



## The Daily Bulletin: Wednesday, July 10, 2013

### PUBLIC/HOUSE BILLS



H 436 (2013-2014) [GUBERNATORIAL TEAM TICKET](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY AN AMENDMENT TO THE CONSTITUTION OF NORTH CAROLINA TO HAVE THE GOVERNOR AND LIEUTENANT GOVERNOR RUN AS A TEAM ON THE GENERAL ELECTION BALLOT.*

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

Deletes the provisions of the 1st edition and instead requires the Joint Legislative Elections Oversight Committee to study amending the state constitution to allow the Governor and Lieutenant Governor to file and run as a team. Requires a report to the 2014 Regular Session of the 2013 General Assembly upon its convening. Amends the act's long title.

**Intro. by Jones, B. Brown, Lambeth, Malone.**

[STUDY](#)

[View summary](#)

[Constitution, General Assembly, Elections](#)

H 662 (2013-2014) [LIMITED LICENSE/INSTALL BACKFLOW ASSEMBLIES](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT PROVIDING FOR ISSUANCE OF A LIMITED PLUMBING CONTRACTOR LICENSE TO INSTALL AND SERVICE BACKFLOW PREVENTION ASSEMBLIES AND TO ALLOW COURTS TO AWARD THE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS REASONABLE COSTS OF INVESTIGATION AND PROSECUTION OF VIOLATIONS.*

The conference report makes the following changes to the 3rd edition.

Deletes the requirement that the Board issue a limited plumbing contractor license to those who do not have the required Class I or Class II plumbing license but want to engage in the contracting, installation, repair, or replacement of water purification systems or their components, or components, pumps, or pumping equipment associated with water well systems. Makes conforming changes.

**Intro. by Samuelson, Saine, Hager, R. Brawley.**

[GS 87](#)

[View summary](#)

[Occupational Licensing, Building and Construction](#)

H 1019 (2013-2014) [HONOR FOUNDERS/BETHESDA PRESBYTERIAN CHURCH](#). Filed Jul 10 2013, *A HOUSE RESOLUTION HONORING THE FOUNDERS OF BETHESDA PRESBYTERIAN CHURCH DURING THE CHURCH'S TWO HUNDRED TWENTY-FIFTH ANNIVERSARY.*

As title indicates.

**Intro. by Rules, Calendar, and Operations of the House.**

[Moore, HOUSE RES](#)

[View summary](#)

H 607 (2013-2014) [REQUIRE USE OF PAPER BALLOTS](#). Filed Apr 8 2013, *AN ACT TO AUTHORIZE THE JOINT LEGISLATIVE ELECTIONS OVERSIGHT COMMITTEE TO STUDY WHETHER TO REQUIRE THE USE OF PAPER BALLOTS IN ALL ELECTIONS IN NORTH CAROLINA AND TO PROHIBIT THE STATE BOARD OF ELECTIONS OR ANY COUNTY FROM PURCHASING A VOTING SYSTEM THAT DOES NOT PRODUCE A PAPER BALLOT UNTIL AUGUST 15, 2014.*

House committee substitute to the 1st edition makes the following changes. Deletes the provisions of the 1st edition and instead requires the Joint Legislative Elections Oversight Committee to study requiring the use of paper ballots in all elections in the state. Requires a report to the 2014 Regular Session of the 2013 General Assembly upon its convening.

Prohibits the State Board of Elections and counties from purchasing a voting system that does not produce a paper ballot until August 15, 2014. Allows the State Board of Elections to establish a program to provide for the exchange of machines and the exchange or purchase of parts between counties.

Changes the act's long title.

**Intro. by Jones, Burr.**

[STUDY](#)

[View summary](#)

[Local Government, State Board of Elections, Elections](#)

H 255 (2013-2014) [UNC TUITION SURCHARGE/ADVANCE NOTICE](#). Filed Mar 6 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN COURSES AND ACADEMIC CREDIT HOURS TRANSFERRED TO A CONSTITUENT INSTITUTION SHALL NOT BE INCLUDED IN THE CALCULATION OF CREDIT HOURS FOR PURPOSES OF THE TUITION SURCHARGE AND TO REQUIRE THAT UNIFORM PROCEDURES BE IMPLEMENTED IN THE UNIVERSITY OF NORTH CAROLINA SYSTEM TO PROVIDE APPROPRIATE ADVANCE NOTICE TO A STUDENT WHEN THE STUDENT IS APPROACHING THE CREDIT HOUR LIMIT REGARDING THE TUITION SURCHARGE.*

Conference report makes the following changes to the 3rd edition.

Deletes proposed changes made to GS 116-143.7(a), *Tuition surcharge*.

Provides that, notwithstanding GS 116-143.7, courses and credit hours transferred from an institution of higher education that is not a constituent institution or a community college established pursuant to GS 115D-4 that are accepted by a constituent institution prior to August 15, 2013, will not count toward the tuition surcharge under GS 116-143.7. Requires the General Administration of The University of North Carolina to report by March 1, 2014, to the Joint Legislative Education Oversight Committee on the number of courses exempted from the tuition surcharge pursuant to this section.

Makes technical and conforming changes to the enactment clause.

**Intro. by Glazier, Johnson, Holloway.**

[GS 116](#)

[View summary](#)

[Higher Education, UNC System](#)

H 649 (2013-2014) [SMALL GROUP HEALTH INS. TECHNICAL CHANGES](#). Filed Apr 9 2013, *A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE SMALL EMPLOYER GROUP HEALTH COVERAGE REFORM ACT TO MITIGATE THE EFFECTS OF THE FEDERAL AFFORDABLE CARE ACT ON NORTH CAROLINA'S SMALL BUSINESSES AND TO INCREASE STOP LOSS INSURANCE OPTIONS FOR SMALL EMPLOYERS.*

Conference report makes the following changes to the 6th edition.

Amends GS 58-50-130(b1)(1), subdivision (a), by clarifying that the language "three to one" means "the ratio of three to one (3:1)"

as well as providing that in (b1)(1)d that the tobacco use adjustment shall not vary by more than "the ratio of one and two tenths to one (1.2:1)" (was, more than one and one-fifteenth to one).

