

## The Daily Bulletin: 2015-07-27

### PUBLIC/HOUSE BILLS

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

AN ACT TO DEFINE AND REGULATE AUTOCYCLES. Enacted July 23, 2015. Effective October 1, 2015.

**Intro. by Torbett.**

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

H 13 (2015-2016) [AMEND SCHOOL HEALTH ASSESSMENT REQUIREMENT](#). Filed Jan 28 2015, *AN ACT TO REQUIRE EACH CHILD PRESENTED FOR ADMISSION INTO THE PUBLIC SCHOOLS FOR THE FIRST TIME TO SUBMIT PROOF OF A HEALTH ASSESSMENT; TO REQUIRE THAT ABSENCES DUE TO THE FAILURE TO PRESENT THE HEALTH ASSESSMENT TRANSMITTAL FORM NOT RESULT IN SUSPENSIONS AND TO ALLOW STUDENTS TO MAKE UP THE WORK MISSED; TO SPECIFY WHAT INFORMATION SHALL BE INCLUDED ON THE HEALTH ASSESSMENT TRANSMITTAL FORM AND WHO IS AUTHORIZED TO HAVE ACCESS TO THE FORM, AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO AMEND THE HEALTH ASSESSMENT TRANSMITTAL FORM AND TO REPORT TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES AND TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE*.

Senate amendments make the following changes to the 5th edition.

Amendment #1 amends GS 130A-440, concerning health assessments for public school students, providing that notice of deficiency forms must include the following information: (1) that the health assessment transmittal form must be submitted to the principal within 30 calendar days of the child's first day of attendance or the child cannot attend school until it is submitted and (2) information that explains how a child can make up work missed.

Amendment #2 amends proposed GS 115C-390.2(1), which requires boards of education policies to state that absences under GS 130A-440 concerning health assessments are not considered as suspensions, adding language that requires students subject to those absences be given the opportunity to take textbooks and school-furnished digital devices (was, textbooks) home for the duration of the absence.

Amendment #3 amends proposed GS 130A-441, concerning reporting requirements for health assessment results, making a clarifying change to (a)(6).

**Intro. by Torbett.**

[GS 115C, GS 130A](#)

[View summary](#)

[Development, Land Use and Housing, Education, Elementary and Secondary Education, Government, State Agencies, Department of Public Instruction, Department](#)

H 184 (2015-2016) [CHANGE DCR PROCESS FOR UNCLAIMED PROPERTY.-AB](#) Filed Mar 10 2015, *AN ACT TO ALLOW THE DEPARTMENT OF CULTURAL RESOURCES, OFFICE OF ARCHIVES AND HISTORY, TO USE THE NET PROCEEDS OF THE SALE OF ARTIFACTS FOR MAINTENANCE OR CONSERVATION OF OTHER ARTIFACTS; TO CLARIFY THE PROCESS FOR TRANSFERRING TITLE OF UNCLAIMED OR UNDOCUMENTED PROPERTY LOANED TO MUSEUMS AND HISTORICAL REPOSITORIES TO THOSE MUSEUMS AND HISTORICAL REPOSITORIES; AND TO SET A TIME LIMITATION ON CONFIDENTIALITY OF RECORDS; TO CLARIFY THAT PHOTOGRAPHS AND VIDEO RECORDINGS OF DERELICT VESSELS OR SHIPWRECKS ARE PUBLIC RECORDS WHEN IN THE CUSTODY OF NORTH CAROLINA AGENCIES; AND TO PROVIDE THAT CERTAIN MERCHANDISE CREDITS ARE NOT DEEMED ABANDONED PROPERTY.*

Senate amendments make the following changes to the 4th edition.

Amendment #1 amends GS 121-52(b) and (c)(1) to clarify that those provisions require that all of the listed information must be included in the notice to the lender and that the notice must be published in both manners listed.

Amendment #2 adds a new section to the bill amending GS 116B-54 to add that a card issued for a merchandise credit is not considered abandoned property. Effective July 1, 2012, and applies to merchandise credits issued on or after that date. Makes conforming changes and amends the act's long title.

