UNC SCHOOL OF GOVERNMENT

The Daily Bulletin: 2015-08-10

PUBLIC/HOUSE BILLS

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

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

Amendment #1 makes the following changes.

Amends new GS 150-164.44M to require that the net proceeds of the aviation gas and jet fuel taxes be transferred to the Highway Fund within 75 days after the end of each fiscal year (was, transferred at the end of each fiscal year).

Provides that Section 6 of the act, concerning the distribution of sales tax revenue to local governments, becomes effective July 1, 2016, and applies to sales made on or after that date (was, and applies to sales tax revenues collected on or after that date and distributed to counties and cities on or after September 1, 2016).

Amendment #2 makes the following changes.

Amends the definition of high-yield project in GS 143B-437.51 to define it as a project for which the agreement requires that a business invest at least $500 million (was, at least $750 million) in private funds and creates at least 1,750 (was, 2,000) eligible positions.

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

GS 105, GS 143B

View summary

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

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.*

AN ACT TO PROVIDE THAT A MINOR WHO IS SOLICITING AS A PROSTITUTE IS IMMUNE FROM PROSECUTION FOR THE OFFENSE OF SOLICITATION OF PROSTITUTION. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by Glazier, Davis, Hamilton, McGrady.

GS 14

View summary

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

H 174 (2015-2016) LANDLORD/TENANT-FORECLOSURE & EVICT. CHANGES. Filed Mar 9 2015, *AN ACT TO AMEND AND ENHANCE CERTAIN NOTICE REQUIREMENTS AND PROTECTIONS FOR TENANTS OF REAL PROPERTIES IN FORECLOSURE AND TO ALLOW FOR PURCHASERS OF REAL PROPERTY UNDER OPTION CONTRACTS TO PURSUE*

MONETARY DAMAGES SEPARATELY FROM SUMMARY EJECTMENT PROCEEDINGS AND OTHER AMENDMENTS TO THE HOMEBUYER PROTECTION ACT.

AN ACT TO AMEND AND ENHANCE CERTAIN NOTICE REQUIREMENTS AND PROTECTIONS FOR TENANTS OF REAL PROPERTIES IN FORECLOSURE AND TO ALLOW FOR PURCHASERS OF REAL PROPERTY UNDER OPTION CONTRACTS TO PURSUE MONETARY DAMAGES SEPARATELY FROM SUMMARY EJECTMENT PROCEEDINGS AND OTHER AMENDMENTS TO THE HOMEBUYER PROTECTION ACT. Enacted August 5, 2015. Effective October 1, 2015.

Intro. by Stam.

GS 42, GS 45, GS 47G, GS 47H, GS 75

View summary

Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Property and Housing

H 185 (2015-2016) REPEAL DCR'S OBSOLETE COMMS & LANGUAGE.-AB Filed Mar 10 2015, *AN ACT TO REPEAL COMMISSIONS WITHIN THE DEPARTMENT OF CULTURAL RESOURCES THAT HAVE SERVED THEIR PURPOSE AND TO REPEAL THE STATUTORY LANGUAGE RELATING TO THE USE OF ALKALINE PAPER FOR PUBLIC DOCUMENTS AND PREVIOUSLY REPEALED COMMISSIONS.*

AN ACT TO REPEAL COMMISSIONS WITHIN THE DEPARTMENT OF CULTURAL RESOURCES THAT HAVE SERVED THEIR PURPOSE AND TO REPEAL THE STATUTORY LANGUAGE RELATING TO THE USE OF ALKALINE PAPER FOR PUBLIC DOCUMENTS AND PREVIOUSLY REPEALED COMMISSIONS. Enacted August 5, 2015. Effective August 5, 2015.

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

GS 125, GS 143, GS 143B

View summary

Government, State Agencies, Department of Cultural Resources

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.*

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. Enacted August 5, 2015. Effective August 5, 2015.

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 229 (2015-2016) CHURCH TAX EXEMPTION/DRIVING PRIVILEGES. (NEW) Filed Mar 12 2015, *AN ACT TO MODIFY*

THE EXEMPTION FOR REAL PROPERTY USED FOR RELIGIOUS PURPOSES AND TO AUTHORIZE THE HOLDER OF A LIMITED DRIVING PRIVILEGE TO DRIVE TO AND FROM THE PERSON'S PLACE OF RELIGIOUS WORSHIP.

