

The Daily Bulletin: 2016-05-17

PUBLIC/HOUSE BILLS

H 1030 (2015-2016) [2016 APPROPRIATIONS ACT](#). Filed May 3 2016, *AN ACT TO MODIFY THE CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ACT OF 2015 AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATIONS OF THE STATE.*

House committee substitute makes various changes to the 1st edition. We will not be including a summary of the Appropriations Act. For the content of the bill, please follow the View NCGA Bill Details link. Further information on the budget, including the committee report, can be found on the “News” section of the General Assembly’s website at: <http://www.ncleg.net/gascripts/News/NewsArchive.pl>.

Intro. by Dollar, L. Johnson, Lambeth, McGrady.

[APPROP, GS 105](#)

[View summary](#)

[Government, Budget/Appropriations, Tax](#)

H 1129 (2015-2016) [UNIFORM TIME FRAME TO CANVASS VOTES/CBOES](#). Filed May 17 2016, *AN ACT TO REQUIRE THAT IN CANVASSING VOTES AFTER ELECTIONS, COUNTY BOARDS OF ELECTIONS USE THE SAME TIME FRAME FOR ALL ELECTIONS.*

Amends GS 136-182.5, concerning canvassing votes after elections, to require the county board of elections to meet at 11:00AM on the tenth day after every election (currently, on the tenth day after every election held on the same day as a general election in November of the even numbered year, and the seventh day after every other election) to complete the canvass of votes cast and to authenticate the count in every ballot item in the county by determining that the votes have been counted and tabulated correctly.

Effective January 1, 2017, and applies to elections held on or after that date.

Intro. by Elmore, Brody, Jones.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

PUBLIC/SENATE BILLS

S 825 (2015-2016) [EXPAND HOSPITAL DISCLOSURE REQUIREMENTS](#). Filed May 10 2016, *AN ACT EXPANDING HOSPITAL DISCLOSURE REQUIREMENTS PERTAINING TO CHARITY CARE, PATIENT REVENUES, INCOME, AND CAPITAL ASSETS AND IMPROVEMENTS; AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, FOR INFORMATION TECHNOLOGY COSTS ASSOCIATED WITH THE DEPARTMENT'S EXPANDED RESPONSIBILITIES UNDER THESE REQUIREMENTS.*

Senate committee substitute makes the following changes to the 1st edition. Amends GS 131E-214.14 as follows.

Amends subsection (a1) to require each hospital or ambulatory surgical facility to disclose its financial assistance costs

repeated at current Medicare rates and in the three ways specified (previously, did not require costs to be restated at current Medicare rates).

Clarifies that the Department's posting of the disclosed financial assistance costs required by subsection (a1) on the Department's website be in a manner pursuant to subsection (a5) of the statute (was, pursuant to subsection (a4) of the statute).

Makes a clarifying change to subsection (a5).

Amends the definition of *hospital* to exempt from the definition a facility that operates on a for-profit basis and does not meet the definition contained in GS 131E-6(6) (defining *nonprofit association* and *nonprofit corporation* as it applies to Article 2 of GS Chapter 131E, the Municipal Hospital Act).

Intro. by Wells, Rucho.

GS 131E

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Health and Human Services, Health and
Human Services, Health, Health Care Facilities and
Providers**

S 838 (2015-2016) **MEDICAID TRANSFORMATION MODIFICATIONS**. Filed May 10 2016, *AN ACT TO REQUIRE FURTHER REPORTING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATED TO TRANSFORMATION OF THE MEDICAID AND NC HEALTH CHOICE PROGRAMS AND TO MODIFY CERTAIN PROVISIONS OF THE MEDICAID TRANSFORMATION LEGISLATION*.

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

Amends the act's short and long titles.