**Intro. by R. Brown, Cleveland, Floyd, Riddell.**

[GS 116B, GS 121, GS 132](#)

[View summary](#)

[Government, Cultural Resources and Museums, State Agencies, Department of Cultural Resources, Department of State Treasurer](#)

H 201 (2015-2016) [ZONING CHANGES/CITIZEN INPUT](#). Filed Mar 10 2015, *AN ACT TO AMEND THE PROCESS BY WHICH THE CITY COUNCILS RECEIVE CITIZEN INPUT IN ZONING ORDINANCE AMENDMENTS.*

AN ACT TO AMEND THE PROCESS BY WHICH THE CITY COUNCILS RECEIVE CITIZEN INPUT IN ZONING ORDINANCE AMENDMENTS. Enacted July 17, 2015. Effective August 1, 2015.

**Intro. by Stam, Goodman, Jackson.**

[GS 122C, GS 160A](#)

[View summary](#)

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

H 254 (2015-2016) [PROTECT NATIONAL GUARD REEMPLOYMENT RIGHTS](#). Filed Mar 17 2015, *AN ACT TO EXTEND NATIONAL GUARD REEMPLOYMENT RIGHTS TO MEMBERS OF THE NATIONAL GUARDS OF OTHER STATES.*

AN ACT TO EXTEND NATIONAL GUARD REEMPLOYMENT RIGHTS TO MEMBERS OF THE NATIONAL GUARDS OF OTHER STATES. Enacted July 17, 2015. Effective October 1, 2015.

**Intro. by G. Martin, Whitmire, Pendleton.**

[GS 127A](#)

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

[View summary](#)

[Affairs](#)

H 264 (2015-2016) [COMMUNITY COLLEGES 403\(B\) PLAN.-AB](#) Filed Mar 17 2015, *AN ACT TO ALLOW COMMUNITY COLLEGES TO PARTICIPATE IN THE 403(B) SUPPLEMENTAL RETIREMENT PLAN.*

AN ACT TO ALLOW COMMUNITY COLLEGES TO PARTICIPATE IN THE 403(B) SUPPLEMENTAL RETIREMENT PLAN. Enacted July 23, 2015. Effective October 1, 2015.

**Intro. by McNeill.**

[GS 115D](#)

[View summary](#)

[Education, Higher Education, Employment and Retirement, Government, State Agencies, Department of State Treasurer](#)

H 276 (2015-2016) [AGENCY PARTICIPATION PROCEDURES ACT OF 2015. \(NEW\)](#) Filed Mar 18 2015, *AN ACT TO ENACT THE AGENCY PARTICIPATION PROCEDURES ACT OF 2015.*

AN ACT TO ENACT THE AGENCY PARTICIPATION PROCEDURES ACT OF 2015. Enacted July 23, 2015. Sections 5 through 7 are effective July 23, 2015. The remainder is effective January 1, 2016.

**Intro. by S. Ross, Gill, Goodman, McNeill.**

[GS 115C, GS 120, GS 128, GS 135](#)

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[Education, Elementary and Secondary Education, Employment and Retirement, Government, Local Government](#)

H 277 (2015-2016) [RETIREMENT ADMIN. CHANGES ACT OF 2015.-AB](#) Filed Mar 18 2015, *AN ACT TO ENACT THE RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2015.*

AN ACT TO ENACT THE RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2015. Enacted July 23, 2015. Effective October 1, 2015.

**Intro. by S. Ross, Gill, Goodman, McNeill.**

[GS 111, GS 115C, GS 120, GS 126, GS 128, GS 135, GS 147, GS 150B](#)

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[Courts/Judiciary, Court System, Education, Employment and Retirement, Government, APA/Rule Making, General Assembly, State Agencies, Department of State Treasurer, State Government, State Personnel, Local Government](#)

H 341 (2015-2016) [CONTROLLED SUBSTANCES/NBOME & OTHER DRUGS.](#) Filed Mar 24 2015, *AN ACT TO ADD "NBOME" COMPOUNDS AND OTHER SUBSTANCES TO THE CONTROLLED SUBSTANCES SCHEDULES.*

AN ACT TO ADD "NBOME" COMPOUNDS AND OTHER SUBSTANCES TO THE CONTROLLED

SUBSTANCES SCHEDULES. Enacted July 17, 2015. Effective December 1, 2015.

