

The Daily Bulletin: Wednesday, February 4, 2015

PUBLIC/HOUSE BILLS

H 45 (2015-2016) [CHILD ADVOCACY CENTER FUNDS](#). Filed Feb 4 2015, *AN ACT TO APPROPRIATE FUNDS FOR CHILDREN'S ADVOCACY CENTERS*.

Appropriates \$800,000 for the 2015-16 fiscal year from the General Fund or any available federal Block Grant funds to the Department of Health and Human Services for child advocacy centers. Directs that the funds be allocated as follows: (1) designates that \$750,000 be allocated equally among each of the 30 fully certified child advocacy centers in the state and (2) designates that \$50,000 be allocated to Children's Advocacy Centers of North Carolina, Inc., to hire a quality improvement and development coordinator. Becomes effective July 1, 2015.

Intro. by Saine, Horn, Glazier.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare](#)

H 46 (2015-2016) [SENIOR TAX DEDUCTION FOR MEDICAL EXPENSES](#). Filed Feb 4 2015, *AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX DEDUCTION FOR MEDICAL EXPENSES*.

Amends GS 105-153.5, making clarifying changes to itemized deduction amounts, and enacting new GS 105-153.5(a) (2)c providing for a medical expenses itemized individual income tax deduction. Provides that the deduction is for the amount allowed pursuant to Section 213 of the U.S. Internal Revenue Code for medical expenses incurred for a person who is 65 years old or older before the close of the taxpayer's taxable year.

Effective beginning on or after January 1, 2015.

Intro. by Catlin.

[GS 105](#)

[View summary](#)

[Government, Tax, Health and Human Services, Health](#)

H 47 (2015-2016) [YOUTH CAREER CONNECT](#). Filed Feb 4 2015, *AN ACT TO AUTHORIZE ENROLLMENT OF FRESHMAN AND SOPHOMORES IN COMMUNITY COLLEGE COURSES AT SOUTH PIEDMONT COMMUNITY COLLEGE IN ASSOCIATION WITH THE FEDERAL YOUTH CAREER CONNECT GRANT AWARDED TO ANSON COUNTY SCHOOLS*.

Provides that, pursuant to the federal Youth Career Connect Grant awarded to Anson County Schools for 2014-18, South Piedmont Community College can enroll Anson County Schools ninth and tenth grade students in community college courses.

Further provides that South Piedmont Community College will earn budget FTE for the student course enrollments in this bill.

Intro. by Brody.

UNCODIFIED

[View summary](#)

[Education, Higher Education](#)

H 48 (2015-2016) [AMENDMENTS PROPOSAL CONVENTION OF STATES](#). Filed Feb 4 2015, *A JOINT RESOLUTION APPLYING TO CONGRESS FOR AN ARTICLE V CONVENTION OF THE STATES WITH THE PURPOSE OF PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION.*

As title indicates. Limits the proposed Constitutional amendments to those that: (1) impose fiscal restraints on the federal government, (2) limit the power and jurisdiction of the federal government, and (3) limit the terms of office for its officials and for members of Congress.

Intro. by Jones, Millis, Riddell, Pendleton.

CONST, JOINT RES

[View summary](#)

[Constitution](#)

H 49 (2015-2016) [INDEPENDENT REDISTRICTING COMMISSION](#). Filed Feb 4 2015, *AN ACT TO AMEND THE CONSTITUTION TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION TO PREPARE REDISTRICTING PLANS AFTER THE 2030 CENSUS AND THEREAFTER.*

Identical to [S 28](#), filed on 2/4/15.

Proposes to amend Article II of the North Carolina State Constitution, effective January 1, 2028, adding a new section 25 to establish a nine-member Independent Redistricting Commission (IRC). Provides that the IRC, beginning with the return of the 2030 national census, is to present to the General Assembly three redistricting plans for each of the following: (1) revising the state's senate districts, (2) revising the state's House of Representatives districts, and (3) electing members of the House of Representatives of the United States Congress. Provides that if the General Assembly fails to adopt one of each of the three redistricting plans for state Senate districts, state House of Representative districts, and US House of Representatives districts within 120 days of receiving the plans, the IRC is authorized to adopt one of the redistricting plans for each respective body by majority vote.

Proposed Section 25 of Article II of the NC Constitution provides that the membership of the IRC is to consist of nine persons: (1) two from different political parties appointed by the Chief Justice of the NC Supreme Court; (2) three (of which no more than two may be from the same political party) appointed by the Governor; (3) one each appointed by the Speaker of the NC House of Representatives, and the leader in the House of Representatives from the political party with the next highest or equal number of members as the party of the Speaker; and (4) one each appointed by the President Pro Tempore of the NC Senate, and the leader in the Senate of the political party with the next highest or equal number of members as the party of the President Pro Tempore.