Amends Section 3 of SL 2015-245 to require *DHHS* (Department of Health and Human Services), instead of its Division of Health Benefits, to meet several Medicaid transformation reporting and development requirements. This replacement was made necessary due to the changes made to Section 4 of the same session law which now provides that *DHHS* alone (previously, *DHHS through the Division of Health Benefits*) is responsible for the planning and implementation of the Medicaid transformation pursuant to SL 2015-245. Further amends Section 4 of SL 2015-245 concerning services not covered by capitated prepaid health plans (PHPs) contracts, adding four new services not covered, including services provided through the Program of All-Inclusive Care for the Elderly program and services provided pursuant to a contract with a Children's Developmental Services Agencies. Makes clarifying and organizational changes. Also amends the provisions concerning the populations covered by PHPs adding five new classes of individuals that are not covered, including medically needy Medicaid recipients, members of federally-recognized tribes, or undocumented aliens that qualify for emergency services under 8 USC 1611. Further provides that there can be up to 12 contracts (previously, only allowed up to 10 contracts) between the Division of Health Benefits and a Provider-led entity (PLE).

Amends Section 5 of SL 2015-245, updating and replacing references to the phrase *DHHS through the Division of Health Benefits* with *DHHS*. Also amends provisions concerning the designation of Medicaid and NC Health Choice providers as essential providers, adding State Veterans Homes, to the list of providers that at a minimum are designated essential providers. Further amends Section 8 and 9 of the session law, updating and correcting references to *DHHS through the Division of Health Benefits* to just *DHHS*. Also amends Section 10 of SL 2015-245, by making *DHHS* responsible for implementing the Medicaid transformation and operating all functions, powers, duties, obligations, and services related to the transformed Medicaid and NC Health Choice programs (previously these were responsibilities of the Division of Health Benefits). Also adds language that allows the Secretary of the *DHHS* to appoint a Director of the

Division of Health Benefits prior to GS 143B-216.85 (*Appointment; term of office; and removal of the Director of the Division of Health Benefits*) becoming effective.

Amends GS 143B-216.80, creation of the Division of Health Benefits, providing that the Division of Health Benefits will be vested with all functions, powers, duties, obligations, and services that were previously vested in the Division of Medical Assistance once the Division of Medical Assistance has been eliminated. Makes organizational and clarifying changes and also adds a new subsection (b) which substantively was previously found in GS 108A-54 (g), which sets out certain exemptions, limitations, and modifications for the Division of Health Benefits, including that employees of the Division are not subject to the NC Human Resources Act, except as provided, and that the Secretary can retain private legal counsel as provided.

Amends GS 108A-54, concerning the authorization of the Medical Assistance Program, providing that DHHS will continue to administer and operate the Medicaid and NC Health Choice program through the Division of Medical Assistance until the Division of Medical Assistance is eliminated, at which time all such powers and duties will be vested in the Division of Health Benefits. Makes clarifying and conforming changes. Deletes provisions from (g) which are now substantively found in GS 143B-216.80.

Amends GS 143B-139.6C(d), the definitions section concerning the cooling-off period for certain DHHS employees, making organizational and clarifying changes, as well as providing that if an employee or contract employee of DHHS within the previous six months personally participated in (in addition to regulatory or licensing decision that applied to the vendor): (1) an audit, decision, investigation, or other action that affected the vendor, or (2) the award (was, award or management) of a contract to the vendor, then that employee is considered a former employee of DHHS for the purposes of the cooling off period and prohibition on contracting with former employees of DHHS.

Intro. by Hise.

[GS 108A, GS 143B](#)

[View summary](#)

[Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Insurance, Social Services, Public Assistance](#)

LOCAL/HOUSE BILLS

H 1127 (2015-2016) [SANFORD OCCUPANCY TAX AUTHORIZATION](#). Filed May 17 2016, *AN ACT TO AUTHORIZE THE CITY OF SANFORD TO LEVY AN OCCUPANCY TAX*.

Authorizes the Sanford City Council to levy a room occupancy tax of up to 3%. Provides that the tax must be levied, administered, collected, and repealed as provided in GS 160A-215 (uniform provisions for room occupancy taxes). Requires the Sanford Tourism Development Authority (TDA) to use 100% of the occupancy tax proceeds to promote travel and tourism in the city.

Provides provisions for the appointment, membership, and duties of the TDA. Requires the TDA to make reports quarterly and at the close of the fiscal year to the Sanford City Council on its receipts and expenditures for the preceding quarter and for the year. Makes conforming changes.

Intro. by Salmon.

