

The Daily Bulletin: Thursday, March 12, 2015

PUBLIC/HOUSE BILLS

H 7 (2015-2016) [AMEND FIREARM RESTORATION LAW](#). Filed Jan 28 2015, *AN ACT TO RESTORE THE FIREARMS RIGHTS OF CERTAIN PERSONS WHO WERE CONVICTED OF NONVIOLENT FELONIES BEFORE DECEMBER 1, 1995, AND WHOSE FIREARMS RIGHTS HAD BEEN RESTORED BEFORE DECEMBER 1, 1995.*

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

Intro. by Speciale.

GS 14

[View summary](#)

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

H 225 (2015-2016) [COLLECT DNA FOR ALL FELONY ARRESTS](#). Filed Mar 12 2015, *AN ACT TO REQUIRE THAT A DNA SAMPLE AND TESTING BE OBTAINED FROM ANY PERSON ARRESTED FOR COMMITTING ANY FELONY OFFENSE IN THIS STATE.*

Amends GS 15A-266.3A(f), offenses for which DNA samples and testing must be obtained, deleting various felony offenses from the list and adding language that requires DNA samples testing to be obtained for any felony offense. Provides that it is also required for any misdemeanor offense which would require registration under the Sex Offender and Public Protection Registration Programs (Programs) (previously, stated any offense under the Programs). Also adds the following offenses to the list: GS 14-43.12, failure of a party to a labor contract to report involuntary servitude; 14-27.5A, sexual battery; 14-27.7, intercourse and sexual offenses with certain victims (school personnel less than 4 years older than the victim); and 14-40, enticing minors out of the State for the purpose of employment.

Effective October 1, 2016, applying to offenses committed on or after that date.

Intro. by Conrad, Stam.

GS 15A

[View summary](#)

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

H 227 (2015-2016) [BROADEN SALES TAX EXEMPTION FOR FARMERS](#). Filed Mar 12 2015, *AN ACT TO LOWER THE INCOME REQUIREMENT FOR QUALIFYING FARMERS FOR PURPOSES OF THE SALES TAX EXEMPTION FOR FARMERS.*

Amends GS 105-164.13E to lower the amount of income from farming operations (from \$10,000 to \$5,000) that is required in order for farmers to qualify for the sales tax exemption. Applies to sales made on or after July 1, 2015.

Intro. by Holloway, Whitmire, Riddell.

GS 105

[View summary](#)

[Agriculture, Government, Tax](#)

H 228 (2015-2016) [ASST. PRINCIPAL/PRINCIPAL SALARIES](#). Filed Mar 12 2015, *AN ACT TO PROVIDE THAT AN ASSISTANT PRINCIPAL WHO BECOMES A PRINCIPAL SHALL RECEIVE AT LEAST THE SAME PAY AS WHEN EMPLOYED AS AN ASSISTANT PRINCIPAL IN THE LOCAL SCHOOL ADMINISTRATIVE UNIT.*

Amends GS 115C-285 as the title indicates. Applies to all assistant principals who become initially employed as principals on or after July 1, 2015.

Intro. by Holloway, Elmore, Whitmire.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 229 (2015-2016) [MODIFY RELIGIOUS PROPERTY EXEMPTION](#). Filed Mar 12 2015, *AN ACT TO MODIFY THE EXEMPTION FOR REAL PROPERTY USED FOR RELIGIOUS PURPOSES.*

Amends GS 105-278.3, concerning tax exemptions for real and personal property used for religious purposes, making technical and organizational changes. Adds new language that provides that real property does not need to meet the requirement that it be exclusively used for religious purposes in order to be exempt from taxation if (i) it is under construction, (ii) it is intended to be wholly and exclusively used by its owner for religious purposes upon completion, and (iii) it is located on property that meets the requirements of GS 105-278.3(a). Provides that real property is considered to be under construction until 90 days after a certificate of occupancy is issued.

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

Intro. by McNeill, Shepard, Riddell, Pierce.

[GS 105](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Tax](#)

H 230 (2015-2016) [UP MINIMUM WAGE WITH COLA/CONST. AMENDMENT](#). Filed Mar 12 2015, *AN ACT AMENDING THE NORTH CAROLINA CONSTITUTION TO SET THE STATE MINIMUM WAGE.*

Subject to the approval of voters at a statewide general election held on November 8, 2016, enacts new Section 38 of Article I of the state constitution to set the minimum wage six months after enactment at \$8.80 an hour. Provides for automatic adjustment to be made to the hourly wage amount by the NC Department of Labor on September 30 of each year, to take effect on January 1 of the following year. The adjusted wage will be calculated using the Consumer Price Index. Provides for protection from discrimination for the exercise of any rights protected by this amendment. Provides for a civil action for people aggrieved by violations of this amendment, with specified relief, damages, and penalties. Provides that legislation is not required to enforce these provisions but is permissible. Allows the General Assembly to establish additional remedies and fines for violations. Includes a severability clause. If approved by voters, the amendment becomes effective December 1, 2016.

Amends GS 95-25.3, Minimum wage, making conforming changes reflecting the above constitutional amendment if the constitutional amendment is approved.

Intro. by Farmer-Butterfield, L. Hall, Fisher, Cunningham.

