

The Daily Bulletin: Tuesday, February 10, 2015

PUBLIC/HOUSE BILLS

H 63 (2015-2016) [NC INTRASTATE PRIVATE CAPITAL ACT](#). Filed Feb 10 2015, *AN ACT TO ENACT THE NORTH CAROLINA INTRASTATE PRIVATE CAPITAL ACT*.

Adds new GS 78A-17A, *Intrastate private capital exemption*, to Article 3 (Exemptions) of GS Chapter 78A. Defines the following terms as they apply in this section: (1) accredited investor, (2) disclosure brochure, (3) non-accredited investor, (4) qualified North Carolina private company, (5) qualified North Carolina resident investor, and (6) qualified security.

Exempts the offer or sale of a security by an issuer from the registration requirements of GS Chapter 78A, Article 4 (Registration and Notice Filing Procedures of Securities). Also exempts any seller who represents an issuer in an offer or sale from the registration requirements of GS Chapter 78A, Article 5 (Registration of Dealers and Salesmen). Conditions the receipt of the exemptions from the registration requirements under Article 4 and 5 on the meeting of ten requirements as specified in subsection (b) of new GS 78A-17A. The ten requirements include that a North Carolina non-accredited investor has not invested more than \$5,000 in a single North Carolina qualified company per year; that the transaction meets the requirements of the federal exemption for intrastate offerings (as specified); and that the issuer informs all purchasers in writing that the securities have not been registered and may be restricted for sale.

Authorizes the North Carolina Securities Division of the Department of the Secretary of State to adopt rules to carry out and enforce the provisions of new GS 78A-17A, and to register and regulate intrastate regional private equity fund companies, under the rules contained in Title II of the JOBS Act of 2012 and Regulation D Rule 506(c).

Directs the North Carolina Securities Administrator to prepare a disclosure brochure form suitable for use in conformity with this section. Requires the disclosure brochure to require an investor to state whether the investor is accredited or non-accredited.

Provides that the anti-fraud requirements of Rule 206(4)-8 under the Investment Advisers Act of 1940 and the anti-fraud provisions of GS Chapter 78A apply to investment advisers to private equity fund companies. Also provides that GS 78A-8, Sales and Purchases, and GS 78A-56(a)(2), Civil Liabilities, apply to this section.

Intro. by Millis, Collins.

[GS 78A](#)

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[Banking and Finance, Business and Commerce](#)

H 66 (2015-2016) [SALES TAX EXEMPTION FOR DATACENTER EQUIPMENT](#). Filed Feb 10 2015, *AN ACT TO ENACT THE DATACENTER INFRASTRUCTURE ACT*.

Amends GS 105-164.13 to provide that the sales of electricity for use at a qualifying datacenter and datacenter support equipment that is to be located and used at the qualifying datacenter are exempt from the tax imposed by GS Chapter 105, Article 5, Sales and Use Tax. Specifies what types of capitalized property is considered to be "datacenter-support equipment" for tax purposes.

Amends GS 105-164.3, the definitions section for the the sales and use tax article, adding language to define *qualifying*

datacenter as a datacenter that (1) meets the wage standard and health insurance requirements of GS 143B-437.08A and (2) has been certified by the Secretary of Commerce, by way of written determination, that at least \$75 million in private funds has or will be invested in the datacenter by the owners, users, or tenants within five years of the date the same make the first real or tangible property investment in the datacenter on or after January 1, 2012. Makes conforming technical changes to the statute.

Sets out in GS 105-164.13(55a) when the tax exemption can be forfeited including: the level of investment specified above is not timely, investment is timely but specific datacenter support equipment is not located or used at the qualifying datacenter, or portions of the electricity are not used at the datacenter. Specifies that a taxpayer that forfeits such an exemption is liable for all past taxes avoided as a result of the exemption, computed from the date the taxes would have been due if the exemption was not allowed, plus interest established pursuant to GS 105-241.21. Sets out formula for calculating the interest due depending on the way in which the forfeiture was triggered.

Effective July 1, 2015, applying to sales made on or after that date.

Intro. by Saine, B. Brown, Hager, Hanes.

GS 105

[View summary](#)

Government, Tax

H 67 (2015-2016) **PHASE OUT CERTAIN HF TRANSFERS**. Filed Feb 10 2015, *AN ACT TO PHASE OUT THE TRANSFER OF FUNDS FROM THE HIGHWAY FUND TO THE GENERAL FUND*.

As the title indicates. Sets out the schedule for reducing the total amount of funds transferred each fiscal year from the Highway Fund to the General Fund, making a reduction of \$49,145,745.25 in recurring funds in each of the following fiscal years: 2017-18, 2018-19, 2019-20, and 2020-21. Subsequent to the reduction in fiscal year 2020-21, eliminates the transfer of funds from the Highway Fund to the General Fund except for transfers required by statute.