Makes conforming changes amending Section 3 (senate districts; apportionments of senators) and Section 5 (representative districts; apportionment of representatives) of Article II of the North Carolina Constitution to provide that the IRC, created in this act, is authorized to revise Senate and House districts and apportionment of senators and representatives among those districts. Becomes effective January 1, 2030.

Directs that the proposed amendments to Article II of the NC Constitution be submitted to the qualified voters of the state at the November 2016 general election. Provides that the ballot present the question as to whether voters are "for" or "against" the proposed amendments.

Provides that if the proposed constitutional amendments are approved by the qualified voters, then a new Article 12B, "Redistricting," is added to GS Chapter 163, enacting new GS 163-133 and GS 163-134, effective January 1, 2028. Provides additional rules and guidelines regarding the membership of and operation of the IRC.

Proposed GS 163-133 provides that appointees to the IRC may not have held elective office or been a candidate for elective office for a period of four years prior to and after their service on the IRC. Requires that eligible persons for appointment to the IRC must be North Carolina residents. Provides that if there are two or more parties other than the Speaker's party or the President Pro Tempore's party with equal membership, the leaders in each chamber of the tied parties other than the party of the Speaker and the President Pro Tempore are to draw lots to determine which is to make the appointment. Declares that the appointing officers must take into account the advisability of having the IRC reflect the state's geographic, gender, racial, and ethnic diversity in the making of their appointments. Includes criteria regarding the term of office for IRC members, filling vacancies, and electing a chair. Houses the IRC in the Legislative Services Office and requires the IRC to retain independent staff under contract to prepare redistricting plans. Prohibits providing the staff any instruction as to the content of the plans other than to follow the guidelines in Section 25 of Article II of the state constitution.

Proposed GS 163-134 provides for the generating of state legislative redistricting plans and congressional redistricting plans by the IRC as specified in the amendments to the NC Constitution. Requires the IRC to adopt its plans no later than October 1 of the year following a national decennial census. Prohibits the IRC from considering as part of the plans the political affiliation of voters, voting data from past elections, location of incumbents' residences, or demographic data from sources other than the census. Provides that racial and ethnic data may be used only to comply with the US Constitution and federal election laws. Requires 45 days of public comment on a plan before it is submitted to the General Assembly.

Allows the General Assembly, upon request, to assign the IRC to prepare districting plans for counties, cities, town, special districts and other governmental subdivisions.

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

Intro. by Jeter, Howard, Michaux, Tine.

[CONST, GS 163](#)

[View summary](#)

[Constitution, Government, Elections](#)

H 50 (2015-2016) [AMEND MAND. RETIRE. AGE/JUDGES & MAGISTRATES](#). Filed Feb 4 2015, *AN ACT TO AMEND THE MANDATORY RETIREMENT AGE FOR MAGISTRATES, JUDGES, AND JUSTICES OF THE GENERAL COURT OF JUSTICE TO REQUIRE RETIREMENT ON DECEMBER 31 OF THE YEAR THE MAGISTRATE, JUDGE, OR JUSTICE ATTAINS THE AGE OF 72.*

Amends GS 7A-4.20 to provide that the mandatory retirement age for a judge or justice of the General Court is December 31 of the year in which that person reaches the age of 72 (was, set mandatory retirement as of the last day of the month in which the judge or justice turned 72). Amends GS 135-57(b) to provide that any member of the judicial retirement system is automatically retired as of January 1 following the member's reaching his or her seventy-second birthday.

Amends GS 7A-170(b) to provide that the mandatory retirement age for magistrates is the last day of December in the year in which the magistrate reaches the mandatory retirement age for justices and judges as specified in GS 7A-4.20 (age 72).

Becomes effective January 1, 2016, and applies to magistrates, judges, and justices holding office on or after that date.

Intro. by McNeill, Hurley, Stam.

[GS 7A, GS 135](#)

H 51 (2015-2016) **JUSTICE FOR RURAL CITIZENS ACT**. Filed Feb 4 2015, *AN ACT TO REMOVE THE INJUSTICE OF EXTRATERRITORIAL PLANNING JURISDICTION BY DECLARING THAT NO CITY IN THE STATE MAY HAVE OR EXERCISE PLANNING JURISDICTION OUTSIDE ITS CORPORATE LIMITS.*

Includes various whereas clauses.

Amends the caption of GS 160A-360 to read Limits on planning powers (was, Territorial jurisdiction). Deletes all substantive language of GS 160A-360 regarding a city's ability to exercise extraterritorial jurisdiction. Remaining language provides that a city can enforce its regulations after an area that is currently regulated by county planning and development regulations is annexed by the city and the city adopts such regulations or a period of 60 days has elapsed since the annexation.