[CONST, GS 95](#)

H 232 (2015-2016) [STUDY/UPDATE BICYCLE SAFETY LAWS](#). Filed Mar 12 2015, *AN ACT TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO STUDY THE BICYCLE SAFETY LAWS IN THIS STATE AND MAKE RECOMMENDATIONS AS TO HOW THE LAWS MAY BE REVISED TO BETTER ENSURE THE SAFETY OF BICYCLISTS AND MOTORISTS ON THE ROADWAYS.*

Requires the Department of Transportation (DOT) to study the state's bicycle safety laws, focusing on any statutory revisions that are needed to better ensure the safety of bicyclists and motorists. Specifies items that DOT must consider. Requires DOT to convene a working group of interested parties, limited to 12 members. Specifies interest groups that must be included in the working group. Requires DOT to report to the Joint Legislative Transportation Oversight Committee on or before December 31, 2015.

Intro. by Whitmire, Shepard, Jeter.

[STUDY](#)

[View summary](#)

Government, State Agencies, Department of Transportation, Transportation

H 233 (2015-2016) [EVIDENCE PASSED VEHICLE IS A SCHOOL BUS](#). Filed Mar 12 2015, *AN ACT TO PROVIDE ADDITIONAL METHODS FOR PROVING THAT A STOPPED VEHICLE PASSED BY ANOTHER MOTOR VEHICLE IS A "SCHOOL BUS" SUBJECT TO THE PROVISIONS OF G.S. 20-217, AND TO PROVIDE GRANTS FOR THE PURCHASE AND INSTALLATION OF AUTOMATED CAMERA AND VIDEO RECORDING SYSTEMS ON SCHOOL BUSES.*

Amends GS 20-217(b) to include criteria that are considered prima facie evidence that a vehicle was a school bus at the time of a violation of GS 20-217(a), passing a stopped school bus. This criteria includes (1) a certified copy of a record from the DMV showing the vehicle was registered as a school bus at the time of the violation and (2) testimony from the school bus driver, a passenger on the school bus, or the law enforcement officer investigating the violation. Deletes language that stated that the provisions of the statute only applied if the school bus had a plainly visible sign with the words "school bus" on the front and back of the bus.

Appropriates \$700,000, from the General Fund to the Department of Public Instruction in nonrecurring funds for the 2015-16 fiscal year to provide grants to local boards of education for the purpose of purchasing and installing automated camera and video recording systems on school buses. Requires the Department of Public Instruction to develop a policy to prioritize the allocation of funds. Requires money received as a grant to be matched on the basis of \$1 in grant funds for every \$2 in nongrant funds. Matching funds cannot be other state funds. Requires evidence of matching funds before a grant can be provided. Requires the Department of Public Instruction to develop guidelines and procedures for the administration and distribution of grants. Effective July 1, 2015.

Unless otherwise noted above, effective October 1, 2015, applying to offenses committed on or after that date.

Intro. by Lambeth, Hanes.

[APPROP, GS 20](#)

[View summary](#)

Government, Budget/Appropriations, Transportation

S 273 (2015-2016) [MOTOR VEHICLE TAX: WAIVE PENALTIES/INTEREST](#). Filed Mar 12 2015, *AN ACT TO AUTHORIZE FLEXIBILITY IN WAIVING PENALTIES AND INTEREST FOR MOTOR VEHICLE TAXES FOR TAX YEARS PRIOR TO JULY 1, 2013*.

Enacts new GS 105-330.4(e) to provide that governing boards of a county can reduce or waive any interest or penalties for delinquent motor vehicle taxes for registered classified motor vehicles, for tax years prior to July 1, 2013. Requires a record of reasons for making the reduction or waiver.

Intro. by D. Davis, Pate.

[GS 105](#)

[View summary](#)

[Government, Tax, Transportation](#)

S 274 (2015-2016) [LAW ENFORCEMENT/APPOINTED OFFICES](#). Filed Mar 12 2015, *AN ACT TO ALLOW STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO AUTHORIZE ANY PERSON WHO HOLDS AN APPOINTED OFFICE WITH A STATE OR LOCAL LAW ENFORCEMENT AGENCY TO HOLD CONCURRENTLY NO MORE THAN TWO ADDITIONAL APPOINTIVE OFFICES WITH ANOTHER AGENCY AND TO MAKE OTHER CONFORMING CHANGES*.

Amends GS 128-1.1(a) to add subsection (a1) providing discretion, notwithstanding subsection (a), to state or local law enforcement to authorize any person who holds an appointive office in a state or local law enforcement agency to hold concurrently no more than two additional appointive offices with another agency.

Amends GS 160A-284 requiring compliance with GS 128-1.1 in addition to Article VI, Sec. 9, of the Constitution for the oath of office and offices held concurrently by certain law enforcement officers.

Intro. by D. Davis.

[GS 128, GS 160](#)

[View summary](#)

[Government, Public Safety](#)

S 275 (2015-2016) [REENACT EITC](#). Filed Mar 12 2015, *AN ACT TO REENACT THE EARNED INCOME TAX CREDIT*.

Identical to [H 27](#), filed 1/28/15.