[Lee](#)

[View summary](#)

[Government, Tax](#)

H 1128 (2015-2016) [CORNELIUS LIMITS/MECKLENBURG COUNTY POLICE](#). Filed May 17 2016, *AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND GRANTING COUNTYWIDE JURISDICTION TO THE POLICE DEPARTMENTS OF THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE.*

Adds specified property, referenced by county tax parcel identification number, to the corporate limits of the Town of Cornelius. Effective June 30, 2016.

Amends Section 1 of SL 1969-1170 to allow the Mecklenburg County Board of Commissioners (BOC) to authorize the police departments of the towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville to exercise general policing power throughout the unincorporated areas of Mecklenburg County, as designated by the Board of Commissioners. Provides that officers will have the same privileges and immunities in this extended jurisdiction as in their respective municipality, as long as the municipality and Mecklenburg County enter into an agreement setting forth guidelines and procedures for implementation of this act. Provides that the BOC cannot approve this extended exercise of power and authority to unincorporated areas of the county that fall within the sphere of influence or extraterritorial jurisdiction of another municipality, unless such a municipality consents in writing. Clarifies that nothing in this section restricts or prohibits the authority already granted to the police officers of the City of Charlotte over unincorporated areas of the county as it stands on or before the date this act becomes effective. Makes conforming and clarifying changes.

Intro. by Bradford.

[Mecklenburg](#)

[View summary](#)

[Government, Public Safety](#)

LOCAL/SENATE BILLS

S 877 (2015-2016) [RED LIGHT CAMERAS/CITY OF GREENVILLE](#). Filed May 17 2016, *AN ACT TO MAKE CHANGES TO THE LAW GOVERNING RED LIGHT CAMERAS IN THE CITY OF GREENVILLE.*

Identical to [H 1126](#), filed 5/17/16.

Amends Section 2 of SL 1997-216, as amended, deleting Greenville from the list of cities to which the session law authorizing local governments to use photo images as evidence of a traffic violation applies.

Amends Section 3 of SL 2007-341 to add Greenville to the list of cities to which Section 1 of the session law applies. Section 1 of the session law is comprised of GS 160A-300.1, Use of traffic control photographic systems.

Amends GS 160A-300.1(c) to allow Greenville to enter into a contract for the lease, lease-purchase, or purchase of a traffic control photographic system (red light system). Allows entering into only one contract, for no more than 60 months. After the contract period expires, the system must either become Greenville's property or be removed and returned to the contractor.

Amends GS 160A-300.1(c)(2), as amended, to increase the penalty for violations detected by a red light system from \$75 to \$100. Effective October 1, 2016, and applies to violations committed on or after that date.

Provides that Greenville and the Pitt County Board of Education can enter into an interlocal agreement to effectuate the purpose and intent of the provisions of GS 160A-300.1, concerning the use of red light systems, and the provisions of this act. Allows such an agreement to include cost-sharing and reimbursement provisions that are freely and voluntarily agreed to.

Provides that this act applies only to the City of Greenville and the Pitt County Board of Education.

Unless otherwise noted, act is effective July 1, 2016.

[View summary](#)

S 878 (2015-2016) [JONESVILLE/BOONVILLE/EAST BEND/EVEN-YR ELEC'N](#). Filed May 17 2016, *AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWNS OF JONESVILLE, BOONVILLE, AND EAST BEND ARE HELD IN EVEN-NUMBERED YEARS.*

Amends SL 2001-16 to make the following changes to Article IV (Elections) of the Charter of the Town of Jonesville.

Amends Section 4.1 to establish that, beginning in 2018, regular municipal elections are to be held in each even-numbered year (currently, in each odd-numbered year) in accordance with the uniform municipal elections laws of the State.

Deletes current provision in Section 4.2, which provided that for the year 2001, five members of the Town Council (Council) are to be elected, with the two persons receiving the highest numbers of votes elected to four-year terms, and the three persons receiving the next highest numbers of votes elected to two-year terms. Amends Section 4.2 to establish that the Council is to consist of five members, with two members whose terms expire in 2017 to continue to serve until 2018, and the three members whose terms expire in 2019 to continue to serve until 2020. Provides that in 2020 (currently, 2003), and quadrennially thereafter, three Council members are to be elected to four-year terms, and that in 2018 (currently, 2005), and quadrennially thereafter, two Council members are to be elected to four-year terms.