Intro. by Bumgardner.

UNCODIFIED

[View summary](#)

Government, Budget/Appropriations, Transportation

H 69 (2015-2016) **SALES TAX EXEMPTION-AGRICULTURAL FAIRS**. Filed Feb 10 2015, *AN ACT TO EXEMPT ADMISSION CHARGES TO AGRICULTURAL FAIRS FROM THE SALES TAX IMPOSED ON AN ADMISSION CHARGE TO AN ENTERTAINMENT ACTIVITY*.

Amends GS 105-164.4G(f) to exempt specified commercial agricultural fairs from the tax imposed on admission charges for entertainment activities. Effective May 1, 2015, and applies to gross receipts derived on or after that date.

Intro. by Pierce, Holloway, C. Graham, Dobson.

GS 105

[View summary](#)

Agriculture, Government, Tax

H 71 (2015-2016) **CLARIFY COUNTY COMM OATH FILING**. Filed Feb 10 2015, *AN ACT TO CLARIFY WITH WHOM THE OATH OF OFFICE TAKEN BY MEMBERS OF EACH BOARD OF COUNTY COMMISSIONERS SHOULD BE FILED*.

Amends GS 153A-26 to require that the oath of office for each person elected or appointed to a county office be filed with the clerk to the board of commissioners. Effective October 1, 2015.

[View summary](#)

Government, Local Government

H 72 (2015-2016) **SOG PILOT PROJECT STANDARDS**. Filed Feb 10 2015, *AN ACT TO REQUIRE THE SCHOOL OF GOVERNMENT AT THE UNIVERSITY OF NORTH CAROLINA TO COORDINATE A WORKING GROUP CHARGED WITH DEVELOPING STANDARDS FOR STATE AGENCIES TO USE WHEN DESIGNING AND IMPLEMENTING PILOT PROJECTS MANDATED BY THE GENERAL ASSEMBLY, AND TO REQUIRE THE OFFICE OF STATE BUDGET AND MANAGEMENT TO ADOPT RULES IMPLEMENTING THE STANDARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Requires the UNC School of Government (SOG) to coordinate a working group to develop standards for state agencies to use in designing and implementing pilot projects required by the General Assembly. Requires the SOG to research existing evaluation standards and identify approaches for designing projects that collect appropriate and adequate data for sound evaluation of pilot projects. Requires the SOG to report on the research findings to the Joint Legislative Program Evaluation Oversight Committee, the Director of the Program Evaluation Division, and the Office of State Budget and Management by December 1, 2015. Requires the working group to include representatives from state agencies and the UNC constituent institutions. Requires a report on the proposed standards to the Joint Legislative Program Evaluation Oversight Committee, the Director of the Program Evaluation Division, and the Office of State Budget and Management by December 1, 2016.

Appropriates \$150,000 for 2015-16 from the General Fund to the SOG to implement the act. Provides that the funds do not revert at the end of 2015-16, but remain available during 2016-17 for expenditure in accordance with the act. Effective July 1, 2015.

Enacts new GS 143-162.3, directing the SOG to coordinate a working group to develop standards for state agencies to use when designing and implementing pilot projects as mandated by the General Assembly. Provides that, at a minimum, proposed standards must offer a range of options for designing evaluations of pilot projects, taking into account an agency's available resources and time. Requires draft standards to be presented to the Joint Legislative Program Evaluation Oversight Committee and to the Office of State Budget and Management by December 1, 2016. Requires the Office of State Budget and Management to adopt rules to implement the standards and to report to the Joint Legislative Program Evaluation Oversight Committee after adoption of the rules. Requires, unless specifically exempted by law, all departments, agencies, bureaus, divisions, and institutions of the state to conduct and complete pilot projects requested by the General Assembly after June 1, 2017, in accordance with the final standards adopted by the Office of State Budget and Management. Allows the SOG to prepare proposed updates to the standards as necessary. Requires proposed updates to be submitted to the Office of State Budget and Management for review and adoption, and requires the Office to report rule changes to the Joint Legislative Program Evaluation Oversight Committee. Requires the SOG to publish proposed updates on its website at least ninety days before submitting the proposed standards.

[View summary](#)

Government, Budget/Appropriations, State Agencies, UNC System

S 20 (2015-2016) [IRC UPDATE/MOTOR FUEL CHANGES. \(NEW\)](#) Filed Feb 3 2015, *AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE, TO DECOUPLE FROM CERTAIN PROVISIONS OF THE FEDERAL TAX INCREASE PREVENTION ACT OF 2014, TO MODIFY THE MOTOR FUELS TAX RATE, AND TO MAKE CERTAIN REDUCTIONS WITHIN THE DEPARTMENT OF TRANSPORTATION FOR THE 2014-2015 FISCAL YEAR.*

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

Changes the short and long titles.