AN ACT TO MODIFY THE EXEMPTION FOR REAL PROPERTY USED FOR RELIGIOUS PURPOSES AND TO AUTHORIZE THE HOLDER OF A LIMITED DRIVING PRIVILEGE TO DRIVE TO AND FROM THE PERSON'S PLACE OF RELIGIOUS WORSHIP. Enacted August 5, 2015. Effective August 5, 2015, except as otherwise provided.

Intro. by McNeill, Shepard, Riddell, Pierce.

GS 20, GS 105

View summary

Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Property and Housing, Government, Tax

H 372 (2015-2016) MEDICAID TRANSFORMATION/HIE/PRIMARY CARE/FUNDS. (NEW) Filed Mar 26 2015, *AN ACT TO TRANSFORM AND REORGANIZE NORTH CAROLINA'S MEDICAID AND NC HEALTH CHOICE PROGRAMS, TO PROVIDE FUNDS FOR THE OVERSIGHT AND ADMINISTRATION OF THE STATEWIDE HEALTH INFORMATION EXCHANGE NETWORK, TO INCREASE MEDICAID RATES TO PRIMARY CARE PHYSICIANS, AND TO DISCONTINUE MEDICAID PRIMARY CARE CASE MANAGEMENT.*

Senate committee substitute makes the following changes to the 4th edition.

Amends new GS 143B-1400 to add the procedure for naming a replacement Secretary of the Department of Medicaid in the event of death, incapacity, resignation, removal by the Governor, or vacancy for any other reason, with the procedures differing depending on whether the General Assembly is in session at the time of the vacancy.

Amends GS 20-79.5 to create a special license plate for the Secretary of Medicaid.

Amends GS 126-5 to allow the Governor to designate positions as exempt from the NC Human Resources Act in the Department of Medicaid (DOM).

Amends GS 143B-2 to make the Executive Organization Act of 1973 applicable to DOM.

Amends GS 143B-6 to name DOM as a principal department.

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

GS 20, GS 90, GS 108A, GS 108E, GS 120, GS 126, GS 143B, GS 150B

View summary

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Department of Transportation, State Government, State Personnel, Health and Human Services, Health, Health Insurance, Social Services, Public Assistance, Transportation

H 372 (2015-2016) MEDICAID TRANSFORMATION/HIE/PRIMARY CARE/FUNDS. (NEW) Filed Mar 26 2015, *AN ACT TO TRANSFORM AND REORGANIZE NORTH CAROLINA'S MEDICAID AND NC HEALTH CHOICE PROGRAMS, TO PROVIDE FUNDS FOR THE OVERSIGHT AND ADMINISTRATION OF THE STATEWIDE HEALTH INFORMATION EXCHANGE NETWORK, TO INCREASE MEDICAID RATES TO PRIMARY CARE PHYSICIANS, AND TO DISCONTINUE MEDICAID PRIMARY CARE CASE MANAGEMENT.*

Senate amendment makes the following changes to the 5th edition.

Requires contracts for the delivery of Medicaid health care items and services provide for small providers to have an equal opportunity to participate in the provider networks established by commercial insurers and PLEs, and requires commercial insurers and PLEs to apply economic and quality standards equally regardless of provider size or ownership.

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

GS 20, GS 90, GS 108A, GS 108E, GS 120, GS 126, GS 143B, GS 150B

View summary

Government, **Budget/Appropriations**, **State Agencies**, **Department of Health and Human Services**, **Department of Transportation**, **State Government**, **State Personnel**, **Health and Human Services**, **Health**, **Health Insurance**, **Social Services**, **Public Assistance**, **Transportation**

H 383 (2015-2016) CLARIFY STATUTORY SCHEME/SEX OFFENSES. Filed Mar 26 2015, *AN ACT TO REORGANIZE, RENAME, AND RENUMBER VARIOUS SEXUAL OFFENSES TO MAKE THEM MORE EASILY DISTINGUISHABLE FROM ONE ANOTHER AS RECOMMENDED BY THE NORTH CAROLINA COURT OF APPEALS IN "STATE OF NORTH CAROLINA V. SLADE WESTON HICKS, JR.," AND TO MAKE OTHER TECHNICAL CHANGES.*

AN ACT TO REORGANIZE, RENAME, AND RENUMBER VARIOUS SEXUAL OFFENSES TO MAKE THEM MORE EASILY DISTINGUISHABLE FROM ONE ANOTHER AS RECOMMENDED BY THE NORTH CAROLINA COURT OF APPEALS IN "STATE OF NORTH CAROLINA V. SLADE WESTON HICKS, JR.," AND TO MAKE OTHER TECHNICAL CHANGES. Enacted August 5, 2015. Effective December 1, 2015.

