

## The Daily Bulletin: 2015-07-20

### PUBLIC/HOUSE BILLS

H 39 (2015-2016) [LABOR/UP AMUSEMENT DEVICE PENALTIES](#). Filed Feb 3 2015, *AN ACT TO INCREASE THE PENALTIES FOR THE ILLEGAL OPERATION OF AMUSEMENT DEVICES AND TO DIRECT THE DEPARTMENT OF LABOR TO STUDY THE REGULATION OF THE OPERATION OF ZIP-LINES.*

AN ACT TO INCREASE THE PENALTIES FOR THE ILLEGAL OPERATION OF AMUSEMENT DEVICES AND TO DIRECT THE DEPARTMENT OF LABOR TO STUDY THE REGULATION OF THE OPERATION OF ZIP-LINES. Enacted July 16, 2015. GS 95-111.13(i) and (j), as enacted by this act, are effective December 1, 2015. The remainder of this act is effective July 16, 2015.

**Intro. by Davis, Howard.**

[STUDY, GS 95](#)

[View summary](#)

H 186 (2015-2016) [CAPE FEAR WATER RESOURCES AVAILABILITY STUDY](#). Filed Mar 10 2015, *AN ACT TO REQUIRE THE ENVIRONMENTAL REVIEW COMMISSION TO CONDUCT A STUDY OF WATER RESOURCES AVAILABILITY IN THE CAPE FEAR RIVER BASIN AND TO PERMIT THE RULES REVIEW COMMISSION TO RETAIN PRIVATE COUNSEL UNDER CERTAIN CIRCUMSTANCES.*

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

Adds a section amending GS 143B-30.1 to provide that, at the discretion of the Rules Review Commission (RRC), GS 114-2.3 (requiring written permission from the Attorney General before employing private counsel) and GS 147-17(a) through (c) (concerning employing counsel in cases wherein the State is interested) will not apply to the RRC if it is being sued by another State entity. Sets out other provisions governing the hiring of private counsel upon approval of a majority of the RRC and the designation of lead counsel.

Makes conforming changes to the act's long title.

**Intro. by Catlin, Szoka, Glazier.**

[STUDY, GS 143B](#)

[View summary](#)

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

H 373 (2015-2016) [2016 PRESIDENTIAL PRIMARY. \(NEW\)](#) Filed Mar 26 2015, *AN ACT TO ESTABLISH PROCEDURES FOR THE CONDUCT OF THE 2016 PRESIDENTIAL PRIMARY.*

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

Deletes all of the provisions of the previous edition and replaces it with the following.

Establishes that, notwithstanding GS Chapter 163, Article 18A (Presidential Preference Primary Act), the presidential primary election will be held on March 15, 2016.

Sets out requirements for the process and conduct of the election, qualification to vote, candidate nominating and voting procedures, delegate allocation, and candidate support requirements. More specifically, the State Board of Elections (SBE) must receive from the chair of each political party a list of presidential candidates to be placed on the ballot by December 16, 2015. Requires the SBE to convene on January 5, 2016, to nominate candidates. Provides that nominating petitions for candidates must be received by the SBE by 5:00 p.m. January 4, 2016.

Provides that the candidate receiving the highest number of votes from the primary will be nominated and directs each political party to require its delegate positions to support the candidate that received the highest number of votes until one convention nominating ballot has been taken at the 2016 national party convention, unless that candidate has withdrawn from the race or ceased seeking election to be the President.

Directs the chair of each political party to notify its national committee no later than December 10, 2015, concerning the provisions and requirements of this act.

Applies only to the 2016 presidential primary.

Amends the short and long titles.

**Intro. by Riddell, Whitmire, Iler.**

UNCODIFIED

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**Government, Elections**

H 376 (2015-2016) [CIV PRO/MODERNIZE EXPERT DISCOVERY](#). Filed Mar 26 2015, *AN ACT AMENDING THE RULES OF CIVIL PROCEDURE TO MODERNIZE DISCOVERY OF EXPERT WITNESSES AND CLARIFYING EXPERT WITNESS COSTS IN CIVIL ACTIONS.*

AN ACT AMENDING THE RULES OF CIVIL PROCEDURE TO MODERNIZE DISCOVERY OF EXPERT WITNESSES AND CLARIFYING EXPERT WITNESS COSTS IN CIVIL ACTIONS. Enacted July 16, 2015. Effective October 1, 2015.