Amends GS 160A-361(a) regarding duties of planning boards, to provide that any city can create or designate boards or commissions to perform studies of an area within the city's corporate limits (previously, could make studies of an area within its jurisdiction and surrounding areas).

Repeals GS 160A-362, concerning extraterritorial representation on the planning board.

Repeals any provision in a local act which previously granted a city, town, or village the power to exercise extraterritorial planning jurisdiction pursuant to GS Chapter 160A, Article 19.

Provides that effective January 1, 2016, jurisdiction over an area that a city is regulating pursuant to extraterritorial planning jurisdiction is relinquished. Provides that a city can relinquish such regulation prior to January 1, 2016, as long as the city complies with the provisions of GS Chapter 160A, Article 19.

Provides that upon relinquishment of an area of extraterritorial jurisdiction, city regulations will remain in effect until (a) the county has adopted regulations or (b) a period of 60 days since the effective date of the act has elapsed. Further provides that individuals that have acquired vested rights under a permit, certificate, or other evidence of compliance issued by the city can continue to exercise such rights as if no change of jurisdiction has occurred. Allows the county acquiring jurisdiction to take any action regarding such rights that could have been taken by the city that surrendered jurisdiction. Provides that buildings, structures, or other land use in a territory which a county has acquired jurisdiction are subject to the ordinances and regulations of the county.

Makes various conforming changes concerning the repeal of extraterritorial jurisdiction authority in the following sections: GS 113A-208 (Regulations of mountain ridge construction by counties and cities), GS 122C-403 (Secretary's authority over Camp Butner reservation), GS 122C-405 (Procedure applicable to rules), GS 122C-410 (Authority of county or city over Camp Butner Reservation; zoning jurisdiction by Town of Butner over State lands), GS 136-44.50 (Transportation corridor official map act), GS 136-55.1 (Notice of abandonment), GS 136-63 (Change or abandonment of roads), GS 136-66.3 (Local government participation in improvements to the State transportation system), GS 143-138 (North Carolina State Building Code), GS 143-215.57 (Procedures in issuing permits), GS 153A-317.14 (Extension of economic development and training districts), GS 160A-58.4 (Extraterritorial powers), GS 160A-176.1 (Ordinances effective in Atlantic Ocean), GS 160A-176.2 (Ordinances effective in Atlantic Ocean), GS 160A-199 (Regulation of outdoor advertising), GS 160A-296 (Establishment and control of streets; center and edge lines), GS 160A-299 (Procedure for permanently closing streets and alleys), GS 160A-383.4 (Local energy efficiency incentives), and GS 160A-459 (Stormwater control).

Enacts new language to define the term *extraterritorial jurisdiction* as meaning the boundaries of an area over which a specified city was exercising extraterritorial planning jurisdiction prior to the city's relinquishment of jurisdiction on or before January 1, 2016. New language can be found in the following sections: GS 122C-3, GS 130A-317, GS 143-

215.1, and GS 160A-340.2.

Effective January 1, 2016.

Intro. by Pittman.

GS 113A, GS 122C, GS 130A, GS 136, GS 143, GS 153A,
GS 160A

[View summary](#)

**Development, Land Use and Housing, Building and
Construction, Community and Economic Development,
Land Use, Planning and Zoning, Environment,
Government, Local Government, Transportation**

H 52 (2015-2016) **DESIGNATE OFFICIAL STATE GOLD FESTIVAL**. Filed Feb 4 2015, *AN ACT DESIGNATING THE GOLD FESTIVAL IN OLD FORT AS THE STATE'S OFFICIAL GOLD FESTIVAL*.

Enacts new GS 145-48, as the title indicates.

Intro. by Dobson.

McDowell, GS 145

[View summary](#)

Government, Cultural Resources and Museums

H 53 (2015-2016) **LEA FLEXIBILITY FOR SUPPLEMENTAL PAY**. Filed Feb 4 2015, *AN ACT TO PERMIT LOCAL BOARDS OF EDUCATION TO USE STATE FUNDS FOR SUPPLEMENTAL SALARIES AND DIFFERENTIAL PAY FOR SCHOOL PERSONNEL*.

Enacts new GS 115C-105.25(a1) directing the State Board of Education to allow local boards of education to transfer, at their discretion, any available state funds into an allotment category to provide supplemental salaries and differential pay for school personnel.

Effective July 1, 2015.