Intro. by Glazier, Stam, Jordan, Faircloth.

GS 7B, GS 8, GS 14, GS 15A, GS 48, GS 50, GS 50B, GS 90, GS 143B

View summary

Courts/Judiciary, **Civil**, **Family Law**, **Evidence**, **Juvenile Law**, **Criminal Justice**, **Criminal Law and Procedure**

H 397 (2015-2016) CLARIFY PROTECTIONS/EXPLOITATION OF ELDERS. Filed Mar 30 2015, *AN ACT TO CLARIFY THAT UPON CONVICTION FOR EXPLOITATION OF AN OLDER ADULT OR DISABLED ADULT, ANY SEIZED ASSETS SHALL BE USED TO SATISFY THE DEFENDANT'S RESTITUTION OBLIGATION AS ORDERED BY THE COURT.*

AN ACT TO CLARIFY THAT UPON CONVICTION FOR EXPLOITATION OF AN OLDER ADULT OR DISABLED ADULT, ANY SEIZED ASSETS SHALL BE USED TO SATISFY THE DEFENDANT'S RESTITUTION OBLIGATION AS ORDERED BY THE COURT. Enacted August 5, 2015. Effective October 1, 2015.

Intro. by Glazier.

GS 1, GS 7A, GS 14

View summary

Courts/Judiciary, **Civil**, **Civil Procedure**, **Criminal Justice**, **Criminal Law and Procedure**, **Health and Human Services**, **Social Services**, **Adult Services**

H 446 (2015-2016) AMEND STATUTES GOVERNING BAIL BONDSMEN. Filed Mar 31 2015, *AN ACT TO AMEND THE*

STATUTES GOVERNING BAIL BONDSMEN TO INCREASE THE AGE OF QUALIFICATION FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER, TO LENGTHEN THE TIME LIMIT FOR THE RETURN OF SECURITY TO INCLUDE THE TIME PERIOD IN WHICH AN APPEAL FROM DISTRICT COURT MAY BE FILED, TO REQUIRE THE COMMISSIONER OF INSURANCE TO RETURN THE AMOUNT OF A BONDSMAN'S SECURITY DEPOSIT ABOVE OUTSTANDING BOND LIABILITY IN EVENT THE BONDSMAN IS KILLED OR CEASES WRITING BONDS, AND TO ALLOW A BONDSMAN TO HAVE ACCESS TO THE ADMINISTRATIVE OFFICE OF THE COURTS' CIVIL INFORMATION SYSTEMS.

AN ACT TO AMEND THE STATUTES GOVERNING BAIL BONDSMEN TO INCREASE THE AGE OF QUALIFICATION FOR LICENSURE AS A BAIL BONDSMAN OR RUNNER, TO LENGTHEN THE TIME LIMIT FOR THE RETURN OF SECURITY TO INCLUDE THE TIME PERIOD IN WHICH AN APPEAL FROM DISTRICT COURT MAY BE FILED, TO REQUIRE THE COMMISSIONER OF INSURANCE TO RETURN THE AMOUNT OF A BONDSMAN'S SECURITY DEPOSIT ABOVE OUTSTANDING BOND LIABILITY IN EVENT THE BONDSMAN IS KILLED OR CEASES WRITING BONDS, AND TO ALLOW A BONDSMAN TO HAVE ACCESS TO THE ADMINISTRATIVE OFFICE OF THE COURTS' CIVIL INFORMATION SYSTEMS. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by Jordan, Wray, Turner, Schaffer.

GS 58

View summary

Business and Commerce, **Occupational Licensing**, **Courts/Judiciary**, **Criminal Justice**, **Criminal Law and Procedure**

H 529 (2015-2016) NC DRIVERS LICENSE RESTORATION ACT. Filed Apr 1 2015, *AN ACT TO REPEAL THE PUNISHMENT OF REVOKING A PERSON'S DRIVERS LICENSE FOR COMMITTING CERTAIN DRIVING WHILE LICENSE REVOKED OFFENSES; TO MAKE DRIVING WHILE LICENSE REVOKED A NONMOVING VIOLATION FOR CERTAIN PURPOSES; AND TO MAKE OTHER CONFORMING CHANGES.*

AN ACT TO REPEAL THE PUNISHMENT OF REVOKING A PERSON'S DRIVERS LICENSE FOR COMMITTING CERTAIN DRIVING WHILE LICENSE REVOKED OFFENSES; TO MAKE DRIVING WHILE LICENSE REVOKED A NONMOVING VIOLATION FOR CERTAIN PURPOSES; AND TO MAKE OTHER CONFORMING CHANGES. Enacted August 5, 2015. Effective December 1, 2015.