Amends Section 4.3 to establish that a Mayor is to be elected to serve a term of four years (currently, is to be elected in 2001 and quadrennially thereafter for a four-year term). Provides that the Mayor whose term expires in 2017 is to continue to serve until 2018. Further provides that in 2018, and quadrennially thereafter, the Mayor is to be elected to a four-year term.

Amends Chapter 44 of the Private Laws of 1895, as amended by SL 1981-1143, Section 4, to make the following changes to the Charter of the Town of Boonville.

Amends Section 4(a) to make similar changes made to SL 2001-16, Sections 4.1, 4.2 and 4.3, as amended by this act. Establishes that, beginning in 2018, regular municipal elections are to be held in each even-numbered year in the Town of Boonville. Provides that the board of town commissioners must consist of five members. Current law provides that the three persons receiving the highest number of votes are elected to four-year terms, and the two persons receiving the next highest number of votes are elected to two-year terms. Instead, this act provides that the two commissioners whose terms expire in 2017 are to continue to serve until 2018, and the three commissioners whose terms expire in 2019 are to continue to serve until 2020. Provides that, in 2018 (currently, 1985), and quadrennially thereafter, two commissioners are to be elected for four-year terms, and in 2020 (currently, 1987), and quadrennially thereafter, three commissioners are to be elected for four-year terms.

Amends Section 4(b) to establish that, beginning in 2018, at the regular municipal election, a mayor is to be elected to a four-year term (currently, at the regular municipal election in 1983, a mayor is to be elected to a two-year term). Provides that the Mayor whose term expires in 2017 is to continue to serve until 2018, and quadrennially thereafter, a mayor is to be elected to a four-year term.

Amends Section 4 of Chapter 44 of the Private Laws of 1887, as amended by SL 1955-611, to make the following changes to the Charter of the Town of East Bend. Provides that the officers, mentioned in the Charter, whose terms expire in 2017 are to continue to serve until 2018. Further provides that there is to be an election for those officers on Tuesday after the first Monday in May 2018 (currently, 1955), and biennially thereafter, under the same restrictions and regulations as set out in GS Chapter 163 (currently, GS Chapter 160, Article 3). Establishes that in 2018, and biennially thereafter, a Mayor and five commissioners are to be elected for two-year terms.

Intro. by Krawiec.

Yadkin

[View summary](#)

Government, Elections

S 879 (2015-2016) [CORNELIUS LIMITS/MECKLENBURG COUNTY POLICE](#). Filed May 17 2016, *AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS AND GRANTING COUNTYWIDE JURISDICTION TO THE POLICE DEPARTMENTS OF THE TOWNS OF CORNELIUS, DAVIDSON, HUNTERSVILLE, MATTHEWS, MINT HILL, AND PINEVILLE.*

Identical to [H 1128](#) filed 5/17/16.

Adds specified property, referenced by county tax parcel identification number, to the corporate limits of the Town of Cornelius. Effective June 30, 2016.

Amends Section 1 of SL 1969-1170 to allow the Mecklenburg County Board of Commissioners (BOC) to authorize the police departments of the towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville to exercise general policing power throughout the unincorporated areas of Mecklenburg County, as designated by the Board of Commissioners. Provides that officers will have the same privileges and immunities in this extended jurisdiction as in their respective municipality, as long as the municipality and Mecklenburg County enter into an agreement setting forth guidelines and procedures for implementation of this act. Provides that the BOC cannot approve this extended exercise of power and authority to unincorporated areas of the county that fall within the sphere of influence or extraterritorial jurisdiction of another municipality, unless such a municipality consents in writing. Clarifies that nothing in this section restricts or prohibits the authority already granted to the police officers of the City of Charlotte over unincorporated areas of the county as it stands on or before the date this act becomes effective. Makes conforming and clarifying changes.

Intro. by Tarte.

