



## The Daily Bulletin: 2016-06-28

### PUBLIC/HOUSE BILLS

H 136 (2015-2016) [RECALL RETIRED BUSINESS COURT JUDGE. \(NEW\)](#) Filed Mar 3 2015, *AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES TO AUTHORIZE A RETIRED BUSINESS COURT JUDGE TO BE RECALLED TO SERVE AS A SENIOR BUSINESS COURT JUDGE.*

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

Amends the act's short and long titles.

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

Amends GS 7A-52, concerning the recall of retired judges for active service, enacting new subsection (a1), which allows an emergency superior court judge to be recalled to active service by the Chief Justice of the NC Supreme Court to hear and decide complex business cases if certain conditions are met, including (1) the judge is a special superior court judge who is retiring from a term to which the judge was appointed as specified; (2) the judge is retiring from a term for which he or she was assigned by the Chief Justice to hear complex business cases; (3) the judge's nomination to serve a successive term in the same office is pending before the General Assembly or was not acted on before adjournment sine die; and (4) if confirmed and appointed to the successive term of office for which nominated, the judge would reach the mandatory retirement age before completing that term of office. Provides that any emergency judge assigned as specified above will be designated as a senior business court judge and will remain eligible to serve in that capacity for five years from the issuance date of the judge's commission as an emergency judge or until the judge's commission expires, whichever occurs first. Adds language to subsection (b) concerning pay, providing that recalled judges serving as senior business court judges are entitled to \$500 per day in addition to the judge's expenses for each day of active service during recall. Provides that such judges cannot overlap days of serving as a senior business court judge and regular superior court judge. Effective when law, applying to judges that retire on or after that date.

Amends GS 7A-57 concerning the recall of active and emergency trial judges that have reached the mandatory retirement age, adding new subdivision (7) to allow recalled emergency judges that have served as a senior business court judge and whose commission expired on the mandatory retirement age to be recalled by the Chief Justice and assigned to hear complex business cases as a senior business court judge for up to five years from the issuance of their commission pursuant to GS 7A-53. Makes technical changes. Effective when law, applying to judges that reach the mandatory retirement age on or after that date.

Amends GS 7A-45.3, concerning superior court judges designated for complex business cases, adding language that provides that if there is more than one business court judge or senior business court judge, the Chief Justice can designate one of them as the Chief Business Court Judge (previously, designation would be as senior business court judge, but this change reflects new language that requires recalled judges to be designated as Senior business court judges). Makes conforming changes.

Amends GS 7A-45.4(c) and GS 135-71(c), making conforming changes.

**Intro. by Stevens.**

[GS 7A, GS 135](#)

[View summary](#)

[Courts/Judiciary, Court System, Employment and Retirement](#)

H 424 (2015-2016) [PROHIBIT UNLAWFUL CUSTODY TRANSFER OF CHILD \(NEW\)](#). Filed Mar 31 2015, *AN ACT TO PROHIBIT THE UNLAWFUL TRANSFER OF CUSTODY OF A MINOR CHILD AND TO MAKE CONFORMING STATUTORY CHANGES*

Senate committee substitute makes the following changes to the 3rd edition.

Amends the definition for *unlawful transfer of custody* in proposed GS 14-321.2(b), providing that it means the transfer of

physical custody of a minor child, in willful violation of applicable adoption law or by gross negligent omission in the care of the child as specified (previously, required the transfer to be a *permanent* transfer of physical custody in order for it to be considered unlawful).

Deletes provisions requiring DHHS to collect data on the incidence of disrupted adoptions and the unlawful transfer of custody of children in North Carolina as well as the outcomes for the children and families associated with disrupted adoptions. Amends language which required DHHS to develop a program to provide support to families at risk of adoption disruptions, now requiring that the program is developed to provide support for those families at risk of adoption dissolutions.

**Intro. by Stevens.**

GS 7B, GS 14, GS 48

[View summary](#)

**Courts/Judiciary, Civil, Family Law, Juvenile Law, Abuse, Neglect and Dependency, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare**

H 548 (2015-2016) **CONFORMING CHANGES/CONSTITUTIONAL AMEND. (NEW)** Filed Apr 2 2015, *AN ACT TO PROVIDE CONFORMING CHANGES UPON THE VOTERS' APPROVAL OF AMENDMENTS TO THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE AND FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND, AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE.*

Senate committee substitute makes the following changes to the 3rd edition.

Changes the long title of the act to AN ACT TO PROVIDE CONFORMING CHANGES UPON THE VOTERS' APPROVAL OF AMENDMENTS TO THE NORTH CAROLINA CONSTITUTION TO PROHIBIT CONDEMNATION OF PRIVATE PROPERTY EXCEPT FOR A PUBLIC USE AND FOR THE PAYMENT OF JUST COMPENSATION WITH RIGHT OF TRIAL BY JURY IN ALL CONDEMNATION CASES, TO PROVIDE FOR TAXPAYER PROTECTIONS THAT ESTABLISH A STATE EMERGENCY SAVINGS RESERVE FUND, AND TO PROTECT THE RIGHT OF THE PEOPLE TO HUNT, FISH, AND HARVEST WILDLIFE.

