

The Daily Bulletin: Tuesday, March 3, 2015

PUBLIC/HOUSE BILLS

H 6 (2015-2016) [AUTOCYCLE DEFINITION AND REGULATION](#). Filed Jan 28 2015, *AN ACT TO DEFINE AND REGULATE AUTOCYCLES*.

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

Amends proposed GS 20-135.2(d) to require that every registered autocycle must have seat safety belts for the front seat of the autocycle (previously, required autocycles to have at least one set of seat belts for the front seat).

Amends proposed GS 20-135.3 to require that each autocycle must have enough anchorage units for attaching safety belts for the rear seat (previously, required enough anchorage points so that at least one set of safety belts could be attached for the rear seat).

Intro. by Torbett.

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

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*.

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

Adds that ninth and tenth grade students enrolled in curriculum courses at South Piedmont Community College associated with the federal Youth Career Connect Grant must not be charged tuition.

Sets the act to expire on June 30, 2018.

Intro. by Brody.

UNCODIFIED

[View summary](#)

[Education, Higher Education](#)

H 117 (2015-2016) [NC COMPETES ACT](#). Filed Feb 24 2015, *AN ACT TO ENACT THE NORTH CAROLINA COMPETES ACT*.

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

Adds a requirement that the Department of Commerce study the factors that have contributed to the termination of grants awarded under the Job Development Investment Grant Program. Requires examining other states' efforts that have allowed similar economic development programs to incent businesses to create jobs in order to determine best practices

for remediating business underperformance to lower the number of terminated community economic development agreements. Requires a report to be submitted to specified legislative committees and the Fiscal Research Division by March 1, 2016.

Intro. by S. Martin, Jeter, Collins, Steinburg.

GS 105, GS 143B

[View summary](#)

**Business and Commerce, Government, State Agencies,
Department of Commerce, Tax**

H 117 (2015-2016) **NC COMPETES ACT**. Filed Feb 24 2015, *AN ACT TO ENACT THE NORTH CAROLINA COMPETES ACT*.

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

Enacts new GS 143B-437.52(a)(6) adding a condition that must be met to receive grants from the Job Growth Reimbursement Opportunities - People Program, requiring the local governments of projects that are located in a development tier three area to have participated in recruitment and offered incentives in a manner appropriate to the project.

Amends GS 143B-437.53, which establishes the minimum number of positions needed, according to development tier, in order to qualify for a grant, to provide that projects in tier three development tiers must have 50 (was, 20) eligible positions to qualify for a grant.

Amends GS 143B-437.56(d) providing that for any eligible position that is located in a development tier three area, 70 percent (was, 75 percent) of the annual grant must be payable to the business and 30 percent (was, 25 percent) must be payable to the Utility Account pursuant to GS 143B-437.61.

Amends GS 143B-437.57(a)(10) concerning the terms of the development agreements and grants, providing that the agreement must contain a provision that requires the Economic Investment Committee to recapture an appropriate portion of the grant if the business does not remain at the site for the required term (previously, required a provision that permitted the committee to recapture all or part of the grant at its discretion).

Intro. by S. Martin, Jeter, Collins, Steinburg.

GS 105, GS 143B

[View summary](#)

**Business and Commerce, Government, State Agencies,
Department of Commerce, Tax**

H 126 (2015-2016) **MORTGAGE ORIGINATION SUPPORT REGISTRATION**. Filed Mar 2 2015, *AN ACT TO AUTHORIZE THE OFFICE OF THE COMMISSIONER OF BANKS TO IMPLEMENT A REGISTRATION SYSTEM FOR PERSONS ENGAGED EXCLUSIVELY IN THE PROCESSING OR UNDERWRITING OF RESIDENTIAL MORTGAGE LOANS AND NOT ENGAGED IN THE MORTGAGE BUSINESS*.

Amends the Secure and Fair Enforcement Mortgage Licensing Act, GS Chapter 53, Article 19B, adding a new definition in GS 53-244.030 for a *mortgage origination support registrant* (registrant), which is defined as a person engaged exclusively in the processing or underwriting of residential mortgage loans and not engaged in the mortgage business. Enacts new subsection 53-244.040(c1) requiring all registrants operating in North Carolina to register with the Commissioner of Banks (Commissioner). Such registration authorizes the registrant to sponsor and employ licensed mortgage loan originators or transitional mortgage loan originators to control and supervise the registrant's loan processors or underwriters pursuant to Title V of the Housing and Economic Recovery Act of 2008. Makes conforming

changes.

Amends GS 53-244.090, now titled "Application fees" (was, License application), specifying nonrefundable filing fees for the initial registration as a registrant, beginning with a \$250 fee for applicants that employ or contract with fewer than five individuals who are solely loan processors or underwriters, increasing thereafter depending on the number employed but being capped at \$2,000 for those that employ more than 30 such individuals. Makes conforming changes.

Amends GS 53-244.101 to provide for nonrefundable registration renewal fees for registrants beginning at \$125 for those registrants employing fewer than five individuals engaged solely as loan processors or underwriters, and increasing thereafter until reaching a cap of \$1,000 for registrants employing more than 30 such individuals. Further provides that in addition to renewal fees, registrants must pay the actual cost of obtaining credit reports and state and national criminal history record checks as well as the processing fees for the Nationwide Mortgage Licensing System and Registry, as required by the Commissioner. Further provides for specified late fee amounts for late renewals. Provides that any registrant that fails to obtain a reinstatement of registration prior to March 1 is required to comply with all initial requirements for registration as provided. Makes conforming and technical changes.

Amends GS 53-244.103 concerning surety bond requirements providing that transitional or other mortgage loan originators employed only by registrants for the sole purpose of supervising and controlling loan processor or underwriters are exempt from any surety bond requirements pursuant to GS 53-244.103(a).

Amends GS 53-244.105 deleting language that required mortgage broker licensees to maintain and transact business from a principal place of business in North Carolina. Makes conforming changes.

Amends GS 53-244.116 to provide that a person who surrenders a registration is not eligible for and may not submit an application for registration during any period specified by the Commissioner.

Amends the following sections: GS 53-244.050, 53-244.060, 53-244.100, 53-244.108, 53-244.113, 53-244.114, 53-244.115, 53-244.116, 53-244.118, 53-244.119, and 53-244.120, making technical and conforming changes reflecting requirements that registrants operating in North Carolina register with the Commissioner and comply with the specified requirements similarly required of mortgage brokers, lenders, or servicers licensed under GS Chapter 53, Article 19B.

Includes severability and interpretation clauses.

Provides that the Commissioner can adopt temporary rules to administer this act, effective when the act becomes law.

Unless otherwise noted above, effective July 1, 2015, applying to all applications for registration as a mortgage origination support registrant filed on or after that date.

Intro. by Hardister, Szoka, Meyer, S. Ross.

[GS 53](#)

[View summary](#)

[Banking and Finance, Development, Land Use and Housing, Property and Housing](#)

H 128 (2015-2016) [REFERENDUM FOR CERTAIN LOCAL DEBT](#). Filed Mar 3 2015, *AN ACT TO REQUIRE A REFERENDUM ON CERTIFICATES OF PARTICIPATION AND SIMILAR DEBT*.

Amends GS 160A-20 to require the governing board of a unit of local government to adopt a resolution stating its intent at least ten days before executing a contract under subsections (a) or (b) of the statute, which concern executing a contract to (1) purchase, or finance or refinance the purchase of, real or personal property by installment contracts that create in the property purchased a security interest to secure payment of the purchase price to the seller or to an individual or entity advancing moneys or supplying financing for the purchase transaction or (2) finance or refinance the construction or repair of fixtures or improvements on real property by contracts that create a security interest to secure repayment of moneys advanced or made available for the construction or repair. Requires the resolution to state the

maximum amount of the proposed contract, describe the basic purpose of the contract, and state that the contract is a form of debt financing. Provides that several contracts that are all related to the same undertaking are deemed a single contract.

Sets out when the petition must be filed depending on whether the Local Government Commission must approve the contract under the statute. Requires that the petition be: (1) in writing and (2) signed by a number of voters of the issuing unit equal to not less than 5 percent of the total number of voters registered to vote in elections of the issuing unit according to the most recent figures certified by the State Board of Elections. Requires the clerk to investigate the sufficiency of the petition and present it to the governing board, with a certificate stating the results of the investigation. Requires the governing board, after hearing any taxpayer requesting to be heard, to determine the sufficiency of the petition, and its determination is conclusive.

Provides that if a contract requires voter approval, the affirmative vote of a majority of those voting is required. Requires the governing board to set the date of a voter referendum on the contract, but prohibits the date from being more than one year after adoption of the resolution indicating the board's intent to enter into a contract, only on a date permitted by GS 163-287. Requires the clerk to deliver a certified copy of the resolution calling a special referendum to the board of elections that is to conduct it within three days after the resolution is adopted, but specifies that failure to do so does not affect the validity of the referendum or contract entered into. Requires the referendum to be conducted by the board of elections conducting regular elections of the unit of local government. Requires the clerk to publish a notice of the referendum at least twice and specifies the timing and content of the notices. Sets out the form of the question as it is to be stated on the ballot. Requires the board of elections to canvass the referendum and certify the results to the governing board, and then certify and declare the referendum result and publish a statement of the result using specified language.

Amends GS 159-85, which prohibits the state or a municipality from issuing revenue bonds under this Article, the State and Local Government Revenue Bond Act, unless the issue is approved by the Local Government Commission (Commission). Requires the governing body to publish a public notice of the application at the time of application to the Commission. Allows a petition demanding that the revenue bond order be submitted to the voters to be filed with the clerk to the board at any time before the Commission enters its order approving or denying the application. Requires that the petition be: (1) in writing and (2) signed by a number of voters of the issuing unit equal to not less than 5 percent of the total number of voters registered to vote in elections of the issuing unit according to the most recent figures certified by the State Board of Elections. Requires the clerk to investigate the sufficiency of the petition and present it to the governing board, with a certificate stating the results of the investigation. Requires the governing board, after hearing any taxpayer requesting to be heard, to determine the sufficiency of the petition, and its determination is conclusive.