Amends GS 105-130.5B(c) and GS 105-153.6(c) to update and provide that for the purposes of those provisions, the definition of *section 179 property* has the same meaning as under section 179 of the federal internal revenue code as of January 1, 2015 (was, January 2, 2013).

Amends GS 105-153.5, modifications to adjusted gross income, adding new language that provides that in calculating the itemize deduction amount for taxable year 2014, when electing to take the income exclusion under section 408(d)(8) of the revenue code for qualified charitable distribution from an individual retirement plan by a person 70 1/2 years older or older can deduct the amount that would have been allowed as a charitable deduction under section 170 of the revenue code had the taxpayer not elected to take the income exclusion. Also adds that in calculating the itemize deduction amount for taxable year 2014, the amount allowed as a deduction for interest paid or accrued during the taxable year under section 163(h) of the Code with respect to any qualified residence must not include the amount for mortgage insurance premiums treated as qualified residence interest. Deletes these same provisions from (d) of the statute, concerning decoupling adjustments.

Provides that the previous effective date, effective when bill becomes law, of the entire bill in the 1st edition is now the effective date for only Part 1 of the bill, regarding IRC updates.

Provides that effective March 1, 2015, notwithstanding GS 105-449.80, the motor fuel excise tax will be 35 cents a gallon. Expires January 1, 2016.

Amends GS 105-449.80 to provide that the variable wholesale component of the motor fuel excise tax is the greater of 17 1/2 cents a gallon or 9.9 percent of the average wholesale price of motor fuel for the applicable base period (previously, was the greater of 3 1/2 cent a gallon or 7 percent of the average wholesale price of motor fuel for applicable base period). Further provides that the base period for figuring the wholesale component of the motor fuel excise tax is a 12-month period ending September 30 (previously, there were two six-month base periods, one ending on September 30 and another that ended on March 31). Makes a conforming change to GS 105-449.108. Provides that the Secretary of Revenue (Secretary) sets the tax rate once, for the year beginning on January 1 in accordance with the wholesale price of the base period (previously, Secretary set the rate twice based on the two base periods). Makes conforming changes. Requires the Secretary to notify affected taxpayers of the tax rate for the calendar year beginning January 1. Effective March 1, 2015.

Makes adjustments to funding for and appropriations from the State Highway Trust Fund for fiscal year ending June 30, 2015, including decreasing funds for the Strategic Prioritization Funding Plan for Transportation Investments to \$59,738,140 (was, \$67,993,140), and providing that the total appropriations for the Highway Trust Fund will be \$1,154,138,140 (was, \$1,162,393,140). Further provides that estimated revenues pursuant to the Highway Trust Fund Availability Statement is \$1,154,115,000 (was, \$1,162,370,000), providing for a Total Highway Trust Fund Availability amount of \$1,154,138,140 (was, \$1,162,393,140). Makes adjustments to the funding for and appropriations from the Highway Fund, for fiscal year ending June 30, 2015, providing for a \$24,765,000 reduction in funds for the operations of the Highway Fund pursuant to this bill, resulting in a Total Highway Fund Appropriation amount of \$1,959,377,286 (was, \$1,959,377,286). Further adjusts the Revised Total Highway Fund Availability amount to \$1,959,377,286 (was, \$1,984,142,286) pursuant to reductions made in this bill. Effective when the bill becomes law.

Makes a 2.175 percent reduction in appropriations for the 2014-15 fiscal year to certified fund codes within the Highway Fund, with 36 listed exemptions, resulting in a total reduction of \$9,092,616. Reduces appropriations to three specified fund codes by 1 percent, resulting in a total reduction of \$4,687,630. Effective when the bill becomes law.

Directs the Director of the Budget and the Secretary of Revenue to make the following reductions for the 2014-15 fiscal year: (1) a \$2,575,560 reduction in funds appropriated pursuant to GS 136-41.1, concerning appropriations to municipalities; (2) a \$41,275 reduction in total funds appropriated to the Wildlife Resources Fund; and (3) a \$41,275 reduction in total funds appropriated to the Shallow Draft Navigation Channel and Lake Dredging Fund. Effective when the bill becomes law.

Directs the Secretary of the Department of Transportation (DOT), by March 1, 2015, to eliminate 500 filled, full-time positions in the DOT resulting in a reduction of \$6,250,000. Sets out the priority order for eliminating positions. Requires the Secretary of the DOT to provide notice as soon as practicable to any affected employee. Directs the Secretary of the DOT to eliminate a minimum of 50 vacant positions within the DOT in order to reach a total reduction of \$2,076,644. Provides that the amount of funds generated by the reductions in this bill must be used to support the maintenance and operation of the DOT as well as purposes enumerated for the DOT in SL 2014-100. Effective when the bill becomes law.