Amends 58-50-130(a), providing that no small employer carrier, insurer, subsidiary of an insurer, or controlled individual of an insurance holding company can provide stop loss, catastrophic, or reinsurance coverage to small employers that have an annual attachment point for claims incurred per individual that is lower than \$20,000 for plan years beginning in 2013. After that, the amount will be indexed according to the Consumer Price Index for Medical Services for All Urban Consumers for the South Region and will be rounded to the nearest whole thousand dollars. Provides that the index factor will be the index as of July of the year preceding the change divided by the index as of July 2012 (previously, did not include the indexing requirement). Also prohibits the provision of the above coverage to small employers that have an annual aggregate attachment point lower than the greater of (1) 120% of expected claims or (2) \$20,000 for plan years beginning in 2013 or after that greater than the amount provided by the above noted indexing (previously, did not include the indexing requirement).

Directs the Department of Insurance to make the amount of the attachment points, as provided in Section 3 of the act, available to the public annually.

**Intro. by Collins, Dockham.**

[GS 58](#)

[View summary](#)

[Health Insurance](#)

H 392 (2013-2014) [WARRANT STATUS/DRUG SCREEN PUBLIC ASSIST \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT REQUIRING A COUNTY DEPARTMENT OF SOCIAL SERVICES (DSS) TO VERIFY WHETHER AN APPLICANT FOR OR RECIPIENT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS OR FOOD AND NUTRITION SERVICES (FNS) BENEFITS IS A FLEEING FELON OR A PROBATION OR PAROLE VIOLATOR, TO DIRECT INTERAGENCY COOPERATION AND INFORMATION SHARING IN ORDER TO VERIFY THE ELIGIBILITY STATUS OF AN APPLICANT OR RECIPIENT, TO DENY TANF OR FNS BENEFITS TO AN APPLICANT OR RECIPIENT WHO IS A FLEEING FELON OR A PROBATION OR PAROLE VIOLATOR, AND TO REQUIRE DRUG SCREENING AND TESTING FOR CERTAIN APPLICANTS AND RECIPIENTS OF WORK FIRST PROGRAM ASSISTANCE.*

Senate amendment makes the following change to the 4th edition.

Amends GS 108A-26.1 to include the Department of Justice (DOJ) and the State Bureau of Investigation among those entities with whom there is to be information sharing with the Department of Health and Human Services (DHHS) regarding the arrest warrant status of persons seeking public assistance.

Makes a technical change, recodifying new section GS 114-19.33 as GS 114-19.34. Amends GS 114-19.34 to clarify that the DOJ is to provide a county department of social services with the criminal history of any applicant or recipient of program assistance under Part 2 or Part 5 of Article 2 of GS Chapter 108A upon request from the county department of social services (county DSS). Requires the county DSS to also provide the DOJ with the applicant or recipient's fingerprints, any additional information that the DOJ requires, and a form signed by the individual to be checked consenting to the check of the criminal record and to the use of fingerprints and other identifying information. Specifies that the fingerprints are to be forwarded to the State Bureau of Investigation (SBI) to be checked against the state's criminal history record file, and directs the SBI to forward the fingerprints to the FBI for a national criminal history check. Authorizes the DOJ to charge a reasonable fee for conducting the criminal history checks authorized by this section.

Deletes provision that required advising the applicant that the drug screening and testing could be avoided if the applicant or recipient did not apply for Work First Program assistance.

Requires that an applicant or recipient who fails a drug test be provided with information on substance abuse, substance abuse counseling, and substance abuse treatment options including a list of options that may be available to that individual.

In addition to a criminal record check, provides that the following also constitute reasonable suspicion of substance abuse and may

be a basis for requiring an applicant or recipient to undergo drug testing as a condition of receiving Work First Program assistance benefits: (1) a determination by a Qualified Professional in Substance Abuse or a doctor certified by the American Society of Addiction Medicine that an individual is addicted to illegal controlled substances, (2) a screening tool relating to substance abuse that yields a result indicating that the applicant or recipient may be engaged in the use of illegal controlled substances, or (3) other screening methods as determined by the Social Services Commission.

**Intro. by Arp.**

[GS 108A, GS 114](#)

[View summary](#)

[Criminal Justice, Public Assistance](#)

H 26 (2013-2014) [STRENGTHEN LAWS/VEHICLE THEFT](#). Filed Jan 30 2013, *A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE LAWS PROTECTING AGAINST THE THEFT OF VEHICLES FOR DISASSEMBLY AND RESALE OF PARTS AND TO ASSIST LAW ENFORCEMENT IN THE INVESTIGATION OF ORGANIZED CRIMINAL ACTIVITY ASSOCIATED WITH THE THEFT OF VEHICLES.*

Senate amendment makes the following change to the 4th edition. Clarifies that with the exception of Sections 1 and 2 of this act, the remainder of this bill is effective when it becomes law.

**Intro. by T. Moore.**

[GS 14, GS 20](#)

[View summary](#)

[Criminal Law and Procedure](#)

## PUBLIC/SENATE BILLS

S 103 (2013-2014) [AMEND ASSESSMENTS FOR INFRASTRUCTURE NEEDS \(NEW\)](#). Filed Feb 19 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND AND AMEND THE AUTHORITY COUNTIES AND CITIES HAVE TO USE SPECIAL ASSESSMENTS TO ADDRESS CRITICAL INFRASTRUCTURE NEEDS.*

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

Amends the act's long title.

Makes the act effective June 30, 2013, and applicable retroactively to special assessments imposed on or after that date (was, effective when the act becomes law and applies to special assessments imposed on or after that date).