Provides that if a bond order requires voter approval, the affirmative vote of a majority of those voting is required. Requires the governing board to set the date of a voter referendum on the contract, but prohibits the date from being more than one year after adoption of the resolution indicating the board's intent to enter into a contract, only on a date permitted by GS 163-287. Requires the clerk to deliver a certified copy of the resolution calling a special referendum to the board of elections that is to conduct it within three days after the resolution is adopted, but specifies that failure to do so does not affect the validity of the referendum or contract entered into. Requires the referendum to be conducted by the board of elections conducting regular elections of the unit of local government. Requires the clerk to publish a notice of the referendum at least twice and specifies the timing and content of the notices. Sets out the form of the question as it is to be stated on the ballot. Requires the board of elections to canvass the referendum and certify the results to the governing board, and then certify and declare the referendum result and publish a statement of the result using specified language.

Amends GS 159-104, which prohibits a local government from issuing project development financing debt instruments unless the issue is approved by the Local Government Commission. Allows a petition demanding that the project development financing be submitted to the voters to be filed with the clerk to the board at any time before the Commission enters its order approving or denying the application. Requires that the petition be: (1) in writing and (2) signed by a number of voters of the issuing unit equal to not less than 5 percent of the total number of voters registered to vote in elections of the issuing unit according to the most recent figures certified by the State Board of Elections.

Requires the clerk to investigate the sufficiency of the petition and present it to the governing board, with a certificate stating the results of the investigation. Requires the governing board, after hearing any taxpayer requesting to be heard, to determine the sufficiency of the petition, and its determination is conclusive.

Provides that if a project development financing requires voter approval, the affirmative vote of a majority of those voting is required. Requires the governing board to set the date of a voter referendum on the contract, but prohibits the date from being more than one year after adoption of the resolution indicating the board's intent to enter into a contract, only on a date permitted by GS 163-287. Requires the clerk to deliver a certified copy of the resolution calling a special referendum to the board of elections that is to conduct it within three days after the resolution is adopted, but specifies that failure to do so does not affect the validity of the referendum or contract entered into. Requires the referendum to be conducted by the board of elections conducting regular elections of the unit of local government. Requires the clerk to publish a notice of the referendum at least twice and specifies the timing and content of the notices. Sets out the form of the question as it is to be stated on the ballot. Requires the board of elections to canvass the referendum and certify the results to the governing board, and then certify and declare the referendum result and publish a statement of the result using specified language.

Amends GS 159I-30, which prohibits a local government from issuing bonds or notes unless the issuance is approved and the bonds or notes are sold by the Local Government Commission (Commission). Requires the governing body to publish a public notice at the time of application to the Commission in a newspaper of general circulation in the local government. Allows a petition demanding that the special obligation bond order be submitted to the voters to be filed with the clerk to the board at any time before the Commission enters its order approving or denying the application. Requires that the petition be: (1) in writing and (2) signed by a number of voters of the issuing unit equal to not less than 5 percent of the total number of voters registered to vote in elections of the issuing unit according to the most recent figures certified by the State Board of Elections. Requires the clerk to investigate the sufficiency of the petition and present it to the governing board with a certificate stating the results of the investigation. Requires the governing board, after hearing any taxpayer requesting to be heard, to determine the sufficiency of the petition, and its determination is conclusive.

Provides that if a special obligation bond order requires voter approval, the affirmative vote of a majority of those voting is required. Requires the governing board to set the date of a voter referendum on the contract, but prohibits the date from being more than one year after adoption of the resolution indicating the board's intent to enter into a contract, only on a date permitted by GS 163-287. Requires the clerk to deliver a certified copy of the resolution calling a special referendum to the board of elections that is to conduct it within three days after the resolution is adopted, but specifies that failure to do so does not affect the validity of the referendum or contract entered into. Requires the referendum to be conducted by the board of elections conducting regular elections of the unit of local government. Requires the clerk to publish a notice of the referendum at least twice and specifies the timing and content of the notices. Sets out the form of the question as it is to be stated on the ballot. Requires the board of elections to canvass the referendum and certify the results to the governing board, and then certify and declare the referendum result and publish a statement of the result using specified language.

Makes conforming changes to GS 159-60 (petition for referendum on bond issue), including reducing the number of voters that must sign a petition demanding that a bond order be submitted to the voters, from 10 to 5 percent of the total number of registered voters of the issuing unit.

Amends GS 159-148 to add that if a contract, agreement, memorandum of understanding, and any other transaction having the force and effect of a contract must have Local Government Commission (Commission) approval, the local government's governing body must publish a public notice at the time of application in a newspaper of general circulation in the local government. Allows a petition demanding that the contract, agreement, memorandum of understanding, and any other transaction having the force and effect of a contract to be filed with the clerk to the board at any time before the Commission enters its order approving or denying the application. Requires that the petition be: (1) in writing and (2) signed by a number of voters of the issuing unit equal to not less than 5 percent of the total number of voters registered to vote in elections of the issuing unit according to the most recent figures certified by the State Board

of Elections. Requires the clerk to investigate the sufficiency of the petition and present it to the governing board, with a certificate stating the results of the investigation. Requires the governing board, after hearing any taxpayer requesting to be heard, to determine the sufficiency of the petition, and its determination is conclusive.

Provides that if a contract, agreement, memorandum of understanding, and any other transaction having the force and effect of a contract requires voter approval, the affirmative vote of a majority of those voting is required. Requires the governing board to set the date of a voter referendum on the contract, but prohibits the date from being more than one year after adoption of the resolution indicating the board's intent to enter into a contract, only on a date permitted by GS 163-287. Requires the clerk to deliver a certified copy of the resolution calling a special referendum to the board of elections that is to conduct it within three days after the resolution is adopted, but specifies that failure to do so does not affect the validity of the referendum or contract entered into. Requires the referendum to be conducted by the board of elections conducting regular elections of the unit of local government. Requires the clerk to publish a notice of the referendum at least twice and specifies the timing and content of the notices. Sets out the form of the question as it is to be stated on the ballot. Requires the board of elections to canvass the referendum and certify the results to the governing board, and then certify and declare the referendum result and publish a statement of the result using specified language.

Amends GS 159-153 which requires, with specified exceptions, approval by the Local Government Commission (Commission) before a unit of local government, or any public body, agency, or similar entity created by any action of a unit of local government, may: (1) incur indebtedness, (2) enter into any similar type of financing arrangement, or (3) approve or otherwise participate in the incurrence of indebtedness or the entering into of a similar type of financing arrangement by another party on its behalf. Adds that if any of these types of transactions are undertaken by a local government, and it is subject to approval by the Commission, the governing body of the local government must, at the time of application, publish a notice in a newspaper of general circulation in the local government.

Allows a petition demanding that the contract, agreement, memorandum of understanding, and any other transaction having the force and effect of a contract to be filed with the clerk to the board at any time before the Commission enters its order approving or denying the application. Requires that the petition be: (1) in writing and (2) signed by a number of voters of the issuing unit equal to not less than 5 percent of the total number of voters registered to vote in elections of the issuing unit according to the most recent figures certified by the State Board of Elections. Requires the clerk to investigate the sufficiency of the petition and present it to the governing board, with a certificate stating the results of the investigation. Requires the governing board, after hearing any taxpayer requesting to be heard, to determine the sufficiency of the petition, and its determination is conclusive.

Provides that if a contract, agreement, memorandum of understanding, and any other transaction having the force and effect of a contract requires voter approval, the affirmative vote of a majority of those voting is required. Requires the governing board to set the date of a voter referendum on the contract, but prohibits the date from being more than one year after adoption of the resolution indicating the board's intent to enter into a contract, only on a date permitted by GS 163-287. Requires the clerk to deliver a certified copy of the resolution calling a special referendum to the board of elections that is to conduct it within three days after the resolution is adopted, but specifies that failure to do so does not affect the validity of the referendum or contract entered into. Requires the referendum to be conducted by the board of elections conducting regular elections of the unit of local government. Requires the clerk to publish a notice of the referendum at least twice and specifies the timing and content of the notices. Sets out the form of the question as it is to be stated on the ballot. Requires the board of elections to canvass the referendum and certify the results to the governing board, and then certify and declare the referendum result and publish a statement of the result using specified language.

Intro. by Speciale.

GS 159, GS 159I, GS 160A

[View summary](#)

Banking and Finance, Government, Local Government

ACHIEVING TUITION SCHOLARSHIP PROGRAM FOR SCHOLARSHIPS FOR TOP PERFORMING HIGH SCHOOL STUDENTS ATTENDING NORTH CAROLINA COMMUNITY COLLEGES.

Establishes the High Achieving Tuition Scholarship Program (Program) and sets out the Program's purposes, including: decreasing the strain that universities are experiencing from serving an increasing number of students, encouraging higher performing students at community colleges, and developing a more competitive workforce.

Eligible students must: (1) within seven months before applying for the scholarship, graduate with at least a 3.5 unweighted grade point average from either a public high school located in this state or a nonpublic high school or home school located in this State; (2) present evidence of United States citizenship; (3) qualify as a resident of this state for tuition purposes; (4) gain admission as a degree-seeking student at a North Carolina community college; and (5) comply with Selective Service registration requirements.

Requires the State Education Assistance Authority (Authority) to annually award High Achieving Tuition Scholarships to all eligible students in an amount not to exceed the cost of 16 credit hours of tuition per fall or spring academic semester for a maximum of four academic semesters. Also requires the Authority to require students to complete a Free Application for Federal Student Aid (FAFSA) to be eligible for a scholarship award and reduce the amount of the scholarship award for any student by the amount of grants or scholarships from other sources the student receives. Requires scholarships to be awarded to eligible students in the order in which they are received. Requires the Authority to award scholarships beginning with the fall semester of the 2016-17 school year to students graduating from high school in the 2015-16 school year.

Requires a scholarship to be renewed if the student maintains a 3.0 grade point average and completes of a minimum of 30 semester credit hours by the end of the academic year.

Requires a scholarship to be revoked for any of the following at the conclusion of each semester: (1) failure to maintain a 2.5 grade point average; (2) failure to maintain a course load of at least 12 credit hours; (3) default or unpaid refund on a student financial aid program; or (4) felony conviction for a controlled substances offense under Article 5 of GS Chapter 90.

Requires the Authority to adopt rules for administering the Program.

Requires the State Board of Community Colleges to adopt rules requiring community colleges to ensure scholarship recipients are provided counseling and assistance in selecting coursework that reflects their educational and career goals, and for students planning to enter a constituent institution of The University of North Carolina, the State Board of Community Colleges is required ensure that credits earned by participating students are transferable.

Appropriates \$2 million from the General Fund to the State Education Assistance Authority for 2016-17 for administrative costs and award of scholarships. States the General Assembly's intent to appropriate \$3.5 million in recurring funds for the 2017-18 fiscal year for administrative costs and award of scholarships. Requires that any unexpended funds for this purpose not revert at the end of each fiscal year, but instead remain available to award scholarships to eligible students.