**Intro. by Jordan, Stam, Glazier.**

GS 1A, GS 7A

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**Courts/Judiciary, Civil, Civil Law, Civil Procedure**

H 766 (2015-2016) [AMEND CBD OIL STATUTE](#). Filed Apr 14 2015, *AN ACT AMENDING THE EXEMPTION FOR USE OR POSSESSION OF HEMP EXTRACT AND PERMITTING THE USE OF HEMP EXTRACT AS AN ALTERNATIVE TREATMENT FOR INTRACTABLE EPILEPSY WITHOUT PARTICIPATING IN A PILOT STUDY AND REPEALING THE EPILEPSY ALTERNATIVE TREATMENT ACT IN 2021.*

AN ACT AMENDING THE EXEMPTION FOR USE OR POSSESSION OF HEMP EXTRACT AND PERMITTING THE USE OF HEMP EXTRACT AS AN ALTERNATIVE TREATMENT FOR INTRACTABLE EPILEPSY WITHOUT PARTICIPATING IN A PILOT STUDY AND REPEALING THE EPILEPSY ALTERNATIVE TREATMENT ACT IN 2021. Enacted July 16, 2015. Section 1 is effective August 1, 2015. The remainder is effective July 16, 2015, except as otherwise provided.

**Intro. by McElraft.**

GS 90

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**Government, State Agencies, Department of Public Safety,  
Health and Human Services, Health, Health Care Facilities  
and Providers, Public Health**

## **PUBLIC/SENATE BILLS**

S 654 (2015-2016) [MAP ACT/CLARIFICATIONS](#). Filed Mar 26 2015, *AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION FOR CLAIMS ARISING OUT OF ACTIONS TAKEN BY THE ORGANIZATION PURSUANT TO THE TRANSPORTATION CORRIDOR OFFICIAL MAP ACT AND TO CLARIFY CERTAIN PROVISIONS OF THE TRANSPORTATION CORRIDOR OFFICIAL MAP ACT.*

AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION FOR CLAIMS ARISING OUT OF ACTIONS TAKEN BY THE ORGANIZATION PURSUANT TO THE TRANSPORTATION CORRIDOR OFFICIAL MAP ACT AND TO CLARIFY CERTAIN PROVISIONS OF THE TRANSPORTATION CORRIDOR OFFICIAL MAP ACT. Enacted July 16, 2015.

Subsection (g) of GS 136-44.50, as enacted by this act, is effective July 16, 2015, and applies to maps filed, adopted, or amended before that date. The remainder is effective July 16, 2015, and applies to maps filed, adopted, or amended before, on, or after that date.

**Intro. by Lee.**

[GS 136](#)

[View summary](#)

**Transportation**

S 678 (2015-2016) [AMEND DEBT COLLECTION STATUTES](#). Filed Mar 26 2015, *AN ACT TO AMEND THE DEBT COLLECTOR STATUTES TO MORE NEARLY CONFORM TO THE FEDERAL FAIR DEBT COLLECTION PRACTICES ACT.*

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

Amends GS 75-53, making a clarifying change.

**Intro. by Gunn, B. Jackson, D. Davis.**

[GS 75](#)

[View summary](#)

**Banking and Finance**

S 679 (2015-2016) [NC CONSUMER FINANCE ACT AMENDMENTS](#). Filed Mar 26 2015, *AN ACT TO PROVIDE FOR THE RECOVERY OF COURT COSTS AND RELATED COSTS UPON VOLUNTARY DISMISSAL AT THE REQUEST OF A BORROWER OF AN ACTION TO RECOVER PAYMENTS DUE UNDER A LOAN GRANTED UNDER THE NORTH CAROLINA CONSUMER FINANCE ACT OR UPON REDUCTION OF A LOAN ISSUED UNDER THE ACT TO JUDGMENT; TO CLARIFY THE MULTIPLE LOAN LIMITATIONS UNDER THE ACT; TO CLARIFY THE STATUTE RELATED TO WHETHER OR NOT BORROWERS ARE MEMBERS OF THE MILITARY PRIOR TO MAKING LOANS UNDER THE ACT; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE ACT.*

House amendment makes the following changes to the 4th edition.

Amends GS 53-177, making a technical correction.

Amends GS 53-178 adding language providing that all balances due to a licensee from a borrower or an endorser, as specified, are to be considered a part of any loan made by a licensee when determining compliance with loan limitation amounts.

**Intro. by Gunn, Newton, D. Davis.**

[GS 53](#)

[View summary](#)

[Business and Commerce](#)

## LOCAL/HOUSE BILLS

H 58 (2015-2016) [ALAMANCE COUNTY SHERIFF/FOOD PURCHASES](#). Filed Feb 5 2015, *AN ACT PROVIDING THAT A COUNTY SHERIFF'S OFFICE MAY CONTRACT FOR THE PURCHASE OF FOOD AND SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS.*

AN ACT PROVIDING THAT A COUNTY SHERIFF'S OFFICE MAY CONTRACT FOR THE PURCHASE OF FOOD AND SUPPLIES FOR THE COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS. Enacted July 20, 2015. Effective July 20, 2015.

**Intro. by Riddell, S. Ross.**

[Alamance, Anson, Caswell, Craven, Cumberland, Davidson, Guilford, Onslow, Pamlico, Randolph, Rockingham, Wake](#)

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

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.*

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. Enacted July 20, 2015. Effective July 20, 2015.