**Intro. by Jackson, Faircloth, Horn, Stevens.**

**GS 90**

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**Health and Human Services, Health**

H 350 (2015-2016) **RESTORE DRIVING PRIVILEGES/COMPETENCY**. Filed Mar 24 2015, *AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO RESTORE THE DRIVERS LICENSE OF A PERSON ADJUDICATED TO BE RESTORED TO COMPETENCY.*

AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO RESTORE THE DRIVERS LICENSE OF A PERSON ADJUDICATED TO BE RESTORED TO COMPETENCY. Enacted July 23, 2015. Effective October 1, 2015.

**Intro. by Farmer-Butterfield, Richardson, Hurley, Turner.** **GS 20, GS 35A**

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**Courts/Judiciary, Motor Vehicle, Health and Human Services, Mental Health**

H 544 (2015-2016) **COUNTY SIGN ORDINANCE IN CITIES**. Filed Apr 1 2015, *AN ACT TO REQUIRE SIGNS POSTED IN THE CITY WHEN A CITY OPTS TO ENFORCE A COUNTY ORDINANCE TO CONFORM TO THE CITY SIGN ORDINANCES.*

AN ACT TO REQUIRE SIGNS POSTED IN THE CITY WHEN A CITY OPTS TO ENFORCE A COUNTY ORDINANCE TO CONFORM TO THE CITY SIGN ORDINANCES. Enacted July 23, 2015. Effective July 23, 2015.

**Intro. by W. Brawley, Horn, Jeter.**

**GS 153A**

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**Government, Local Government**

H 651 (2015-2016) **APPRAISAL BD. RECORDKEEPING & BKGRD. CHECKS**. Filed Apr 13 2015, *AN ACT TO BAR CIVIL ACTIONS FILED AFTER THE PERIOD OF RECORD RETENTION ESTABLISHED UNDER THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE OR FIVE YEARS, WHICHEVER IS GREATER, AND TO REQUIRE APPRAISAL MANAGEMENT COMPANIES TO ACCEPT CRIMINAL BACKGROUND CHECKS PERFORMED WITHIN THE PRECEDING TWELVE MONTHS.*

Senate amendment makes the following changes to the 3rd edition.

Makes a technical change to proposed GS 93E-2-4(h), correcting a statutory reference.

Amends the effective date provisions, making the act effective October 1, 2015 (was, when the act became law), applying to contracts entered into, renewed, or amended on or after that date.

**Intro. by Hardister, Szoka.**

**GS 1, GS 93E**

**Business and Commerce, Occupational Licensing,**

H 774 (2015-2016) [RESTORING PROPER JUSTICE ACT](#). Filed Apr 14 2015, *AN ACT TO AMEND THE LAW REQUIRING THE PRESENCE OF A LICENSED PHYSICIAN AT THE EXECUTION OF A DEATH SENTENCE.*

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

Adds a severability clause to the act.

**Intro. by Daughtry.**

[GS 15, GS 150B](#)

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[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Government, APA/Rule Making](#)