Requires the UNC Board of Governors to adopt a policy to allow any student admitted to a constituent university who receives a High Achieving Tuition Scholarship to defer admission to the constituent institution for two years, beginning with the 2016-17 school year.

Requires the State Board of Education, for the 2015-16 school year, to direct local boards of education to survey high school students in their senior year who meet the eligibility requirements of the High Achieving Tuition Scholarship to determine interest in the program. Requires the State Board of Education to report the survey results to the Joint Legislative Education Oversight Committee by December 1, 2015.

Requires the UNC Board of Governors and the State Board of Community Colleges to jointly identify and report to the Joint Legislative Education Oversight Committee by April 1, 2016, on potential issues related to the transition of High Achieving Tuition Scholarship recipients from community college to university enrollment, and other recommendations

to improve and expand the Program.

Requires the State Education Assistance Authority to report annually on or before March 1, beginning in 2017, to the Joint Legislative Education Oversight Committee on the implementation of the High Achieving Tuition Scholarship Program. Specifies information that must be included in the report.

Effective July 1, 2015.

Intro. by Elmore, Dobson, Holloway, McNeill.

APPROP

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System, State Board of Education

H 132 (2015-2016) **RESCIND CONSTITUTIONAL CONVENTION CALLS**. Filed Mar 3 2015, *A JOINT RESOLUTION (I) RESCINDING ALL EXTANT APPLICATIONS BY THE GENERAL ASSEMBLY HERETOFORE MADE DURING ANY SESSION THEREOF TO THE CONGRESS OF THE UNITED STATES OF AMERICA TO CALL A CONVENTION PURSUANT TO THE TERMS OF ARTICLE V OF THE UNITED STATES CONSTITUTION FOR PROPOSING ONE OR MORE AMENDMENTS TO THAT CONSTITUTION, (II) URGING THE LEGISLATURES OF OTHER STATES TO DO THE SAME, AND (III) DIRECTING THAT COPIES OF THIS RESOLUTION BE SENT TO SPECIFIED PERSONS.*

As the title indicates, revokes all existing applications made by the North Carolina General Assembly to the United States Congress, which call for a convention to propose amendments to the US Constitution. Additionally, the General Assembly urges all other state legislatures that have applied to Congress to call a constitutional convention to also repeal and withdraw their respective applications. Directs the North Carolina Secretary of State to send certified copies of this joint resolution to the secretary of each state, to the presiding officers of both houses of the legislatures of each state, to the Secretary of the United States Senate, to the Clerk of the United States House of representatives, to the members of Congress of the United States representing North Carolina, and to the Administrator of the US General Services Administration, Washington, D.C.

Presents a series of "whereas" clauses setting forth the reasons offered to support the need for this proposed joint resolution.

Provides that this resolution is effective upon ratification.

Intro. by Jordan, Schaffer, Glazier, Elmore.

JOINT RES

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Constitution, Government, General Assembly

H 133 (2015-2016) **MODIFY SPECIAL EDUCATION SCHOLARSHIPS**. Filed Mar 3 2015, *AN ACT TO INCREASE THE AMOUNT OF THE SCHOLARSHIP FUNDS AVAILABLE TO STUDENTS WITH DISABILITIES PER SEMESTER AND TO MODIFY THE METHOD OF PAYMENT OF TUITION FOR THOSE STUDENTS.*

Amends GS 115C-112.6 as the title indicates. Under current law, the North Carolina State Education Assistance Authority (Authority) makes annual applications available to eligible students with disabilities for education scholarships and reimbursement for certain education costs.

Amends subsection (b) of GS 115C-112.6 to increase the scholarship amount awarded to eligible students to \$4,000 (was, \$3,000) per semester per eligible student.

Amends subsection (b1) to modify the method by which the scholarship funds are distributed. Scholarship funds are awarded for tuition and the reimbursement of special education, related services, and educational technology. As amended, this act provides that the Authority is to remit the scholarship funds awarded to eligible students for tuition to at least one of the eligible student's parents at least twice each school year. Requires that eligible students attend a North Carolina public school other than the public school to which the student was assigned under GS 115C-366, or a nonpublic school that meets the requirements of Part 1 or 2 of Article 39 of GS Chapter 115C. Requires that the parent or guardian restrictively endorse the received funds over to the school for deposit into the school account. Also requires that the parent or guardian must endorse the funds over to the school in person and at the site of the school. Provides that a failure to comply with these requirements will result in forfeiture of the scholarship funds, which then revert to the Authority for distribution to another eligible student. Makes additional conforming changes to GS 115C-112.6 to reflect the modifications in the disbursement of scholarship funds.

Applies to scholarships awarded for the 2015-16 school year.

Intro. by Jordan, Jones, Stam.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 134 (2015-2016) **SOLICITING PROSTITUTION/IMMUNITY FOR MINORS**. Filed Mar 3 2015, *AN ACT TO PROVIDE THAT A MINOR WHO IS SOLICITING AS A PROSTITUTE IS IMMUNE FROM PROSECUTION FOR THE OFFENSE OF SOLICITATION OF PROSTITUTION*.

Amends GS 14-205.1 to provide that minors suspected of or charged with soliciting as a prostitute are immune from prosecution under the statute and instead requires that the minor be taken into temporary protective custody as an undisciplined juvenile. Requires a law enforcement officer to immediately report an allegation of a violation of GS 14-43.11 (human trafficking) and GS 14-43.13 (sexual servitude) to the director of the county department of social services, which must commence an initial investigation into child abuse or child neglect within 24 hours.

Intro. by Glazier, Davis, Hamilton, McGrady.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

H 135 (2015-2016) **MODERNIZE PHYSICAL THERAPY PRACTICE**. Filed Mar 3 2015, *AN ACT UPDATING THE DEFINITION OF PHYSICAL THERAPY TO INCLUDE MANIPULATION OF THE SPINE WITHOUT A PRESCRIPTION FROM A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THIS STATE*.

Amends the definition of *physical therapy* as found in GS 90-270.24(4) to include the manipulation of the spine without a prescription from a physician licensed to practice medicine in the state.

Effective October 1, 2015.

Intro. by Dollar, B. Brown, Torbett, S. Martin.

GS 90

[View summary](#)

Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers

H 136 (2015-2016) [SPEED LIMIT/HIGHWAY WORK ZONE](#). Filed Mar 3 2015, *AN ACT TO PROVIDE THAT THE ADDITIONAL PENALTY IMPOSED FOR SPEEDING IN A HIGHWAY WORK ZONE APPLIES ONLY IF WORKERS ARE PRESENT AND WORK IS ACTIVELY IN PROGRESS.*

As title indicates, amends GS 20-141(j2) to provide that the additional penalty for speeding in a highway work zone applies only if workers are present and work is actively in progress.

Effective December 1, 2015, applying to offenses committed on or after that date.

Intro. by Stevens.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Transportation](#)

H 137 (2015-2016) [SCHOOL CALENDAR FLEXIBILITY](#). Filed Mar 3 2015, *AN ACT TO PROVIDE FLEXIBILITY TO LOCAL 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. Applies beginning with the 2015-16 school year.

Intro. by Baskerville.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 138 (2015-2016) [ARTS EDUCATION REQUIREMENT](#). Filed Mar 3 2015, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS EDUCATION CREDIT PRIOR TO GRADUATION FROM HIGH SCHOOL.*

Directs the State Board of Education to modify the State curriculum requirements to include one required credit in arts education, to be completed before high school graduation, any time in grades 6 through 12. Implementation begins with students entering the sixth grade in 2018. Further directs the State Board of Education to (1) establish procedures and a timeline for a phased-in implementation of the new arts requirement; (2) establish the minimum criteria to meet the arts requirement; and (3) report to the Joint Legislative Education Oversight Committee, by December 15, 2018, on the statewide implementation of Comprehensive Arts Education, including this new requirement.

Intro. by Carney, Johnson, Elmore, Glazier.

[UNCODIFIED](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 140 (2015-2016) [LINEMAN APPRECIATION DAY IN NC](#). Filed Mar 3 2015, *AN ACT DESIGNATING THE*

EIGHTEENTH DAY OF APRIL OF EACH YEAR AS LINEMAN APPRECIATION DAY.

Enacts new GS 103-14 designating April 18 of each year as Lineman Appreciation Day.

Intro. by Hastings, Pendleton, Farmer-Butterfield.

[GS 103](#)

[View summary](#)

[Government, Cultural Resources and Museums](#)

H 141 (2015-2016) [STORMWATER/FLOOD CONTROL ACTIVITIES](#). Filed Mar 3 2015, *AN ACT TO AUTHORIZE CITIES TO UNDERTAKE ACTIVITIES WITHIN THEIR STORMWATER MANAGEMENT PROGRAMS TO IMPLEMENT FLOOD REDUCTION TECHNIQUES THAT RESULT IN IMPROVEMENTS TO PRIVATE PROPERTY.*

Enacts new GS 160A-311.1. States the General Assembly's findings. Allows a city, for the purposes of operating a public enterprise, to do any of the following activities within its stormwater management program: (1) purchase property for the purpose of demolishing flood-prone buildings; (2) implement flood damage reduction techniques that result in improvements to private property in accordance with the policy document to include elevating structures or their associated components, demolishing flood-prone structures, and retrofitting flood-prone structures. Allows a city to engage in these activities only under the circumstances contained in a policy document approved by the city council. Sets out issues that the policy document must, at a minimum, establish, and may elaborate on, including that the private property owner's written consent must be obtained prior to the implementation of flood reduction improvements on the owner's property and the improvements to the private property are the minimum necessary to accomplish the stormwater benefit. Requires an existing stormwater advisory committee established by the city council and having specific charges, duties, and representation as set forth by the city council, to review and approve projects that implement flood damage reduction techniques. Requires the committee to submit an annual report to the city council for its review. The new statute applies only to cities in a county which meets the following criteria: (1) the county has a population of 910,000 or greater according to the most recent annual population estimates certified by the State Budget Officer and (2) the county has at least one city with a population of 500,000 or greater according to the most recent annual population estimates certified by the State Budget Officer.

Intro. by Jeter, Cotham, Cunningham.