**Intro. by Hartsell.**

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

[View summary](#)

[Local Government](#)

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

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

Amends GS 53B-4(13), concerning access to financial records by government authority, providing that such access can be granted

pursuant to a subpoena delivered to the financial institution pursuant to GS 108A-116 by a (1) county department of social services director who is investigating a credible report of financial exploitation of a disabled adult or (2) a law enforcement agency investigating a credible report of financial exploitation of a disabled adult or older adult (previously, provided access to the same parties pursuant to a written, specified notice for access to financial records delivered in accordance with specified procedures for process).

Amends GS 53B-9, making conforming changes.

Amends the definition for *customer* found in GS 108A-113, providing a customer is a person who is a present or former holder of an account with a financial institution (was, a person who has transacted business with a financial institution or has used the services offered by a financial institution).

Changes the title for proposed subsection GS 108A-114 to *Financial institutions encouraged to offer disabled adult and older adult customers the opportunity to submit a list of trusted persons to be contacted in case of financial exploitation* (was, *Financial institutions encouraged to maintain list of contacts in case of financial exploitation*). Adds language providing that financial institutions or its employees will not be held liable when offering its customers the opportunity to submit and update a list of customer contacts when done in good faith.

Amends GS 108A-115, providing that financial institutions or its employees will not be held liable when acting in good faith in making a report regarding suspected fraud under this section.

Amends GS 108A-116, making conforming changes to its title and provisions, requiring financial institutions to provide financial records after receipt of a subpoena from a law enforcement agency or county department of social services investigating alleged exploitation (previously, required disclosure of records after receiving a specified written notice). Establishes requirements for the subpoena, primarily who can issue the subpoena. Sets out the accepted methods of delivery for the subpoena, including by hand, via certified mail with return receipt requested, or a method authorized by 26 USC §7502(f)(2) and to whom it can be delivered, including vice presidents, office managers, or assistant branch or office managers of the financial institution and specified agents for service of process. Requires prompt delivery of financial records after receipt of a subpoena delivered pursuant to specified requirements. Provides protections against liability when acting in good faith under this section.

Amends GS 108A-117, requiring the investigating entity to immediately provide the customer with written notice of its action by first class mail after the issuance of a subpoena pursuant to GS 108A-116, allowing access to financial records (was, required the investigating entity to provide notice within 180 days after obtaining access to the records pursuant to a specified written notice). Makes conforming changes. Provides that an investigating entity can include in its request for a subpoena a request for an order delaying the customer notice requirements. Allows the judge or magistrate issuing the subpoena to order such delayed notice upon a finding, based on affidavits or sworn oral testimony, that certain specified conditions are met. After making such findings, the judge or magistrate must enter an ex parte order granting the requested delay for a period not to exceed 30 days (was, 180 days). If there is reason to believe that the notice could endanger the life or physical safety of any person, the delay order can be ordered for a period not to exceed 180 days (previously, allowed for indefinite delay). Sets out what the order delaying notice must direct, including that the order be sealed until otherwise ordered by the judge or magistrate. Includes provisions for further extensions of the delay of notice, allowing the judge or magistrate to order an extension upon a finding of the continued existence of the conditions originally provided for by the delay. Provides that extensions cannot exceed the period of time for which the order delaying notice was originally granted for, with extensions for original periods of delay of up to 30 days only being allowed to be renewed and extended up to 90 days total. Delays ordered because of physical safety and endangerment concerns can continue to be renewed and extended until such risks do not exist.

Directs the Consumer Protection Division of the Department of Justice to add the NC Bar Association to the list of approved associations represented on the Task Force on Fraud Against Older Adults.

Changes the effective date for Sections 2, 3, and 4 of the act to December 1, 2013 (was, October 1, 2013).

**Intro. by Bingham.**

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

[Banking and Finance, Consumer Protection, Criminal](#)

[View summary](#)**Justice, Social Services**

S 200 (2013-2014) **EXTEND TIME FOR FORENSIC ACCREDITATION (NEW)**. Filed Mar 5 2013, *A BILL TO BE ENTITLED AN ACT TO EXTEND THE TIME FOR LOCAL FORENSIC SCIENCE LABS TO OBTAIN ACCREDITATION.*

Conference report makes the following changes to the 4th edition. Changes the deadline for local forensic science labs and certain forensic scientists to receive accreditation to July 1, 2016 (was, July 1, 2015, in the 4th edition).

**Intro. by Bingham, Goolsby, Newton.**

UNCODIFIED

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

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

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

Enacts new GS 160A-64.1 and GS 153A-30 to allow city and county finance officers that obtain a final judgment awarding monetary damages against an elected or appointed member of the city council or board of commissioners to enforce the final judgment using remedies in GS 105-366(b) or the procedure for attachment and garnishment in GS 105-368 as if final judgment awarding monetary damages were delinquent taxes and the finance officer were the tax collector. Provides that the statutory provision that limits the amount of compensation that may be garnished to no more than 10% for any one pay period does not apply. Effective October 1, 2013, and applies to final judgments awarding monetary damages that are unsatisfied or entered on or after that date.

Amends Article 1 of the state constitution, if approved by the state's qualified voters at a statewide election on November 4, 2014, to provide that private property will not be taken by eminent domain except for a public use, and requiring just compensation to be paid and determined by a jury at any party's request.

Makes conforming statutory changes, allowing eminent domain for public use (was public use, or benefit). Amends GS 40A-3 to give private condemnors, local public condemnors, and other public condemnors in specified subsections of the statute the power of eminent domain and to allow those entities to acquire any property for the connection of any customer by purchase, gift, or condemnation. Effective when the act becomes law and applies to takings occurring on or after that date.

Makes changes to the boating laws and wildlife effective October 1, 2013 (was, December 1, 2013).

Makes technical and organizational changes. Amends the act's long title.