## PUBLIC/SENATE BILLS

S 22 (2015-2016) [HISTORIC ARTIFACT MGT. AND PATRIOTISM ACT](#). Filed Feb 3 2015, *AN ACT TO ENSURE RESPECTFUL TREATMENT OF THE AMERICAN FLAG AND THE NORTH CAROLINA FLAG BY STATE AGENCIES AND OTHER POLITICAL SUBDIVISIONS OF THE STATE; TO ESTABLISH THE DIVISION OF VETERANS AFFAIRS AS THE CLEARINGHOUSE FOR THE DISPOSAL OF WORN, TATTERED, AND DAMAGED FLAGS; TO PROVIDE FOR THE PROTECTION OF MONUMENTS AND MEMORIALS COMMEMORATING EVENTS, PERSONS, AND MILITARY SERVICE IN NORTH CAROLINA HISTORY; AND TO TRANSFER CUSTODY OF CERTAIN HISTORIC DOCUMENTS IN THE POSSESSION OF THE OFFICE OF THE SECRETARY OF STATE TO THE DEPARTMENT OF CULTURAL RESOURCES AND TO FACILITATE PUBLIC OPPORTUNITY TO VIEW THESE DOCUMENTS.*

AN ACT TO ENSURE RESPECTFUL TREATMENT OF THE AMERICAN FLAG AND THE NORTH CAROLINA FLAG BY STATE AGENCIES AND OTHER POLITICAL SUBDIVISIONS OF THE STATE; TO ESTABLISH THE DIVISION OF VETERANS AFFAIRS AS THE CLEARINGHOUSE FOR THE DISPOSAL OF WORN, TATTERED, AND DAMAGED FLAGS; TO PROVIDE FOR THE PROTECTION OF MONUMENTS AND MEMORIALS COMMEMORATING EVENTS, PERSONS, AND MILITARY SERVICE IN NORTH CAROLINA HISTORY; AND TO TRANSFER CUSTODY OF CERTAIN HISTORIC DOCUMENTS IN THE POSSESSION OF THE OFFICE OF THE SECRETARY OF STATE TO THE DEPARTMENT OF CULTURAL RESOURCES AND TO FACILITATE PUBLIC OPPORTUNITY TO VIEW THESE DOCUMENTS. Enacted July 23, 2015. Effective July 23, 2015, except as otherwise provided.

**Intro. by Soucek, Tucker, J. Davis.**

[GS 100, GS 144, GS 147, GS 160A](#)

[View summary](#)

[Government, Cultural Resources and Museums, State Agencies](#)

S 718 (2015-2016) [HONOR HARRIS BLAKE, FORMER SENATOR](#). Filed Jul 27 2015, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF HARRIS BLAKE, FORMER MEMBER OF THE GENERAL ASSEMBLY.*

As title indicates.

**Intro. by Tillman.**

JOINT RES

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**Government, General Assembly**

## LOCAL/HOUSE BILLS

H 390 (2015-2016) [BEAUFORT CO. CC/WASHINGTON CO.](#) Filed Mar 30 2015, *A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF BEAUFORT COUNTY COMMUNITY COLLEGE; TO PROVIDE THAT BEAUFORT COUNTY COMMUNITY COLLEGE SHALL SERVE ALL OF WASHINGTON COUNTY; AND TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO REVIEW SERVICE AREAS THAT INCLUDE MULTIPLE COMMUNITY COLLEGES FOR ONE COUNTY.*

A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE EXPANSION OF THE BOARD OF TRUSTEES OF BEAUFORT COUNTY COMMUNITY COLLEGE; TO PROVIDE THAT BEAUFORT COUNTY COMMUNITY COLLEGE SHALL SERVE ALL OF WASHINGTON COUNTY; AND TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES TO REVIEW SERVICE AREAS THAT INCLUDE MULTIPLE COMMUNITY COLLEGES FOR ONE COUNTY. Enacted July 23, 2015. Section 2 is effective August 1, 2015. The remainder is effective July 23, 2015.