Intro. by Malone, Pendleton, Stam, Bryan.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 54 (2015-2016) **CODIFIER OF RULES APPOINTMENT**. Filed Feb 4 2015, *AN ACT TO AUTHORIZE THE CHIEF ADMINISTRATIVE LAW JUDGE TO APPOINT A CODIFIER OF RULES TO SERVE IN THE OFFICE OF ADMINISTRATIVE HEARINGS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE*.

Amends GS 7A-760 as the title indicates. Provides that the Codifier of Rules may only be appointed or designated as specified in this section. Sets the salary of the Codifier of Rules at 90% of the salary of the Chief Administrative Law Judge (Chief ALJ). Provides that the Codifier of Rules is to receive longevity pay, instead of merit pay and other increment raises, on the same basis as employees who are subject to the North Carolina Human Resources Act (NCHR). Provides that the Chief ALJ is exempt from the NCHR as provided by GS 126-5(c1)(27)(was, GS 126-5(c1)(26)). Edits the caption to replace State Personnel Commission with State Human Resources Commission.

Makes conforming changes to GS 150B-2(1c), which defines "Codifier of Rules."

PUBLIC/SENATE BILLS

S 28 (2015-2016) [INDEPENDENT REDISTRICTING COMMISSION](#). Filed Feb 4 2015, *AN ACT TO AMEND THE CONSTITUTION TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION TO PREPARE REDISTRICTING PLANS AFTER THE 2030 CENSUS AND THEREAFTER*.

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Proposed Section 25 of Article II of the NC Constitution provides that the membership of the IRC is to consist of nine persons: (1) two from different political parties appointed by the Chief Justice of the NC Supreme Court; (2) three (of which no more than two may be from the same political party) appointed by the Governor; (3) one each appointed by the Speaker of the NC House of Representatives, and the leader in the House of Representatives from the political party with the next highest or equal number of members as the party of the Speaker; and (4) one each appointed by the President Pro Tempore of the NC Senate, and the leader in the Senate of the political party with the next highest or equal number of members as the party of the President Pro Tempore.

Makes conforming changes amending Section 3 (senate districts; apportionments of senators) and Section 5 (representative districts; apportionment of representatives) of Article II of the North Carolina Constitution to provide that the IRC, created in this act, is authorized to revise Senate and House districts and apportionment of senators and representatives among those districts. Becomes effective January 1, 2030.

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the staff any instruction as to the content of the plans other than to follow the guidelines in Section 25 of Article II of the state constitution.

Proposed GS 163-134 provides for the generating of state legislative redistricting plans and congressional redistricting plans by the IRC as specified in the amendments to the NC Constitution. Requires the IRC to adopt its plans no later than October 1 of the year following a national decennial census. Prohibits the IRC from considering as part of the plans the political affiliation of voters, voting data from past elections, location of incumbents' residences, or demographic data from sources other than the census. Provides that racial and ethnic data may be used only to comply with the US Constitution and federal election laws. Requires 45 days of public comment on a plan before it is submitted to the General Assembly.

Allows the General Assembly, upon request, to assign the IRC to prepare districting plans for counties, cities, town, special districts and other governmental subdivisions.

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

Intro. by J. Jackson.

[CONST, GS 163](#)

[View summary](#)

[Constitution, Government, Elections](#)

S 29 (2015-2016) [DOB REDACTION REQUESTS FOR PUBLIC DOCUMENTS](#). Filed Feb 4 2015, *AN ACT TO ALLOW REGISTERS OF DEEDS AND CLERKS OF COURT TO REDACT DATES OF BIRTH FROM CERTAIN PUBLIC RECORDS TO PROTECT THE PUBLIC FROM IDENTITY THEFT.*

Amends GS 132-1.10, concerning the redaction of personal identifying information from public records, making technical and organizational changes. Further provides that the register of deeds, after receiving a request pursuant to GS 132-1.10(f) to redact a requestor's date of birth, can comply with the request for redaction by redacting all, or a portion of, the date of birth from any land records displayed.

Intro. by Curtis.

[GS 132](#)

[View summary](#)

[Business and Commerce, Consumer Protection, Courts/Judiciary, Civil, Civil Law](#)

S 30 (2015-2016) [VALUE STUDENT LEARNING ACT](#). Filed Feb 4 2015, *AN ACT TO INCREASE THE WEIGHT OF SCHOOL GROWTH IN THE CALCULATION OF SCHOOL PERFORMANCE GRADES.*

Amends GS 115C-83.15(d) to adjust the formula for calculating school performance scores, which is arrived at by adding the school achievement score and the school growth score, providing that the school achievement score will count as 40 percent of the total sum (was, 80 percent) and the school growth score will count as 60 percent of the total sum (was, 20 percent).