Re-enacts GS 105-151.31, the "Earned Income Tax Credit," as it existed immediately before its expiration. Requires an individual who is a nonresident or part-year resident who claims the credit under this statute to reduce the amount of the credit by multiplying it by the appropriate fraction: (1) for the 2015 taxable year the percentage is 2.5% and (2) for all other taxable years, the percentage is 5%.

Provides that this statute is repealed for taxable years beginning on or after January 1, 2019.

Effective for taxable years beginning on or after January 1, 2015.

Intro. by D. Davis, J. Jackson.

[GS 105](#)

[View summary](#)

[Government, Tax](#)

S 276 (2015-2016) [BEREAVEMENT LEAVE/STATE AND SCHOOL EMPLOYEES](#). Filed Mar 12 2015, *AN ACT TO PROVIDE FOR BEREAVEMENT LEAVE FOR STATE EMPLOYEES AND PUBLIC SCHOOL EMPLOYEES*.

Enacts new GS 126-8.6 (concerning state employees) and new GS 115C-336.2 (concerning public school employees) to provide three days of paid bereavement leave upon the death of an immediate family member. Defines immediate family member as (1) spouse, child, parent, sibling, grandparent, and grandchild and corresponding step, half, or in-laws or (2) any person living in the employee's home for whom the employee may claim a tax deduction. Prohibits accumulating the leave or using the leave for creditable service toward retirement.

Requires the Office of State Personnel and the State Board of Education to adopt rules necessary to implement the act.

Effective July 1, 2015.

Intro. by D. Davis.

[GS 115C, GS 126](#)

[View summary](#)

[Education, Government, State Agencies, State Board of Education, State Government, State Personnel](#)

S 277 (2015-2016) [RESTORE EDUCATIONAL SALES TAX HOLIDAY](#). Filed Mar 12 2015, *AN ACT TO REENACT THE SALES AND USE TAX HOLIDAY FOR SCHOOL SUPPLIES*.

Identical to [H 26](#), filed 1/28/15.

Reenacts GS 105-164.13C, provisions detailing the sales and use tax holiday for school supplies sold on the first Friday of August to the following Sunday, as it existed before the statute was repealed.

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

Intro. by D. Davis.

[GS 105](#)

[View summary](#)

[Education, Government, Tax](#)

S 278 (2015-2016) [CORRECT STATE BOARDS AND COMMISSIONS](#). Filed Mar 12 2015, *AN ACT TO CORRECT VARIOUS STATE BOARDS AND COMMISSIONS*.

Makes clarifying changes to GS 116E-3, providing that seven of the specified members that are to be appointed to the NC Longitudinal Data System Board are public members.

Amends GS 143B-394.15(c), making adjustments to the membership of the Domestic Violence Commission (Commission), providing for two public members to be appointed each by the President Pro Tempore of the Senate and the Speaker of the House (previously, one member was to be appointed by each). Deletes language that provided for a member of the Senate and a member of the House to be appointed to the Commission.

Amends GS 120-123, adding the NC Longitudinal Data System Board and the Commission to the list of boards or commissions upon which no member of the General Assembly can serve.

Intro. by Barefoot.

[GS 116E, GS 120, GS 143B](#)

[View summary](#)

[Government, State Government](#)

S 279 (2015-2016) [AMEND QUALIFICATIONS/PRACTICE OF COUNSELING](#). Filed Mar 12 2015, *AN ACT AMENDING THE PROFESSIONAL COUNSELORS ACT TO MODIFY EDUCATIONAL QUALIFICATIONS FOR THE PRACTICE OF COUNSELING*.

Amends GS 90-336(b), concerning educational requirements to be a "licensed professional counselor associate," providing that the required master's degree in counseling or a related field can come from a regionally or nationally accredited institution of higher education (previously, only allowed a master's degree from a regionally accredited institution).

Effective October 1, 2015.

Intro. by Barefoot.

GS 90

[View summary](#)

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

S 280 (2015-2016) [PROTECT NATIONAL GUARD REEMPLOYMENT RIGHTS](#). Filed Mar 12 2015, *AN ACT TO EXTEND NATIONAL GUARD REEMPLOYMENT RIGHTS TO MEMBERS OF THE NATIONAL GUARDS OF OTHER STATES*.

Amends GS 127A-201 and 127A-202.1, concerning employment rights and protections for members of the NC National Guard, to extend those same protections to members of the National Guard of other states. Makes technical and conforming changes.

Effective October 1, 2015, applying to denials of initial employment, reemployment, retention in employment, promotion, or any benefit of employment by an employer on or after that date.

Intro. by J. Jackson, Soucek.

GS 127A

[View summary](#)

[Employment and Retirement, Military and Veteran's Affairs](#)

S 281 (2015-2016) [STATE DEPTS. & AGENCIES/REQUIRED AUDITS](#). Filed Mar 12 2015, *AN ACT TO REQUIRE ANNUAL FINANCIAL AUDITS OF CERTAIN STATE DEPARTMENTS AND BIENNIAL FINANCIAL AUDITS OF ALL OTHER STATE DEPARTMENTS AND AGENCIES*.