Intro. by Baskerville, Bryan.

GS 20

View summary

Courts/Judiciary, **Motor Vehicle**

H 553 (2015-2016) ORDINANCES REGULATING ANIMALS. Filed Apr 2 2015, *AN ACT TO AMEND THE AUTHORITY OF CITIES AND COUNTIES TO ADOPT ORDINANCES REGARDING ANIMALS.*

AN ACT TO AMEND THE AUTHORITY OF CITIES AND COUNTIES TO ADOPT ORDINANCES REGARDING ANIMALS. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by McGrady, Whitmire, Langdon, Dixon.

GS 153A, GS 160A

View summary

Agriculture, **Animals**, **Government**, **Local Government**

H 562 (2015-2016) AMEND FIREARM LAWS. Filed Apr 2 2015, *AN ACT TO AMEND VARIOUS FIREARM LAWS.*

AN ACT TO AMEND VARIOUS FIREARM LAWS. Enacted August 5, 2015. Subsections (a), (b), and (c) of Section 1, and Sections 2, 3, 7, 8, and 13 are effective July 1, 2015. Section 5 is effective July 1, 2015, but will not apply to pending litigation. Sections 9 and 10 are effective December 1, 2015. Section 14 is effective October 1, 2015. The remainder is effective August 5, 2015.

Intro. by Schaffer, Burr, Cleveland, Faircloth.

STUDY, GS 14, GS 15A, GS 106, GS 113, GS 122C

View summary

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Agriculture and Consumer Services, Department of Public Safety, Health and Human Services, Mental Health

H 607 (2015-2016) ALLOW PROTECTED CONSUMER SECURITY FREEZES. Filed Apr 9 2015, *AN ACT TO AUTHORIZE THE PLACEMENT OF A PROTECTED CONSUMER SECURITY FREEZE ON A PROTECTED CONSUMER'S CREDIT REPORT.*

AN ACT TO AUTHORIZE THE PLACEMENT OF A PROTECTED CONSUMER SECURITY FREEZE ON A PROTECTED CONSUMER'S CREDIT REPORT. Enacted August 5, 2015. Effective January 1, 2016.

Intro. by Meyer, Hardister.

GS 75, GS 130A

View summary

Banking and Finance, Business and Commerce, Consumer Protection

H 638 (2015-2016) CAPITALIZE ON WETLAND MITIGATION. Filed Apr 13 2015, *AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN COOPERATION WITH THE WILDLIFE RESOURCES COMMISSION, TO TAKE ACTION THAT ENCOURAGES WETLAND MITIGATION PRACTICES SUPPORTIVE OF PUBLIC RECREATION AND HUNTING ON MITIGATION SITES.*

AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, IN COOPERATION WITH THE WILDLIFE RESOURCES COMMISSION, TO TAKE ACTION THAT ENCOURAGES WETLAND MITIGATION PRACTICES SUPPORTIVE OF PUBLIC RECREATION AND HUNTING ON MITIGATION SITES. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by Millis, J. Bell, Pendleton.

GS 143

View summary

Environment, Environment/Natural Resources, Government, State Agencies, Department of Environment and Natural Resources

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.

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. Enacted August 5, 2015. Effective October 1, 2015.

Intro. by Hardister, Szoka.

GS 1, GS 93E

View summary

Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Procedure

H 721 (2015-2016) SUBDIVISION ORDINANCE/LAND DEVELOP. CHANGES. Filed Apr 14 2015, *AN ACT TO AMEND THE LAWS RELATED TO LAND DEVELOPMENT.*

AN ACT TO AMEND THE LAWS RELATED TO LAND DEVELOPMENT. Enacted August 5, 2015. Effective October 1, 2015.

Intro. by Bryan, Stam.

GS 153A, GS 160A

View summary

Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Local Government

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.*

AN ACT TO AMEND THE LAW REQUIRING THE PRESENCE OF A LICENSED PHYSICIAN AT THE EXECUTION OF A DEATH SENTENCE. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by Daughtry.