**Intro. by Newton.**

CONST, GS 40A, GS 75A, GS 113, GS 153A, GS 160A

[View summary](#)**Animals, Constitution, Property and Housing, Local Government**

S 406 (2013-2014) [REPEAL LAWS DENIED SECTION 5 PRECLEARANCE](#). Filed Mar 25 2013, *A BILL TO BE ENTITLED AN ACT TO REPEAL LAWS AND ORDINANCES THAT WERE DENIED PRECLEARANCE UNDER SECTION 5 OF THE VOTING RIGHTS ACT OF 1965.*

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

Amends proposed GS 120-30.9J as follows. Repeals any ordinance, resolution, act, policy, or law that prior to June 25, 2013 (was, January 1, 2013) the US Department of Justice interposed an objection or the US District Court for the District of Columbia denied a declaratory judgment under Section 5 of the Voting Rights Act of 1965. Provides that the statute does not apply where the US Department of Justice withdrew its objection or after the Department interposed an objection, the US District Court for the District of Columbia issued a declaratory judgment that the ordinance, resolution, act, policy, or law did not violate Section 5.

**Intro. by Brunstetter, Brock.**

[GS 120](#)

[View summary](#)

[Elections](#)

S 112 (2013-2014) [CREATE JOBS THROUGH REGULATORY REFORM \(NEW\)](#). Filed Feb 20 2013, *AN ACT TO IMPROVE AND STREAMLINE THE REGULATORY PROCESS IN ORDER TO STIMULATE JOB CREATION, TO ELIMINATE UNNECESSARY REGULATION, AND TO MAKE VARIOUS OTHER STATUTORY CHANGES.*

The House committee substitute to the 3rd edition is to be summarized.

**Intro. by Jackson.**

[GS 116](#), [STUDY](#), [GS 20](#), [GS 58](#), [GS 95](#), [GS 97](#), [GS 106](#), [GS 130A](#), [GS 136](#), [GS 143](#), [GS 150B](#), [GS 153A](#), [GS 160A](#)

[View summary](#)

[Agriculture, Business and Commerce, Occupational Licensing, Transportation, Property and Housing, Environment, Local Government, APA/Rule Making, Public Health, Military and Veteran's Affairs](#)

S 571 (2013-2014) [AUTHORIZE VARIOUS SPECIAL PLATES](#). Filed Apr 1 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE VARIOUS SPECIAL REGISTRATION PLATES AND TO AMEND PROVISIONS FOR VARIOUS SPECIAL REGISTRATION PLATES.*

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

Amends GS 20-79.4(b) to allow the issuance of the following new special registration plates, contingent on the receipt of at least 300 plate applications: the North Carolina Bluegrass Association plate, the Professional Engineer plate, and the Sneads Ferry Shrimp Festival plate. Deletes proposed language providing for the issuance of the Town of Holden Beach and Town of Matthews plates.

Amends GS 20-79.7(a) and GS 20-81.12(b), making conforming changes by adding and deleting plate fees in regards to the addition and deletion of the plates noted above.

Reenacts GS 20-79.4(b)(52), the Combat Veteran plate, and GS 20-79.4(b)(119), the Military Veteran plate.

Amends GS 20-81.12(b)(32), providing that for the Municipality Plate, only the color and design for the plate has to be approved by both the Division and the municipality (previously, the material for the plate also had to be approved).

**Intro. by Brock.**

[GS 20](#)

[View summary](#)[Transportation, Department of Transportation](#)

S 501 (2013-2014) [CLARIFY ATV DEF/EST. GEN. GOV. OVERSIGHT COMM \(NEW\)](#). Filed Mar 27 2013, *AN ACT TO BE ENTITLED AN ACT TO MODIFY THE DEFINITION OF ALL-TERRAIN VEHICLE TO REFLECT CHANGES IN THE TYPES OF ALL-TERRAIN VEHICLES SOLD IN NORTH CAROLINA AND TO ESTABLISH THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.*

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

Amends GS 153A-245 and GS 160A-300.6 to allow a county or city to regulate the operation of all-terrain vehicles and require the registration of all-terrain vehicles, charge a registration fee, specify who is authorized to operate the all-terrain vehicles, and specify the required equipment, load limits, and the hours and methods of operation of all terrain vehicles, by ordinance. Prohibits a person less than 16 years old from operating an all-terrain vehicle on a public street, road, or highway.

**Intro. by Hartsell.**

[GS 20, GS 153A, GS 160A](#)

[View summary](#)[Transportation, Local Government](#)

S 112 (2013-2014) [CREATE JOBS THROUGH REGULATORY REFORM \(NEW\)](#). Filed Feb 20 2013, *AN ACT TO IMPROVE AND STREAMLINE THE REGULATORY PROCESS IN ORDER TO STIMULATE JOB CREATION, TO ELIMINATE UNNECESSARY REGULATION, AND TO MAKE VARIOUS OTHER STATUTORY CHANGES.*

The House committee substitute to the 4th edition is to be summarized.

**Intro. by Jackson.**

[GS 116, GS 20, GS 58, GS 95, GS 97, GS 106, GS 130A, GS 136, GS 143, GS 150B, GS 153A, GS 160A](#)

[View summary](#)

[Agriculture, Business and Commerce, Occupational Licensing, Transportation, Property and Housing, Environment, Local Government, APA/Rule Making, Public Health, Military and Veteran's Affairs](#)

S 353 (2013-2014) [HEALTH AND SAFETY LAW CHANGES \(NEW\)](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT 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 AND CONDUCT A STUDY PERTAINING TO CLINICS CERTIFIED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO BE SUITABLE FACILITIES FOR THE PERFORMANCE OF ABORTIONS, TO AMEND THE WOMEN'S RIGHT TO KNOW ACT, AND TO INCREASE PENALTIES FOR UNSAFE MOVEMENTS BY DRIVERS THAT THREATEN THE PROPERTY AND SAFETY OF MOTORCYCLISTS.*

House committee substitute to the 2nd edition adds the following provisions.

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 first 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. Allows DHHS to apply any requirement for the licensure of ambulatory surgical centers to the standards that apply to clinics certified as suitable facilities for performing abortions. Specifies issues that must be addressed by the rules. 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. Requires the DHHS, Division of Health Service Regulations, to study what resources are needed to adequately enforce regulations for clinics certified as suitable for performing abortions. Requires a report by April 1, 2014, to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division. This section becomes effective October 1, 2013.

