEND THE DIRECTION TO THE MINING ENERGY COMMISSION CONCERNING ADOPTION OF RULES GOVERNING DISCLOSURE OF INFORMATION PERTAINING TO HYDRAULIC FRACTURING FLUID CHEMICALS AND CONSTITUENTS; (8) EXEMPT THE MINING AND ENERGY COMMISSION, THE ENVIRONMENTAL MANAGEMENT COMMISSION, AND THE COMMISSION FOR PUBLIC HEALTH FROM PREPARING FISCAL NOTES FOR RULES THAT PERTAIN TO THE MANAGEMENT OF OIL AND GAS DEVELOPMENT; (9) CLARIFY THE PROCESS FOR APPEALS FROM CIVIL PENALTIES ASSESSED BY A LOCAL GOVERNMENT THAT HAS ESTABLISHED AND ADMINISTERS AN EROSION AND SEDIMENTATION CONTROL PROGRAM APPROVED UNDER G.S.*

*113A-60 AND PROVIDE THAT CIVIL PENALTIES ASSESSED BY A LOCAL GOVERNMENT PURSUANT TO THE SEDIMENTATION POLLUTION CONTROL ACT OF 1973 SHALL BE REMITTED TO THE CIVIL PENALTY AND FORFEITURE FUND; (10) PROVIDE FOR LOW-FLOW DESIGN ALTERNATIVES FOR WASTEWATER SYSTEMS; (11) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO ADOPT RULES TO PROVIDE FOR NOTICE OF KNOWN CONTAMINATION TO APPLICANTS WHO SEEK TO CONSTRUCT NEW PRIVATE DRINKING WATER WELLS AND TO DIRECT LOCAL HEALTH DEPARTMENTS TO EITHER ISSUE A PERMIT OR DENY AN APPLICATION FOR THE CONSTRUCTION, REPAIR, OR OPERATION OF A WELL WITHIN 30 DAYS OF RECEIPT OF AN APPLICATION; (12) CLARIFY THOSE UNDERGROUND STORAGE TANKS THAT ARE NOT REQUIRED TO PROVIDE SECONDARY CONTAINMENT UNTIL JANUARY 1, 2020; (13) MAKE TECHNICAL AND CONFORMING CHANGES TO PROTECTED SPECIES, MARINE, AND WILDLIFE RESOURCES STATUTES; (14) MAKE CLARIFYING AND CONFORMING CHANGES TO THE STATUTES PERTAINING TO THE MANAGEMENT OF SNAKES AND OTHER REPTILES; (15) AMEND THE ADMINISTRATIVE PROCEDURE ACT TO PROVIDE THE WILDLIFE RESOURCES COMMISSION WITH TEMPORARY RULE-MAKING AUTHORITY FOR MANNER OF TAKE; (16) PROHIBIT PUBLIC ENTITIES FROM PURCHASING OR ACQUIRING PROPERTY WITH KNOWN CONTAMINATION WITHOUT APPROVAL OF THE GOVERNOR AND COUNCIL OF STATE; (17) CLARIFY THAT NO BUILDING PERMIT IS REQUIRED FOR ROUTINE MAINTENANCE OF FUEL DISPENSERS; (18) CLARIFY THE FEES THAT THE SECRETARY FOR ENVIRONMENT AND NATURAL RESOURCES MAY ADOPT FOR THE NORTH CAROLINA AQUARIUMS; (19) REPEAL THE MOUNTAIN RESOURCES PLANNING ACT; (20) PROVIDE AN EXEMPTION FROM LOCAL GOVERNMENT REQUIREMENTS REGARDING THE NUMBER OF ACRES REQUIRED FOR PROPERTY DEVELOPMENT FOR BROWNFIELDS AGREEMENTS; (21) DIRECT THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES FOR SELECTIVE PRUNING WITHIN HIGHWAY RIGHTS-OF-WAY; (22) CLARIFY REQUIREMENTS FOR COMPLIANCE BOUNDARIES WITH RESPECT TO GROUNDWATER QUALITY STANDARDS; (23) EXEMPT CERTAIN RADIO TOWERS FROM APPLICABILITY WITH THE MILITARY LANDS PROTECTION ACT; (24) CLARIFY THAT EXTENDED DURATION PERMITS FOR SANITARY LANDFILLS AND TRANSFER STATIONS AUTHORIZED BY S.L. 2012-187 ARE PERMITS FOR OPERATION AS WELL AS CONSTRUCTION; (25) ADD A FACTOR FOR CONSIDERATION IN ASSESSING SOLID WASTE PENALTIES; (26) LIMIT LOCAL GOVERNMENT REGULATION OF STORAGE, RETENTION, OR USE OF NONHAZARDOUS RECYCLED MATERIALS; (27) AMEND THE DEFINITION OF "BUILT-UPON AREA" FOR PURPOSES OF IMPLEMENTING STORMWATER PROGRAMS; (29) EXEMPT PONDS THAT ARE CONSTRUCTED AND USED FOR AGRICULTURAL PURPOSES FROM RIPARIAN BUFFER RULES; (30) PROVIDE THAT A THIRD PARTY WHO IS DISSATISFIED WITH A DECISION OF THE ENVIRONMENTAL MANAGEMENT COMMISSION REGARDING A WATER QUALITY PERMIT MAY FILE A CONTESTED CASE UNDER THE ADMINISTRATIVE PROCEDURE ACT WITHIN 30 DAYS; (31) REPEAL REQUIREMENTS FOR INCREASES IN VEHICULAR SURFACE AREAS; (32) AMEND DREDGE AND FILL PERMIT APPLICANT PROCEDURE FOR NOTICE TO ADJOINING PROPERTY OWNERS; (33) PROVIDE THAT CERTAIN WATER TREATMENT SYSTEMS WITH EXPIRED AUTHORIZATIONS MAY OBTAIN NEW AUTHORIZATIONS THAT ALLOW THE SYSTEMS TO WITHDRAW SURFACE WATER FROM THE SAME WATER BODY AT THE SAME RATE AS WAS APPROVED IN THE EXPIRED AUTHORIZATION; AND (34) COMBINE THE DIVISION OF WATER QUALITY AND THE DIVISION OF WATER RESOURCES TO CREATE A NEW DIVISION OF WATER RESOURCES IN THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND MAKE CONFORMING CHANGES; AND (36) DIRECT THE COMMISSION FOR PUBLIC HEALTH TO CLARIFY ITS RULES THAT IMPLEMENT THE PROHIBITION ON SMOKING IN BARS AND RESTAURANTS AND (37) LIMIT REVIEW OF ENGINEERING WORK.*

Senate amendment #1 makes the following changes to the 3rd edition:

Amends the long title.

Deletes Part XXVII, Direct the Environmental Review Commission to Study the Requirements Applicable to Recycling of Discarded Computer Equipment.

Makes conforming changes.

Senate amendment #2 makes the following changes:

Makes technical change to Section 4(e) of the act, amending GS 130A-294(a)(4).

Amends Part 23 by updating the requirement that House Bill 433 (Land Use Surrounding Military Installations) must become law before GS 143-151.74 can be amended as provided for in the act, to provide for the fact that H433 has become law.

Updates a statutory reference in Section 29(e) of the act, changing a reference to GS 150B-21.9 to GS 150B-21.8.

Amends the enactment clause, providing that Section 16 becomes effective September 1, 2013, and applies to a purchase or acquisition of interest in real property occurring on or after that date.