[GS 160A](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Environment, Environment/Natural Resources, Government, Local Government, Public Enterprises and Utilities](#)

H 142 (2015-2016) [REQUIRE SAFETY HELMETS / UNDER 21](#). Filed Mar 3 2015, *AN ACT TO REVISE THE MOTOR VEHICLE LAWS TO PROVIDE CERTAIN EXCEPTIONS TO THE REQUIREMENT THAT ALL OPERATORS AND PASSENGERS ON MOTORCYCLES OR MOPEDS WEAR A SAFETY HELMET AND TO REMOVE THE ASSESSMENT OF COURT COSTS FROM THE PENALTIES APPLIED TO PERSONS FOUND GUILTY OF A HELMET USE INFRACTION.*

Identical to [S 144](#), filed 3/3/15.

Amends GS 20-140.4 to allow a person 21 years of age or older to operate a motorcycle without wearing a safety helmet if (1) the operator has held a motorcycle license or motorcycle endorsement for more than 12 months or (2) the operator has successfully completed the course of instruction offered by the Motorcycle Safety Instruction Program or its equivalent. Prohibits a person from operating a motorcycle without wearing a safety helmet unless the operator is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while operating or riding on a motorcycle. Allows a person 21 years of age or older to ride as a motorcycle

passenger without wearing a safety helmet if the operator is allowed to operate a motorcycle without a helmet, under conditions described above, and the person is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while riding on a motorcycle. Violations of GS 20-140.4 require payment of a \$25.50 penalty and are not assessed any court costs (was, payment of \$25.50 plus three specified court costs).

Effective for violations occurring on or after October 1, 2015.

Intro. by Torbett.

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Transportation](#)

H 144 (2015-2016) [APPROPRIATIONS 2015](#). Filed Mar 3 2015, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Blank bill.

Intro. by Lambeth.

APPROP

[View summary](#)

[Government, Budget/Appropriations](#)

H 145 (2015-2016) [PRESERVE FEDERAL COMM. HEALTH CTR FUNDS](#). Filed Mar 3 2015, *A JOINT RESOLUTION URGING CONGRESS TO PRESERVE FUNDING FOR COMMUNITY HEALTH CENTERS.*

As the title indicates.

Intro. by Lambeth, B. Brown, Dobson, Jones.

JOINT RES

[View summary](#)

[Health and Human Services, Health, Health Care Facilities and Providers](#)

H 146 (2015-2016) [AMEND ADVANCE HEALTH CARE DIRECTIVES LAWS](#). Filed Mar 3 2015, *AN ACT ELIMINATING THE NEED TO HAVE ADVANCE HEALTH CARE DIRECTIVES AND HEALTH CARE POWERS OF ATTORNEY SIGNED IN THE PRESENCE OF TWO WITNESSES AND ACKNOWLEDGED BEFORE A NOTARY PUBLIC, AND INSTEAD ALLOWING FOR EXECUTION BY EITHER SIGNATURE IN THE PRESENCE OF TWO WITNESSES OR ACKNOWLEDGMENT BEFORE A NOTARY PUBLIC.*

Amends the definition of health care power of attorney in GS 32A-16 to require that it be signed in the presence of two qualified witnesses or acknowledged before a notary public (was, signed in the presence of two qualified witnesses and acknowledged before a notary public). Makes conforming changes.

Amends GS 32A-25.1(a), which sets out the form to be used in creating a health care power of attorney to require that the signature be witnessed by two qualified witnesses or proved by a notary public. Makes conforming changes.

Makes the same changes to GS 90-321(c) (setting out the requirements of patient health care directives that doctors must follow) and GS 90-321(d1) [setting out the form that is specifically determined to meet the requirements of (c)].

Effective October 1, 2015.

Intro. by Lambeth, Jones, Conrad, S. Ross.

[GS 32, GS 90](#)

[View summary](#)

[Health and Human Services, Health, Health Care Facilities and Providers](#)

H 147 (2015-2016) [UPDATE FIRE AND RESCUE COMM'N. MEMBERSHIP](#). Filed Mar 3 2015, *AN ACT TO UPDATE THE MEMBERSHIP OF THE FIRE AND RESCUE COMMISSION TO REFLECT THE MERGER OF TWO ORGANIZATIONS, TO ADD REPRESENTATION FROM THE STATE CHAPTER OF THE INTERNATIONAL ASSOCIATION OF ARSON INVESTIGATORS, AND TO CLARIFY THE POWERS OF THE COMMISSION.*

Amends GS 58-78-1 to clarify the membership of the State Fire and Rescue Commission (Commission) of the Department of Insurance (Department). Current law provides for 15 voting members of the Commission with 12 members appointed by the Commissioner of Insurance. Amends subsection (a) of GS 58-78-1 to clarify that one of the Commissioner's appointees is to be selected from nominations submitted by the North Carolina Chapter of the International Association of Arson Investigators (Arson Investigators). Deletes requirement that one appointee was to be from nominations submitted by the North Carolina Association of County Fire Marshals. Removes prohibition that public members of the Commission may not be directly involved in fire fighting or rescue services. Amends subsection (b) to provide that the appointees from the Arson Investigators nominees are to serve two-year terms. Effective July 1, 2015, and applies to State Fire and Rescue Commission appointments made on or after this date.

Amends GS 58-78-5(a)(14b) to clarify the Commission's powers include the authority to issue, deny, suspend, revoke, or take similar actions regarding certifications issued by the Commission of minimal professional qualifications established under this subdivision. Amends GS 38-78-10 to insert gender-neutral language. Effective July 1, 2015.

Intro. by S. Ross, Saine, Boles, J. Bell.

[GS 58](#)

[View summary](#)

[Government, Public Safety](#)

H 148 (2015-2016) [INSURANCE AND SAFETY INSPECTION/MOPEDS](#). Filed Mar 3 2015, *AN ACT TO REQUIRE OWNERS OF MOPEDS TO HAVE IN FULL FORCE AND EFFECT A POLICY OF FINANCIAL RESPONSIBILITY, TO PROVIDE THAT MOPEDS ARE SUBJECT TO SAFETY INSPECTIONS, AND TO MAKE CLARIFYING CHANGES RELATED TO THE LAW REQUIRING THE REGISTRATION OF MOPEDS.*

To be summarized.

Intro. by Shepard, R. Brown, Carney.

[GS 20, GS 58](#)

[View summary](#)

[Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle, Transportation](#)

H 151 (2015-2016) [PROPERTY INSURANCE RATEMAKING REFORM](#). Filed Mar 3 2015, *AN ACT TO INCREASE THE FAIRNESS AND EQUITY OF THE PROPERTY INSURANCE RATE-MAKING PROCESS BY PROVIDING FOR GREATER TRANSPARENCY REGARDING THE ROLE OF CATASTROPHE MODELING IN PROPERTY INSURANCE RATE FILINGS,*

BY PROVIDING THAT MODELED LOSSES IN A PROPERTY RATE FILING BE PROPERLY ALLOCABLE TO NORTH CAROLINA, AND BY REQUIRING THE RATE BUREAU TO DESIGNATE IN A FILING THAT PORTION OF THE RATE IN EACH TERRITORY ALLOCABLE TO WIND AND HAIL.

Amends GS 58-36-10, method of rate making; factors considered, to add the requirement for making and using rates that if the Rate Bureau presents any modeled hurricane losses with a property insurance rate filing, the Bureau must present data from more than one such model. Also provides that the Commissioner of Insurance can consider modeled hurricane losses presented by the Rate Bureau.

Amends GS 58-36-15, adding subsections (d2) and (d3). Subsection (d2) requires a specified minimum amount of supporting data to be included in any property insurance rate filing where a catastrophe model is used. Subsection (d3) requires the Rate Bureau, in all residential property insurance rate filings, to set out, according to the territories in North Carolina, (1) the portion of the rate based on all risks, with the exception of wind and hail and (2) the portion of the rate based on the consideration of risks and the costs of reinsurance for wind and hail. The rates are to be posted by territory, on the Department of Insurance website, including the distinctions of the rates as described above.

Effective August 1, 2015, applying to filings by the Rate Bureau on or after that date.

Intro. by Tine, Setzer, J. Bell, Jackson.

[GS 58](#)

[View summary](#)

[Business and Commerce, Insurance, Development, Land Use and Housing, Property and Housing](#)

PUBLIC/SENATE BILLS

S 14 (2015-2016) [ACAD. STANDARDS/RULES REVIEW/COAL ASH/FUNDS](#). Filed Feb 2 2015, *AN ACT TO PROVIDE FUNDS FOR THE LITIGATION EXPENSES OF THE RULES REVIEW COMMISSION; TO PROVIDE FUNDS FOR THE OPERATING EXPENSES OF THE ACADEMIC STANDARDS REVIEW COMMISSION; TO REQUIRE THAT THE ACADEMIC STANDARDS REVIEW COMMISSION POST CERTAIN PUBLIC RECORDS ON ITS WEB SITE; TO PROVIDE THAT A STATE OFFICER MAY SERVE ON THE ECONOMIC DEVELOPMENT PARTNERSHIP BOARD; TO CLARIFY COAL ASH MANAGEMENT COMMISSION APPROPRIATIONS; TO CLARIFY THAT THE PRACTICE OF ENGINEERING DOES NOT INCLUDE THE DEVELOPMENT OF A DAM EMERGENCY ACTION PLAN; TO EXTEND THE DEADLINE FOR THE SUBMISSION OF EMERGENCY ACTION PLANS FOR DAMS NOT ASSOCIATED WITH COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS TO DECEMBER 31, 2015; AND TO LIMIT THE USE OF FUNDS APPROPRIATED TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR HEALTH INFORMATION EXCHANGE.*

House amendment #5 makes the following changes to the 2nd edition:

Amends amendment #4 concerning the supervision over maintenance and operation of dams, adding language that provides that a downstream inundation map included as part of an Emergency Action Plan by a high or intermediate hazard dam owner does not require preparation by a licensed professional engineer or a person under the responsible charge of a licensed professional engineer, unless the dam is associated with a coal combustion residuals surface impoundment, as defined (previously, language established that such a map did require the specified preparation by a licensed professional engineer).

Intro. by Brown, Harrington, B. Jackson.

[GS 62, GS 113, GS 143, GS 143B](#)

[Education, Environment, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Department of Administration,](#)

[View summary](#)

**Department of Environment and Natural Resources,
Department of Health and Human Services, State Board
of Education**

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.*

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

Amends GS 105-153.5, Modifications to adjusted gross income, deleting language that required taxpayers to add any amount paid toward qualified principal residence debt to the taxpayer's adjusted gross income.

Provides that effective April 1, 2015, the motor fuel excise tax rate will be 36 cents a gallon (was, 35 cents).