[View summary](#)

Government, Public Safety

S 880 (2015-2016) [ABOLISH CASWELL COUNTY CORONER](#). Filed May 17 2016, *AN ACT TO ABOLISH THE OFFICE OF CORONER IN CASWELL COUNTY.*

Abolishes the Caswell County coroner's office. Provides that GS Chapter 152, *Coroners*, is not applicable to Caswell County.

Effective the earlier of a vacancy in the coroner's office or the expiration of the current term of office in 2016.

Intro. by Woodard.

Caswell

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 385: SHERIFFS' SUPP. PENSION FUND CHANGES. (NEW)

Senate: Withdrawn From Com

Senate: Re-ref Com On Pensions & Retirement and Aging

H 474: EXCLUDE YR. ROUND TRACK-OUT PROGRAM/CHILD CARE.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

H 958: FELONY DEATH IMP. BOATING/SHEYENNE'S LAW.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref to Judiciary II. If fav, re-ref to Finance

Senate: Withdrawn From Com

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

H 1020: INDIGENT DEFENSE SERVICES AMENDMENTS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

H 1021: AMEND INNOCENCE COMMISSION STATUTES.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Judiciary II

H 1030: 2016 APPROPRIATIONS ACT.

House: Reptd Fav Com Substitute

House: Ruled Material

House: Re-ref Com On Appropriations

H 1129: UNIFORM TIME FRAME TO CANVASS VOTES/CBOES.

House: Filed

S 734: STATEWIDE STANDING ORDER/OPIOID ANTAGONIST.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 741: STATE CONTROLLER/CRIMINAL RECORD CHECKS.

Senate: Reptd Fav

Senate: Re-ref Com On Judiciary II

S 754: PREVENT SQUATTING IN FORECLOSED REAL PROPERTY.

Senate: Withdrawn From Cal

Senate: Re-ref Com On Appropriations/Base Budget

S 778: DOT TO STUDY SEPA REFORM IMPACTS.

House: Regular Message Received From Senate

S 803: MUNICIPAL SERVICE DISTRICTS/STATUTORY CHANGES.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 807: CONFORM FULL-PAYMENT CHECK LAW TO UCC.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 825: EXPAND HOSPITAL DISCLOSURE REQUIREMENTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

S 838: MEDICAID TRANSFORMATION MODIFICATIONS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 841: MEDICAID ELIGIBILITY TIMELINESS/FUNDS.

Senate: Reptd Fav

Senate: Re-ref Com On Appropriations/Base Budget

LOCAL BILLS

H 956: HENDERSON COUNTY/COMMUNITY COLLEGE PROJECTS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

H 957: HENDERSONVILLE CHARTER AMENDMENT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

H 989: RED CROSS CHARTER AMENDMENTS.

House: Withdrawn From Com

House: Re-ref Com On Local Government

H 1009: WAKE CTY TOWNS DONATE RETIRED SERVICE ANIMALS.

House: Withdrawn From Cal

House: Ordered Engrossed

House: Re-ref Com On Local Government

H 1037: LINCOLN TON AIRPORT AUTHORITY/CONTRACT LENGTH.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

H 1058: TOBACCOVILLE RECALL ELECTIONS.

House: Withdrawn From Com

House: Re-ref Com On Local Government

H 1126: RED LIGHT CAMERAS/CITY OF GREENVILLE.

House: Passed 1st Reading

House: Ref To Com On Local Government

H 1127: SANFORD OCCUPANCY TAX AUTHORIZATION.

House: Filed

H 1128: CORNELIUS LIMITS/MECKLENBURG COUNTY POLICE.

House: Filed

S 727: MOORE CNTY LOCAL SALES TAX USE RESTRICTION.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 733: TOWN OF PROCTORVILLE/SEWER FEE COLLECTIONS.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 739: TOWN OF ROLESVILLE/ANNEXATION.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 774: VILLAGE OF MARVIN/DEANNEXATION.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 877: RED LIGHT CAMERAS/CITY OF GREENVILLE.

Senate: Filed

S 878: JONESVILLE/BOONVILLE/EAST BEND/EVEN-YR ELEC'N.

Senate: Filed

S 879: CORNELIUS LIMITS/MECKLENBURG COUNTY POLICE.

Senate: Filed

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