Amends GS 147-64.6 to require the Auditor to conduct a financial audit of (1) all principal state departments annually (defined in GS 147-64.4 as the departments of Health and Human Services, Public Instruction, Public Safety, Revenue, State Treasurer, and Transportation) and (2) all other state departments and agencies once every two years. Provides direction on the format of the audits and allows the Auditor to charge and collect the costs of the audit from each state department or agency. Makes technical changes. Effective January 1, 2016.

Intro. by Tarte, J. Davis, B. Jackson.

GS 147

[View summary](#)

[Government, State Agencies, Department of Public Instruction, Department of Health and Human Services, Department of Public Safety, Department of Revenue, Department of Transportation, Office of State Auditor](#)

S 282 (2015-2016) [STATEWIDE SUBMERGED LANDS INVENTORY](#). Filed Mar 12 2015, *AN ACT TO IMPROVE THE OVERSIGHT AND MANAGEMENT OF STATE-OWNED SUBMERGED LANDS, INCLUDING INITIATING A PROCESS TO INVENTORY CLAIMS ON STATE-OWNED SUBMERGED LANDS.*

Provides that the Department of Administration (Department) will modify the existing property database to include a field to indicate that an item listed includes submerged land. This must be completed no later than April 15, 2016, and a report on the completion of such is due to the Joint Legislative Commission on Governmental Operations no later than the same date.

Provides that no structure can be placed on state-owned submerged lands after this act becomes law without an easement granted by the Department. Such easements will be recorded in the property database.

The Department will adopt rules specifying the process for obtaining utility easements on submerged lands. Rules will be adopted no later than April 15, 2016, and a report on the completion of such to the Joint Legislative Commission on Governmental Operations is due no later than the same date.

The Department will develop and implement procedures with the Department of Environment and Natural Resources (DENR) for implementing GS 146-8. The Department and DENR will implement these procedures no later than April 15, 2016, and report on the completion of such to the Joint Legislative Commission on Governmental Operations no later than the same date.

Amends GS Chapter 146 by adding a new section, GS 146-20.2 (Non-coastal submerged lands inventory), providing that DENR, the Division of Water Resources (Division), and the Department and Office of the Attorney General will inventory all state-owned submerged lands in non-coastal counties in order to determine the validity of the claims under this section. The provisions of this section do not apply to lands submerged under private ponds, irrigation ponds, or other waterways not owned by the state.

Provides that any person claiming any interest in a part of the bed lying under navigable waters of any non-coastal county, or any right of fishery in navigable waters, superior to the general public, must register the grant, charter, or other authorization with DENR or the Division. Such registration must be accompanied by a survey of the claimed area. Registering the claim does not imply the validity of the claim.

This Division will give notice of the claims process at least once per calendar year for three years, by way of publication in a newspaper of general circulation in all non-coastal counties of the state. Any rights not registered in accordance with this section by December 31, 2017, are null and void.

On or before September 1 of each year the Division will report to the Joint Legislative Commission on Governmental Operations on the number of claims registered, those resolved, the cost of resolving each claim, the number of unresolved claims, and projected completion date of the inventory process.

Appropriates \$328,000 from the General Fund to the Division for fiscal year 2015-16 for the costs of this new section and three new personnel. Appropriates \$550,000 for fiscal year 2016-17 from the General fund to the Division for the same costs and the addition of four new personnel. Effective July 1, 2015.

Intro. by Hartsell.

[APPROP, GS 146](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Administration, Department of Environment and Natural Resources, State Government, State Property](#)

S 283 (2015-2016) [CLASSROOM EXPERIENCE FOR SCHOOL PERSONNEL](#). Filed Mar 12 2015, *AN ACT TO GIVE CLASSROOM EXPERIENCE TO PROFESSIONAL PUBLIC SCHOOL EMPLOYEES WHO ARE NOT CLASSROOM TEACHERS*.

Amends GS 115C-47 to require local boards of education to adopt a policy giving classroom experience to professional employees who do not have daily contact with students. Requires the policy to require the employees to deliver instruction or have other contact with students in classrooms during the instructional day. Allows the policy to require employees as a part of their regular duties to (1) serve as substitute teachers in the classroom, (2) teach model lessons in the classroom, (3) assist teachers in the classroom, (4) tutor individual students in the classroom, or (5) provide other services in the classroom. Allows the policy to provide for up to one renewal credit every five years per employee for these activities. Applies beginning with the 2015-16 school year.

Intro. by Hartsell.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 284 (2015-2016) [INFRASTRUCTURE ASSESSMENTS/REPEAL SUNSET](#). Filed Mar 12 2015, *AN ACT TO REPEAL THE SUNSET PROVISION ON THE AUTHORITY GRANTED TO COUNTIES AND CITIES TO USE SPECIAL ASSESSMENTS TO ADDRESS CRITICAL INFRASTRUCTURE NEEDS*.

As title indicates.

Effective June 30, 2015.

Intro. by Hartsell.

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

[View summary](#)

[Government, Local Government](#)

S 285 (2015-2016) [ZONING/PROTEST PETITION CHANGES](#). Filed Mar 12 2015, *AN ACT TO AMEND ARTICLE 19 OF CHAPTER 160A OF THE GENERAL STATUTES TO ALTER QUALIFICATION REQUIREMENTS FOR ZONING PROTEST PETITIONS*.