Senate amendment #3 makes the following changes:

Amends the long title

Adds new section, Part XXXVI, Limit Review of Engineering Work, amending GS 89C-19, *Public works; requirements where public safety involved*. Prohibits the state and any of its political subdivisions, in the course of conducting a technical review, from requiring revisions to the parts of an application or plan that constitutes the practice of engineering and has been supervised and sealed by a professional engineer, unless the employee or official requesting the revision is also a professional engineer or an engineering intern with the appropriate supervision. Such approved revisions must be provided by written notice, on agency letterhead, signed by the professional engineer reviewing the submission, including his or her state license number, and then provided to the permit applicants or the person that submitted the plan for approval. Makes conforming changes.

Senate amendment #4 makes the following changes:

Amends the long title.

Deletes Part VII of the act and replaces it with a new Part VII, Amend Direction to the Mining and Energy Commission Concerning Adoption of Rules Governing Disclosure of Information Pertaining to Hydraulic Fracturing Fluid Chemicals and Constituents, providing that the Commission and DENR can review, but not possess or take ownership of, data and information related to the chemicals and constituents used in hydraulic fracturing fluids that are designated as trade secrets. Directs the Commission to develop rules for the public disclosure through an online registry in regards to the applicable chemical families or other similar descriptions of the chemicals used in hydraulic fracturing. Defines *chemical family* for use in the subsection.

Provides that notwithstanding subsection (m) of Section 2 of SL 2012-143, the Mining and Energy Commission is required to adopt the rules noted above no later than December 1, 2013. Such rules when adopted will become effective as provided in GS 150B-21.3(b1) as though 10 or more written objections had been received as provided by GS 150B-21.3(b2).

Senate amendment #5 makes the following changes:

Amends the long title.

Deletes Part/Section 34, which repealed Section 1(a)(2) of SL 2013-50, concerning certificates for interbasin transfers.

Senate amendment #6 makes the following changes:

Amends the long title.

Adds new Part XXXVI, Direct the Commission for Public Health to Clarify Its Rules that Implement the Prohibition on Smoking in Bars and Restaurants, which provides that, no later than January 1, 2014, the Commission for Public Health (Commission) will amend and clarify its rules adopted pursuant to GS 130A-497 for the implementation of the prohibition on smoking in restaurants and bars. Requires that the rules (1) ensure consistent interpretation and enforcement of Part 1C of Article 23 of GS Chapter 23 and (2) clarify the definition of enclosed areas. Provides that the rules noted above (1) will be exempt from the requirements of GS 150B-21.4; (2) will not be subject to GS 150B-21.8 through G.S. 150B-21.14; and (3) will become effective as provided in GS 150B-21.3(b1) as though 10 or more written objections had been received as provided by GS 150B-21.3(b2). Provides that no later than November 1, 2013, the Commission shall report to the Joint Legislative Oversight Committee on Health and Human Services on its progress in amending and clarifying the rules. Makes conforming changes.

**Intro. by <p>McElraft, Samuelson, McGrady.</p>**

[GS 14, GS 74, GS 87, GS 90A, GS 106, GS 113, GS 113A, GS 130A, GS 133, GS 136, GS 143, GS 143B, GS 150B, GS 153A, GS 159G, GS 160A](#)

[View summary](#)

**[Environment, Department of Environment and Natural Resources](#)**



H 587 (SL 2013-208) (2013-2014) [ALTERNATE ACT/PLAN FOR CERTAIN STUDENTS \(NEW\)](#). Filed Apr 4 2013, *A BILL TO BE ENTITLED AN ACT TO REQUIRE AN ALTERNATE ACT AND PLAN PRECURSOR TEST FOR CERTAIN STUDENTS.*

AN ACT TO REQUIRE AN ALTERNATE ACT AND PLAN PRECURSOR TEST FOR CERTAIN STUDENTS. Enacted June 26, 2013. Effective June 26, 2013.

**Intro. by Whitmire, Holloway, Blackwell, Glazier.**

[GS 115C](#)

[View summary](#)

[Education](#)

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

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

Adds a new subdivision to GS 130A-294(b1) to exempt certain sanitary landfills from having to obtain a franchise to operate from a local government. Provides that a landfill is exempt from the requirement if (1) the property on which the landfill is located is incorporated within a local government's boundaries by an act of the General Assembly and (2) the landfill was validly operating in another jurisdiction before the legislative act became effective. Limits the application of this subdivision to sanitary landfills for disposing of construction and demolition debris that had a permit from the Department of Environment and Natural Resources to operate the landfill on January 1, 2008.

Amends GS 130A-294(a)(4) to make a technical correction.

Amends the bill title and renumbers the bill sections accordingly.

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

[GS 130A](#)

[View summary](#)

[Public Health](#)

H 597 (SL 2013-209) (2013-2014) [BAIL BONDSMAN/OFFICIAL SHIELD \(NEW\)](#). Filed Apr 8 2013, *A BILL TO BE ENTITLED AN ACT TO APPROVE AN OFFICIAL SHIELD FOR BAIL BONDSMEN.*

AN ACT TO APPROVE AN OFFICIAL SHIELD FOR BAIL BONDSMEN. Enacted June 26, 2013. Effective June 26, 2013, and applies to any person licensed pursuant to GS 58-71-40 before, on, or after that date.

**Intro. by Malone, Moffitt, Faircloth.**

[GS 58](#)

[View summary](#)

[Occupational Licensing](#)

H 296 (2013-2014) [OMNIBUS WILDLIFE RESOURCES COMMISSION ACT \(NEW\)](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT TO (1) ADJUST THE FEES CHARGED FOR CERTAIN HUNTING AND FISHING LICENSES ISSUED BY THE WILDLIFE RESOURCES COMMISSION AND REPEAL THE COUNTY HUNTING, FISHING, AND TRAPPING LICENSES AND THE NONCOMMERCIAL SPECIAL DEVICE LICENSES; (2) ESTABLISH A BLACK BEAR MANAGEMENT STAMP THAT MUST BE PROCURED BEFORE TAKING BEAR WITHIN THE STATE AND AMEND THE LAW RESTRICTING THE TAKING OF BLACK*



*BEAR WITH BAIT; (3) ADJUST THE AGE FOR DISCOUNTED SPECIAL LICENSES FROM AGE SIXTY-FIVE TO AGE SEVENTY; (4) PROVIDE THAT EFFECTIVE JANUARY 1, 2015, THOSE HUNTING AND FISHING LICENSE FEES IN EFFECT SHALL REMAIN AT THE EXISTING LEVELS UNTIL THE WILDLIFE RESOURCES COMMISSION ESTABLISHES NEW FEES THROUGH RULE MAKING, AND AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO ESTABLISH LICENSE FEES THROUGH RULE MAKING BEGINNING IN 2015; (5) REPLACE THE CURRENT SIX PERCENT WILDLIFE SERVICE AGENT COMMISSION FEE WITH A TWO-DOLLAR TRANSACTION FEE; (6) PROVIDE THAT NO MORE THAN TWENTY-FIVE PERCENT OF THE WILDLIFE RESOURCES COMMISSION'S AUTHORIZED OPERATING BUDGET SHALL BE KEPT IN RESERVE; AND (7) PROVIDE AN ANNUAL TARGET FOR UTILIZATION OF THE ANNUAL EXPENDABLE INTEREST OF THE WILDLIFE ENDOWMENT FUND.*

Senate amendment substitute makes the following changes to the 3rd edition.

Deletes proposed changes made to GS 113-270.1C(b)(2) through (b)(6), concerning increases in fees for specified combination hunting and inland fishing licenses.

Deletes proposed changes made to GS 113-270.1D, *Sportsman licenses*, deleting proposed increases to Infant, Youth, and Adult Resident Lifetime Sportsman Licenses, as well as Age 70 Resident Lifetime Sportsman Licenses, Resident Disabled Veteran Lifetime Sportsman Licenses, and Resident Totally Disabled Lifetime Sportsman Licenses.