Amends GS 105-449.80(a), deleting some of the previous changes made to the subsection, now providing that the variable wholesale component of the fuel excise tax rate is the greater of 3 1/2 cents a gallon or 7 percent of the average wholesale price of motor fuel for the applicable base period (previously, was 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). Deletes changes made to the notification requirement for the Secretary to notify affected taxpayers. Effective January 1, 2016 (was, March 1, 2015)

Makes various adjustments to the funding for and appropriations from the State Highway Trust Fund for the fiscal year ending June 30, 2015, including reductions to specified fund codes within the Highway Fund.

Reduces the reductions required to be made by the Director of the Budget and Secretary of Revenue, including adjusting the reduction of funds appropriated pursuant to GS 136-41.1 to \$1,045,200 (previously appropriation was to be reduced by \$2,575,560), and adjusting reductions to the Wildlife Resources Fund and the Shallow Draft Navigation Channel and Lake Dredging Fund to \$16,750 (previously appropriation was to be reduced by \$41,275).

Deletes provisions from the previous edition that required the Secretary of the Department of Transportation to reduce its workforce by eliminating 500 filled, full-time positions by March 1, 2015. Makes conforming changes.

Requires the Secretary of the Department of Transportation to eliminate 40 vacant positions (was, 50 vacant positions).

Changes the effective date for sections of the bill that previously had an effective date of March 1, 2015, to becoming effective when the bill becomes law.

Intro. by Rabon, Rucho, Tillman.

[GS 105](#)

[View summary](#)

**Government, Budget/Appropriations, State Agencies, Tax,
Transportation**

S 144 (2015-2016) [REQUIRE SAFETY HELMETS / UNDER 21.](#) Filed Mar 3 2015, *AN ACT TO REVISE THE MOTOR VEHICLE LAWS TO PROVIDE CERTAIN EXCEPTIONS TO THE REQUIREMENT THAT ALL OPERATORS AND PASSENGERS ON MOTORCYCLES OR MOPEDS WEAR A SAFETY HELMET AND TO REMOVE THE ASSESSMENT OF COURT COSTS FROM THE PENALTIES APPLIED TO PERSONS FOUND GUILTY OF A HELMET USE INFRACTION.*

Amends GS 20-140.4 to allow a person 21 years of age or older to operate a motorcycle without wearing a safety helmet

if (1) the operator has held a motorcycle license or motorcycle endorsement for more than 12 months or (2) the operator has successfully completed the course of instruction offered by the Motorcycle Safety Instruction Program or its equivalent. Prohibits a person from operating a motorcycle without wearing a safety helmet unless the operator is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while operating or riding on a motorcycle. Allows a person 21 years of age or older to ride as a motorcycle passenger without wearing a safety helmet if the operator is allowed to operate a motorcycle without a helmet, under conditions described above, and the person is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while riding on a motorcycle. Violations of GS 20-140.4 require payment of a \$25.50 penalty and are not assessed any court costs (was, payment of \$25.50 plus three specified court costs).

Effective for violations occurring on or after October 1, 2015.

Intro. by Meredith.

GS 20

[View summary](#)

Courts/Judiciary, Motor Vehicle, Transportation

S 147 (2015-2016) **EQUAL RIGHTS AMENDMENT**. Filed Mar 3 2015, *AN ACT TO RATIFY THE EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN.*

Ratifies the Equal Rights Amendment to the US Constitution (which is set out in the act's whereas clauses). Requires that the Governor forward certified copies of the act and its preamble to the Administrator of General Services, the President of the Senate, and the Speaker of the House of the US Congress.

Intro. by Van Duyn.

UNCODIFIED

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Constitution

S 148 (2015-2016) **AMEND SENATE UNC BOG ELECTION**. Filed Mar 3 2015, *A SENATE RESOLUTION TO AMEND THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA THAT WAS SET OUT IN SENATE RESOLUTION 47.*

Makes the following changes to the procedure for nominating and electing members of the UNC Board of Governors established in Senate Resolution 47.

Changes the time period for receiving BOG nominations to March 4, 2015, through March 6, 2015 (was, February 16 through February 23, 2015). Requires that the written nomination on the prescribed form be received in the office of the Senate Principal Clerk on or after March 4, 2015, and no later than 5:00 pm on March 6, 2015 (was, February 16, 2015, and no later than 5:00 pm on February 23, 2015). Adds that any person who has already been formally nominated as a candidate and has filed a nomination form with the Senate Principal Clerk's Office by 5:00 pm on February 23, 2015, is not required to file another nomination form.

Changes the date by which nominees must file a completed North Carolina State Ethics Commission Statement of Economic Interest with the North Carolina State Ethics Commission to Friday, March 6, 2015 (was, Monday, February 23, 2015). Adds that any person who has formally been nominated and had filed a Statement of Economic Interest with the State Ethics Commission by 5:00 pm on Monday, February 23, 2015, is not required to file another statement.

Changes the date by which the Senate Committee must list all nominees to on or after March 6, 2015 (was, February 23,

2015).

Intro. by Apodaca.

SENATE RES

[View summary](#)

Government, General Assembly, State Agencies, UNC System

S 152 (2015-2016) **SALES TAX EXEMPTION-AGRICULTURAL FAIRS**. Filed Mar 3 2015, *AN ACT TO EXEMPT ADMISSION CHARGES TO AGRICULTURAL FAIRS FROM THE SALES TAX IMPOSED ON AN ADMISSION CHARGE TO AN ENTERTAINMENT ACTIVITY.*

Identical to [H 69](#), filed 2/10/15.

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

GS 105

[View summary](#)

Agriculture, Government, Tax

S 154 (2015-2016) **CLARIFYING THE GOOD SAMARITAN LAW**. Filed Mar 3 2015, *AN ACT TO CLARIFY HOW THE LIMITED IMMUNITY FROM PROSECUTION FOR CERTAIN DRUG- OR ALCOHOL-RELATED OFFENSES COMMITTED BY AN INDIVIDUAL EXPERIENCING A DRUG- OR ALCOHOL-RELATED OVERDOSE AND AN INDIVIDUAL WHO SEEKS MEDICAL ASSISTANCE FOR AN INDIVIDUAL EXPERIENCING A DRUG- OR ALCOHOL-RELATED OVERDOSE OPERATES, TO PROVIDE ADDITIONAL REQUIREMENTS AND CONDITIONS THAT MUST BE MET BEFORE THE LIMITED IMMUNITY IS ESTABLISHED, TO PROVIDE THAT A PERSON SHALL NOT BE SUBJECT TO SANCTIONS FOR A VIOLATION OF A CONDITION OF RELEASE, PROBATION, OR PAROLE IF BASED OFF AN INCIDENT FOR WHICH THE PERSON RECEIVED IMMUNITY, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER OR PROSECUTING ATTORNEY SHALL NOT BE SUBJECT TO CIVIL LIABILITY FOR ARRESTING, CHARGING, OR PROSECUTING A PERSON ENTITLED TO IMMUNITY IF THE LAW ENFORCEMENT OFFICER OR PROSECUTING ATTORNEY ACTED IN GOOD FAITH, TO PROVIDE THAT A PHARMACIST MAY DISPENSE AN OPIOID ANTAGONIST UPON RECEIVING A PRESCRIPTION ISSUED IN ACCORDANCE WITH G.S. 90-106.2, AND TO PROVIDE THAT A PHARMACIST WHO DISPENSES AN OPIOID ANTAGONIST IN ACCORDANCE WITH G.S. 90-106.2 IS IMMUNE FROM CERTAIN CIVIL OR CRIMINAL LIABILITY.*

Amends GS 90-96.2, concerning drug-related overdose treatment and limited immunity, making technical and organizational changes to its definition section and including a new term, *good faith*, defined as not including seeking medical assistance during the course of the execution of an arrest warrant, search warrant, or other lawful search.

Provides four requirements for an individual to qualify for limited immunity when seeking medical help for an individual who is experiencing a drug-related overdose, including that he or she must have sought medical assistance by contacting the 911 system, a law enforcement officer, or emergency medical services personnel and that the person provided his or her own name to the 911 system or to the law enforcement officer. Further provides that the individual experiencing the drug-related overdose can also receive limited immunity if those specified requirements and conditions are satisfied.

Provides that individuals are not subject to any sanctions for any violation of pretrial release, probation, or parole if the sanction is based on the incident in which the individual received limited immunity.

Provides that individuals that act in good faith to arrest, detain, or prosecute an individual for the act for which they have

received limited immunity is not subject to any civil liability.

Establishes that nothing in these provisions (1) bars the admissibility of evidence for the prosecution of crimes committed by a person that does not qualify for limited immunity, (2) limits the seizure of evidence or contraband, (3) limits or abridges the authority of a law enforcement officer to detain or take into custody a person in the course of an investigation or arrest for a non-covered offense, and (4) limits or abridges authority of a probation officer to conduct drug testing of any person on pretrial release, probation, or parole.

Amends GS 18B-302.2 clarifying the limited immunity allowed for individuals under the age of 21 for the possession or consumption of alcoholic beverages if all of the specified requirements and conditions are met, including that they must have sought medical assistance by contacting the 911 system, a law enforcement officer, or emergency medical services personnel and that the person provided his or her own name to the 911 system or to the law enforcement officer. Provides that the limited immunity extends to the overdose victim if those same specified requirements are met.

Provides that individuals are not subject to any sanctions for any violation of pretrial release, probation, or parole if the sanction is based on the incident in which the individual received limited immunity.

Provides that individuals that act in good faith to arrest, detain, or prosecute an individual for the act for which they have received limited immunity is not subject to any civil liability.

Amends GS 90-106.2 concerning the dispensing of an opioid antagonist, allowing a pharmacist to dispense the opioid antagonist to individuals described in GS 90-106.2(b) concerning overdoses. Provides that for the use of this section, *pharmacist* is as defined in GS 90-85.3 concerning overdoses. Provides that pharmacists that dispense opioid antagonists pursuant to these regulations are immune from any civil or criminal liability.

Makes technical and organizational changes.

Intro. by Bingham.

GS 18B, GS 90

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health, Health Care Facilities and Providers

S 155 (2015-2016) [REDUCE PUV ENTRY TIME FOR FARMLAND](#). Filed Mar 3 2015, *AN ACT TO FACILITATE FARMLAND ENTRY INTO THE PRESENT-USE VALUE PROGRAM*.