GS 15, GS 132, GS 150B

View summary

Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Government, APA/Rule Making

H 797 (2015-2016) ALARM REGISTRATION INFO NOT PUBLIC RECORD. Filed Apr 14 2015, *AN ACT PROVIDING THAT REGISTRATION AND SENSITIVE SECURITY INFORMATION RECEIVED OR COMPILED BY A CITY IN THE COURSE OF ADMINISTERING AN ALARM REGISTRATION ORDINANCE IS NOT A PUBLIC RECORD.*

AN ACT PROVIDING THAT REGISTRATION AND SENSITIVE SECURITY INFORMATION RECEIVED OR COMPILED BY A CITY IN THE COURSE OF ADMINISTERING AN ALARM REGISTRATION ORDINANCE IS NOT A PUBLIC RECORD. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by S. Martin, Farmer-Butterfield.

GS 132

View summary

Government, Public Records and Open Meetings

H 823 (2015-2016) ESTABLISH ADVISORY COUNCIL ON RARE DISEASES. Filed Apr 14 2015, *AN ACT ESTABLISHING AN ADVISORY COUNCIL ON RARE DISEASES WITHIN THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL.*

AN ACT ESTABLISHING AN ADVISORY COUNCIL ON RARE DISEASES WITHIN THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL. Enacted August 5, 2015. Effective August 1, 2015.

Intro. by Carney, Avila, Earle.

STUDY, GS 130A

View summary

Government, State Agencies, UNC System, Health and Human Services, Health

PUBLIC/SENATE BILLS

S 82 (2015-2016) VITAL RECORDS INTEGRITY ACT. Filed Feb 12 2015, *AN ACT TO ENSURE THE INTEGRITY OF BIRTH RECORDS PRESENTED FOR REGISTRATION.*

AN ACT TO ENSURE THE INTEGRITY OF BIRTH RECORDS PRESENTED FOR REGISTRATION. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by Bingham.

GS 161

View summary

Courts/Judiciary

S 159 (2015-2016) CORRECTED REVAL./MINIMAL REFUNDS/PROP. TAXES. (NEW) Filed Mar 3 2015, *AN ACT TO REQUIRE PAYMENT OF ADDITIONAL TAXES BY THE APPROPRIATE OWNERS OF RECORD FOR CORRECTED REVALUATIONS AND TO PROVIDE OPTIONS FOR THE DISPOSITION OF MINIMAL PROPERTY TAX REFUNDS.*

House committee substitute makes the following changes to the 4th edition.

Amends the short and long titles.

Amends Section 3 of SL 2013-362 concerning payment plans for property taxes owed as a result of errors that caused an understated value, providing that the appropriate owner can enter into a payment plan for such taxes owed if greater than $1,000 provided that the plan (1) does not exceed 36 months, and (2) requires equal installments (previously, allowed payment plans if not longer in duration than 60 months and did not have an equal installment requirement).

Enacts new subsection GS 105-321(g) to allow governing bodies with taxing authority to adopt resolutions to provide that refunds of tax overpayments of $15 or less will not be refunded via mail. Requires resolutions to be adopted on or before June 15 preceding the first taxable year to which these provisions apply. Sets out procedures and recordkeeping requirements for such refunds. Provides that such minimal refunds can be requested in person at the tax office before the end of the current fiscal year. If no request is made, the refund amount is to be credited against future taxes. Specifies how interest will accrue.

Intro. by Tarte, Rucho.

UNCODIFIED, GS 105

View summary

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

S 182 (2015-2016) AUTOMATIC LICENSE PLATE READERS. Filed Mar 4 2015, *AN ACT TO REGULATE THE USE OF AUTOMATIC LICENSE PLATE READER SYSTEMS.*

AN ACT TO REGULATE THE USE OF AUTOMATIC LICENSE PLATE READER SYSTEMS. Enacted August 5, 2015. Effective December 1, 2015.

Intro. by McKissick, Barefoot, Daniel.

GS 20

View summary

Transportation

S 183 (2015-2016) ELIMINATE CRVS FOR MISDEMEANANTS. Filed Mar 4 2015, *AN ACT TO ELIMINATE CONFINEMENT IN RESPONSE TO VIOLATION FOR MISDEMEANANTS SENTENCED UNDER STRUCTURED SENTENCING, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION.*

AN ACT TO ELIMINATE CONFINEMENT IN RESPONSE TO VIOLATION FOR MISDEMEANANTS SENTENCED UNDER STRUCTURED SENTENCING, AS RECOMMENDED BY THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION. Enacted August 5, 2015. Effective December 1, 2015.

Intro. by McKissick, Daniel, Randleman.