Intro. by Stein.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 31 (2015-2016) [RESTORE TEACHING FELLOWS PROGRAM](#). Filed Feb 4 2015, *AN ACT TO RESTORE THE TEACHING*

FELLOWS PROGRAM.

Identical to [H 21](#), filed 1/28/15.

Provides that effective March 1, 2015, all provisions included in GS 115C-363.22 through GS 115C-363.23A, concerning the Teaching Fellows Program, are to be reenacted (previously, set to be repealed March 1, 2015). Provides that the above provisions do not apply to scholarships awarded by the Teaching Fellows Commission on or before March 1, 2015. Provides that scholarship loans will be made pursuant to the Teaching Fellows Program beginning with the 2016-17 academic year.

Amends Section 1.38(a) of SL 2011-266 (as amended), effective March 1, 2015, concerning the repeal of GS 115C-363.22 through GS 115C-363.23A, to provide that Section 1.38(a) only applies to scholarships awarded by the Teaching Fellows Commission on or before March 1, 2015.

Repeals Section 1.38(c) of SL 2011-266, which prohibited legislators from serving on the Teaching Fellow's Commission, effective July 1, 2015.

Amends the catch line of GS 116-209.27 to read "Administration as of March 1, 2015 of outstanding scholarships previously awarded by the Teaching Fellows Program" (was, Administration of scholarships previously awarded by the Teaching Fellows Program).

Appropriates from the General Fund to the Department of Public Instruction \$400,000 for the 2015-16 fiscal year and \$750,000 for the 2016-17 fiscal year, for the expenses of the Teaching Fellows Commission.

Appropriates from the General Fund to the Department of Public Instruction \$3.25 million for the 2016-17 fiscal year to provide 500 Teaching Fellowships of \$6,500 per recipient for the 2016-17 academic year. Effective July 1, 2015.

Intro. by Stein.

[APPROP, GS 116](#)

[View summary](#)

[Education, Higher Education, Government, State Agencies, Department of Public Instruction](#)

S 32 (2015-2016) [GRAND JURY INVEST./PROSECUTOR TRAINING STUDY](#). Filed Feb 4 2015, *AN ACT TO EXPAND THE LIST OF CRIMES FOR WHICH AN INVESTIGATIVE GRAND JURY CAN BE CONVENED AND TO AUTHORIZE THE OFFICE OF GENERAL ADMINISTRATION OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY WHETHER THE STATE'S LAW SCHOOLS SHOULD OFFER CLINICS AND CLASSES FOR EDUCATION AND TRAINING OF FUTURE PROSECUTORS.*

Amends GS 15A-622 (Formation and organization of grand juries; other preliminary matters), enacting new GS 15A-622(i), which contains five categories of crimes that can be the basis for convening an investigative grand jury, including violations of GS 14-254 (malfeasance of corporation officers and agents) and a violation of GS 14-90 (embezzlement of property received by virtue of office or employment). Makes conforming changes.

Establishes that the Office of the General Administration of the University of North Carolina will study whether law schools at North Carolina's public universities should offer classes and clinics for the training of future prosecutors. Requires the findings and recommendations of the study to be reported to the General Assembly and to the Joint Legislative Education Oversight Committee on or before April 1, 2016.

Intro. by Stein.

[STUDY, GS 15A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Higher Education, Government,](#)

S 34 (2015-2016) [EXPAND SHELLFISH CULTIVATION AREAS](#). Filed Feb 4 2015, *AN ACT TO PROVIDE FOR SHELLFISH CULTIVATION LEASES IN AREAS CONTAINING SUBMERGED AQUATIC VEGETATION*.

Amends GS 113-202 to prohibit the Secretary of Environment and Natural Resources from excluding an area from shellfish cultivation leasing solely because the area contains submerged aquatic vegetation. Requires that the secretary make specific findings based on the standards in the statute before reaching a decision not to grant or renew a lease for any area containing submerged aquatic vegetation. Effective July 1, 2015, and applies to any new or renewals of existing shellfish cultivation leases issued on or after that date.

Intro. by Cook, Tillman, Sanderson.

[GS 113](#)

[View summary](#)

[Environment, Aquaculture and Fisheries](#)

S 35 (2015-2016) [JUMPSTART BUSINESS STARTUPS/NEW MARKET CREDIT](#). Filed Feb 4 2015, *AN ACT TO ENACT THE JUMP-START OUR BUSINESS START-UPS ACT AND THE NEW MARKETS TAX CREDIT*.

Includes introductory "whereas clauses" providing public policy reasons for enacting this legislation.

Part I.