Current law provides that agricultural, horticultural, and forestland are designated as special classes of property under Section 2(2) of Article V of the North Carolina Constitution and as such must be appraised, assessed, and taxed as provided in GS 105-277.2 through GS 105-277.7. Amends GS 105-277.3(a), which defines agricultural, horticultural, and forestland, to make changes in the classifications to facilitate the entry of farmland (agricultural and horticultural classifications) into the Present-Use Value program (PUV) by providing an additional way to meet the income requirements. Amends subsection (b), regarding individual ownership requirements, to provide that one of the conditions that land owned by an individual may satisfy is that it has been owned by the current owner or a relative of the current owner for the year (was, four years) preceding January 1 of the year for which the benefit is claimed.

Amends GS 105-320 to require that before a tax receipt form may be approved, it must include a summary of the tax benefit and eligibility requirements for agricultural, horticultural, and forestland under GS 105-277.3 and GS 105-277.4. Permits this information to be submitted on a separate sheet furnished to the taxpayer instead of being shown on the tax receipt.

Effective for taxes imposed for taxable years beginning on or after July 1, 2015.

Intro. by Bingham.

GS 105

[View summary](#)

Agriculture, Government, Tax

S 157 (2015-2016) **ENHANCE PATIENT SAFETY IN OPERATING ROOMS**. Filed Mar 3 2015, *AN ACT TO ENHANCE PATIENT SAFETY IN HOSPITAL AND AMBULATORY SURGICAL FACILITY OPERATING ROOMS BY REQUIRING AT LEAST ONE CIRCULATING NURSE TO BE PRESENT IN EACH OPERATING ROOM DURING EACH SURGICAL PROCEDURE*.

Adds new Part 3A (consisting of new GS 131E-89), Patient Safety, to Article 5 of GS Chapter 131E. Enacts new GS 131E-89 and amends GS 131E-153 to require the North Carolina Medical Care Commission to adopt rules to require each licensed hospital to have at least one circulating nurse physically present in each operating room for the duration of each surgical procedure to (1) coordinate the nursing care and patient's safety needs and (2) support the surgical team during surgery. Prohibits the issuance or renewal of a license unless the applicant complies with these requirements. Effective October 1, 2015.

Intro. by Bingham, J. Davis.

GS 131E

[View summary](#)

Health and Human Services, Health, Health Care Facilities and Providers

S 158 (2015-2016) **OCC. LIC./SCHOOL MAINTENANCE PLUMBING LICENSE**. Filed Mar 3 2015, *AN ACT TO ALLOW NORTH CAROLINA PUBLIC SCHOOLS TO REDUCE COSTS BY ALLOWING THE EMPLOYMENT OF LICENSED SCHOOL MAINTENANCE PLUMBERS*.

Amends GS 87-21 to add that a local board of education that regularly employs a licensee under Article 2 (plumbing and heating contractors) is not deemed to be engaged in the business of plumbing, heating, or fire sprinkler contracting.

Amends GS 87-26 (corporations; partnerships; persons doing business under trade name) to add that nothing in the statute limits the ability of a licensee under Article 2 (plumbing and heating contractors) who is regularly employed by a local board of education to maintain an individual license or to contract or perform work during the hours the licensee is off-duty.

Amends GS 115C-524 to allow local boards of education to employ personnel who are licensed to perform maintenance and repairs on school property for plumbing, heating, and fire sprinklers.

Intro. by Bingham.

GS 87, GS 115C

[View summary](#)

Business and Commerce, Occupational Licensing, Education, Elementary and Secondary Education

S 159 (2015-2016) **TRANSFERRED PROPERTIES IN CORRECTED REVALS**. Filed Mar 3 2015, *AN ACT TO REQUIRE PAYMENT OF ADDITIONAL TAXES BY THE APPROPRIATE OWNERS OF RECORD FOR CORRECTED REVALUATIONS*.

Amends Section 3 of SL 2013-362 (correcting general reappraisals resulting in property values that do not comply with the requirements of North Carolina law by setting forth the steps required to bring the general reappraisal into compliance with the applicable property tax mandates) as follows. Amends the way that additional taxes levied on

parcels as a result of errors causing the parcels to have an understated value are treated as follows. Requires in instances of parcels that have not been transferred in any tax year for which errors requiring reappraisal under the act resulted in an underpayment of taxes that the taxes be treated as taxes on discovered property. Requires in instances of parcels that have been transferred in a tax year for which errors requiring reappraisal under the act resulted in an underpayment of taxes that the taxes for each tax year before and in the fiscal year in which the transfer occurred be collected using only the remedies in GS 105-367 (procedure for levy) and GS 105-368 (procedure for attachment and garnishment) against the owner of record as of January 1 of each tax year for which taxes are unpaid. Provides that there is no lien on the property for underpaid taxes arising in a year in which the property is owned by a person other than the current owner as of January 1 of that year, and the current owner is not held personally responsible for the underpaid taxes. Underpaid taxes are to be treated as taxes on undiscovered property.

Intro. by Tarte, Rucho.

UNCODIFIED

[View summary](#)

Development, Land Use and Housing, Property and Housing, Government, Tax

S 160 (2015-2016) **ENHANCE SAFETY & COMMERCE FOR PORTS/INLETS**. Filed Mar 3 2015, *AN ACT TO ALLOW THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO WAIVE THE NON-STATE COST-SHARE REQUIREMENT FOR DREDGING PROJECTS INTENDED TO ALLEVIATE NAVIGATIONAL EMERGENCIES; TO MAKE OTHER CLARIFYING CHANGES TO THE SHALLOW DRAFT NAVIGATION CHANNEL DREDGING AND LAKE MAINTENANCE FUND; TO CREATE AND PROVIDE FUNDING FOR THE DEEP DRAFT NAVIGATION CHANNEL DREDGING AND MAINTENANCE FUND; AND TO AUTHORIZE THE SECRETARY OF ADMINISTRATION TO ACQUIRE FEDERAL LAND FOR THE MAINTENANCE OF DEEP DRAFT NAVIGATIONAL ACCESS TO THE PORT OF MOREHEAD CITY.*

Amends GS 143-215.73F, concerning the Shallow Draft Navigation Channel Dredging and Lake Maintenance Fund (Fund) as follows. Adds that interest and other investment income earned by the Fund accrues to it, and that the Fund also consists of monies contributed by a non-state entity designated for a particular dredging project or group of projects, in addition to the fees credited to it under specified statutes. Makes conforming changes. Provides that for any project funded by the Fund from fees that must be cost-shared with non-state dollars on a one-to-one basis, the non-state cost share may also be provided by monies contributed to the Fund by a non-state entity. Allows the Secretary of Environment and Natural Resources to waive or modify the non-state cost share requirement for dredging projects that alleviate a navigational emergency or represent an opportunity to supplement or leverage United States Army Corps of Engineers (Corps) funding. Allows non-state entities that contribute to the Fund for a particular project or group of projects to make a written request to the Secretary that the contribution be returned if the contribution has not been spent or encumbered within two years of the Fund's receipt of the contribution. Requires the Secretary to return the funds, if the written request is made before the funds are spent or encumbered, within 30 days after the later of receiving the request or the expiration of the two-year period. Requires the Secretary to report any waivers or modifications of the cost-share requirement within 30 days of issuance to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division. Requires the report to include an explanation of the factors that are the basis for the waiver or modification decision. Adds terms to the definitions section, including *costs associated with a dredging project* and *navigational emergency*.

Amends Chapter 449 of the 1985 Session Laws, as amended, to allow the Dare County Board of Commissioners to, by resolution, designate the use of some or all of the proceeds from the occupancy taxes authorized in the act for contributions to the Shallow Draft Navigation Channel Dredging and Lake Maintenance Fund, to be used for the non-state share of costs associated with dredging shallow draft navigation channels.

Enacts new Part 8C in Article 21 of GS Chapter 143. Enacts new GS 143-215.73G establishing the Deep Draft Navigation Channel Dredging and Maintenance Fund (Deep Draft Fund) as a special revenue fund, with interest and

other investment income earned by the Deep Draft Fund accruing to it. Provides that the Deep Draft Fund is made up of General Fund appropriations; gifts or grants, including monies contributed by a non-State entity for a particular dredging project or group of projects; and any other revenues specifically allocated by an act of the General Assembly. Limits use of the Deep Draft Fund to costs associated with projects providing safe and efficient navigational access to a state port, related surveys or studies, and the costs of disposal of dredged material. Requires state funds credited to the Deep Draft Fund to be cost-shared on a one-to-one basis with funds provided by the State Ports Authority. Allows funds contributed by a non-state entity to be used to provide the required cost share. Allows the Secretary to waive or modify the cost-share requirement for any project that supplements Corps funding for a study authorized by the Corps related to navigational access to a state port, based on availability of alternate funding sources. Also allows the Secretary to waive or modify the non-state cost-share requirement for dredging projects or federally authorized studies of deep draft access to state ports that represent an opportunity to supplement or leverage Corps funding that would be lost if a cost-share was required, or alleviate shoaling or other navigational hazards that pose a negative impact on safety or commerce within a state port. Requires the Secretary to return the funds, if the written request is made before the funds are spent or encumbered, within 30 days after the later of receiving the request or the expiration of the two-year period. Requires the Secretary to report any waivers or modifications of the cost-share requirement within 30 days of issuance to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division. Requires the report to include an explanation of the factors that are the basis for the waiver or modification decision. Defines terms used in the Part.

Amends Section 6.1 of SL 2013-360, as amended, to require that, of the funds appropriated to the Contingency and Emergency Fund for the 2014-15 fiscal year, \$1.7 million must be transferred to the Shallow Draft Navigation Channel Dredging and Lake Maintenance Fund, and \$800,000 must be transferred to the Deep Draft Navigation Channel Dredging and Maintenance Fund. Requires any funds remaining in the Contingency and Emergency Fund at the end of the 2013-15 biennium to be transferred to the Deep Draft Navigation Channel Dredging and Maintenance Fund. Makes a conforming change to GS 143C-4-4.

Requires the State Ports Authority to negotiate with the Corps a memorandum of agreement allowing for nonfederal funding of dredging and related studies or maintenance at the state ports in Wilmington and Morehead City for as long a term as possible.

Requires the Division of Water Resources of the Department of Environment and Natural Resources to negotiate a memorandum of agreement with the Corps allowing for nonfederal funding of dredging of Oregon Inlet, for as long a term as possible.