Intro. by Rabon, Rucho, Tillman.

GS 105

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Transportation, Tax, Transportation

S 51 (2015-2016) [UNC ENERGY SAVINGS PROJECTS](#). Filed Feb 10 2015, *AN ACT TO AUTHORIZE ALL CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO IMPLEMENT COST-EFFECTIVE ENERGY CONSERVATION MEASURES FOR EXISTING BUILDINGS OR UTILITY SYSTEMS WITHOUT ENTERING INTO A GUARANTEED ENERGY SAVINGS CONTRACT.*

Amends GS 143-64.17L as the title indicates. Repeals subsection (e) of this section which limited the implementation of cost-effective energy conservation measures without a guaranteed savings contract to North Carolina State University and the University of North Carolina at Charlotte.

Intro. by Clark, Ford.

GS 143

[View summary](#)

Environment, Energy, Government, State Agencies, UNC System, Public Enterprises and Utilities

S 52 (2015-2016) [CITIES/MEANS FOR ACTIVATING PARKING METERS](#). Filed Feb 10 2015, *AN ACT AUTHORIZING CITIES TO ALLOW ACTIVATION OF PARKING METERS BY COINS, TOKENS, CASH, CREDIT CARDS, DEBIT CARDS, OR OTHER ELECTRONIC MEANS.*

Amends GS 160A-301, providing that cities may allow parking meters to be activated by coins, tokens, cash, credit cards, debit cards, or electronic means (previously, could only be activated by coins or tokens).

Provides that the act does not repeal or limit the authority to activate parking meters and use the proceeds from the meters that was granted to Raleigh and Chapel Hill in SL 2009-164 and to Atlantic Beach and Beaufort in SL 2011-179.

Intro. by Krawiec.

GS 160A

[View summary](#)

Government, Local Government, Transportation

S 53 (2015-2016) [CITIES/OVERGROWN VEGETATION NOTICE](#). Filed Feb 10 2015, *AN ACT AUTHORIZING CITIES TO PROVIDE ANNUAL NOTICE TO CHRONIC VIOLATORS OF OVERGROWN VEGETATION ORDINANCES BY REGULAR MAIL AND POSTING.*

Identical to [H 44](#), filed 2/3/15.

Amends GS 160A-200 (Annual notice to chronic violators of overgrown vegetation ordinances), stating that initial annual notice is served by registered or certified mail, and when service is attempted by registered or certified mail, a copy of the notice can also be sent by regular mail. Service is sufficient if the registered or certified mail is unclaimed or refused but the copy sent by regular mail is not returned by the post office within 10 days after the mailing. If service by regular mail is used, a copy of the notice must be posted in a conspicuous place on the property affected.

Intro. by Krawiec.

[GS 160A](#)

[View summary](#)

[Government, Local Government](#)

S 54 (2015-2016) [ALLOW COUNTY-WIDE CHALLENGES/ABSENTEE BALLOTS](#). Filed Feb 10 2015, *AN ACT TO AMEND THE LAWS PERTAINING TO PROCEDURES FOR CHALLENGING ABSENTEE BALLOTS TO ALLOW A REGISTERED VOTER TO CHALLENGE AN ABSENTEE BALLOT BY COUNTY VERSUS PRECINCT.*

Amends GS 163-89(b) as the title indicates.

Intro. by Cook.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

S 60 (2015-2016) [NO CONTACT ORDER/NO EXPIRATION](#). Filed Feb 10 2015, *AN ACT TO PROVIDE THAT A NON-EXPIRING, PERMANENT CIVIL NO-CONTACT ORDER MAY BE ISSUED AGAINST A SEX OFFENDER ON BEHALF OF THE CRIME VICTIM AND TO ESTABLISH THE PROCEDURE FOR OBTAINING SUCH AN ORDER.*

Creates a new GS Chapter 50D, *Permanent Civil No-Contact Order Against Sex Offender On Behalf of Crime Victim.*

Defines the following terms as they apply in new Chapter 50D:(1) *permanent civil no-contact order*, a permanent injunction that prohibits a respondent convicted of a sex offense from having any contact with the victim of that offense; (2) *respondent*, the person who committed the sex offense; (3) *sex offense*, any criminal offense that requires registration under Article 27A of GS Chapter 14; (4) *victim*, the person against whom the sex offense was committed.

Establishes the criteria for beginning an action under this chapter. Provides that an action under this chapter may be commenced by filing either (1) a verified complaint for a permanent civil no-contact order in district court or (2) a motion in any existing civil action. Provides that the person who files the action may be the victim of a sex offense that occurs in this state. Also allows a competent adult who resides in this state to file an action under this chapter on behalf of a victim of a sex offense that occurs in this state if the victim is a minor child or an incompetent adult.