Adds a severability clause. Makes conforming changes. Amends the act's short and long titles.

**Intro. by Harrington.**

[STUDY, GS 14, GS 20, GS 58, GS 90, GS 153A, GS 160A](#)

[View summary](#)

[Transportation, Local Government, Health, Health Insurance, Health Care Facilities and Providers](#)

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

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

Changes the title of new GS Chapter 108D to *Medicaid Managed Care for Behavioral Health Services* (was, *LME/MCO Enrollee Grievances and Appeals*). Makes clarifying changes to the definitions in GS 108D-1, spelling out acronyms and defining a Local Management Entity/Managed Care Organization (LME/MCO) as defined in GS 122C-3(20c). Amends the definition for *network provider* to delete provision that the term also includes a provider of emergency services. Deletes the definition for *provider*.

Makes organizational, clarifying, and stylistic changes. Places LME/MCO enrollee grievances and appeals procedures in new Article 2, *Enrollee Grievances and Appeals*. Clarifies that there is no right to appeal the resolution of an LME/MCO grievance to the Office of Administrative Hearings (OAH) or any other forum.

Amends new GS 108D-6 to delete specifications regarding the content of a written notice of a managed care action to an enrollee and of the enrollee's right to appeal the managed care action, instead requiring that an LME/MCO provide an enrollee with written notice of a managed care action via United States mail as required under 42 CFR Part 438, Subpart F.

Provides that an enrollee or a network provider with written authorization to act on behalf of an enrollee has a right to file a request for an LME/MCO level appeal of a notice of managed care action no later than 30 days after the mailing date of the notice of

managed care action or the grievance disposition.

Makes a technical correction to new GS 108D-6 and GS 108D-7 to provide that the enrollee is to be provided with an appeal request form for a contested case hearing that meets the requirements of GS 108D-8(f).

Amends GS 108D-7, adding a new subsection (f) to require an LME/MCO to provide an enrollee with reasonable assistance in completing forms and taking other procedural steps necessary to file an appeal including providing (1) interpreter services and (2) toll free numbers with adequate teletypewriter/telecommunications devices for the deaf and interpreter capability. Re-letters subsections as necessary.

Amends GS 108D-8 to provide that in requesting an appeal, the enrollee must file the appeal request form in accordance with OAH rules. Provides that any simplified hearing procedures approved by the chief administrative law judge (ALJ) must comply with all of the specified requirements in GS 108D-8(h). Directs the ALJ assigned to hear the case to consider and rule on all pre-hearing motions before the scheduled date for a hearing on the merits of the case (was, may include such a requirement). Provides that the enrollee has the burden of proof on all issues submitted to the OAH for a contested hearing under this section and the enrollee has the burden of going forward (was, provided the enrollee has burden of proof to show entitlement to a requested benefit under specified circumstances and the agency has the burden of proof in an appeal from a managed care action to impose a penalty or to reduce, terminate, or suspend a previously granted benefit).

Deletes amendment to GS 122C-3, which defined LME/MCO as an LME approved by the Department of Health and Human Services (DHHS) to operate the 1915(b)/(c) Medicaid Waiver.

Amends GS 122C-151.3 and GS 122C-151.4 to clarify that these sections do not apply to specified LME/MCOs, enrollees, applicants, emergency service providers, or network providers subject to GS Chapter 108D. Amends GS 150B-23 to provide that an LME/MCO is considered an agency as defined in GS 150B-2(1a) only for the purposes of contested cases commenced as Medicaid managed care enrollee appeals under GS Chapter 108D.

Directs DHHS to take any action necessary to implement this act by September 30, 2013, including submitting to the Centers for Medicare and Medicaid Services a Medicaid State Plan Amendment with a retroactive effective date of July 1, 2013 (was, required DHHS to submit a plan to implement this act on or before December 1, 2013). DHHS is to report to the Joint Legislative Oversight Committee on Health and Human Services on the status of the implementation of this act on or before September 30, 2013.

Makes this act effective when it becomes law (was, effective June 1, 2014) and applies to grievances and managed care actions filed on or after that date.

**Intro. by Hise.**

[GS 122C, GS 150B, GS 108D](#)

[View summary](#)

[Health, Mental Health, Public Assistance](#)

S 386 (2013-2014) [BOARD OF AGRICULTURE SWINE APPT \(NEW\)](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE REPRESENTATION OF SWINE INTERESTS ON THE BOARD OF AGRICULTURE, AND TO EXPAND THE DEFINITION OF A "PUBLIC CORPORATION" FOR THE PURPOSE OF ESTABLISHING FOREIGN TRADE ZONES.*

House amendment makes the following changes to the 3rd edition.

Amends GS 55C-2 to expand the definition of *public corporation* to include a corporate municipal instrumentality of one or more states. Makes this provision effective when the act becomes law. Declares that Section 1, regarding appointments to the Board of Agriculture, remains effective September 1, 2013. Amends the bill title to reflect the added content.

**Intro. by Barefoot, Rabin, Walters.**

[GS 55C, GS 106](#)

[View summary](#)

[Agriculture, Business and Commerce](#)

## LOCAL/HOUSE BILLS

H 196 (SL 2013-249) (2013-2014) [WS/FC SCHOOL BOARD VACANCIES](#). Filed Feb 28 2013, *A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR VACANCIES ON THE WINSTON-SALEM/FORSYTH COUNTY SCHOOL BOARD TO BE FILLED BY APPOINTMENT BY THE REMAINING MEMBERS OF THE BOARD.*

AN ACT TO PROVIDE FOR VACANCIES ON THE WINSTON-SALEM/FORSYTH COUNTY SCHOOL BOARD TO BE FILLED BY APPOINTMENT BY THE REMAINING MEMBERS OF THE BOARD. Enacted July 9, 2013. Effective July 9, 2013.