Amends GS 160A-385, concerning changes to zoning ordinances, providing that when a qualified protest petition is received against a zoning map amendment, that amendment is not effective unless approved by a favorable vote of 2/3 of the members of the city council (was, 3/4 of the city council). Deletes language which stated vacant seats and members excused from voting are not considered members of the council for purposes of the requisite supermajority. Amends one of the qualifications for a protest petition, now requiring that 15% of the owners (was, 5%) of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned sign the petition.

Intro. by Woodard, Foushee, McKissick.

[GS 160A](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning](#)

S 286 (2015-2016) [REGULATE THE SALE OF E-LIQUID CONTAINERS](#). Filed Mar 12 2015, *AN ACT PROHIBITING THE SALE OF E-LIQUID CONTAINERS WITHOUT CHILD-RESISTANT PACKAGING AND SAFETY WARNING LABELS*.

Enacts new GS 14-401.18A to make it illegal for any person, firm, or corporation to sell, offer for sale, or introduce into commerce in this state an e-liquid container unless the container meets all of the following requirements: (1) constitutes child-resistant packaging and (2) is labeled with safety warnings consistent with rules adopted by the North Carolina Commission for Public Health. Violations are a Class A1 misdemeanor and violators are liable in damages to any injured person. Defines *child-resistant packaging*, *e-liquid*, *e-liquid container*, and *vapor product*.

Amends GS 130A-29 to require the North Carolina Commission for Public Health to adopt rules establishing standards for safety warnings to be included on labels for e-liquid containers.

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

Intro. by Bingham, D. Davis.

[GS 14, GS 130A](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health, Public Health](#)

S 287 (2015-2016) [NEW HISTORIC PRESERVATION TAX CREDIT](#). Filed Mar 12 2015, *AN ACT TO ENACT A HISTORIC PRESERVATION TAX CREDIT*.

Identical to [H 152](#), filed 3/4/15.

Enacts new GS Chapter 105, Article 3L, Historic Rehabilitation Tax Credits Investment Program, providing for tax credits for a taxpayer allowed a federal income tax credit for making qualified rehabilitation expenditures for a certified income-producing historic structure in the amount of 15 percent for rehabilitation expenditures that range from \$0 to \$10 million, and 10 percent for expenditures that range from \$10 million to \$20 million. Further provides for development tier bonuses and targeted investment bonuses. Includes provisions in regards to pass-through entities that qualify for a tax credit and how the credit can be allocated. Includes definitions for the new article, including *certified historic structure*, *eligibility certification*, *pass-through entity*, and *targeted investment*. Establishes a tax credit ceiling, providing that no tax credit for an income-producing certified historic structure can exceed \$4.5 million. Effective January 1, 2015, applying to qualified rehabilitation expenditures and expenses incurred on or after that date.

Establishes a tax credit for a taxpayer not allowed a federal income tax credit for making qualified rehabilitation expenditures for a certified non-income-producing historic structure that has rehabilitation expenses of at least \$10,000, providing that the credit is equal to 15 percent of the rehabilitation expenses. Provides a tax credit ceiling of \$22,500 per discrete property parcel. Provides certain limitations and allowances for the credit. Provides definitions for use in the section, including *discrete property parcel*, *placed in service*, and *rehabilitation expenses*. Authorizes the NC Historical Commission (Commission), in consultation with the State Historic Preservation Officer, to adopt rules necessary to administer the certification process of Article 3L and allows the adoption of a fee schedule for providing such certifications, with specified limitations. Effective January 1, 2015, applying to qualified rehabilitation expenditures and expenses incurred on or after that date.

Enacts provisions that outline how and against what tax liability the credits can be claimed as well as specified caps and forfeiture provisions. Enacts language which requires substantiation of certain information in order to claim a credit, including copies of certifications, a copy of an eligibility certification, and other specified records that can be required by the Secretary of Revenue. Provides that if a credit is issued pursuant to Article 3L, no other tax credit can be claimed from Articles 3D or 3H under GS Chapter 105 for the same activity. Effective January 1, 2015, applying to qualified rehabilitation expenditures and expenses incurred on or after that date.

Provides reporting and tracking requirements, directing the Department of Revenue to include specified information in the economic incentives report, including the number of taxpayers that took the credits allowed, total cost to the General

Fund of the credits taken, and the total amount of tax credits carried forward, by type of tax. Provides that new Article 3L expires for rehabilitation expenditures and rehabilitation expenses on January 1, 2021. Effective January 1, 2015, applying to qualified rehabilitation expenditures and expenses incurred on or after that date.

Amends GS 105-129.75, the sunset provision for mill rehabilitation tax credits, providing that the eligibility certifications under GS Chapter 105, Article 3H, expire on January 1, 2023.

Intro. by Hartsell.

[GS 105](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Tax](#)

S 288 (2015-2016) [AMEND LAWS REGARDING MENTAL COMMITMENT BARS](#). Filed Mar 12 2015, *AN ACT NARROWING THE TYPES OF INCOMPETENCY FINDINGS THAT MUST BE REPORTED TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM AND AMENDING THE PROCESS FOR INDIVIDUALS TO REMOVE FIREARMS DISABILITIES AFTER RESTORATION TO COMPETENCY*.