Deletes proposed fee changes for the Mountain Heritage Trout Waters 3-Day Fishing License, Lifetime Resident Comprehensive Hunting License, the Lifetime Resident Comprehensive Inland Fishing License, Age 70 Resident Lifetime Inland Fishing License, Resident Disabled Veteran Lifetime Inland Fishing License, the Resident Totally Disabled Lifetime Inland Fishing License, the Infant Lifetime Unified Sportsman/Coastal Recreational Fishing License, the Youth Lifetime Unified Sportsman/Coastal Recreational Fishing License, the Resident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License, the Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing License, the Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing License, Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing License, and the Resident Lifetime Unified Inland/Coastal Recreational Fishing License.

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

[GS 75A, GS 113, GS 143](#)

[View summary](#)

[Animals](#)

H 641 (SL 2013-210) (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.*

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. Enacted June 26, 2013. Effective December 1, 2013, and applies to offenses committed on or after that date.

**Intro. by Davis, Daughtry.**

[GS 90](#)

[View summary](#)

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

H 343 (SL 2013-225) (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.*

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. Enacted June 30, 2013. Section 1 is effective August 1, 2013, and applies to actions filed on or after that date. Section 2 is effective January 1, 2014, and applies to all pleadings and motions filed on or after that date. Section 4 is effective July 1, 2013, and applies to pleadings filed on or after that date. Except as otherwise provided, the remainder is effective June 30, 2013, and applies to actions filed and to amounts assessed or collected on or after that date.

**Intro. by Turner.**

GS 7A, GS 143, GS 161

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

H 686 (SL 2013-211) (2013-2014) [NC SEAFOOD PARK/NAME CHANGE](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO RENAME THE NC SEAFOOD INDUSTRIAL PARK AUTHORITY TO REFLECT ITS BROADER MISSION AND TO MAKE OTHER MODIFICATIONS TO THE AUTHORITY'S ENABLING LEGISLATION.*

AN ACT TO RENAME THE NC SEAFOOD INDUSTRIAL PARK AUTHORITY TO REFLECT ITS BROADER MISSION AND TO MAKE OTHER MODIFICATIONS TO THE AUTHORITY'S ENABLING LEGISLATION. Enacted June 26, 2013. Effective June 26, 2013.

**Intro. by Tine, Stone, Steinburg.**

GS 113

[View summary](#)[Aquaculture and Fisheries](#)

H 695 (2013-2014) [FAMILY, FAITH, AND FREEDOM PROTECTION ACT \(NEW\)](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO PROTECT RIGHTS AND PRIVILEGES GRANTED UNDER THE UNITED STATES AND NORTH CAROLINA CONSTITUTIONS IN THE APPLICATION OF FOREIGN LAW, TO MODIFY CERTAIN LAWS PERTAINING TO ABORTION, TO LIMIT ABORTION COVERAGE UNDER HEALTH INSURANCE PLANS OFFERED UNDER A HEALTH BENEFIT EXCHANGE OPERATING IN NORTH CAROLINA OR OFFERED BY A COUNTY OR MUNICIPALITY, TO PROHIBIT A PERSON FROM PERFORMING OR ATTEMPTING TO PERFORM AN ABORTION WHEN THE SEX OF THE UNBORN CHILD IS A SIGNIFICANT FACTOR IN SEEKING THE ABORTION, TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO AMEND RULES PERTAINING TO CLINICS CERTIFIED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO BE SUITABLE FACILITIES FOR THE PERFORMANCE OF ABORTIONS, AND TO AMEND THE WOMEN'S RIGHT TO KNOW ACT.*

Senate committee substitute makes the following changes to the 3rd edition.

Provides that this act may be known and cited as the Family, Faith, and Freedom Protection Act of 2013.

Provides that Section 2, enacting new Article 7A of GS Chapter 1, becomes effective September 1, 2013 and applies to agreements and contracts entered into on or after that date.

Amends GS 14-45.1(e) to expand the prohibition against requiring a health care provider who states an objection to abortion on moral, ethical, or religious grounds to participate in medical procedures, which result in an abortion, to also include any other health provider (was, applied to physicians licensed in North Carolina and nurses only). Clarifies that refusal of a physician, nurse, or health care provider is not a basis for damages or for any disciplinary or other recriminatory action against a physician, nurse, or health care provider. Provides that for the purposes of this section, *health care provider* has the same meaning as defined under GS

90-410(1). Amends GS 14-45.1(f) to clarify that nothing in this section is to require a health care institution, hospital, or other health care provider to perform an abortion or to provide abortion services (was, a hospital or a health care institution). Makes this section effective 30 days after it becomes law.

Enacts new GS 58-51-63, citing authority granted to the states under 42 USC § 18023(a), to prohibit a qualified health plan offered through an Exchange created under Subchapter III of Chapter 157 of Title 42 of the U.S. Code and operating within this state from including coverage for abortion services. Makes an exception for abortions performed when the pregnancy is a result of rape or incest or the mother's life is endangered.

Amends 153A-92(d) to prohibit a county from providing abortion coverage greater than that provided by the State Health Plan for Teachers and State Employees under Article 3B of GS Chapter 135. Amends GS 160A-162(b) to implement the same prohibition with regards to the provision of health insurance by a city council to city employees. Applies to insurance contracts or policies issued, renewed, or amended on or after October 1, 2013.

Enacts new Article 1K, *Certain Abortions Prohibited*, in GS Chapter 90, effective October 1, 2013, and applying to violations occurring on or after that date. Provides that, notwithstanding GS 14-45.1, no person will perform or attempt to perform an abortion on a woman in North Carolina with knowledge, or an objective reason to know, that a significant factor in seeking the abortion is related to the sex of the unborn child. Establishes that this section will not be construed as creating an affirmative duty for a physician to inquire if the sex of the unborn child is a significant factor in seeking the abortion.

Provides for civil remedies for violations. Makes any person who violates the provisions of this Article liable for damages, including punitive damages under GS Chapter 1D and provides that the violator may be enjoined from future acts.

Allows a claim for damages against any person who has violated a provision of this Article to be sought by (1) the woman upon whom an abortion was performed or attempted, (2) the spouse or guardian of the woman upon whom an abortion was performed or attempted, or (3) a parent of a woman upon whom an abortion was performed or attempted if the woman was a minor at the time of the abortion or the attempted abortion.

Allows a claim for injunctive relief to be sought by (1) the woman upon whom an abortion was performed or attempted in violation of this Article; (2) any person who is the spouse, guardian, or current or former licensed health care provider of the woman upon whom an abortion has been performed or attempted in violation of this Article; or (3) a parent of the woman upon whom the abortion was performed or attempted if the woman was a minor at the time of the abortion or the attempt. Provides for civil contempt and fines for the violation of an injunction. Provides that each performance or attempted performance of an abortion in violation of an injunction is a separate violation and that the fines are cumulative. Prohibits assessing a fine against the woman upon whom the abortion was performed or attempted. Directs that the clear proceeds of any civil penalty assessed under this section are to be remitted to the Civil Penalty and Forfeiture Fund in accordance with GS 115C-457.2.

Requires the court to rule whether the anonymity of any woman upon whom an abortion has been performed or attempted must be preserved from public disclosure if the woman does not give her consent to the disclosure. Upon determining that the woman's anonymity should be preserved, requires the court to issue orders to the parties, witnesses, and counsel and to direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard the woman's identity from public disclosure. Requires such orders to be accompanied by specific written findings explaining (1) why the anonymity of the woman should be preserved from public disclosure; (2) why the order is essential to that end; (3) how the order is narrowly tailored to serve that interest; and (4) why no reasonable, less restrictive alternative exists. Prohibits construing this section to be used to conceal the identity of the plaintiff or of witnesses from the defendant.

Makes a conforming change to the definition for *attempt to perform an abortion* provided in GS 90-21.81(2). Effective October 1, 2013.