Requires the Department of Administration to initiate negotiations with the appropriate federal agency for an agreement to acquire the federally owned property necessary for managing deep draft navigation channels providing access to state port facilities at Morehead City from the federal government in exchange for state-owned real property. Gives the Secretary of the Department of Administration authority to negotiate the terms of the acquisition agreement. Sets out required terms of the agreement. Requires the Attorney General, within 30 days of the acquisition becoming effective, to execute any documents or deeds necessary to effectuate the acquisition. Requires the Secretary of the Department of Administration to report, within 30 days after an agreement is entered into, to the Joint Legislative Commission on Governmental Operations on the terms of the agreement.

Intro. by Lee, Brown, Cook.

[GS 143, GS 143C](#)

[View summary](#)

[Government, State Agencies, Department of Administration, Department of Environment and Natural Resources, Transportation](#)

GOVERNING SESSIONS OF THE SUPREME COURT TO AUTHORIZE SESSIONS TO BE HELD IN MORGANTON.

Amends GS 7A-10 to allow the Supreme Court to, by rule, hold sessions no more than twice annually in Morganton.
Requires meeting in the Old Burke County Courthouse, unless a more suitable site is identified.

Intro. by Daniel.

[GS 7A](#)

[View summary](#)

[Courts/Judiciary, Court System](#)

S 162 (2015-2016) [HONOR DAN SIMPSON, FORMER MEMBER](#). Filed Mar 3 2015, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF DANIEL REID SIMPSON, FORMER MEMBER OF THE GENERAL ASSEMBLY.*

As the title indicates.

Intro. by Daniel.

[JOINT RES](#)

[View summary](#)

[Government, Cultural Resources and Museums, General Assembly](#)

S 164 (2015-2016) [ASSIST INMATE REENTRY/WAIVED FEES](#). Filed Mar 3 2015, *AN ACT TO FACILITATE REENTRY FOR INMATES BEING RELEASED FROM THE STATE PRISON SYSTEM BY WAIVING THE FEES FOR DRIVERS LICENSES, DUPLICATE DRIVERS LICENSES, LEARNER'S PERMITS, SPECIAL IDENTIFICATION CARDS, AND BIRTH CERTIFICATES AND BY REQUIRING THE DIVISION OF ADULT CORRECTION TO ASSIST INMATES IN ACQUIRING THESE NECESSARY ITEMS PRIOR TO THEIR RELEASE.*

Enacts new GS 148-10.5, Facilitation of inmates' reentry upon release, providing that the Division of Adult Correction must assist each inmate who is within six months of release from custody in applying for (1) a Social Security card; (2) a driver's license, duplicate drivers license, learner's permit, or special identification card; and (3) a certified copy of the inmate's birth certificate for any inmate born in North Carolina and assist those not born in North Carolina in applying for one from the appropriate state agency. Such assistance must include assistance in acquiring records or documentation needed to obtain the above credentials.

Amends GS 20-7(i) (fees for drivers licenses, motorcycle endorsement), GS 20-7(l) (fees for learner's permit), GS 20-14 (duplicate licenses), GS 20-37.7(d) (special identification cards), and GS 130A-93.1 (State Registrar vital records fees), providing that the fees found in those subsections cannot be charged to an applicant that is an inmate in the NC prison system and is seeking to obtain the document with the assistance of the Division of Adult Correction.

Effective July 1, 2015.

Intro. by Robinson.

[GS 20, GS 130A, GS 148](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Court System, Criminal Justice, Corrections \(Sentencing/Probation\), Transportation](#)

H 130 (2015-2016) [DAVIE COUNTY/FOOD FOR DETENTION FACILITIES](#). Filed Mar 3 2015, *AN ACT AUTHORIZING THE DAVIE COUNTY SHERIFF'S OFFICE TO CONTRACT WITH THE DAVIE COUNTY BOARD OF EDUCATION FOR THE PROVISION OF MEALS TO INMATES IN THE DAVIE COUNTY DETENTION FACILITY.*

Allows the Davie County Sheriff's Office to enter into a contract with the Davie County Board of Education allowing the school cafeteria of one or more of the county's public schools to provide meals for inmates in the county's detention facility. Requires the meals to meet specified standards and exempts the contract from Article 8 (Public Contracts) of GS Chapter 143. Prohibits using state funds to purchase food or other items for preparing or providing food under the contract.

Intro. by Howard.

[Davie](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Education](#)

H 131 (2015-2016) [TOWN OF MAGGIE VALLEY/DEANNEXATION](#). Filed Mar 3 2015, *AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF MAGGIE VALLEY.*

Removes specified property from the corporate limits of the town of Maggie Valley.

Provides that the provisions of this bill have no effect in regards to the validity of any liens of the town of Maggie Valley for ad valorem taxes or special assessments which were outstanding prior to the effective date of this bill.

Provides that such liens can be collected or foreclosed after the effective date as if the specified property is still within the corporate limits.

Effective July 1, 2015.

Intro. by Presnell.

[Haywood](#)

[View summary](#)

H 139 (2015-2016) [GUN ON PRIVATE SCHOOL PROP/FORSYTH COUNTY](#). Filed Mar 3 2015, *AN ACT TO PROVIDE THAT AN EXECUTIVE HEAD AT ANY PRIVATE SCHOOL FUNDED EXCLUSIVELY WITH PRIVATE FUNDS AND LOCATED IN FORSYTH COUNTY MAY ADOPT A SCHOOL POLICY TO ALLOW CERTAIN SCHOOL EMPLOYEES TO POSSESS AND CARRY A HANDGUN ON THE EDUCATIONAL PROPERTY OF THE PRIVATE SCHOOL.*

Allows the executive head of any private school that is funded exclusively with private funds to adopt a school policy allowing an adult employee who has a concealed handgun permit to possess and carry a handgun on the educational property that is owned, used, or operated by the private school. Also allows the executive head of the private school to establish additional criteria that must be satisfied before an employee may possess and carry a handgun on the private school's educational property and adopt policies and rules regulating the possession and carrying of the handgun while the employee is on the private school's educational property. Allows an adult private school employee to possess and carry a handgun on the educational property of a private school, pursuant to the above provisions, if the employee: (1) has a concealed handgun permit issued in accordance with Article 54B of GS Chapter 14 or that is considered valid under GS 14-415.24; (2) is in compliance with any additional criteria, policies, and rules adopted by the executive head of the private school; and (3) is on the private school's educational property.

Applies only to Forsyth County.

Effective December 1, 2015.

Intro. by Conrad, Lambeth.

Forsyth

[View summary](#)

Education, Elementary and Secondary Education

H 143 (2015-2016) **CHARLOTTE/CIVIL SERVICE BOARD**. Filed Mar 3 2015, *AN ACT AMENDING THE CHARTER OF THE CITY OF CHARLOTTE TO INCREASE THE NUMBER OF MEMBERS ON THE CIVIL SERVICE BOARD FROM SEVEN TO NINE*.

Amends Section 4.61 of Article III of Chapter 4 of the Charter of the City of Charlotte (SL 2000-26, as amended by SL 2006-124) to increase the number of members of the Civil Service Board for the City of Charlotte (Board).

Amends subsection (a) of Section 4.61 to increase the number of members on the Board to nine (was, seven). Increases the number of members appointed to the Board by the Charlotte City Council (Council) to six (was, four) and maintains that three members are appointed by the mayor. Provides that five members constitute a quorum (was, any combination of three Board members or alternate members made a quorum).

Enacts a new subsection (a1) that provides, regardless of the provisions of subsection (a), as amended in this act, the Council may at its discretion increase the number of Board members from nine to eleven, with seven members appointed by the Council and four members appointed by the mayor. Provides that a quorum for the eleven-member Board would consist of six members. Authorizes the Council to decrease, at its discretion, the number of Board members from the eleven authorized in subsection (a1) to the nine members as appointed in subsection (a).

Amends subsection (j), regarding appeal hearings for civil service employees for termination or suspension, to require that the hearing panels consist of the specified number of Board members (was, permitted a hearing panel to include a combination of Board members or alternate members).

Intro. by Cunningham, Cotham.

Mecklenburg

[View summary](#)

H 149 (2015-2016) **SCHOOL CALENDAR FLEX./ORANGE COUNTY**. Filed Mar 3 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE ORANGE 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 Orange County school administrative unit beginning with the 2015-16 school year.

Intro. by Meyer, Insko.

Orange

[View summary](#)

Education, Elementary and Secondary Education

H 150 (2015-2016) [SCHOOL CALENDAR FLEX./CHAPEL HILL-CARRBORO](#). Filed Mar 3 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE CHAPEL HILL-CARRBORO 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 Chapel Hill-Carrboro school administrative unit beginning with the 2015-16 school year.

Intro. by Meyer, Insko.

[Orange](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

LOCAL/SENATE BILLS

S 139 (2015-2016) [TOWN OF SYLVA/PARKING ORDINANCES](#). Filed Mar 3 2015, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF SYLVA TO AUTHORIZE THE TOWN TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING*.

Amends the charter of the town of Sylva to provide for certain parking ordinances to be approved by the board of commissioners, including establishing that each hour a vehicle remains illegally parked in an on-street parking space is a separate offense for which the violator can receive a ticket. Further provides for an ordinance requiring that any vehicle that has been towed for a parking violation must be held until all towing fees and penalties related to all outstanding parking tickets and parking penalties are paid in full to the town or a bond is posted for that same amount. Provides that such payment does not waive a person's right to contest the towing, tickets, or penalties. Authorizes ordinances to be passed that allow for the use of wheel locks on vehicles that are parked in a public vehicular area for which there is one or more outstanding, unpaid, or overdue parking tickets for a period of 90 days. Requires the wheel-lock ordinance to provide for a notice or warning to be affixed to the vehicle, allows a fee of up to \$50, and allows other specified actions.

Intro. by J. Davis.

[Jackson](#)

[View summary](#)

[Transportation](#)

S 140 (2015-2016) [LAKE SANTEETLAH OCCUPANCY TAX AUTHORIZATION](#). Filed Mar 3 2015, *AN ACT TO AUTHORIZE THE TOWN OF LAKE SANTEETLAH TO LEVY AN OCCUPANCY TAX*.

Authorizes the Lake Santeetlah Town Council to levy a room occupancy tax of up to 3 percent. Provides that the tax must be levied, administered, collected, and repealed as provided in GS 160A-215 (uniform provisions for room occupancy taxes). Requires the Lake Santeetlah Tourism Development Authority (TDA) to be created and requires the TDA to use at least two-thirds of the occupancy tax proceeds to promote travel and tourism in the town and the remainder for tourism-related expenditures. Mandates that at least one-third of the members of the TDA be affiliated with businesses that collect the tax in the town and at least one-half must be currently active in the town's travel and

tourism promotion. Makes conforming changes to GS 160A-215.