**Intro. by Tine.**

Beaufort, Washington, GS 115D

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**Education, Higher Education**

## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 13: AMEND SCHOOL HEALTH ASSESSMENT REQUIREMENT.**

*Senate: Amend Adopted A1*

*Senate: Amend Adopted A2*

*Senate: Amend Adopted A3*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

### **H 59: CLARIFY REPORT ADMISSIBILITY.**

*House: Placed On Cal For 07/28/2015*

### **H 134: SOLICITING PROSTITUTION/IMMUNITY FOR MINORS.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

### **H 173: OMNIBUS CRIMINAL LAW BILL.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

**H 174: LANDLORD/TENANT-FORECLOSURE & EVICT. CHANGES.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 184: CHANGE DCR PROCESS FOR UNCLAIMED PROPERTY.-AB**

*Senate: Amend Adopted A1*

*Senate: Amend Adopted A2*

*Senate: Passed 2nd Reading*

**H 185: REPEAL DCR'S OBSOLETE COMMS & LANGUAGE.-AB**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/28/2015*

**H 215: PROCEDURE FOR WAIVER OF JURY TRIAL.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

**H 229: CHURCH TAX EXEMPTION/DRIVING PRIVILEGES. (NEW)**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/28/2015*

**H 338: FAIL TO OBTAIN DL/INCREASE PUNISHMENT.**

*House: Withdrawn From Cal*

*House: Cal Pursuant Rule 36(b)*

**H 371: TERROR CLAIMS/DAMAGES/LIABILITY FOR SUPPORT.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

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

*House: Withdrawn From Cal*

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

**H 397: CLARIFY PROTECTIONS/EXPLOITATION OF ELDERS.**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/28/2015*

**H 446: AMEND STATUTES GOVERNING BAIL BONDSMEN.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 529: NC DRIVERS LICENSE RESTORATION ACT.**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/28/2015*

**H 532: WC/TRUCK DRIVER STATUS.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

**H 538: WATER AND SEWER SERVICE RELATED CHANGES (NEW).**

*Senate: Passed 2nd Reading*

**H 553: ORDINANCES REGULATING ANIMALS.**

*Senate: Passed 3rd Reading*

**H 561: SCHOOL SYSTEM AUTH. RE: LEGAL PROCEEDINGS.**

*House: Cal Pursuant 36(b)*

**H 562: AMEND FIREARM LAWS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 577: REASONABLE & CUSTOMARY APPRAISAL FEES.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Rules, Calendar, and Operations of the House, if favorable, Finance*

**H 584: USE OF POSITION/LETTERS OF REFERENCE.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 607: ALLOW PROTECTED CONSUMER SECURITY FREEZES.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 638: CAPITALIZE ON WETLAND MITIGATION.**

*Ratified*

**H 651: APPRAISAL BD. RECORDKEEPING & BKGRD. CHECKS.**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

**H 678: AMEND INNOCENCE COMMISSION STATUTES.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/29/2015*

**H 721: SUBDIVISION ORDINANCE/LAND DEVELOP. CHANGES.**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/28/2015*

**H 765: REGULATORY REFORM ACT OF 2015.**

*Senate: Conf Com Appointed*

**H 774: RESTORING PROPER JUSTICE ACT.**

*Senate: Amend Adopted A1*

*Senate: Amend Failed A2*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*



*Engrossed*

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

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

**H 800: CLARIFY MOTOR VEHICLE DEALER LAWS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 804: KELSEY SMITH ACT.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

**S 182: AUTOMATIC LICENSE PLATE READERS.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/29/2015*

**S 192: CITATIONS/SHERIFFS ACCEPT FAXES.**

*Ratified*

**S 345: LIMIT STORAGE DURATION FOR DAMAGED VEHICLE (NEW).**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 07/28/2015*

**S 399: JOINT AGENCY TAX REFUND.**

*House: Passed 1st Reading*

*House: Ref To Com On Finance*

**S 491: MANUFACTURED HOME PURCHASE AGREEMENT CHANGE.**

*House: Withdrawn From Com*

*House: Re-ref Com On Judiciary IV*

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

*Senate: Concurred In H Amend S678v2*

*Senate: Ordered Enrolled*

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

*Senate: Concurred In H/Com Sub*

*Senate: Ordered Enrolled*

**S 699: PROTECT LEO HOME ADDRESS/OTHER INFORMATION.**

*House: Withdrawn From Com*

*House: Re-ref Com On Judiciary I*

**S 718: HONOR HARRIS BLAKE, FORMER SENATOR.**

*Senate: Filed*

**No local actions on bills**