**Intro. by Lambeth, Conrad, Hanes, Howard.**

[Forsyth](#)

[View summary](#)

[Education](#)

H 318 (SL 2013-250) (2013-2014) [WINSTON-SALEM/SEISMIC CODES](#). Filed Mar 14 2013, *A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SEISMIC UPGRADE REQUIREMENTS A TEMPORARY OCCUPANCY BY AN EMERGENCY OPERATIONS CENTER TO ALLOW SIMILAR UPGRADES TO BE PERFORMED ON THE BUILDING PERMANENTLY HOUSING THE CENTER.*

AN ACT TO EXEMPT FROM SEISMIC UPGRADE REQUIREMENTS A TEMPORARY OCCUPANCY BY AN EMERGENCY OPERATIONS CENTER TO ALLOW SIMILAR UPGRADES TO BE PERFORMED ON THE BUILDING PERMANENTLY HOUSING THE CENTER. Enacted July 9, 2013. Effective July 9, 2013, and expires June 30, 2018.

**Intro. by Conrad, Lambeth, Hanes.**

[Forsyth](#)

[View summary](#)

H 334 (SL 2013-251) (2013-2014) [BUNCOMBE CTY LOTTERY FUND USE EXPANSION \(NEW\)](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT AUTHORIZING BUNCOMBE COUNTY TO USE SOME LOTTERY FUNDS TO EXPAND DIGITAL LEARNING IN THE PUBLIC SCHOOLS.*

AN ACT AUTHORIZING BUNCOMBE COUNTY TO USE SOME LOTTERY FUNDS TO EXPAND DIGITAL LEARNING IN THE PUBLIC SCHOOLS. Enacted July 9, 2013. Effective July 9, 2013, and applies only to unencumbered funds received by the county prior to that date.

**Intro. by Ramsey.**

[Buncombe, GS 115C](#)

[View summary](#)

[Elementary and Secondary Education](#)

H 347 (SL 2013-252) (2013-2014) [AMEND GREENSBORO FIRE RETIREMENT/CHARTER \(NEW\)](#). Filed Mar 19 2013, *A BILL TO BE ENTITLED AN ACT TO AMEND THE GREENSBORO FIREFIGHTERS' SUPPLEMENTAL RETIREMENT SYSTEM AND TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CHANGE CERTAIN REFERENCES FROM BUILDING INSPECTOR TO COMPLIANCE OFFICER.*

AN ACT TO AMEND THE GREENSBORO FIREFIGHTERS' SUPPLEMENTAL RETIREMENT SYSTEM AND TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO CHANGE CERTAIN REFERENCES FROM BUILDING INSPECTOR TO COMPLIANCE OFFICER. Enacted July 9, 2013. Effective July 9, 2013.

**Intro. by Faircloth, Adams, Hardister, Harrison.**

[Guilford](#)

[View summary](#)

**Public Safety**

H 404 (SL 2013-253) (2013-2014) [CAMDEN LOCAL STORMWATER FEES](#). Filed Mar 20 2013, *A BILL TO BE ENTITLED AN ACT TO ALLOW CAMDEN COUNTY TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES.*

AN ACT TO ALLOW CAMDEN COUNTY TO COLLECT DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS DELINQUENT PERSONAL AND REAL PROPERTY TAXES. Enacted July 9, 2013. Effective July 9, 2013.

**Intro. by Steinburg.**

[Camden](#)

[View summary](#)

H 441 (SL 2013-254) (2013-2014) [ROBESON COUNTY DRAINAGE DISTRICT](#). Filed Mar 26 2013, *A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF DRAINAGE COMMISSIONERS OF ROBESON COUNTY DRAINAGE DISTRICT NUMBER ONE FROM THREE PERSONS TO FOUR PERSONS AND TO ALLOW TWO OF THEM TO SERVE EACH WATERSHED WITHIN THE DISTRICT.*

AN ACT TO INCREASE THE MEMBERSHIP OF THE BOARD OF DRAINAGE COMMISSIONERS OF ROBESON COUNTY DRAINAGE DISTRICT NUMBER ONE FROM THREE PERSONS TO FOUR PERSONS AND TO ALLOW TWO OF THEM TO SERVE EACH WATERSHED WITHIN THE DISTRICT. Enacted July 9, 2013. Effective July 9, 2013.

**Intro. by C. Graham, Goodman.**

[Robeson](#)

[View summary](#)

H 529 (SL 2013-255) (2013-2014) [EDGECOMBE COUNTY OCCUPANCY TAX AUTHORIZATION](#). Filed Apr 2 2013, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EDGECOMBE COUNTY TO LEVY AN OCCUPANCY TAX.*

AN ACT TO AUTHORIZE EDGECOMBE COUNTY TO LEVY AN OCCUPANCY TAX. Enacted July 9, 2013. Effective July 9, 2013.

**Intro. by Tolson.**

[Edgecombe](#)

[View summary](#)

**Tax**

H 512 (2013-2014) [CENTRAL CAROLINA COM. COLL. TRUSTEE ELECTIONS \(NEW\)](#). Filed Apr 2 2013, *AN ACT TO*

*CORRECT ELECTIONS MADE OUTSIDE OF STATUTORY AUTHORITY TO THE BOARD OF TRUSTEES OF CENTRAL CAROLINA COMMUNITY COLLEGE.*

Senate committee substitute to the 1st edition deletes the provisions of the 1st edition and replaces it with the following.

Provides that the terms of individuals elected solely by the Lee County Board of Education to the Central Carolina Community College Board of Trustees (Board) expire effective August 1, 2013.

Requires that no later than August 1, 2013, four trustees are to be jointly elected to the Board by the Board of Education of Chatham County, the Board of Education of Lee County, and the Board of Education of Harnett County with each board having one vote in the election of each trustee. Prohibits a board of education from (1) electing a member of the aboard of education or any person employed by the board of education and (2) reelecting an individual elected solely by the Lee County Board of Education whose term expires August 1, 2013. Specifies the terms of the four trustees to be elected.

Amends the act's titles.