Amends GS 122C-54(d1)(6) to eliminate a requirement that a finding that an individual lacks capacity due to a condition or disease be reported to the National Instant Criminal Background Check System (NICS).

Amends GS 122C-54.1 concerning the restoration process for the removal of specified disabilities, providing that the process applies to all petitions for remaining a determination or finding described in GS 122C-54(d1)(1) -(5). Provides new language that specifies that for relief from an adjudication of incompetence as described in GS 122C-54(d1)(6), an individual must file a petition for restoration to competency as provided in GS 35A-1130. Provides that if competency is restored the individual can submit a written request to the clerk who exercised jurisdiction in the incompetency proceeding to update the individual's record in the NICS. After verification, the clerk is required to update the record in NICS.

Effective October 1, 2015.

Intro. by Cook.

[GS 122C](#)

[View summary](#)

[Health and Human Services, Mental Health](#)

S 289 (2015-2016) [EDUCATION PREPARATION REFORM ACT](#). Filed Mar 12 2015, *AN ACT TO IMPROVE TEACHER EDUCATION PREPARATION PROGRAMS IN NORTH CAROLINA*.

Amends GS 115C-296(b)(2) to add a new subdivision (g) that requires the State Board of Education to maintain a nationally accredited teacher education unit that promotes continuous improvement in teacher preparation programs.

Effective July 1, 2015, applying to new applicants for approval of teacher preparation programs by the State Board of Education on or after July 1, 2015, and to currently approved teacher education programs applicants who apply for continuing approval on or after July 1, 2017.

Intro. by Barefoot.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

LOCAL/HOUSE BILLS

H 226 (2015-2016) [SCHOOL CALENDAR FLEXIBILITY/CERTAIN LEAS](#). Filed Mar 12 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE CERTAIN BOARDS 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 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 opening and closing dates for public schools. This act applies only to the Columbus County and Whiteville City school administrative units beginning with the 2015-16 school year.

Intro. by Waddell.

[Columbus](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 231 (2015-2016) [SCHOOL CALENDAR FLEXIBILITY/MARTIN COUNTY](#). Filed Mar 12 2015, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE MARTIN COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR*.

Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine 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 opening and closing dates for public schools. This act applies only to Martin County administrative units beginning with the 2015-16 school year.

Intro. by

[Martin](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 234 (2015-2016) [REINSTATE MTN ISLAND LAKE MARINE COMMISSION](#). Filed Mar 12 2015, *AN ACT TO REINSTATE THE MOUNTAIN ISLAND MARINE COMMISSION TO ITS STATUS PRIOR TO THE WITHDRAWAL OF GASTON COUNTY*.

Reinstates the Mountain Island Lake Marine Commission (Commission) as it existed on June 1, 2014, before Gaston County withdrew, resulting in the dissolution of the Commission. Amends GS 77-71 requiring that three counties, by joint resolution, create the Commission. Deletes the provision allowing a county to unilaterally withdraw from the Commission, which would result in the Commission's dissolution.

Intro. by Jeter.

[GS 77](#)

[View summary](#)

[Environment](#)

H 235 (2015-2016) [GODWIN/REPEAL SPIRITUOUS LIQUORS BAN](#). Filed Mar 12 2015, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF GODWIN TO REPEAL THE BAN ON THE SALE OF SPIRITUOUS, VINOUS, OR MALT LIQUORS WITHIN TOWN LIMITS.*

Repeals Section 8 of the Charter of the Town of Godwin, thereby repealing the town's ban on the sale or manufacture of spirituous, vinous, or malt liquors within town limits.

Intro. by Szoka.

[Cumberland](#)

[View summary](#)

[Alcoholic Beverage Control](#)

H 236 (2015-2016) [CERTAIN COUNTIES/PURCHASING EXEMPTION](#). Filed Mar 12 2015, *AN ACT PROVIDING THAT A COUNTY SHERIFF'S OFFICE MAY CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS.*

Provides that the Beaufort, Chowan, Currituck, Granville, Pasquotank, and Stanly county sheriffs' offices can contract for food and food service supplies for the county's detention facility without being subject to the purchase and contract requirements found in GS 143-129 (Procedure for letting of public contracts) or GS 143-131(a) (requiring informal bids for all contracts for specified activities involving the expenditure of public money in the amount of \$30,000 or more, but less than specified limits, made by specified local government entities).

Intro. by Speciale.

[Beaufort, Chowan, Currituck, Granville, Pasquotank, Stanly](#)

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[Government, Public Safety](#)

LOCAL/SENATE BILLS

S 181 (2015-2016) [WAKE COUNTY COMMISSIONER DISTRICTS](#). Filed Mar 4 2015, *AN ACT TO INCREASE THE SIZE OF THE WAKE COUNTY BOARD OF COMMISSIONERS AND TO ALTER THE DISTRICTS TO COINCIDE WITH THE DISTRICTS OF THE WAKE COUNTY BOARD OF EDUCATION.*

Senate amendment makes the following changes to the 2nd edition.