Amends GS 78-17 to add a new exemption to the list of transactions that are exempt from the registration and filing requirements to include the offer or sale of securities conducted in accordance with proposed GS 78A-17.1, the Invest NC exemption. Effective when bill becomes law, expiring on July 1, 2017.

Enacts new GS 78A-17.1, Invest NC Exemption, to Article 3 of GS Chapter 78A. Provides that an offer or sale of a security by an issuer is exempt from registration requirements under GS 78-24 and filing requirements under GS 78A-49(d) if the offer or sale is conducted in accordance with the 13 specified requirements. Provides that the caps set for cash and other consideration for all sales of the security in reliance upon the exemption in GS 78A-17.1 must be cumulatively adjusted every fifth year by the Secretary of State (Administrator) to reflect the change in the Consumer Price Index for all Urban Consumers published by the Bureau of Labor Statistics. Requires an issuer of security for which the offer of sale is exempt under this section to submit a free-of-charge quarterly report to the issuer's shareholders until there are no outstanding securities issued under this section. Specifies how an issuer can satisfy the reporting requirement via an internet website if made available in accordance with specified requirements. Requires that an issuer must file each quarterly report with the Administrator. Specifies content required to be in the report. Provides criteria for offers and sales to controlling persons, defined as an officer, director, partner, trustee, or individuals having similar status or performing similar functions as the issuer, or a person owning 10% or more of the outstanding shares of any class or classes of securities of the issuer. Provides for disqualification for the exemption if an issuer or person affiliated with the issuer or offering is subject to any qualifications contained in 18 NCAC 06A. 1207(a)(1) through (a) (6) or contained in Rule 262 as promulgated under the Securities Act of 1933 (17 CFR 230.262). Authorizes the Administrator to adopt rules to protect investors who purchase securities under this section. Directs the Administrator to charge a nonrefundable filing fee of \$150 for filing the exemption notice. Effective when bill becomes law, expiring on July 1, 2017.

Makes a conforming change to GS 78A-49(d) regarding the informational filing requirement. Effective when bill becomes law, expiring on July 1, 2017.

Requires the Administrator to adopt rules to implement this act within 12 months. Provides for a 15-day notice and comment period and requires the Administrator to hold at least one public hearing on the rules. Provides that the rules

become effective on the first day of the month following the date the rules are adopted and sent to the Codifier of Rules for entry into the Administrative Code. Requires any rule adopted more than 12 months after the effective date of the act comply with the requirements of GS Chapter 150B, Article 2A (effective 12 months after the date the act becomes effective and expires on July 1, 2017).

Provides that this provision expires 12 months after the effective date of this act. Effective when bill becomes law, expiring on July 1, 2017.

Part II.

Adds new Article 3L, "NC New Markets Jobs Act of 2015," to GS Chapter 105 to provide that an entity that makes a qualified equity investment earns a below-the-line tax reduction that may be applied to the entity's state premium tax liability on future premium tax reports filed under Article 8B of GS Chapter 105.

Enacts new GS 105-129.101 (definitions). Defines qualified equity investment as an equity investment in, or long-term debt security issued by, a qualified community development entity that meets each of the following requirements: (1) is acquired after the act's effective date at its original issuance solely in exchange for cash, (2) has at least 85% of its cash purchase price used by the qualified community development entity to make qualified low-income community investments in qualified active low-income community businesses located in this state by the first anniversary of the initial reduction allowance date, and (3) is designated as a qualified equity investment under this subdivision and certified by the Department of Commerce (Department) as not exceeding the limitation in proposed GS 105-129.102(d)(5). Additionally defines *qualified active low-income community business*, *qualified community development entity*, and additional terms as they apply in this act.

Provides details on the tax reduction and directs the Department to certify \$208,333,333 in qualified equity investment authority in accordance with two allocations, one for the Rural Reserve and one for the Statewide Reserve, as described in GS 105-129.109(a). Sets out the procedure for a qualified community development entity to apply to the Department, which is to begin accepting applications on July 1, 2015, for an equity investment or long-term debt security to be designated as a qualified equity investment. Allows for disallowing a reduction claimed or to be claimed by a taxpayer under new Article 3L under specified circumstances. Requires that notice of a disallowed tax reduction must be sent in writing to the taxpayer and the Department of Revenue. Prohibits enforcement of the disallowance under this Article until the qualified community development entity has been provided with notice of the noncompliance and allowed six months to cure the noncompliance. Provides that a recaptured reduction and the related qualified equity investment authority reverts to the Department and is to be issued pro rata to other applicants whose allocations were reduced under the provisions of this section and in accordance with the application process. Requires that applicants pay a refundable performance deposit for each application submitted. Sets out conditions under which the deposit is forfeited.