**Intro. by Stone.**

[Lee](#)

[View summary](#)

[Higher Education](#)

## LOCAL/SENATE BILLS

S 177 (SL 2013-248) (2013-2014) [HOOKERTON/MAYSVILLE SATELLITE ANNEXATIONS](#). Filed Mar 4 2013, *A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWNS OF HOOKERTON AND MAYSVILLE.*

AN ACT TO REMOVE CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR THE TOWNS OF HOOKERTON AND MAYSVILLE. Enacted July 9, 2013. Effective July 9, 2013.

**Intro. by D. Davis, Brown.**

[Greene, Jones, GS 160A](#)

[View summary](#)

S 81 (2013-2014) [CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT \(NEW\)](#). Filed Feb 13 2013, *A BILL TO BE ENTITLED AN ACT TO CREATE THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT AUTHORITY.*

House committee substitute to the 8th edition makes the following changes. Changes the name of the Authority to the Charlotte Douglas International Airport Authority (was, the Charlotte Regional Airport Authority).

Changes the membership of the Authority as follows: (1) adds two registered voters of Charlotte appointed by the Mayor, at least one of whom is a resident of the west side of Charlotte; (2) adds two registered voters of Charlotte appointed by the city council, at least one of whom is a resident of the west side of Charlotte (previous edition required one person who is a registered voter of Charlotte appointed by the city council and one member that is a registered voter of Charlotte appointed by the Mayor); (3) deletes the requirement that one member be a registered voter in Mecklenburg County nominated by the Charlotte City Council appointed by the General Assembly upon the President Pro Tempore of the Senate's recommendation; and (4) provides that one member be appointed by the other 10 members (was, an at-large member appointed by a majority vote of the other members). Deletes the requirement the initial members of the Authority be the members of the Airport Advisory Committee of Charlotte, limits the powers of the initial members, and encourages the appointment of members without untoward delay. Requires the appointing authorities to appoint initial members by October 1, 2013, with terms commencing on that date. Requires the Authority to appoint the 11th member by December 1, 2013. Requires that members, when practical, have experience in aviation, logistics, construction

and/or facilities management, law, accounting, and/or finance. Specifies that initial four-year terms expire December 31, 2017 (was, June 30) and all initial two-year terms expire December 31, 2015 (was, June 30).

Adds airport facilities to those entities for which the right, title, and interest of Charlotte is deemed to have been transferred.

Makes conforming changes. Changes the date of the transfer to January 1, 2014 (was, upon enactment of the act). Provides that the Authority is to be deemed to have appointed, effective January 1, 2014, as its initial executive director, the Aviation Director of Charlotte. Also provides that it is deemed to have employed, effective January 1, 2014, the employees of Charlotte assigned to the City's Aviation Department and under the Aviation Director's supervision as the Authority's initial employees.

Adds that, in its initial decisions, the Authority must consider the consultant recommendations made to Charlotte in 2013 concerning governance of the Airport.

Adds that the Authority may make recommendations to the 2013 General Assembly before it reconvenes in 2014 concerning amendments to this act, with the recommendations eligible for consideration as if it were a committee or commission.

Adds that during the period from October 1, 2013, through December 31, 2013, the interim period beginning the time the terms of the Authority begins and ending the day before the Authority begins operating the airport, Charlotte must make available to the Authority as needed the services of city officers and employees that this act transfers to the Authority.

Changes the act's short and long titles.

**Intro. by Rucho.**

[Mecklenburg](#)

[View summary](#)

[Transportation](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 14: REV LAWS TECHNICAL, CLARIFYING, & ADMIN. CHG.**