Prohibits assessing court costs or attorneys' fees for any filings or service except as provided in GS 1A-1, Rule 11.

Permits an action filed under this chapter to be filed in any county permitted under GS 1-82 or where the respondent was convicted of the sex offense. Permits the victim's address to be omitted from all documents filed with the court, providing that the victim states that disclosure of the address would place the victim or a family or household member at risk for further unlawful conduct.

Details the criteria for the serving of process in an action for a permanent civil no-contact order. Requires that a summon be issued and served by the sheriff by personal delivery as provided in Rule 4 of the Rules of Civil Procedure. However, permits service by publication if the respondent cannot with due diligence be personally served by the sheriff. Provides that the court may enter a permanent civil no-contact order by default if the respondent has been served and fails to answer as directed, or fails to appear on any subsequent appearance or hearing date agreed to by the parties or set by the court.

Provides that information as to the prior sexual activity or reputation of the victim is inadmissible in proceedings under this chapter except when such information would be admissible in a criminal prosecution under GS Chapter 8C, Rule 412.

Specifies that all of the following findings are necessary for the court to issue a permanent civil no-contact order: (1) the respondent was convicted of a sex offense against the victim; (2) the victim did not seek a permanent no-contact order under GS 15A-1340.50; (3) there are reasonable grounds for the victim to fear future contact with the respondent; (4) process was properly served on the respondent; and (5) the respondent answered the complaint and notice of hearing was given, or the respondent did not answer the complaint and is in default.

Delineates the seven forms of relief that the court may grant in an order issued under this Chapter. Forms of relief may include ordering the respondent to refrain from entering or remaining present at the victim's residence, school, place of employment, or other specified places at times when the victim is present. Also provides that the court may order other relief it deems necessary and appropriate. Prohibits issuing a permanent civil no-contact order under this chapter without notice to the respondent. Provides that the order issued under this chapter remains effective for the lifetime of the respondent. Directs the clerk of court to deliver a certified copy of a permanent civil no-contact order to the sheriff on the same day that the order is issued. Requires that a copy of the order be promptly issued to the police department of the municipality of the victim's residence and that the police retain its copy of the order. Provides criteria for serving a respondent who was not present in court when the order was issued. Requires that any order modifying or revoking a permanent civil no-contact order must also be promptly delivered by the clerk of court to the sheriff and served in a manner provided for service of process in this section.

Provides that a victim may file a motion for contempt for a violation on order entered under this chapter. Makes a knowing violation of an order entered under this Chapter a Class A1 misdemeanor. Directs law enforcement to arrest and take a person into custody, with or without a warrant or other process, if the officer has probable cause to believe that the person has knowingly violated a permanent civil no-contact order.

Declares that the remedies provided in this chapter are not exclusive but are in addition to other remedies under law.

Directs the Administrative Office of the Courts to develop appropriate forms to implement the processes provided under new GS Chapter 50D as enacted in this act.

Becomes effective October 1, 2015.

Intro. by Bingham.

[GS 50D](#)

[View summary](#)

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

S 61 (2015-2016) [DEATH CERTIFICATES WITHOUT CHARGE/VETERANS](#). Filed Feb 10 2015, *AN ACT PROVIDING THAT CERTIFIED AND UNCERTIFIED COPIES OF DEATH CERTIFICATES SHALL BE ISSUED WITHOUT CHARGE TO CERTAIN FAMILY MEMBERS OF A DECEASED VETERAN OF THE ARMED FORCES OF THE UNITED STATES WHO WAS DISCHARGED OR RELEASED UNDER HONORABLE CONDITIONS.*

Amends GS 161-10 concerning fees charged by registers of deeds for death certificates, providing that all registers of

deeds must issue, without any charge, certified and uncertified copies of death certificates to the spouse, sibling, direct ancestor or descendant, stepparent, or stepchild of a deceased veteran of the US Armed Forces that was discharged or released from the US Armed Forces under honorable conditions.

Effective July 1, 2015.

Intro. by Bingham.

[GS 161](#)

[View summary](#)

[Military and Veteran's Affairs](#)

S 66 (2015-2016) [AMEND ENVIRONMENTAL LAWS 2015](#). Filed Feb 10 2015, *AN ACT TO AMEND VARIOUS ENVIRONMENTAL LAWS*.

Amends GS 74-37 concerning the Interstate Mining Commission (Commission), providing that if the Governor is unable to attend a Commission meeting or perform Commission functions he must designate an alternate from among the members of the advisory board or an official of the state environmental protection agency with responsibility for protecting and restoring lands affected by mining (previously, only allowed an alternate to be designated from among the members of the advisory body).