GS 90-21.82 provides that a woman must provide voluntary and informed consent to receive an abortion. Amends this section to specify the following information that a physician or qualified professional must provide orally (by telephone or in person) to the woman at least 24 hours before an abortion is performed, except in the case of a medical emergency: (1) the name of the doctor who will perform the abortion to ensure the safety of the procedure and prompt medical attention to any complications that may arise; (2) the doctor performing the abortion will be physically present during the performance of the entire abortion procedure; and (3) the doctor prescribing, dispensing or otherwise providing any drug or chemical for the purpose of inducing an abortion will be physically present in the room with the patient when the drug or chemical is administered to the patient.

Amends GS 90-21.83 to direct the Department of Health and Human Services (DHHS) make a list of resources available on the state web site that a woman may contact for assistance upon receiving information from the physician performing an ultrasound that her unborn child may have a disability or serious abnormality. Directs DHHS to provide the information in a manner as prescribed by subsection (b) of this section.

Directs DHHS to amend its rules for clinics certified by DHHS to be suitable facilities for performing abortions under GS 14-45.1. Requires that the rules ensure that standards for clinics certified by DHHS be suitable facilities for performing abortions similar to those for the licensure of ambulatory surgical centers and that the rules address the on-site recovery phase or patient care as well as the requirement for a transfer agreement between a clinic and a hospital. Directs DHHS to report to the Joint Legislative Oversight Committee on Health and Human Services on its progress in amending the rules no later than January 1, 2014. This section becomes effective October 1, 2013.

Contains a severability clause. Amends the short and long title of this act. Except as otherwise provided, this act becomes effective when it becomes law.

**Intro. by Whitmire, Cleveland, Schaffer, Pittman.**

[GS 1, GS 14, GS 58, GS 90, GS 153A, GS 160A](#)

[View summary](#)

**[Civil Procedure, Local Government, Health, Health Insurance, Health Care Facilities and Providers](#)**

H 743 (SL 2013-224) (2013-2014) [UI LAWS ADMINISTRATIVE CHANGES](#). Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.*

AN ACT TO MAKE TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by Howard.**

[GS 96](#)

[View summary](#)

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

H 998 (2013-2014) [TAX SIMPLIFICATION AND REDUCTION ACT \(NEW\)](#) Filed Apr 17 2013, *A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE NORTH CAROLINA TAX STRUCTURE AND TO REDUCE INDIVIDUAL AND BUSINESS TAX RATES.*

Senate committee substitute makes the following changes to the 4th edition.

Amends the short title.

Amends GS 105-153.3, *Definitions*, making technical changes.

Amends GS 105-153.5, making organizational changes. Provides that in determining North Carolina taxable income, a taxpayer may either deduct the standard deduction amount as indicated in this act or the itemized deductions amount. Provides that in cases when married couples file separate returns, a taxpayer cannot deduct the standard deduction amount if the taxpayer or the taxpayer's spouse claims the itemized deduction amount. Provides that standard deduction amounts are as follows: (1) married, filing jointly--\$15,000; (2) head of household--\$12,000; (3) single--\$7,500; and (4) married, filing separately--\$7,500. Sets a maximum limit on the itemized deductions amount based on the taxpayer's filing status as follows: (1) married, filing jointly--maximum itemized deductions, \$15,000; (2) head of household--maximum itemized deductions, \$12,000; (3) single--maximum itemized deductions, \$7,500; and (4) married, filing separately--maximum itemized deductions, \$7,500. In regards to other deductions, provides that a taxpayer can deduct from their AGI any of the specified items (was, must deduct). Provides that taxpayers can deduct benefits received under Title II of the Social Security Act.

Amends GS 105-153.6, concerning adjustments when North Carolina decouples from federal accelerated depreciation, deleting language regarding the placement of property in service to take a special accelerated depreciation. Deletes table detailing

specified add-backs and years of deduction. Makes clarifying and conforming changes. Amends Section 179, *Expense provisions*, providing that taxpayers that place certain property into use and take a special accelerated depreciation are required to add to the taxpayer's federal taxable income or adjusted gross income 85% of the amount by which the taxpayer's expense deduction exceeds dollar and investment limitations, which are, for 2010-2012, dollar limitation of \$250,000 and the Investment Limitation, \$800,000. For 2013 the dollar limitation is \$25,000, and the investment limitation is \$125,000.

Amends GS 105-153.7, *Individual income tax imposed*, providing that the NC taxable income tax is 5.75% (was, 5.4% of the amount that exceeds the previously included zero tax bracket levels). Deletes zero tax bracket tables previously included. Effective January 1, 2014.

Deletes section 1.2 of the previous edition, which provided for a reduction in the NC income tax rate to 5.25% to have been effective on January 1, 2015.

Amends GS 105-153.4, NC taxable income defined, previously GS 105-134.5, replacing references to GS 105-134.6 (now repealed) with GS 105-153.5 and GS 105-153.6. Makes technical changes.

Amends GS 105-153.8, *Income tax returns*, making technical changes.

Amends GS 105-153.9, concerning the conditions on tax credits for taxes paid to other states, to require the state income tax before credit to be multiplied by the fraction of the gross income, modified as provided in GS 105-134.6 and GS 105-134.7 (was, the fraction of the adjusted gross income as modified in GS 105-153.5).

Deletes changes made in the previous edition to the following statutes:

GS 105-131.2, *Adjustment and characterization of income*.

GS 105-131.5, *Part-year resident shareholder*.

GS 105-131.7(c), concerning S Corporations.

GS 105-131.8(a), concerning resident shareholders.

GS 105-154(d), concerning tax payments on behalf of nonresident owners or partners.

GS 105-163.1, concerning definitions for provisions regarding estimated taxes.

GS 105-163.22, *Reciprocity*.

GS 105-309(d), the listing of personal property for taxation.

GS 105-320(a)(16), previously repealed.

GS 110-130.1(a), concerning child support collection and paternity determination.

GS 105-277.3(d1), concerning conservation land easements.

GS 113-77.9(d), concerning acquisition by the Department of Administration.

GS 113A-231, *Program to accomplish conservation purposes*.

GS 113A-232, *Conservation Grant Fund*.

GS 113A-233, *Uses of a grant from the Conservation Grant Fund*.

Amends GA 105-160.3(b), concerning tax credits, deleting all of the included provisions and providing that tax credits allowed under GS 105-153.9 and GS 105-153.10 cannot be claimed by an estate or trust. Effective January 1, 2014.

Amends GS 105-163.2B, *NC State Lottery Commission must withhold taxes*, providing that the NC Lottery Commission must withhold the applicable individual income tax rate as specified in GS 105-153.7 (previously, specified the current tax rate of 7% must be withheld). Effective for taxable years beginning on or after January 1, 2014. Effective January 1, 2014.

Amends GS 105-129.100, *Business privilege tax*, clarifying that when a non-corporate business entity is doing business in North Carolina, each owner of the entity is doing business in North Carolina. Deletes language stating that the tax is imposed for the income year in which the business entity's taxes are due. Provides that the annual privilege tax will be \$400, due when a return is due, which is on or before the 15th day of the 4th month of the business entity's income year. Specifies procedures for seeking an extension and for filing a return. Provides, in regards to the income year for taxes, that the tax imposed is for the income year of the corporation in which the tax becomes due. Further provides that any business entity that ceases its operations in North Carolina before the end of its income year is not entitled to a refund for any tax paid for the months remaining.

Amends GS 105-129.101, making changes to the definition for a *business entity*. Adds the term and definition for *doing business*, meaning acts, powers, or privileges exercised or enjoyed in North Carolina as an incident to or by the powers and privileges granted by the laws in North Carolina. Provides that C corporations are exempt from the business privilege tax.