GS 15A

View summary

Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation)

S 192 (2015-2016) CITATIONS/SHERIFFS ACCEPT FAXES. Filed Mar 5 2015, *AN ACT TO ALLOW DOMESTIC VIOLENCE PROTECTIVE ORDERS, CIVIL NO-CONTACT ORDERS, AND INVOLUNTARY COMMITMENT ORDERS TO BE TRANSMITTED BY ELECTRONIC AND FACSIMILE TRANSMISSION, TO AMEND LAWS REGARDING TRANSPORTATION OF PERSONS BEING INVOLUNTARILY COMMITTED, AND TO REQUIRE THE ADMINISTRATIVE OFFICER OF THE COURTS TO RECEIVE INPUT ON CLARIFYING LANGUAGE USED IN CITATIONS AND MAKE CHANGES AS APPROPRIATE.*

AN ACT TO ALLOW DOMESTIC VIOLENCE PROTECTIVE ORDERS, CIVIL NO-CONTACT ORDERS, AND INVOLUNTARY COMMITMENT ORDERS TO BE TRANSMITTED BY ELECTRONIC AND FACSIMILE TRANSMISSION, TO AMEND LAWS REGARDING TRANSPORTATION OF PERSONS BEING INVOLUNTARILY COMMITTED, AND TO REQUIRE THE ADMINISTRATIVE OFFICER OF THE COURTS TO RECEIVE INPUT ON CLARIFYING LANGUAGE USED IN CITATIONS AND MAKE CHANGES AS APPROPRIATE. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by Cook.

GS 50B, GS 50C, GS 122C

View summary

Courts/Judiciary, Civil, Civil Law, Family Law, Motor Vehicle, Court System, Government, Public Safety, Health and Human Services, Mental Health

S 233 (2015-2016) AUTOMATIC EXPUNCTION/MISTAKEN IDENTITY. Filed Mar 10 2015, *AN ACT TO PROVIDE FOR THE AUTOMATIC EXPUNCTION OF CERTAIN RECORDS OF A PERSON WHEN THE CHARGE OR CHARGES AGAINST THE PERSON ARE DISMISSED AS A RESULT OF IDENTITY THEFT OR MISTAKEN IDENTITY.*

AN ACT TO PROVIDE FOR THE AUTOMATIC EXPUNCTION OF CERTAIN RECORDS OF A PERSON WHEN THE CHARGE OR CHARGES AGAINST THE PERSON ARE DISMISSED AS A RESULT OF IDENTITY THEFT OR MISTAKEN IDENTITY. Enacted August 6, 2015. Effective December 1, 2015.

Intro. by McKissick, Bingham, Daniel.

GS 15A

View summary

Business and Commerce, **Consumer Protection**, **Courts/Judiciary**, **Criminal Justice**, **Criminal Law and Procedure**

S 345 (2015-2016) LIMIT STORAGE DURATION FOR DAMAGED VEHICLE (NEW). Filed Mar 19 2015, *AN ACT TO LIMIT THE AMOUNT OF TIME A MOTOR VEHICLE CAN BE IMPOUNDED AFTER A COLLISION.*

AN ACT TO LIMIT THE AMOUNT OF TIME A MOTOR VEHICLE CAN BE IMPOUNDED AFTER A COLLISION. Enacted August 5, 2015. Effective August 1, 2015.

Intro. by Meredith.

GS 20

View summary

Courts/Judiciary, **Motor Vehicle**, **Government**, **Public Safety**

S 374 (2015-2016) MODIFY FOR-HIRE LICENSE LOGBOOK REQUIREMENT. Filed Mar 24 2015, *AN ACT TO REPEAL THE REQUIREMENT THAT A HOLDER OF A FOR-HIRE COASTAL RECREATIONAL FISHING LICENSE SUBMIT A LOGBOOK SUMMARIZING CATCH AND EFFORT STATISTICAL DATA, TO DIRECT THE DIVISION OF MARINE FISHERIES TO STUDY THE ADVISABILITY OF REQUIRING THE SUBMISSION OF CATCH AND EFFORT STATISTICAL DATA; TO FORBID THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM ENTERING INTO A JOINT ENFORCEMENT AGREEMENT WITH THE NATIONAL MARINE FISHERIES SERVICE; AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO STUDY THE JOINT ENFORCEMENT AGREEMENT.*

AN ACT TO REPEAL THE REQUIREMENT THAT A HOLDER OF A FOR-HIRE COASTAL RECREATIONAL FISHING LICENSE SUBMIT A LOGBOOK SUMMARIZING CATCH AND EFFORT STATISTICAL DATA, TO DIRECT THE DIVISION OF MARINE FISHERIES TO STUDY THE ADVISABILITY OF REQUIRING THE SUBMISSION OF CATCH AND EFFORT STATISTICAL DATA; TO FORBID THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FROM ENTERING INTO A JOINT ENFORCEMENT AGREEMENT WITH THE NATIONAL MARINE FISHERIES SERVICE; AND TO DIRECT THE DIVISION OF MARINE FISHERIES TO STUDY THE JOINT ENFORCEMENT AGREEMENT. Enacted August 5, 2015. Effective August 5, 2015.