Provides that, in the 2016 election where one member each will be elected from Districts 4, 5, and 6 of the districts used by the Wake County Board of Commissioners 2014 election, the members are required to reside in those 2014 districts and run at-large in the county.

Intro. by Barefoot.

[Wake](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 7: AMEND FIREARM RESTORATION LAW.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/16/2015

H 39: LABOR/UP AMUSEMENT DEVICE PENALTIES.

House: Reptd Fav

House: Re-ref Com On Finance

H 79: CONTEMPT FOR 50C/ SCOPE OF STAY FOR APPEALS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 134: SOLICITING PROSTITUTION/IMMUNITY FOR MINORS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 157: AMEND ENVIRONMENTAL LAWS.

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

H 158: JIM FULGHUM TEEN SKIN CANCER PREVENTION ACT.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

H 203: PHASEOUT OF FUEL TAX.

House: Passed 1st Reading

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

H 205: INCREASE RETIREMENT AGE FOR JUDGES.

House: Passed 1st Reading

House: RefTo Com On Judiciary IV

H 208: CREATE DEPARTMENT OF INFORMATION TECHNOLOGY.-AB

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 209: STOPLIGHT/JACKSON SCHOOL FUNDS.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 210: INDIGENT DEFENSE/RATE INCREASE FUNDS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 211: EXPAND USE OF TOXICOLOGY FUNDS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 212: INCREASE STATE CRIME LAB SALARIES/FUNDS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 213: AMEND CONSTITUTION/JUDICIAL EXPERIENCE.

House: Passed 1st Reading

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

H 214: RAISE MANDATORY RETIREMENT AGE FOR JUDGES.

House: Passed 1st Reading

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

H 215: PROCEDURE FOR WAIVER OF JURY TRIAL.

House: Passed 1st Reading

House: Ref To Com On Judiciary II

H 216: GREAT LEADERS FOR GREAT SCHOOLS/STUDY.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 222: RETENTION ELECTIONS/APPELLATE DIVISION.

House: Passed 1st Reading

House: Ref To Com On Elections

H 225: COLLECT DNA FOR ALL FELONY ARRESTS.

House: Filed

H 227: BROADEN SALES TAX EXEMPTION FOR FARMERS.

House: Filed

H 228: ASST. PRINCIPAL/PRINCIPAL SALARIES.

House: Filed

H 229: MODIFY RELIGIOUS PROPERTY EXEMPTION.

House: Filed

H 230: UP MINIMUM WAGE WITH COLA/CONST. AMENDMENT.

House: Filed

H 232: STUDY/UPDATE BICYCLE SAFETY LAWS.

House: Filed

H 233: EVIDENCE PASSED VEHICLE IS A SCHOOL BUS.

House: Filed

S 53: CITIES/OVERGROWN VEGETATION NOTICE.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 60: NO CONTACT ORDER/NO EXPIRATION.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 78: OFF-DUTY CORRECTIONAL OFFICERS/CONCEAL CARRY.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 82: VITAL RECORDS INTEGRITY ACT.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 89: DISQUALIFICATION NOTICE/PISTOL SALE PERMIT.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 161: SUPREME COURT SESSIONS IN MORGANTON.

Senate: Reptd Fav

S 185: CLARIFY CREDIT FOR TIME SERVED.

Senate: Reptd Fav

S 240: DEFINE SCOPE OF PRACTICE OF CRNAS.

Senate: Passed 1st Reading

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

S 242: ELIMINATE PERSONAL ED. PLANS.

Senate: Passed 1st Reading

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

S 245: EXPLORATION STATION/GRASSROOTS SCIENCE FUNDS.

Senate: Passed 1st Reading

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

S 250: RESTORE AID TO COUNTY VETERANS SERVICES.

Senate: Passed 1st Reading

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

S 251: IN-STATE TUITION FOR CERTAIN VETERANS.

Senate: Passed 1st Reading

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

S 257: STEEL MANUFACTURING SLAG.

Senate: Passed 1st Reading

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

S 268: CREATE DEPARTMENT OF INFORMATION TECHNOLOGY.-AB

Senate: Passed 1st Reading

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

S 269: LANDLORD/TENANT-ALIAS & PLURIES SUMMARY EJECT.

Senate: Passed 1st Reading

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

S 270: AOC OMNIBUS CHANGES.-AB

Senate: Passed 1st Reading

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

S 271: FOUR-YEAR TERM FOR GA/LIMIT CONSECUTIVE TERMS.

Senate: Passed 1st Reading

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

S 272: ELIMINATE PERSONAL ED. PLANS.

Senate: Passed 1st Reading

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

S 273: MOTOR VEHICLE TAX: WAIVE PENALTIES/INTEREST.

Senate: Filed

S 274: LAW ENFORCEMENT/APPOINTED OFFICES.

Senate: Filed

S 275: REENACT EITC.

Senate: Filed

S 276: BEREAVEMENT LEAVE/STATE AND SCHOOL EMPLOYEES.

Senate: Filed

S 277: RESTORE EDUCATIONAL SALES TAX HOLIDAY.

Senate: Filed

S 278: CORRECT STATE BOARDS AND COMMISSIONS.

Senate: Filed

S 279: AMEND QUALIFICATIONS/PRACTICE OF COUNSELING.