Intro. by Brock, Cook, Wade.

[GS 74](#)

[View summary](#)

[Environment, Environment/Natural Resources](#)

S 69 (2015-2016) [HONOR BOY SCOUTS](#). Filed Feb 10 2015, *A SENATE RESOLUTION HONORING THE BOY SCOUTS OF AMERICA AND THE ORDER OF THE ARROW*.

As title indicates.

Intro. by Daniel, Brown, Curtis.

[SENATE RES](#)

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[Government, Cultural Resources and Museums](#)

LOCAL/HOUSE BILLS

H 62 (2015-2016) [SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS](#). Filed Feb 10 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE FRANKLIN COUNTY AND THE NASH-ROCKY MOUNT BOARDS OF EDUCATION IN ADOPTING THEIR SCHOOL CALENDARS*.

Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine the dates for the opening and closing dates for public schools under GS 115C-84.2(a)(1). However, the local boards must comply with specified parameters for the opening and closing dates of public schools as provided in GS 115C-84.2(d). Subsection (d) also provides criteria under which the State Board of Education may waive those requirements upon a showing of good cause by a local board of education.

Amends GS 115C-84.2(d) as the title indicates. Deletes all provisions of subsection (d) except the authorization given to local boards of education to determine the dates for the opening and closing dates for public schools. This act applies only to Franklin County and Nash-Rocky Mount school administrative units beginning with the 2015-16 school year.

Intro. by Richardson.

Franklin, Nash

[View summary](#)

Education, Elementary and Secondary Education

H 64 (2015-2016) **SCHOOL CALENDAR FLEXIBILITY**. Filed Feb 10 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine the dates for the opening and closing dates for public schools under GS 115C-84.2(a)(1). However, the local boards must comply with specified parameters for the opening and closing dates of public schools as provided in GS 115C-84.2(d). Subsection (d) also provides criteria under which the State Board of Education may waive those requirements upon a showing of good cause by a local board of education.

Amends GS 115C-84.2(d) to provide that regardless of the parameters for opening and closing dates of public schools set in subsection (d), the Winston-Salem/Forsyth County schools may schedule the opening and closing dates for any school in the local school administrative unit (unit) to coincide with the opening and closing dates of a community college that serves the city or county in which the unit is located. Applies only to the Winston-Salem/Forsyth County schools beginning with the 2015-16 school year.

Intro. by Lambeth, Hanes, Conrad.

Forsyth

[View summary](#)

Education, Elementary and Secondary Education

H 65 (2015-2016) **WILKES FOX TRAPPING**. Filed Feb 10 2015, *AN ACT TO ESTABLISH A SEASON FOR TRAPPING FOXES IN WILKES COUNTY.*

As the title indicates, this act establishes a season for trapping foxes in Wilkes County. Provides that regardless of any other provision of law, there is an open season for trapping foxes set each year by the Wildlife Resources Commission (WRC), with no tagging requirements before or after sale. Sets no bag limit for foxes taken under this act. Directs the WRC to provide for the sale of foxes taken lawfully under this act. Limits application of this act to Wilkes County.

Intro. by Elmore, Stevens.

Wilkes

[View summary](#)

Animals

H 68 (2015-2016) **SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS**. Filed Feb 10 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN BOARDS OF EDUCATION IN ADOPTING THEIR SCHOOL CALENDARS.*

Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine the dates for the opening and closing dates for public schools under GS 115C-84.2(a)(1). However, the local boards must comply with specified parameters for the opening and closing dates of public schools as provided in GS 115C-84.2(d). Subsection (d) also provides criteria under which the State Board of Education may waive those requirements upon a showing of good cause by a local board of education.

Amends GS 115C-84.2(d) as the title indicates. Deletes all provisions of subsection (d) except the authorization given to local boards of education to determine the dates for the opening and closing dates for public schools. This act applies

only to the Craven, Duplin, Green, Lenoir, Sampson, and Wayne county school administrative units beginning with the 2015-16 school year.

Intro. by J. Bell, Dixon, G. Graham, L. Bell.

[Craven, Duplin, Greene, Lenoir, Sampson, Wayne](#)

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[Education, Elementary and Secondary Education](#)

H 70 (2015-2016) [CHARLOTTE FIREFIGHTERS' RETIREMENT](#). Filed Feb 10 2015, *AN ACT TO AMEND THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM*.