Intro. by Cook.

STUDY, GS 113, GS 128

View summary

Environment, **Aquaculture and Fisheries**, **Government**

S 607 (2015-2016) TAXPAYER PROTECTION ACT. (NEW) Filed Mar 26 2015, *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR TAXPAYER PROTECTIONS THAT LIMIT THE GROWTH OF STATE SPENDING, ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND, AND REDUCE THE MAXIMUM OF THE INCOME TAX RATE TO FIVE PERCENT FROM TEN PERCENT.*

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

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

Subject to approval by a majority of votes cast at the time of the 2016 presidential primary election, the act amends the North Carolina constitution by enacting a new Article V-A, amending Section 2 of Article V, and amending Section 22 of Article II, as follows.

Adds new Article V-A, Taxpayer Protections. Section 1 of the Article limits the maximum annual percentage increase in State fiscal year spending to the average inflation growth for the prior three calendar years plus the average growth in State population for the prior three fiscal years. Defines fiscal year spending, inflation growth, and population. Gives the General Assembly the power to increase the spending limit by an act passed by two-thirds of all the members of each house. Applies to fiscal years beginning on or after July 1, 2017.

Section 2 of the new Article establishes the Emergency Savings Reserve Fund (Fund) and requires the General Assembly to reserve 2% of the amount appropriated from the General Fund (excluding General Fund receipts) to the Fund for capital and operating expenses for the prior fiscal year until the Fund contains 12.5% of the amount appropriated from the General Fund (excluding General Fund receipts) for capital and operating expenses for the prior fiscal year. Allows the General Assembly to decline to reserve funds to or provide for the expenditure of funds from the Fund; acts that do either of these things must be approved by two-thirds of all the members of each house. Prohibits money from being drawn from the Fund except under appropriations from the Fund passed by two-thirds vote of all the members of each house. Specifies that the Governor does not have the power to (1) expend money in the Fund without an appropriation by the General Assembly or (2) divert money appropriated from the Fund for other purposes. Applies to fiscal years beginning on or after July 1, 2016.

Section 3 of the new Article limits the income tax rate to 5%. Applies to taxable years beginning on or after January 1, 2020.

Amends Section 2 of Article V to provide that tax on income is subject to the provisions of Section 1 of new Article V-A. Applies to taxable years beginning on or after January 1, 2020.

Adds new subdivisions to Section 22 of Article II requiring bills that increase the fiscal year spending limit and do not contain any other matter, and bills declining to reserve funds to the Funds, providing for the expenditure of funds from the Fund, or both, to be read three times in each house and be signed by the presiding officers of both houses. These provisions apply upon certification by the Secretary of State.

Sets out the requirements for presenting the amendments to voters. Requires that if a majority of votes cast on the question are in favor of the amendments in the act that the amendments be certified to the Secretary of State.

Changes the act's short and long titles.

Intro. by Rucho, Meredith, Brock.

CONST

View summary

Constitution, **Government**, **Budget/Appropriations**, **General Assembly**, **Tax**

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.

AN ACT TO AMEND THE DEBT COLLECTOR STATUTES TO MORE NEARLY CONFORM TO THE FEDERAL FAIR DEBT COLLECTION PRACTICES ACT. Enacted August 5, 2015. Effective August 5, 2015.

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 MADE 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.*

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 MADE 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. Enacted August 5, 2015. Effective September 1, 2015.

Intro. by Gunn, Newton, D. Davis.

GS 53

View summary

Business and Commerce

S 699 (2015-2016) PROTECT LEO HOME ADDRESS/OTHER INFORMATION. Filed Mar 26 2015, *AN ACT TO PROTECT CERTAIN PERSONAL INFORMATION OF LAW ENFORCEMENT OFFICERS FROM DISCLOSURE.*

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

Amends GS 132-1.7 to exclude from public records the cell phone numbers issued by a local, county, or state government to (1) a sworn law enforcement officer or non-sworn employee of a public law enforcement agency, (2) a fire department employee, or (3) any employee whose duties include emergency response.