Intro. by J. Davis.

[Graham](#)

[View summary](#)

[Government, Tax](#)

S 141 (2015-2016) [WAYNESVILLE ANNEXATION/REFERENDUM](#). Filed Mar 3 2015, *AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF WAYNESVILLE, SUBJECT TO A REFERENDUM.*

Provides for the annexation of specified property to be added to the corporate limits of the Town of Waynesville, upon approval by the qualified voters of Waynesville as well as the qualified voters of the area proposed for addition to the corporate limits. Provides that the referendum will be conducted by the Haywood County Board of Elections on November 3, 2015. The question presented will be: for or against the extension of the corporate limits of the Town of Waynesville by the annexation of the area known as Lake Junaluska Assembly.

Provides that if a majority of votes cast in both Waynesville and Lake Junaluska Assembly are in favor of the question, then the annexation will be effective on June 30, 2016.

Intro. by J. Davis.

[Haywood](#)

[View summary](#)

S 142 (2015-2016) [CUMBERLAND COUNTY CIVIC CENTER COMMISSION](#). Filed Mar 3 2015, *AN ACT TO REDUCE THE NUMBER OF MEMBERS SERVING ON THE CUMBERLAND COUNTY CIVIC CENTER COMMISSION.*

Amends Section 1 of Chapter 360 of the 1965 Session Laws regarding membership of the Cumberland County Civic Center Commission (Commission), providing the Commission will consist of 10 members (was, 16) with 9 members (was, 15) being required to be residents of Cumberland County. Makes conforming changes. Establishes that terms will be three-year, staggered terms until their successors are appointed for like terms (previously, the first five members were appointed for a term of one year, the next five for a term of two years, and the last five for a term of three years). Provides that the attendance of five members constitutes a quorum. Makes technical and conforming changes.

Provides that the provisions of the act do not affect the terms of the following Commission members or their successors who are holding office on the date this act becomes effective: Edith Bigler, Judy Dawkins, McBryde Grannis, Thaddeus T. Jenkins, Mark Lynch, William Tew Jr., Elizabeth Varnedoe, Nat Robertson, and Robert C. Williams.

Intro. by Meredith, Clark.

[Cumberland](#)

[View summary](#)

S 143 (2015-2016) [REVISE LAWS/CUMBERLAND COUNTY](#). Filed Mar 3 2015, *AN ACT TO REVISE THE LAWS AFFECTING CUMBERLAND COUNTY.*

Blank bill.

Intro. by Meredith.

[Cumberland](#)

[View summary](#)

S 145 (2015-2016) [21ST SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 3 2015, *AN ACT RELATING TO THE 21ST SENATORIAL DISTRICT.*

Blank bill.

Intro. by Clark.

[Cumberland, Hoke](#)

[View summary](#)

S 146 (2015-2016) [49TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 3 2015, *AN ACT RELATING TO THE 49TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Van Duyn.

[Buncombe](#)

[View summary](#)

S 149 (2015-2016) [18TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 3 2015, *AN ACT RELATING TO THE 18TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Barefoot.

[Franklin, Wake](#)

[View summary](#)

S 150 (2015-2016) [44TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 3 2015, *AN ACT RELATING TO THE 44TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Curtis.

[Gaston, Iredell, Lincoln](#)

[View summary](#)

S 151 (2015-2016) [27TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 3 2015, *AN ACT RELATING TO THE 27TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Wade.

Guilford

[View summary](#)

S 153 (2015-2016) [45TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 3 2015, *AN ACT RELATING TO THE 45TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Soucek.

Alleghany, Ashe, Avery, Caldwell, Watauga

[View summary](#)

S 156 (2015-2016) [MT. GILEAD CHARTER REVISION & CONSOLIDATION](#). Filed Mar 3 2015, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MOUNT GILEAD.*

Identical to [H 11](#), filed January 28, 2015.

As title indicates, revises the Town of Mount Gilead's charter and consolidates certain local acts related to town property, affairs, and government. Makes conforming repeals of specified session laws.

Intro. by Bingham.

Montgomery

[View summary](#)

S 163 (2015-2016) [28TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 3 2015, *AN ACT RELATING TO THE 28TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Robinson.

Guilford

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

[H 5: MILITARY VETERANS SPECIAL PLATE.](#)

House: Reptd Fav

House: Re-ref Com On Finance

[H 6: AUTOCYCLE DEFINITION AND REGULATION.](#)

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 15: YEAR-ROUND FUNDS FOR CC UGETC.

House: Reptd Fav

House: Re-ref Com On Appropriations

H 47: YOUTH CAREER CONNECT.

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 117: NC COMPETES ACT.

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/04/2015

H 122: ADD COUNTIES/TOWNS TO STATE HEALTH PLAN.

House: Passed 1st Reading

House: Ref to the Com on State Personnel, if favorable, Appropriations

H 123: LEGISLATORS SPEND TIME IN SCHOOLS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 124: ELIMINATE SECOND PRIMARIES.

House: Passed 1st Reading

House: Ref to the Com on Elections, if favorable, Rules, Calendar, and Operations of the House

H 125: AMEND CONSTITUTION/CITIZENS UNITED.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 126: MORTGAGE ORIGATION SUPPORT REGISTRATION.

House: Passed 1st Reading

House: Ref to the Com on Banking, if favorable, Finance

H 127: DOT CONDEMNATION CHANGES.

House: Passed 1st Reading

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

H 128: REFERENDUM FOR CERTAIN LOCAL DEBT.

House: Filed

H 129: HIGH ACHIEVING TUITION SCHOLARSHIPS.

House: Filed

H 132: RESCIND CONSTITUTIONAL CONVENTION CALLS.

House: Filed

H 133: MODIFY SPECIAL EDUCATION SCHOLARSHIPS.

House: Filed

H 134: SOLICITING PROSTITUTION/IMMUNITY FOR MINORS.

House: Filed

H 135: MODERNIZE PHYSICAL THERAPY PRACTICE.

House: Filed

H 136: SPEED LIMIT/HIGHWAY WORK ZONE.

House: Filed

H 137: SCHOOL CALENDAR FLEXIBILITY.

House: Filed

H 138: ARTS EDUCATION REQUIREMENT.

House: Filed

H 140: LINEMAN APPRECIATION DAY IN NC.

House: Filed

H 141: STORMWATER/FLOOD CONTROL ACTIVITIES.

House: Filed

H 142: REQUIRE SAFETY HELMETS / UNDER 21.

House: Filed

H 144: APPROPRIATIONS 2015.

House: Filed

H 145: PRESERVE FEDERAL COMM. HEALTH CTR FUNDS.

House: Filed

H 146: AMEND ADVANCE HEALTH CARE DIRECTIVES LAWS.

House: Filed

H 147: UPDATE FIRE AND RESCUE COMM'N. MEMBERSHIP.

House: Filed

H 148: INSURANCE AND SAFETY INSPECTION/MOPEDS.

House: Filed

H 151: PROPERTY INSURANCE RATEMAKING REFORM.

House: Filed

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

House: Amend Failed A3

House: Amend Adopted A5

House: Passed 3rd Reading

House: Ordered Engrossed

S 19: REVENUE LAWS TECHNICAL CHANGES.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

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

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/04/2015

S 136: CHARTER SCHOOL IN STATE HEALTH PLAN.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 138: PROFESSIONAL CORPORATIONS/ENGINEERS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 144: REQUIRE SAFETY HELMETS / UNDER 21.

Senate: Filed

S 147: EQUAL RIGHTS AMENDMENT.

Senate: Filed

S 148: AMEND SENATE UNC BOG ELECTION.

Senate: Filed

Senate: Passed 1st Reading

Senate: RefTo Com On Select Committee on UNC Board of Governors

S 152: SALES TAX EXEMPTION-AGRICULTURAL FAIRS.

Senate: Filed

S 154: CLARIFYING THE GOOD SAMARITAN LAW.

Senate: Filed

S 155: REDUCE PUV ENTRY TIME FOR FARMLAND.

Senate: Filed

S 157: ENHANCE PATIENT SAFETY IN OPERATING ROOMS.

Senate: Filed

S 158: OCC. LIC./SCHOOL MAINTENANCE PLUMBING LICENSE.

Senate: Filed

S 159: TRANSFERRED PROPERTIES IN CORRECTED REVALS.

Senate: Filed

S 160: ENHANCE SAFETY & COMMERCE FOR PORTS/INLETS.

Senate: Filed

S 161: SUPREME COURT SESSIONS IN MORGANTON.

Senate: Filed

S 162: HONOR DAN SIMPSON, FORMER MEMBER.

Senate: Filed

S 164: ASSIST INMATE REENTRY/WAIVED FEES.

Senate: Filed

LOCAL BILLS

H 130: DAVIE COUNTY/FOOD FOR DETENTION FACILITIES.

House: Filed

H 131: TOWN OF MAGGIE VALLEY/DEANNEXATION.

House: Filed

H 139: GUN ON PRIVATE SCHOOL PROP/FORSYTH COUNTY.

House: Filed

H 143: CHARLOTTE/CIVIL SERVICE BOARD.

House: Filed

H 149: SCHOOL CALENDAR FLEX./ORANGE COUNTY.

House: Filed

H 150: SCHOOL CALENDAR FLEX./CHAPEL HILL-CARRBORO.

House: Filed

S 131: 2ND SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 132: CARTERET FOX TRAPPING.

Senate: Passed 1st Reading

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

S 133: 48TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 134: 29TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 135: 7TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 137: CHARLOTTE FIREFIGHTERS' RETIREMENT.

Senate: Passed 1st Reading

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

S 139: TOWN OF SYLVA/PARKING ORDINANCES.

Senate: Filed

S 140: LAKE SANTEETLAH OCCUPANCY TAX AUTHORIZATION.

Senate: Filed

S 141: WAYNESVILLE ANNEXATION/REFERENDUM.

Senate: Filed

S 142: CUMBERLAND COUNTY CIVIC CENTER COMMISSION.

Senate: Filed

S 143: REVISE LAWS/CUMBERLAND COUNTY.

Senate: Filed

S 145: 21ST SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 146: 49TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 149: 18TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 150: 44TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 151: 27TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 153: 45TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 156: MT. GILEAD CHARTER REVISION & CONSOLIDATION.

Senate: Filed

S 163: 28TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

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