Amends GS 105-129.100(b), providing that the annual privilege tax imposed on a business entity is \$500. Effective for taxable years beginning January 1, 2016.

Changes the title of Part III to *Lower Franchise Tax Rate (was, Phased Elimination of the Franchise Tax)*.

Amends GS 105-125(a), concerning exemptions to the franchise tax, providing that S corporations subject to the privilege license tax are exempt from the franchise tax but might be required to establish their claims for exemption in writing upon the request of the Secretary.

Amends GS 105-122, *Franchise or privilege tax on domestic and foreign corporations*, changing the tax rate per \$1,000 of capital stock, surplus, and undivided profits to \$1.25 for 2015 (was, \$1.20) with a minimum tax of \$500 due, \$1 for 2016 (was, \$0.90) with a minimum tax of \$1,000 due (was, \$2,000), and \$0.75 for 2017 (was, \$0.60) with a minimum tax of \$1,000 due (was, \$3,000).

Amends GS 105-120.2(b), *Franchise or privilege tax holding companies*, deleting language that required a \$1.50 per \$1,000 tax in lieu of language that establishes that the franchise or privilege tax will be that rate established in GS 105-120(d2) and that the minimum tax due is as defined in GS 105-120(d2) (was, \$35). Deletes language that stated that when the amount of tax produced pursuant to GS 105-120.2(b1) is less than the tax produced pursuant to GS 105-120.2(b2), then the tax will be levied at a rate of \$1.50 per \$1,000. Deletes the repeal of GS Chapter 105, Article 3. Deletes the effective date of January 1, 2018, for the above changes.

Amends GS Chapter 105, Article 3E, changing the title to *Work Force Housing Construction Loan Program (was, Low Income Housing Tax Credits)*.

Amends GS 105-129.42(a), concerning credit for low-income housing, adding a new definition for *development tier*, providing that it is considered a classification assigned to an area pursuant to GS 143B-437.08.

Amends GS 105-129.42(b) to allow a credit to a taxpayer who is allocated a federal low-income housing tax credit under section 42 of the Code to construct or substantially rehabilitate a qualified North Carolina low-income housing development that is located in a development tier one or two area. Further provides that the amount of the credit is equal to a percentage of the development's qualified basis as determined to section 42 of the Code and limited as follows: taxable year 2014-- 100%, 2015--75%, 2016--50%, and 2017--25%.

Amends GS 105-129.45, the sunset provision for the low income housing tax credits, changing the repeal effective date to January 1, 2018, (was, January 1, 2015). Effective for developments to which federal credits are allocated on or after January 1, 2018 (was, January 1, 2015).

Amends GS 105-131.7(a), concerning an S Corporation's tax return, providing that the return is due on or before the 15th day of the 4th month following the close of its income year. An income year ending on any day other than the last day of the month is considered to end on the last day of the calendar month ending nearest to the last day of a taxpayer's actual income year. Effective January 1, 2018.

Amends GS 105-164.3, concerning definitions for use in the administration of sales and use tax, expanding the definition of *major recycling facility* and adding a new term and definition for *recycling facility*. These changes are effective January 1, 2018.

Amends GS 105-164.13(50), concerning exemptions from the retail sales and use tax, providing that specified percentages of the sales price of tangible personal property sold through a coin-operated vending machine, other than tobacco, are exempt from sales and use tax in the decreasing amounts outlined in the table covering 2013-2016 included in the subsection.

Amends new section GS 105-164.13E, *Exemption for farmers*, specifying that exempted specified personal property, digital property, and services are only exempt when used in the cultivating, harvesting, or curing of farm crops or in the production of dairy products, eggs, or animals (previously, stated they only had to be used in "farming" to be exempt). Makes technical and conforming changes. Deletes previously specified tobacco items that were exempt in the previous edition.

Amends the effective date for Section 6.4, concerning privilege and sales tax, changing it to July 1, 2014 (was, October 1, 2014).

Amends GS 105-164.3(43), concerning definitions for use in the administration of sales and use tax, providing that the University of North Carolina Health Care System is included in the definition of a state agency.

Amends GS 105-164.14(b) to provide that the aggregate annual refund amount allowed for a nonprofit under the subsection (concerning nonprofits and hospital drugs) for a fiscal year may not exceed \$7.5 million beginning July 1, 2014; \$5 million beginning July 1, 2015; \$3.5 million (was, \$1 million) beginning on or after July 1, 2016; and \$2 million (was, \$100,000)

beginning on or after July 1, 2017.

Amends GS 105-467(b), concerning state exemptions and exclusions, changing the aggregate local refund amount to a nonprofit for a fiscal year to \$3 million (was, \$2.25 million) beginning July 1, 2014; \$2 million (was, \$1.5 million) beginning July 1, 2015; \$1.5 million (was, \$300,000) beginning July 1, 2016; and \$850,000 (was, \$30,000) beginning July 1, 2017.

Amends GS 105-164.14C, *Phaseout of sales tax preferences*, changing the schedule for the refund amount allowed, which is a percentage of sales and use taxes paid during the fiscal year, whereby the percentage is decreased from 80% to 20% from 2014 through 2017 (was, 75% to 25% from 2014 to 2016). Deletes certain specified types of containers and certain tobacco parts and accessories from the list of items for which farmers can receive an annual refund of sales and use taxes, if the farmer is qualified under GS 105-164.14E for such exemptions, and adds a bulk tobacco banner rack and related items. Provides that cable service providers cannot receive a refund for cable. Deletes a provision which allowed a manufacturer, producer, or retailer a refund on packaging items.

Restores GS 105-164.13(1a) and (23)a, provisions regarding tax exemptions for specified items which were deleted in the previous edition.

Amends the effective date for Section 7.5 (previously, Section 11.2 in the 4th edition), concerning exemptions and refunds, to be July 1, 2018 (was, July 1, 2018).

Amends GS 105-164.14A, *Economic incentive refunds*, providing that subsection (a)4, concerning refunds for the purchase of aviation fuel, will be repealed for purchases made on or after July 1, 2014 (was, January 1, 2014).

Amends GS 105-164.15A, *Effective date of tax changes on services and items taxed at combined general rate*, providing that for an item, taxable at the combined rate, and billed on a monthly or periodic basis, the change applies to the first billing period that is at least 30 days after enactment and starts on or after the effective date.

Deletes effective date clause for Section 8.4 (was Section 7.1 in the previous edition).

Amends GS 105-164.4, tax imposed on retailers, providing that admission charges received for a motion picture or film are subject to a tax (was, movie) and deletes language that previously levied taxes on admission charges received for museums, cultural sites, gardens, exhibits, shows, or similar attractions.

Amends GS 105-164.13, *Retail sales and use tax*, providing that admission charges for a state attraction are also exempted from the tax imposed by this article.

Amends GS 105-164.4(a)(9), providing that effective July 1, 2014, there will be taxes levied on admission charges received for museums, cultural sites, gardens, exhibits, shows, or similar attractions.

Amends GS 105-164.3, concerning definitions for use in the administration of sales and use tax, adding the term and definition for *service contract*, which means a warranty agreement, a maintenance agreement, a repair contract, or a similar agreement or contract by which the provider agrees to maintain or repair tangible personal property.

Amends GS 105-113.21, *Refund*, and GS 105-113.39, *Refund*, making technical changes.

Provides that notwithstanding GS 105-449.80(a), for the period September 1, 2013, through June 30, 2014, the motor fuel excise tax rate may not exceed 37 1/2¢ per gallon.

Directs the Revenue Law Study Committee to study six specified tax issues, including the feasibility of expanding the sales tax base to include additional services and the simplification of the franchise tax base calculation and the elimination of the franchise tax. The report is to be submitted to the 2014 Regular Session of the 2013 General Assembly when it convenes.