Intro. by McKissick.

GS 132, GS 153A, GS 160A

View summary

Government, **Public Records and Open Meetings**, **Public Safety**, **Local Government**

LOCAL/HOUSE BILLS

H 394 (2015-2016) INCREASE OPTIONS FOR LOCAL OPTION SALES TAX. Filed Mar 30 2015, *AN ACT TO AUTHORIZE ASHE, FRANKLIN, NASH, ROBESON, RUTHERFORD, AND WATAUGA COUNTIES TO USE THE PROCEEDS OF THE LOCAL GOVERNMENT SALES AND USE TAX FOR PUBLIC TRANSPORTATION FOR SCHOOL CONSTRUCTION IN LIEU OF PUBLIC TRANSPORTATION.*

House amendment makes the following changes to the 2nd edition.
Extends the scope of the act so that it also applies to Ashe and Watauga counties. Makes conforming changes to the act's long title.

Intro. by Goodman, Waddell, Pierce, C. Graham.

Ashe, Franklin, Nash, Robeson, Rutherford, Watauga

View summary

Government, Tax, Local Government

ACTIONS ON BILLS

PUBLIC BILLS

H 117: NC COMPETES ACT.

Senate: Reptd Fav
Senate: Placed on Today's Calendar
Senate: Amend Adopted A1
Senate: Amend Adopted A2
Senate: Passed 2nd Reading

H 168: EXEMPT BUILDERS' INVENTORY.

House: Cal Pursuant 36(b)
House: Placed On Cal For 08/11/2015

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

House: Concurred In S/Com Sub
House: Ordered Enrolled

H 287: AMEND INSURANCE LAWS.-AB

House: Passed 2nd Reading
House: Passed 3rd Reading

H 308: CLARIFY REASONABLE HEALTH INSUR/LTC OMBUDSMAN.

Ratified

H 334: TRANSFER OFFICE OF CHARTER SCHOOLS.

Senate: Conf Com Appointed

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

Ratified

H 372: MEDICAID TRANSFORMATION/HIE/PRIMARY CARE/FUNDS. (NEW)

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted

Senate: Placed on Today's Calendar
Senate: Amend Adopted A1
Senate: Passed 2nd Reading

H 482: EMPLOYEE FAIR CLASSIFICATION ACT.

House: Withdrawn From Cal
House: Cal Pursuant Rule 36(b)

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

Senate: Conf Report Adopted
House: Conf Report Adopted
House: Ordered Enrolled

H 571: IMPLEMENT CLEAN POWER PLAN (NEW).

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

H 792: PRIVACY/PROTECTION FROM REVENGE POSTINGS.

House: Cal Pursuant 36(b)
House: Placed On Cal For 08/11/2015

H 943: CONNECT NC BOND ACT OF 2015.

Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Ways & Means

H 944: REV. BILLY GRAHAM FOR POSTAGE STAMP.

House: Passed 1st Reading
House: Ref To Com On Rules, Calendar, and Operations of the House

S 159: CORRECTED REVAL./MINIMAL REFUNDS/PROP. TAXES. (NEW)

House: Reptd Fav Com Substitute
House: Re-ref Com On Finance

S 199: FUNDS DEPOSITED WITH CLERK OF COURT.

Senate: Concurred In H/Com Sub
Senate: Ordered Enrolled

S 330: CHANGE ORDERS ON SCHOOL CONSTRUCTION PROJECTS.

House: Withdrawn From Com
House: Re-ref Com On Local Government

S 429: LABOR/2015 TECHNICAL & CONFORMING CHANGES.

Senate: Regular Message Received For Concurrence in H Com Sub
Senate: Placed On Cal For 08/11/2015

S 581: STUDY SUBDIV. STREETS/TRAFFIC CALMING DEVICES (NEW).

Ratified

S 607: TAXPAYER PROTECTION ACT. (NEW)

Senate: Amend Adopted A1
Senate: Withdrawn From Cal

Senate: Placed On Cal For 08/11/2015
Senate: Amend Adopted A1
Senate: Withdrawn From Cal
Senate: Placed On Cal For 08/11/2015
Engrossed

S 699: PROTECT LEO HOME ADDRESS/OTHER INFORMATION.

House: Amend Adopted A1
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Engrossed

LOCAL BILLS

H 394: INCREASE OPTIONS FOR LOCAL OPTION SALES TAX.

House: Amend Adopted A2
House: Ruled Material

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