Senate: Filed

S 280: PROTECT NATIONAL GUARD REEMPLOYMENT RIGHTS.

Senate: Filed

S 281: STATE DEPTS. & AGENCIES/REQUIRED AUDITS.

Senate: Filed

S 282: STATEWIDE SUBMERGED LANDS INVENTORY.

Senate: Filed

S 283: CLASSROOM EXPERIENCE FOR SCHOOL PERSONNEL.

Senate: Filed

S 284: INFRASTRUCTURE ASSESSMENTS/REPEAL SUNSET.

Senate: Filed

S 285: ZONING/PROTEST PETITION CHANGES.

Senate: Filed

S 286: REGULATE THE SALE OF E-LIQUID CONTAINERS.

Senate: Filed

S 287: NEW HISTORIC PRESERVATION TAX CREDIT.

Senate: Filed

S 288: AMEND LAWS REGARDING MENTAL COMMITMENT BARS.

Senate: Filed

S 289: EDUCATION PREPARATION REFORM ACT.

Senate: Filed

LOCAL BILLS

H 204: CASWELL BEACH/QUICK TAKE EMINENT DOMAIN.

House: Passed 1st Reading

House: RefTo Com On Local Government

H 206: SCHOOL CALENDAR FLEXIBILITY/WAKE COUNTY.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 207: SCHOOL CALENDAR FLEX./CUMBERLAND COUNTY.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 217: CLAYTON DEANNEXATION/ANNEXATION.

House: Passed 1st Reading

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

H 218: CLAYTON ANNEXATION.

House: Passed 1st Reading

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

H 219: CARRBORO BUILDING CODES.

House: Passed 1st Reading

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

H 220: SCHOOL CALENDAR FLEXIBILITY/CERTAIN COUNTIES.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 221: LAKE SANTEETLAH OCCUPANCY TAX AUTHORIZATION.

House: Passed 1st Reading

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

H 226: SCHOOL CALENDAR FLEXIBILITY/CERTAIN LEAS.

House: Filed

H 231: SCHOOL CALENDAR FLEXIBILITY/MARTIN COUNTY.

House: Filed

H 234: REINSTATE MTN ISLAND LAKE MARINE COMMISSION.

House: Filed

H 235: GODWIN/REPEAL SPIRITUOUS LIQUORS BAN.

House: Filed

H 236: CERTAIN COUNTIES/PURCHASING EXEMPTION.

House: Filed

S 36: GREENSBORO CITY COUNCIL CHANGES.

Senate: Passed 3rd Reading

S 181: WAKE COUNTY COMMISSIONER DISTRICTS.

Senate: Amend Adopted A2

Senate: Passed 3rd Reading

Engrossed

S 239: 14TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 241: RALEIGH/CONVEYANCE OF REAL PROPERTY.

Senate: Passed 1st Reading

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

S 243: 11TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 244: SCHOOLS CLOSED DUE TO INCLEMENT WEATHER.

Senate: Passed 1st Reading

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

S 246: INCREASE OPTIONS FOR LOCAL OPTION SALES TAX.

Senate: Passed 1st Reading

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

S 247: RALEIGH/DONATE SERVICE ANIMALS TO OFFICERS.

Senate: Passed 1st Reading

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

S 248: TOWN OF CARY/RELEASE UNNEEDED EASEMENTS.

Senate: Passed 1st Reading

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

S 249: ZONING/RECREATIONAL LAND REQ.-MORRISVILLE.

Senate: Passed 1st Reading

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

S 252: WAKE CTY LOCAL BOARD OF EQUALIZATION/REVIEW.

Senate: Passed 1st Reading

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

S 253: 20TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 254: DURHAM CO. SBHCS/CONTRACEPTIVE SERVICES.

Senate: Passed 1st Reading

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

S 255: DURHAM VOLUNTARY ANNEXATION PETITIONS.

Senate: Passed 1st Reading

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

S 256: DURHAM VOLUNTARY ANNEXATIONS/ADJACENT STREETS.

Senate: Passed 1st Reading

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

S 258: PARTY EXEC. COMM./FILL VACANCY/WASHINGTON CTY.

Senate: Passed 1st Reading

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

S 259: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.

Senate: Passed 1st Reading

Senate: Ref To Com On Ways & Means

S 260: PERMIT ALIGN SCHOOL/COMM. COLLEGE CALENDAR.

Senate: Passed 1st Reading

Senate: Ref To Com On Ways & Means

S 261: STOKESDALE FIRE DISTRICT ASSESSMENT.

Senate: Passed 1st Reading

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

S 262: 37TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 263: CABARRUS PUBLIC HEALTH FUNDS.

Senate: Passed 1st Reading

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

S 264: CLAYTON ANNEXATION.

Senate: Passed 1st Reading

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

S 265: CLAYTON DEANNEXATION/ANNEXATION.

Senate: Passed 1st Reading

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

S 266: CLEVELAND COUNTY CORONER/ME RECOMMENDATIONS.

Senate: Passed 1st Reading

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

S 267: SCHOOL CALENDAR FLEX./CHARLOTTE-MECKLENBURG.

Senate: Passed 1st Reading

Senate: Ref To Com On Ways & Means

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