**Intro. by Lewis, Setzer, Moffitt, Szoka.**

[GS 105](#), [GS 115C](#), [GS 55](#), [GS 57C](#), [GS 59](#), [GS 106](#), [GS 113](#), [GS 130A](#), [GS 140](#), [GS 159B](#), [GS 160A](#)

[View summary](#)

H 168 (2013-2014) [DIVISION OF ATTY'S FEES IN WORKERS' COMP \(NEW\)](#). Filed Feb 27 2013, *A BILL TO BE ENTITLED AN*



*ACT GRANTING THE NORTH CAROLINA INDUSTRIAL COMMISSION JURISDICTION TO DECIDE DISPUTES BETWEEN AN EMPLOYEE'S PAST AND CURRENT ATTORNEYS REGARDING THE DIVISION OF A FEE AS APPROVED BY THE COMMISSION.*

Senate amendment makes the following change to the 3rd edition. Provides that the act applies to all fee disputes under the section as to which no action to adjudicate the dispute has been filed in superior court before the effective date of the act (was, applies to disputes that arise on or after the effective date of the act).

**Intro. by Murry.**

GS 97

[View summary](#)

**Employment and Retirement**

H 998 (2013-2014) **TAX SIMPLIFICATION AND REDUCTION ACT (NEW)** Filed Apr 17 2013, *A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE NORTH CAROLINA TAX STRUCTURE AND TO REDUCE INDIVIDUAL AND BUSINESS TAX RATES.*

Senate amendment makes the following changes to the 5th edition.

Makes a technical correction to delete a codification error, recodifying the second occurrence of GS 105-129.101, *Exempt business entities*, as GS 105-129.102.

Rewrites Section 4.3(b) of this act to amend GS 105-129.27(b) to provide that the statute allows a credit, for investing in a major recycling facility, against the franchise tax levied in Article 3 of GS Chapter 105 (was, allowed a credit against the franchise tax and the income tax levied in Article 4 of GS Chapter 105). Previously, Section 4.3(b) repealed Article 3C and Article 3K of GS Chapter 105.

Rewrites Section 4.3(c) of this act to amend GS 105-129.96(b) to provide that this section allows a credit, for constructing a railroad intermodal facility, against the franchise tax levied in Article 3 of GS Chapter 105 (was, allowed a credit against the franchise tax and the income tax levied in Article 4 of GS Chapter 105). Moves previous 4.3(c) to new (d) and makes conforming changes to other subsections.

Amends GS 105-275(8)d regarding classes of property designated as special classes under Article V, Sec. 2(2), of the state Constitution to include the following classes of property as excluded from tax: real or personal property used or to be used by a major recycling facility as defined in GS 105-164.3 (was, GS 105-129.25).

Makes GS 105-164.3, as amended, and GS 105-275(8)d, as amended, effective January 1, 2018.

Amends GS 57D-1-22(a)(28), as enacted by SL 2013-157 (was, amended GS 57C-1-22(a)(25)), to provide that there is no fee for an annual report delivered to the Secretary of State for filing.

Amends GS 105-467(a), which sets a sales tax rate under Article 39 of GS Chapter 105 at one percent (1%) for specified categories, to remove the sales price of bread, rolls, and buns sold at a bakery thrift store, and exempt from state tax under GS 105-164.13(27a) from the list of items subject to the first 1% local government sales and use tax.

Amends GS 105-164.3(43) to amend the definition for *state agency* to clarify that the term does not include an affiliate of the University of North Carolina Health Care System that is a separately incorporated entity.

Makes a technical correction, replacing Section 7.3.(d) with Section 7.2.(d) and renumbering the remaining sections in Part VII accordingly.

Amends GS 105-467(b) as amended in this act to modify the maximum limits set on the aggregate local refund amount allowed to a nonprofit entity under GS 105-164.14(b) as follows:

- Fiscal Year (FY) beginning July 1, 2014, \$3 million (was, \$1.5 million)
- FY beginning July 1, 2015, \$2 million (was, \$300,000)
- FY beginning on or after July 1, 2016, \$1.5 million (was, \$30,000)
- FY beginning on or after July 1, 2017, \$850,000 (new)

Makes a technical correction to GS 105-164.13, replacing "service" with "service contract."

Amends new subdivision (6) of GS 105-164.13 to provide that the exemption from the sales and use tax in Article 5 of GS Chapter 105 for a service contract on certain tangible personal property applies to a transmission, distribution, or other network cable or asset of an entity providing electric, gas, telecommunications, cable, broadband, or other utility services contained on utility-owned land or other right-of-way or easements authorized for utility and related purposes (was, a transmission, distribution, or other network asset contained on utility-owned land, right-of-way, or easement).

Caps the excise tax on motor fuel at thirty-seven and one-half cents for the period from September 1, 2013, through June 30, 2015 (was, June 30, 2014).

**Intro. by Lewis, Setzer, Moffitt, Szoka.**

[GS 105, GS 115C, GS 55, GS 59, GS 106, GS 113, GS 130A, GS 140, GS 159B, GS 160A, GS 57D](#)

[View summary](#)

**Tax**

H 761 (2013-2014) [EXEMPT WELL K'ORS/ELECTRICAL K'ORS LIC REQS.](#) Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT WELL CONTRACTORS FROM ELECTRICAL CONTRACTORS LICENSING REQUIREMENTS AND TO REQUIRE ELECTRICAL TRAINING FOR INITIAL WELL CONTRACTOR CERTIFICATION.*

Senate committee substitute to the 3rd edition makes a technical change.

**Intro. by Hardister, Faircloth, Malone.**

[GS 87](#)

[View summary](#)

**Occupational Licensing, Building and Construction**

H 796 (2013-2014) [EXEMPT CERTAIN COLUMBARIUMS/CEMETERY ACT.](#) Filed Apr 10 2013, *A BILL TO BE ENTITLED AN ACT EXEMPTING CERTAIN COLUMBARIUMS FROM THE NORTH CAROLINA CEMETERY ACT.*

Senate committee substitute to the 1st edition adds that the act expires 18 months after it becomes law.

**Intro. by Whitmire.**

[GS 65](#)

[View summary](#)

**Public Health**

H 357 (2013-2014) [RETIREMENT GOVERNANCE CHANGES ACT OF 2013.-AB](#) Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE CITIZEN OVERSIGHT AND TO MAKE OTHER CONSOLIDATIONS AND IMPROVEMENTS IN THE GOVERNANCE OF THE STATE RETIREMENT SYSTEMS, AND TO IMPROVE TRANSPARENCY BY ENSURING THAT ALL RETIREMENT PLANS ADMINISTERED BY THE DEPARTMENT OF STATE TREASURER ARE OVERSEEN BY A BOARD OF TRUSTEES.*

Senate amendment to the 3rd edition changes the act's effective date from July 1, 2013, to when the act becomes law.

**Intro. by Moffitt, Howard, W. Brawley, Collins.**

[GS 120, GS 127A, GS 128, GS 135, GS 161](#)

[View summary](#)

**Employment and Retirement**

H 333 (SL 2013-205) (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.*

AN ACT TO CLARIFY SEX OFFENDER STATUTES RELATING TO RESIDENCY AND REGISTRATION. Enacted June 26, 2013. Effective June 26, 2013.

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

[GS 14](#)

[View summary](#)

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

## LOCAL/HOUSE BILLS

H 143 (SL 2013-216) (2013-2014) [EDEN PAYMENT IN LIEU OF TAXES](#). Filed Feb 21 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS.*

AN ACT TO ALLOW THE CITY OF EDEN TO NEGOTIATE ANNEXATION CONTRACTS. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by Jones.**

[Rockingham](#)

[View summary](#)

H 261 (SL 2013-212) (2013-2014) [KANNAPOLIS/DEANNEXATION](#). Filed Mar 7 2013, *A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS AND ADDING THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF LANDIS.*

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS AND ADDING THE PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF LANDIS. Enacted June 27, 2013. Effective June 30, 2013.