Requires the Secretary of Commerce (Secretary) to issue binding letter rulings in response to applicants requesting an interpretation of the law to a specific set of facts. Sets out requirements for the rulings.

Provides that an entity claiming a reduction for qualified equity investment is not required to pay any additional retaliatory tax as a result of claiming the reduction.

Prohibits a certified qualified equity investment from being decertified unless the requirements of GS 105-129.107 have been met. Sets out conditions for decertification.

Provides that no qualified community development entity is entitled to pay any affiliate of such entity any fees in connection with any activity under this Article prior to decertification of all qualified equity investment issued by the entity. Does not prohibit a qualified community development entity from allocating or distributing income earned by it to the affiliates or paying reasonable interest on amounts lent to the entity by such affiliates.

Allows qualified community development entities to apply for both the Rural Reserve (consisting of \$156,250,000) and the Statewide Reserve (consisting of \$52,083,333). Sets out requirements for investments made under the Rural Reserve and the Statewide Reserve.

Directs a qualified community development entity issuing qualified equity investments to submit a report to the Department within the first five business days after the first anniversary of the initial reduction allowance that documents the investment of 85 percent of the purchase price in qualified low-income community investments in qualified active low-income community businesses in North Carolina. Specifies the required content of the report. Requires a qualified community development entity to continue to submit annual reports to the Department on or before April 1 of the calendar year during the compliance period.

Provides that this section, proposed Article 3L, applies to qualified equity investments made on or after July 1, 2015.

Intro. by Gunn, Hise.

[GS 7A, GS 105](#)

[View summary](#)

[Business and Commerce, Development, Land Use and Housing, Community and Economic Development, Government, Tax](#)

S 37 (2015-2016) [WAIVE TUITION/FALLEN OFFICER WAS GUARDIAN](#). Filed Feb 4 2015, *AN ACT TO PROVIDE THAT THE TUITION WAIVER FOR SURVIVORS OF LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, OR RESCUE SQUAD WORKERS AND CERTAIN OTHERS ALSO APPLIES TO CHILDREN WHOSE LEGAL GUARDIANS ARE LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, OR RESCUE SQUAD WORKERS.*

Identical to [H 19](#), filed 1/28/15.

Amends GS 115B-1(6) and GS 115B-2(a)(4) as the title indicates. Amends GS 115B-5(b) to require verification of the legal guardian-child relationship via documentary evidence deemed appropriate by the admitting institution.

Applies to the 2015 fall academic semester and each subsequent semester.

Intro. by Apodaca.

[GS 115B](#)

[View summary](#)

[Education, Higher Education](#)

LOCAL/SENATE BILLS

S 33 (2015-2016) [16TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 4 2015, *AN ACT RELATING TO THE 16TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Stein.

[Wake](#)

[View summary](#)

S 36 (2015-2016) [GREENSBORO CITY COUNCIL CHANGES](#). Filed Feb 4 2015, *AN ACT TO CLARIFY THE FORM OF GOVERNMENT, METHOD OF ELECTION, AND DETERMINATION OF ELECTION RESULTS IN THE CITY OF GREENSBORO.*

Declares that the city of Greensboro operates under the council-manager form of government in accordance with Part 2 of Article 7 of GS Chapter 160A. Repeals Part 4 (Modification of Form of Government) of Article 5 of GS Chapter 160A (as it applies to Greensboro only).

Amends Section 3.01 of the Charter of the City of Greensboro, as previously amended and adopted by the city council, to provide that the city council is to have seven members elected for four-year terms as provided by Chapter II of the Charter, with each elected member residing in and elected from districts. Also provides that the mayor is to be elected for a term of four years in the manner provided by Chapter II. Lists the seven single-member districts with the names and boundaries of voting tabulation districts, tracts, block groups, and blocks specified in the listing as shown on the 2010 Census Redistricting TIGER/Line Shapefiles. Provides criteria for assigning any area within the city that is not assigned to a specific district in this listing of districts.

Amends Section 3.23(b) of the Greensboro City Charter to limit the mayor to voting only in the case of a tie among the council members (was, gave the mayor the same status as a council member for the purpose of voting). Specifies criteria for the mayor's exercise of veto power and specifies circumstances and matters in which the mayor is to have a vote.

Declares that regardless of any other provisions of law, GS 163-293 (Determination of election results in cities using the election and runoff election method) applies to elections in the city of Greensboro.

Provides that this act applies only to the city of Greensboro.

Intro. by Wade.

[Guilford](#)

[View summary](#)

S 38 (2015-2016) [12TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 4 2015, *AN ACT RELATING TO THE 12TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Rabin.

[Harnett, Johnston, Lee](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 3: EMINENT DOMAIN.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/05/2015

H 36: ZONING/DESIGN AND AESTHETIC CONTROLS.