**Intro. by Speciale.**

[Washington](#)

[View summary](#)

[Government, Public Safety](#)

## LOCAL/SENATE BILLS

S 252 (2015-2016) [REPEAL CLAY COUNTY WILDLIFE EXCLUSION \(NEW\)](#). Filed Mar 11 2015, *AN ACT TO REPEAL A LOCAL ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2.*

AN ACT TO REPEAL A LOCAL ACT TO EXEMPT CLAY COUNTY FROM STATE WILDLIFE LAWS WITH RESPECT TO OPOSSUMS BETWEEN THE DATES OF DECEMBER 26 AND JANUARY 2. Enacted July 20, 2015. Effective July 20, 2015.

**Intro. by Barringer, Stein.**

Clay

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[Animals](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 6: AUTOCYCLE DEFINITION AND REGULATION.**

*Ratified*

#### **H 135: MODERNIZE PHYSICAL THERAPY PRACTICE.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Judiciary II*

#### **H 186: CAPE FEAR WATER RESOURCES AVAILABILITY STUDY.**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

#### **H 264: COMMUNITY COLLEGES 403(B) PLAN.-AB**

*Senate: Regular Message Sent To House*

*Senate: Regular Message Sent To House*

*House: Regular Message Received For Concurrence in S Com Sub*

#### **H 276: AGENCY PARTICIPATION PROCEDURES ACT OF 2015. (NEW)**

*Senate: Regular Message Sent To House*

*House: Regular Message Received For Concurrence in S Com Sub*

#### **H 277: RETIREMENT ADMIN. CHANGES ACT OF 2015.-AB**

*Ratified*

#### **H 350: RESTORE DRIVING PRIVILEGES/COMPETENCY.**

*House: Placed On Cal For 07/21/2015*

#### **H 367: NC CONSUMER FIREWORKS SAFETY ACT.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Local Government, if favorable, Finance*

#### **H 373: 2016 PRESIDENTIAL PRIMARY. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 383: CLARIFY STATUTORY SCHEME/SEX OFFENSES.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 512: AMEND/CLARIFY BACK-UP PSAP REQUIREMENTS.**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/21/2015*

**H 544: COUNTY SIGN ORDINANCE IN CITIES.**

*House: Placed On Cal For 07/21/2015*

**H 792: PRIVACY/PROTECTION FROM REVENGE POSTINGS.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Judiciary I*

**H 804: KELSEY SMITH ACT.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Judiciary I*

**H 814: THE WILLIAM C. LINDLEY, JR. SUDEP LAW.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/23/2015*

**H 823: ESTABLISH ADVISORY COUNCIL ON RARE DISEASES.**

*House: Withdrawn From Cal*

*House: Placed On Cal For 07/22/2015*

**H 842: MEDICAID WAIVER PROTECTIONS/MILITARY FAMILIES.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Health Care*

**H 912: TAXATION OF TRIBAL LAND AND TOBACCO PRODUCTS (NEW).**

*House: Withdrawn From Cal*

*House: Placed On Cal For 07/21/2015*

**S 22: HISTORIC ARTIFACT MGT. AND PATRIOTISM ACT.**

*House: Amend Failed A1*

*House: Amend Failed A2*

*House: Amend Failed A3*

**S 678: AMEND DEBT COLLECTION STATUTES.**

*House: Amend Adopted A1*

*House: Passed 3rd Reading*

**S 679: NC CONSUMER FINANCE ACT AMENDMENTS.**

*House: Amend Adopted A1*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**LOCAL BILLS**

**H 58: ALAMANCE COUNTY SHERIFF/FOOD PURCHASES.**

*Ratified*

*Ch. SL 2015-156*

**H 236: CERTAIN COUNTIES/PURCHASING EXEMPTION.**

*Ratified*

*Ch. SL 2015-157*

**H 312: CERTAIN COUNTIES SHERIFF/FOOD PURCHASES.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received For Concurrence in S Amend*

**H 343: CLAYTON/EXTEND ETJ AREA.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Finance*

**H 390: BEAUFORT CO. CC/WASHINGTON CO.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received For Concurrence in S Com Sub*

**H 392: FAYETTEVILLE CHARTER/PWC CHANGES.**

*Senate: Withdrawn From Com*

*Senate: Re-ref to Judiciary I. If fav, re-ref to Finance*

**H 531: AUTHORIZE WAYNE COUNTY OCCUPANCY TAX (NEW).**

*House: Passed 2nd Reading*

**S 50: Wilson County Occupancy Tax Modification.**

*House: Passed 2nd Reading*

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

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Transportation*

**S 141: WAYNESVILLE ANNEXATION/REFERENDUM.**

*House: Withdrawn From Cal*

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

**S 252: REPEAL CLAY COUNTY WILDLIFE EXCLUSION (NEW).**

*Ratified*