**Intro. by ford.**

[Cabarrus, Rowan](#)

[View summary](#)

H 302 (SL 2013-217) (2013-2014) [REPEAL KANNAPOLIS ANNEXATION](#). Filed Mar 13 2013, *A BILL TO BE ENTITLED AN ACT REPEALING THE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF KANNAPOLIS.*

AN ACT REPEALING THE ANNEXATION OF CERTAIN DESCRIBED PROPERTY BY THE CITY OF KANNAPOLIS. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by Ford.**

[Cabarrus, Rowan](#)

[View summary](#)

H 409 (SL 2013-218) (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.*

AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF SHELBY. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by T. Moore.**

[Cleveland](#)

[View summary](#)

H 412 (SL 2013-219) (2013-2014) [EDEN/DUKE ENERGY/ANNEXATION AGREEMENT](#). Filed Mar 21 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF EDEN TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION.*

AN ACT TO AUTHORIZE THE CITY OF EDEN TO ENTER INTO AN AGREEMENT FOR PAYMENTS IN LIEU OF ANNEXATION. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by Jones.**

[Rockingham](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 421 (SL 2013-213) (2013-2014) [MARSHVILLE DEANNEXATION](#). Filed Mar 25 2013, *A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MARSHVILLE.*

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MARSHVILLE. Enacted June 27, 2013. Effective June 30, 2013.

**Intro. by Brody.**

[Union](#)

[View summary](#)

H 490 (SL 2013-220) (2013-2014) [LEE COUNTY ELECTIONS](#). Filed Apr 1 2013, *A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION FOR THE LEE COUNTY BOARD OF EDUCATION AND FOR THE CITY OF SANFORD TO PARTISAN.*

AN ACT TO CHANGE THE MANNER OF ELECTION FOR THE LEE COUNTY BOARD OF EDUCATION AND FOR THE CITY OF SANFORD TO PARTISAN. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by Stone.**

[Lee, GS 115C](#)

[View summary](#)

H 1005 (2013-2014) [STANLY COUNTY COMMISSIONERS AND BD. OF ED.](#) Filed Apr 29 2013, *A BILL TO BE ENTITLED AN ACT TO DISTRICT THE STANLY COUNTY BOARD OF COMMISSIONERS AND THE STANLY COUNTY BOARD OF EDUCATION.*

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

Requires that the Board of County Commissioners of Stanley County consist of five members (was, four) elected from single-member districts to serve four-year terms (was, two-year), and two members (was, three) elected at large to serve four-year terms. Provides in Section 2 for the election of Commissioners for the specified terms beginning with the general election to be held in 2014 and quadrennially (was, biennially) thereafter under the districts as set out in this act or as modified in accordance with this act. Makes additional changes regarding terms for members.

Declares in Section 3 of this act that the Stanly County Board of Education (Board) is to consist of seven members with five members (was, four) elected from single-member districts to serve four-year (was, two-year) terms, and two members (was, three) elected at large to serve four-year terms.

Deletes language providing that in 2014, only two of the four seats with expiring terms of office are to be elected to serve a four-year term of office in at-large seats and that declares that nothing in Section 3 alters or changes the term of office of any member of the Board whose seat expires in 2016.

Provides for the election of Board members for the specified terms beginning with the general election to be held in 2014 (was, 2016) and quadrennially (was, biennially) thereafter under the districts as set out in this act or as modified in accordance with this act. Makes additional changes regarding members' terms.

Adds a district and modifies the listed districts in which the elections for the Stanly County Board of Commissioners and the Stanly County Board of Education are to be conducted.

**Intro. by Burr.**

[Stanly](#)

[View summary](#)

H 526 (SL 2013-214) (2013-2014) [CHADBOURN VOLUNTARY ANNEXATION.](#) Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN.*

AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CHADBOURN. Enacted June 27, 2013. Effective June 30, 2013.

**Intro. by Waddell.**

[Columbus](#)

[View summary](#)

H 544 (SL 2013-221) (2013-2014) [WILMINGTON CHARTER/CIVIL SERVICE COMMISSION.](#) Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO DELETE LANGUAGE THAT RESTRICTED THE LENGTH OF THE TERM OF A MEMBER OF THE CIVIL SERVICE COMMISSION.*

AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO DELETE LANGUAGE THAT RESTRICTED THE LENGTH OF THE TERM OF A MEMBER OF THE CIVIL SERVICE COMMISSION. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by Hamilton, Davis.**

[New Hanover](#)

[View summary](#)

H 553 (SL 2013-223) (2013-2014) [AMEND CARTERET CO. OCCUPANCY TAX](#). Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO MODIFY CARTERET COUNTY'S AUTHORITY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MODIFY THE DISTRIBUTION OF THE PROCEEDS OF THE TAX.*

AN ACT TO MODIFY CARTERET COUNTY'S AUTHORITY TO LEVY AN ADDITIONAL ONE PERCENT ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX AND TO MODIFY THE DISTRIBUTION OF THE PROCEEDS OF THE TAX. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by McElraft.**[Carteret](#)[View summary](#)[Tax](#)

H 551 (SL 2013-222) (2013-2014) [AMEND WILMINGTON FIREFIGHTERS' RELIEF FUND](#). Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE ACT CREATING A FIREMEN'S BENEFIT FUND FOR FIREMEN IN THE CITY OF WILMINGTON, AS AMENDED, AND TO MODIFY THE APPLICATION OF G.S. 58-84-35 TO THE CITY OF WILMINGTON.*

AN ACT AMENDING THE CHARTER OF THE CITY OF WILMINGTON TO DELETE LANGUAGE THAT RESTRICTED THE LENGTH OF THE TERM OF A MEMBER OF THE CIVIL SERVICE COMMISSION. Enacted June 27, 2013. Effective June 27, 2013.

**Intro. by Davis, Hamilton.**[New Hanover](#)[View summary](#)[Public Safety](#)

H 567 (SL 2013-215) (2013-2014) [LUMBERTON DEANNEXATION](#). Filed Apr 3 2013, *A BILL TO BE ENTITLED AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF LUMBERTON.*

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF LUMBERTON. Enacted June 27, 2013. Effective June 30, 2013.

**Intro. by Waddell, C. Graham, Goodman, Pierce.**[Robeson](#)[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.*

Senate committee substitute makes the following changes to the 3rd edition.  
Amends the short and long titles.

Deletes Section 3 of the previous edition, which dealt with the preclearance of the changes made by Section 1 of the bill affecting voting under section 5 of the Voting Rights Act. Makes conforming changes.

Amends the Charter of the Town of Tryon, which is Section 1 of Chapter 441 of the 1971 Session laws, amending language throughout the Charter to make it gender neutral.

Provides that notwithstanding GS 160A-148(1), the Board of Commissioners will appoint the Tryon town clerk but can grant the town manager the authority to direct and supervise the town clerk to the extent deemed appropriate by the board. Makes conforming changes. Provides that the town manager does not have the authority to appoint or remove the town clerk. Requires the independent audit to be conducted pursuant to GS 159-34 by a certified public accountant or a qualified public accountant certified under GS Chapter 93 (was, qualified public accountant registered under GS 93). Provides that the Tryon Planning and Adjustment Board will be comprised of seven members and two alternates. Four members and one alternate, all residents of the Town of Tryon, are appointed by the Board of Commissioners and three members and one alternate, all residents of the area outside of and within one mile of the corporate limits of Tryon, are appointed by the Board of Commissioners of Polk County. Makes conforming changes. Provides that an 80% vote of the Planning and Adjustment Board will be necessary to reverse any order, requirement, decision, or determination of any administrative official with respect to the territory outside of and within one mile of the corporate limits of the Town of Tryon.