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Finance*

*Senate: Rec From House*

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

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/15/2013*

#### **H 26: STRENGTHEN LAWS/VEHICLE THEFT.**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

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

*Pres. To Gov. 7/10/2013*

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

*Pres. To Gov. 7/10/2013*

**H 161: MANDATORY RETIREMENT AGE FOR MAGISTRATES.**

*Pres. To Gov. 7/10/2013*

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

*House: Concurred In S Amend SA2*

*House: Ordered Enrolled*

**H 176: CHARTER SCHOOL ELECTION.**

*Pres. To Gov. 7/10/2013*

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

*Ratified*

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

*Ratified*

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

*Senate: Conf Com Appointed*

**H 241: BLUE MONDAY SHAD FRY.**

*Pres. To Gov. 7/10/2013*

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

*Senate: Conf Com Appointed*

**H 255: UNC TUITION SURCHARGE/ADVANCE NOTICE.**

*Senate: Conf Com Reported*

*Senate: Placed On Cal For 07/11/2013*

*House: Conf Com Reported*

*House: Placed On Cal For 07/11/2013*

**H 257: UNCLAIMED PROPERTY PROGRAM IMPROVEMENTS.**

*Ratified*

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

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

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

*House: Rec From Senate*

*House: Rec To Concur S Com Sub*

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

*Ratified*

**H 340: LIMITED LINES TRAVEL INSURANCE.**

*Ratified*

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



*Ratified*

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

*Ratified*

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

*Pres. To Gov. 7/10/2013*

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

*Ratified*

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

*Pres. To Gov. 7/10/2013*

**H 391: VOLUNTEER SERVICE IN RETIREMENT.**

*Ratified*

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

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

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

*Ratified*

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

*Senate: Withdrawn From Cal*

*Senate: Re-ref Com On Rules and Operations of the Senate*

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

*Ratified*

**H 436: GUBERNATORIAL TEAM TICKET.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

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

*Pres. To Gov. 7/10/2013*

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

*Pres. To Gov. 7/10/2013*

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

*House: Rec From Senate*

*House: Rec To Concur S Com Sub*

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

*Ratified*

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

*Ratified*

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

*House: Rec From Senate*

*House: Rec To Concur S Com Sub*

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

*Signed by Gov. 7/10/2013*

*Ch. SL 2013-258*

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

*Senate: Rec From House*

*Senate: Passed 1st Reading*

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

**H 607: REQUIRE USE OF PAPER BALLOTS.**

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/11/2013*

*House: Withdrawn From Com*

**H 614: NC AGRICULTURE AND FORESTRY ACT.**

*House: Conferee Change*

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

*House: Rec From Senate*

*House: Rec To Concur S Com Sub*

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

*Pres. To Gov. 7/10/2013*

**H 649: SMALL GROUP HEALTH INS. TECHNICAL CHANGES.**

*Senate: Conf Com Reported*

*Senate: Placed On Cal For 07/11/2013*

*House: Conf Com Reported*

*House: Placed On Cal For 07/11/2013*

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

*Senate: Conf Com Reported*

*Senate: Placed On Cal For 07/11/2013*

*House: Conf Com Reported*

*House: Placed On Cal For 07/11/2013*

**H 683: COMMONSENSE CONSUMPTION ACT.**

*Ratified*

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

*House: Withdrawn From Cal*

*House: Re-ref Com On House Select Committee on Ways and Means*

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

*Ratified*

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

*Ratified*

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

*Ratified*

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

*House: Rec From Senate*

*House: Rec To Concur S Com Sub*

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

*House: Rec To Concur S Com Sub*

*House: Rec From Senate*

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

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 828: UPDATE PHYSICAL THERAPY PRACTICE ACT.**

*Ratified*

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

*Pres. To Gov. 7/10/2013*

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

*Ratified*

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

*Ratified*

**H 1016: HONOR JAMES E. RAMSEY.**

*Ratified*

*Ch. Res 2013-21*

**H 1017: HONORING THE GROVE PARK INN'S CENTENNIAL.**

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*  
*Ratified*  
*Ch. Res 2013-22*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*Senate: Rec From House*  
*Senate: Passed 1st Reading*

**H 1018: HONOR CHINA GROVE'S FOUNDERS.**

*House: Adopted*

**H 1019: HONOR FOUNDERS/BETHESDA PRESBYTERIAN CHURCH.**

*House: Reptd Fav. For Introduction*  
*House: Filed*

**S 103: AMEND ASSESSMENTS FOR INFRASTRUCTURE NEEDS (NEW).**

*House: Reptd Fav Com Substitute*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 07/11/2013*

**S 112: CREATE JOBS THROUGH REGULATORY REFORM (NEW).**

*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 07/11/2013*  
*House: Reptd Fav Com Substitute*  
*House: Re-ref Com On Commerce and Job Development Subcommittee on Energy and Emerging Markets*  
*House: Reptd Fav Com Sub 2*

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

*Pres. To Gov. 07/10/2013*

**S 140: FINANCIAL EXPLOITATION OF OLDER ADULTS.**

*House: Reptd Fav Com Substitute*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*

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

*Pres. To Gov. 07/10/2013*

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

*House: Conf Com Reported*  
*House: Placed On Cal For 07/11/2013*  
*Senate: Conf Com Reported*  
*Senate: Placed On Cal For 07/11/2013*

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

*Ratified*

**S 248: CHOICE OF HEARING AID SPECIALIST.**

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

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

*Pres. To Gov. 07/10/2013*

**S 316: PRETRIAL RELEASE/REBUTTABLE PRESUMPTION.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 337: NC CHARTER SCHOOL ADVISORY BOARD (NEW).**

*Senate: Failed Concur In H Com Sub*

*Senate: Conf Com Appointed*

*House: Conf Com Appointed*

**S 344: VINTAGE AUTO INSPECTIONS.**

*House: Postponed To 07/11/2013*

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/11/2013*

**S 372: OMNIBUS COUNTY LEGISLATION.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**S 378: ASSESS PROPANE DEALERS/DISTRIBUTORS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

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

*House: Amend Adopted AI*

*House: Passed 2nd Reading*

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

*Pres. To Gov. 07/10/2013*

**S 406: REPEAL LAWS DENIED SECTION 5 PRECLEARANCE.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

**S 407: ELECTRONIC VEHICLE LIEN/TITLE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Postponed To 07/11/2013*

**S 444: UNC/CHEROKEE LANGUAGE.**

*House: Postponed To 07/11/2013*

**S 455: INCREASED PENALTY/SEED LAW VIOLATIONS.-AB**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/11/2013*

**S 465: PROHIBIT USE OF TAX ZAPPER SOFTWARE.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

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

*Ch. SL 2013-259*

*Signed by Gov. 7/10/2013*

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/11/2013*

**S 553: LME/MCO ENROLLEE GRIEVANCES & APPEALS.**

*House: Postponed To 07/11/2013*

*House: Serial Referral To Judiciary Subcommittee A Stricken*

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

**S 558: TREASURER'S INVESTMENTS.**

*House: Withdrawn From Com*

*House: Re-ref Com On Finance*

**S 571: AUTHORIZE VARIOUS SPECIAL PLATES.**

*House: Passed 3rd Reading*

*House: Reptd Fav Com Sub 2*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*

**S 636: WILDLIFE RESOURCES COMM. PENALTY CHANGES.**

*House: Reptd Fav Com Sub 2*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 07/11/2013*

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

*Pres. To Gov. 07/10/2013*

**S 653: CLARIFY DEALER PLATES (NEW).**

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

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

*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 07/11/2013*  
*House: Withdrawn From Com*

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

*Senate: Conf Com Appointed*  
*House: Conf Com Appointed*

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

*Pres. To Gov. 07/10/2013*

**LOCAL BILLS**

**H 107: EASTERN REGION/DISBURSEMENT OF FUNDS (NEW).**

*Ch. SL 2013-256*  
*Ratified*

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

*House: Rec From Senate*  
*House: Rec To Concur S Com Sub*

**H 422: MARSHVILLE CHARTER AMENDMENT/UTILITY BILLING.**

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

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

*House: Concurred In S/Com Sub*  
*House: Ordered Enrolled*

**H 512: CENTRAL CAROLINA COM. COLL. TRUSTEE ELECTIONS (NEW).**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 538: APEX LAND USE CHANGES.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

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

*Ratified*

*Ch. SL 2013-257*

**S 81: CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT (NEW).**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/11/2013*

**S 315: MUNICIPAL SERVICES (NEW).**

*Senate: Placed On Cal For 07/11/2013*

*Senate: Withdrawn From Cal*

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