House: Passed 1st Reading

House: Ref To Com On Local Government

H 37: HOUSE UNC BOARD OF GOVERNORS ELECTION.

House: Passed 1st Reading

House: Ref To Com On University Board of Governors Nominating

H 38: JUDICIAL EFFICIENCY/EFFECT. ADMIN. OF JUSTICE.

House: Passed 1st Reading

House: Ref to the Com on Judiciary II, if favorable, Appropriations

H 39: LABOR/UP AMUSEMENT DEVICE PENALTIES.

House: Passed 1st Reading

House: Ref to the Com on Health, if favorable, Judiciary III, if favorable, Finance

H 40: IRC UPDATE.

House: Passed 1st Reading

House: Ref To Com On Finance

H 41: REVENUE LAWS TECHNICAL CHANGES.

House: Passed 1st Reading

House: Ref To Com On Finance

H 42: ROLLOVERS INTO QUALIFYING BAILEY PLANS.

House: Passed 1st Reading

House: Ref To Com On Finance

H 45: CHILD ADVOCACY CENTER FUNDS.

House: Filed

H 46: SENIOR TAX DEDUCTION FOR MEDICAL EXPENSES.

House: Filed

H 47: YOUTH CAREER CONNECT.

House: Filed

H 48: AMENDMENTS PROPOSAL CONVENTION OF STATES.

House: Filed

H 49: INDEPENDENT REDISTRICTING COMMISSION.

House: Filed

H 50: AMEND MAND. RETIRE. AGE/JUDGES & MAGISTRATES.

House: Filed

H 51: JUSTICE FOR RURAL CITIZENS ACT.

House: Filed

H 52: DESIGNATE OFFICIAL STATE GOLD FESTIVAL.

House: Filed

H 53: LEA FLEXIBILITY FOR SUPPLEMENTAL PAY.

House: Filed

H 54: CODIFIER OF RULES APPOINTMENT.

House: Filed

S 2: MAGISTRATES RECUSAL OF CIVIL CEREMONIES.

Senate: Withdrawn From Com

Senate: Re-ref Com On Judiciary I

S 7: ALLOW SEATING FOR FOOD STAND CUSTOMERS.

Senate: Withdrawn From Com

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

S 14: ACAD. STANDARDS/RULES REVIEW/COAL ASH/FUNDS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 15: ENHANCE UI PROGRAM INTEGRITY/REPORTING.

Senate: Passed 1st Reading

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

S 16: UNEMPLOYMENT INSURANCE LAW CHANGES.

Senate: Passed 1st Reading

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

S 17: DES BOARD OF REVIEW.

Senate: Passed 1st Reading

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

S 18: ROLLOVERS INTO QUALIFYING BAILEY PLANS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to Pensions & Retirement and Aging. If fav, re-ref to Finance

S 19: REVENUE LAWS TECHNICAL CHANGES.

Senate: Passed 1st Reading

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

S 20: IRC UPDATE.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to Finance. If fav, re-ref to Appropriations/Base Budget

S 22: HISTORIC ARTIFACT MGT. AND PATRIOTISM ACT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref Com On Commerce

S 23: EXPAND AVIATION SALES TAX EXEMPTION.

Senate: Passed 1st Reading

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

S 24: LIQUOR SALES - PERMITTED DISTILLERIES.

Senate: Passed 1st Reading

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

S 25: ZONING/DESIGN & AESTHETIC CONTROLS.

Senate: Passed 1st Reading

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

S 27: REEGAN'S RULE/CHILDHOOD DIABETES SCREENING.

Senate: Passed 1st Reading

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

S 28: INDEPENDENT REDISTRICTING COMMISSION.

Senate: Filed

S 29: DOB REDACTION REQUESTS FOR PUBLIC DOCUMENTS.

Senate: Filed

S 30: VALUE STUDENT LEARNING ACT.

Senate: Filed

S 31: RESTORE TEACHING FELLOWS PROGRAM.

Senate: Filed

S 32: GRAND JURY INVEST./PROSECUTOR TRAINING STUDY.

Senate: Filed

S 34: EXPAND SHELLFISH CULTIVATION AREAS.

Senate: Filed

S 35: JUMPSTART BUSINESS STARTUPS/NEW MARKET CREDIT.

Senate: Filed

S 37: WAIVE TUITION/FALLEN OFFICER WAS GUARDIAN.

Senate: Filed

LOCAL BILLS

S 21: 10TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 26: 43RD SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 33: 16TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 36: GREENSBORO CITY COUNCIL CHANGES.

Senate: Filed

S 38: 12TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

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