**Intro. by Faircloth.**

Davidson, Forsyth, Guilford, Polk, Randolph

[View summary](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 15: VARIOUS EMERGENCY MANAGEMENT CHANGES.**

*Senate: Com Substitute Adopted*

*Senate: Placed on Today's Calendar*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

*Senate: Reptd Fav Com Substitute*

#### **H 94: AMEND ENVIRONMENTAL LAWS 2013.**

*Senate: Amend Adopted A5*

*Senate: Amend Adopted A6*

*Senate: Passed 2nd Reading*

*Senate: Amend Adopted A1*

*Senate: Amend Adopted A2*

*Senate: Amend Adopted A3*

*Senate: Amend Adopted A4*

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

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*



**H 122: AMEND INTERLOCUTORY APPEALS/FAMILY LAW.**

*Senate: Conf Com Appointed*

**H 168: DIVISION OF ATTY'S FEES IN WORKERS' COMP (NEW).**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Reconsidered 3rd Reading*

*Senate: Placed On Cal For 07/03/2013*

**H 194: ALLOW PAVE CERTIFICATION/VETERINARY LICENSE.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Finance*

**H 214: AMEND REAL ESTATE LICENSE LAW/RECORDS.**

*Senate: Placed on Today's Calendar*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

*Senate: Reptd Fav*

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

*Senate: Amend Adopted A3*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

*Senate: Amend Adopted A1*

*Senate: Amend Adopted A2*

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

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

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

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Placed on Today's Calendar*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

**H 327: FIRE AND RESCUE PENSION REVISIONS OF 2013.-AB**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 345: INCREASE PENALTIES FOR MISUSE OF 911 SYSTEM.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 357: RETIREMENT GOVERNANCE CHANGES ACT OF 2013.-AB**

*Senate: Amend Adopted A1*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Engrossed*

**H 358: RETIREMENT TECHNICAL CORRECTIONS.-AB**

*Senate: Ordered Enrolled*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*

**H 362: DEPT. OF PUBLIC SAFETY CHANGES.-AB**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*

**H 371: CHIROPRACTIC ASSISTANT CERTIFICATION/FEE.-AB**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Ordered Enrolled*

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

*Senate: Withdrawn From Cal*  
*Senate: Placed On Cal For 07/09/2013*

**H 402: TRICARE SUPPLEMENT FOR FLEX ACCOUNTS.**

*Senate: Passed 3rd Reading*  
*Senate: Passed 2nd Reading*

**H 417: MODIFY INTERNAL AUDITING STATUTES.**

*Senate: Re-ref Com On Appropriations/Base Budget*  
*Senate: Reptd Fav*

**H 428: NORTH CAROLINA SCHOOL BUS SAFETY ACT.**

*Senate: Amend Adopted A1*  
*Senate: Amend Adopted A2*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Engrossed*

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

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Ordered Enrolled*

**H 462: INCREASE FAMILY COURT FEE.**

*Senate: Passed 3rd Reading*  
*Senate: Ordered Enrolled*  
*Senate: Passed 2nd Reading*

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

*Senate: Reptd Fav*

*Senate: Placed on Today's Calendar*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

**H 476: REWRITE UNDERGROUND DAMAGE PREVENTION ACT.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Finance*

**H 492: SAFEGUARD QUALIFIED INDIVIDUALS-MEDICAID PCS (NEW).**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

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

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

**H 616: TRANSITIONAL MORTGAGE LOAN ORIGINATOR.**

*Senate: Com Substitute Adopted*

*Senate: Placed on Today's Calendar*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

*Senate: Reptd Fav Com Substitute*

**H 635: INVOLUNTARY COMMITMENT CUSTODY ORDERS.**

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

*Senate: Passed 2nd Reading*

**H 662: LIMITED LICENSE/INSTALL BACKFLOW ASSEMBLIES.**

*Senate: Conf Com Appointed*

**H 695: FAMILY, FAITH, AND FREEDOM PROTECTION ACT (NEW).**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

**H 754: LEASE PURCHASE OF REAL PROPERTY/COMM. COLL.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 761: EXEMPT WELL K'ORS/ELECTRICAL K'ORS LIC REQS.**

*Senate: Placed on Today's Calendar*

*Senate: Withdrawn From Cal*  
*Senate: Re-ref Com On Rules and Operations of the Senate*  
*Senate: Reptd Fav Com Substitute*  
*Senate: Com Substitute Adopted*

**H 767: CORPORAL PRUITT RAINEY BRASS TO CLASS ACT.**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*

**H 783: PYROTECHNICS TECHNICAL AND CONFORMING CHANGES.**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*

**H 796: EXEMPT CERTAIN COLUMBARIUMS/CEMETERY ACT.**

*Senate: Reptd Fav Com Substitute*  
*Senate: Com Substitute Adopted*  
*Senate: Placed on Today's Calendar*  
*Senate: Withdrawn From Cal*  
*Senate: Placed On Cal For 07/09/2013*

**H 802: LANDLORD/TENANT/SHORTEN EVICTION TIME.**

*Senate: Placed On Cal For 07/09/2013*  
*Senate: Withdrawn From Cal*

**H 816: TOBACCO GROWERS ASSESSMENT ACT (NEW).**

*Senate: Passed 2nd Reading*

**H 982: MODIFY MEDICAID SUBROGATION STATUTE.**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*

**H 998: TAX SIMPLIFICATION AND REDUCTION ACT (NEW)**

*Senate: Amend Adopted A1*  
*Senate: Passed 2nd Reading*

**S 132: HEALTH CURRICULUM/PRETERM BIRTH.**

*Senate: Concurred In H Amend S132v3*  
*Senate: Ordered Enrolled*

**S 174: DISAPPROVE INDUSTRIAL COMMISSION RULES.**

*Senate: Concurred In H/Com Sub*  
*Senate: Ordered Enrolled*

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

*Senate: Conf Com Appointed*

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

*Senate: Conf Report Adopted*

**S 261: SALES TAX REFUND FOR REGIONAL JAILS.**

*House: Rec From Senate*

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

*Senate: Concurred In H/Com Sub*

*Senate: Ordered Enrolled*

**S 399: CRIMINAL DEFENDANT MAY WAIVE JURY TRIAL.**

*Senate: Ordered Enrolled*

*Senate: Concurred On 2nd Reading*

*Senate: Concurred On 3rd Reading*

**S 480: UNC CAPITAL IMPROVEMENT PROJECTS.**

*Senate: Passed 3rd Reading*

*Engrossed*

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

*House: Rec From Senate*

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

*Pres. To Gov. 07/02/2013*

**S 638: NC FARM ACT OF 2013.**

*Senate: Concurred In H/Com Sub*

*Senate: Ordered Enrolled*

**S 683: SAFE HARBOR/VICTIMS OF HUMAN TRAFFICKING.**

*Senate: Failed Concur In H Com Sub*

**S 717: MV SAFETY INSPECTOR/MV LICENSING LAW CHANGES (NEW).**

*Senate: Concurred In H/Com Sub*

*Senate: Ordered Enrolled*

**LOCAL BILLS**

**H 191: GRIFTON/DEANNEXATION.**

*Senate: Re-ref Com On Finance*

*Senate: Reptd Fav*

**H 404: CAMDEN LOCAL STORMWATER FEES.**

*Senate: Ordered Enrolled*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

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

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

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

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 529: EDGECOMBE COUNTY OCCUPANCY TAX AUTHORIZATION.**

*Senate: Passed 2nd Reading*

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

*Senate: Reptd Fav*

*Senate: Placed on Today's Calendar*

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/09/2013*

**H 1005: STANLY COUNTY COMMISSIONERS AND BD. OF ED.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Education/Higher Education*

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