Amends Section 12 of Chapter 926 of the 1947 Session Laws, as amended by various other session laws, adding new language concerning the Charlotte Firefighters' Retirement System. Provides that if a member of the Charlotte Firefighters' Retirement System (Member) dies while performing qualified military service, the survivors are entitled to any additional benefits, except for benefit accruals related to the period of qualified military service, provided under the System as if the Member had resumed and then terminated employment on account of death. Further provides that, for benefit accrual purposes, the Charlotte Firefighters' Retirement System (System) treats an individual who, on or after January 12, 2007, dies or becomes disabled while performing qualified military service, as if the individual had resumed employment in accordance with reemployment rights under USERRA, on the day preceding death or disability and terminated employment on the date of death or disability. Sets out how the System will determine contribution amounts of an individual treated as reemployed pursuant to these provisions. Adds additional language concerning differential wage payments for years beginning after December 31, 2008, including that (i) an individual receiving such payments will be treated as a Member of the Sponsor making the payment, (ii) the differential wage payment will be treated as compensation, and (iii) the System will not be treated as failing to meet the requirements of any provision pursuant to section 414(u)(1)(C) of the Internal Revenue Code. Makes clarifying and organizational changes.

Amends Section 13.1 of Chapter 926 of the 1947 Session Laws, as amended by various other session laws, making a clarifying change and adding new subsections concerning non-spouse beneficiary rollover rights. Sets out the rights and limitations, for distributions after December 31, 2009, of a non-spouse beneficiary that is a "designated beneficiary" to roll over all or portions of a distribution to an IRA. Further provides that, for distributions made after December 31, 2007, a participant or beneficiary can elect to roll over directly an "eligible rollover distribution" to a Roth IRA.

Amends Section 1 of Chapter 830 of the 1991 Session Laws, as amended by various other session laws, adding a new section concerning retiree health insurance premiums, providing that, effective January 1, 2007, any Member that is an "eligible retired public safety officer" who retired pursuant to the specified sections of the session law can elect to receive a distribution from the System in an amount not to exceed the lesser of (i) the amount paid by such a Member for qualified health insurance premiums for the Member, spouse or dependents, or (ii) \$3,000 for the taxable year. Further provides that any distributions pursuant to this new section will reduce the benefit payable to the Member for the taxable year from the System. Provides that after December 31, 2012, no Member can elect to receive a distribution pursuant to this section.

Effective July 1, 2015, applying only to the City of Charlotte.

Intro. by

[Mecklenburg](#)

[View summary](#)

[Employment and Retirement, Government, Public Safety](#)

S 55 (2015-2016) [SCHOOL CALENDAR FLEXIBILITY/GUILFORD](#). Filed Feb 10 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE GUILFORD COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR*.

Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine the dates for the opening and closing dates for public schools under GS 115C-84.2(a)(1). However, the local boards must comply with specified parameters for the opening and closing dates of public schools as provided in GS 115C-84.2(d). Subsection (d) also provides criteria under which the State Board of Education may waive those requirements upon a showing of good cause by a local board of education.

Amends GS 115C-84.2(d) as the title indicates. Deletes all provisions of subsection (d) except the authorization given to local boards of education to determine the dates for the opening and closing dates for public schools. This act applies only to the Guilford County school administrative unit beginning with the 2015-16 school year.

Intro. by Robinson.

[Guilford](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 56 (2015-2016) [13TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 13TH SENATORIAL DISTRICT*.

Blank bill.

Intro. by

[Columbus, Robeson](#)

[View summary](#)

S 57 (2015-2016) [22ND SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 22ND SENATORIAL DISTRICT*.

Blank bill.

Intro. by Woodard.

[Caswell, Durham, Person](#)

[View summary](#)

S 58 (2015-2016) [YANCEYVILLE SATELLITE ANNEXATION](#). Filed Feb 10 2015, *AN ACT TO ANNEX CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF YANCEYVILLE AND TO ALLOW THE TOWN TO EXERCISE EXTRATERRITORIAL JURISDICTION LAND-USE REGULATION WITHIN ONE MILE OF THE PROPERTY ANNEXED*.

Provides for the annexation of specified property to be added to the corporate limits of the Town of Yanceyville.

Amends GS 160A-58.4 to provide that satellite corporate limits are considered a part of the city's corporate limits for the purposes of extraterritorial land use regulation but not for purposes of abatement of public health nuisances (previously, satellite corporate limits cannot be considered a part of the city's corporate limits for the purposes of extraterritorial land use regulation or abatement of public health nuisances). Provides that above provisions apply only to the satellite corporate limits as annexed by this bill.

Provides that no approval from or agreement with Caswell County is required prior to the exercise of annexation authority pursuant to GS 160A-360 by the town of Yanceyville in an area not to exceed one mile from the satellite corporate limits as described above.

Effective July 1, 2015.

Intro. by Woodard.

Caswell

[View summary](#)

S 59 (2015-2016) [SCHOOL CALENDAR FLEX./PERSON COUNTY SCHOOLS](#). Filed Feb 10 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE PERSON COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR*.

Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine the dates for the opening and closing dates for public schools under GS 115C-84.2(a)(1). However, the local boards must comply with specified parameters for the opening and closing dates of public schools as provided in GS 115C-84.2(d). Subsection (d) also provides criteria under which the State Board of Education may waive those requirements upon a showing of good cause by a local board of education.

Amends GS 115C-84.2(d) as the title indicates. Deletes all provisions of subsection (d) except the authorization given to local boards of education to determine the dates for the opening and closing dates for public schools. This act applies only to the Person County school administrative unit beginning with the 2015-16 school year.

Intro. by Woodard.

Person

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 62 (2015-2016) [33RD SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 33RD SENATORIAL DISTRICT*.

Blank bill.

Intro. by Bingham.

Davidson, Montgomery

[View summary](#)

S 63 (2015-2016) [42ND SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 42ND SENATORIAL DISTRICT*.

Blank bill.

Intro. by

Alexander, Catawba

[View summary](#)

S 64 (2015-2016) [9TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 9TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Lee.

New Hanover

[View summary](#)

S 65 (2015-2016) [25TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 25TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by

Anson, Richmond, Rowan, Scotland, Stanly

[View summary](#)

S 67 (2015-2016) [41ST SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 41ST SENATORIAL DISTRICT.*

Blank bill.

Intro. by Tarte.

Mecklenburg

[View summary](#)

S 68 (2015-2016) [24TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 10 2015, *AN ACT RELATING TO THE 24TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Gunn.

Alamance, Randolph

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 3: EMINENT DOMAIN.

House: Amend Failed AI

House: Passed 3rd Reading

H 60: PASSING SLOW MOVING VEHICLES.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 61: LOCAL CONTROL/LAND APPLICATION OF BIOSOLIDS.

House: Passed 1st Reading

House: Ref to the Com on Local Government, if favorable, Environment

H 63: NC INTRASTATE PRIVATE CAPITAL ACT.

House: Filed

H 66: SALES TAX EXEMPTION FOR DATACENTER EQUIPMENT.

House: Filed

H 67: PHASE OUT CERTAIN HF TRANSFERS.

House: Filed

H 69: SALES TAX EXEMPTION-AGRICULTURAL FAIRS.

House: Filed

H 71: CLARIFY COUNTY COMM OATH FILING.

House: Filed

H 72: SOG PILOT PROJECT STANDARDS.

House: Filed

S 15: ENHANCE UI PROGRAM INTEGRITY/REPORTING.

Senate: Sequential Referral To Information Technology Stricken

S 16: UNEMPLOYMENT INSURANCE LAW CHANGES.

Senate: Withdrawn From Com

Senate: Re-ref Com On Finance

S 17: DES BOARD OF REVIEW.

Senate: Withdrawn From Com

Senate: Re-ref Com On Finance

S 20: IRC UPDATE/MOTOR FUEL CHANGES. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

Senate: Reptd Fav

S 47: SENATE 2015 UNC BOARD OF GOVERNORS ELECTION.

Senate: Passed 1st Reading

Senate: Ref To Com On Select Committee on UNC Board of Governors

S 49: CURBSIDE VOTING ID'S.

Senate: Passed 1st Reading

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

S 51: UNC ENERGY SAVINGS PROJECTS.

Senate: Filed

S 52: CITIES/MEANS FOR ACTIVATING PARKING METERS.

Senate: Filed

S 53: CITIES/OVERGROWN VEGETATION NOTICE.

Senate: Filed

S 54: ALLOW COUNTY-WIDE CHALLENGES/ABSENTEE BALLOTS.

Senate: Filed

S 60: NO CONTACT ORDER/NO EXPIRATION.

Senate: Filed

S 61: DEATH CERTIFICATES WITHOUT CHARGE/VETERANS.

Senate: Filed

S 66: AMEND ENVIRONMENTAL LAWS 2015.

Senate: Filed

S 69: HONOR BOY SCOUTS.

Senate: Filed

LOCAL BILLS

H 62: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.

House: Filed

H 64: SCHOOL CALENDAR FLEXIBILITY.

House: Filed

H 65: WILKES FOX TRAPPING.

House: Filed

H 68: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.

House: Filed

H 70: CHARLOTTE FIREFIGHTERS' RETIREMENT.

House: Filed

S 48: 15TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 50: 4TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 55: SCHOOL CALENDAR FLEXIBILITY/GUILFORD.

Senate: Filed

S 56: 13TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 57: 22ND SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 58: YANCEYVILLE SATELLITE ANNEXATION.

Senate: Filed

S 59: SCHOOL CALENDAR FLEX./PERSON COUNTY SCHOOLS.

Senate: Filed

S 62: 33RD SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 63: 42ND SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 64: 9TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 65: 25TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 67: 41ST SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 68: 24TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

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