Makes conforming change to the short title.

Deletes all provisions of the previous edition and now provides the following.

Section 1

Amends GS 40A-3(a), (b), and (b1) to restrict private condemners and local public condemners to exercising the power of eminent domain for a public use (was, for a public use or benefit). Amends the list of private condemners permitted to exercise the power of eminent domain to include communication facilities (was, specified telegraphs and telephones), facilities related to the distribution of natural gas, and pipelines or mains (previously, required pipelines or mains to originate in North Carolina) for the transportation of natural gas. Also amends subsection (c) to limit takings by public entities (other public condemners) to the exercise of eminent domain for the public use (was, public use or benefit).

Enacts a new subsection (d) to GS 40A-3 to provide that private condemners, local public condemners, and other public condemners in subsections (a), (b), (b1), and (c) of the statute possess the power of eminent domain for public use, and may acquire any property for the connection of any customer(s) via purchase, gift, or condemnation.

Effective January 1, 2017, if a majority of votes are cast in favor of the amendment set out in Section 1.1 of H 3 (Eminent domain amendment to Article I of the Constitution, Omnibus Constitutional Amendments), 2015 Regular Session, and applies to takings occurring on or after that date.

Section 2

Amends GS 143C-4-2 by changing the title of the statute to Emergency Savings Reserve Fund (previously, Savings Reserve Account) and appropriation of General Fund unreserved balance.

Creates the Emergency Savings Reserve Fund, in accordance with Article XV of the North Carolina Constitution, as a reserve in the General Fund (previously, the Savings Reserve Fund, as a reserve in the General Fund). Directs the Controller to reserve to the Fund those funds designated as reserved by the General Assembly (previously, directed the Controller to reserve to the Savings Reserve Account one fourth of any unreserved fund balance, as determined on a cash basis, remaining in the General Fund at the end of each fiscal year). Makes conforming changes to subsection (b) and (c).

Amends subsection (c) to require the General Assembly and the State to accumulate and maintain a balance in the Fund equal to or greater than 12.5% of the amount reserved from the General Fund, excluding General Fund receipts, for capital and operating expenses for the prior fiscal year (previously, goal is to accumulate and maintain a balance equal to or greater than 8% of the prior year's General Fund budget).

Changes the titles of GS 142-15.4 to Savings from refinancing in general obligation bonds to be placed in the Emergency Savings Reserve Account (previously, the Savings Reserve Account) and GS 142-96 to Savings from refinancing of special indebtedness to be placed in the Emergency Savings Reserve Fund (previously, the Savings Reserve Account Fund). Makes conforming changes to the statutes to reflect the establishment of the Emergency Savings Reserve Account pursuant to GS 143C-4-2, as amended by the act.

Effective for fiscal years beginning on or after July 1, 2017, if a majority of votes are cast in favor of the amendment set out in Section 2.1 of H 3 (Taxpayer protections in proposed Article XV and amendment to Articles V and II of the Constitution, Omnibus Constitutional Amendments), 2015 Regular Session.

### Section 3

Amends GS 143-239, which provides the statement of purpose of the Wildlife Resources Commission, by adding that the purpose of the Commission is to establish reasonable regulations to promote wildlife conservation and management and to preserve the future of hunting and fishing.

Effective January 1, 2017, if a majority of votes are cast in favor of the amendment set out in Section 3.1 of H 3 (Right to Hunt, Fish, and Harvest Wildlife amendment to Article I of the Constitution, Omnibus Constitutional Amendments), 2015 Regular Session.

**Intro. by Stam, Bryan, Hamilton.**

GS 40A, GS 142, GS 143, GS 143C

[View summary](#)

**Animals, Development, Land Use and Housing, Property and Housing, Environment, Environment/Natural Resources, Government, General Assembly**

H 630 (2015-2016) **DRINKING WATER PROTECT'N/COAL ASH CLEANUP ACT** Filed Apr 13 2015, *AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) REPEAL STATUTORY PROVISIONS RELATED TO THE COAL ASH MANAGEMENT COMMISSION; (3) MODIFY THE CLOSURE REQUIREMENTS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS UNDER THE COAL ASH MANAGEMENT ACT OF 2014; AND (4) MODIFY APPOINTMENTS TO THE MINING COMMISSION AND THE OIL AND GAS COMMISSION.*

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

Amends proposed GS 130A-309.216(a) and (b), which specify and provide procedures, timelines, and requirements for the closure of coal ash impoundments by way of processing specified tons of ash annually for use in cementitious products, to require an impoundment owner to use commercially reasonable efforts to produce 300,000 tons of ash to specifications appropriate for cementitious products from each project.

**Intro. by Yarborough**

GS 62, GS 130A, GS 143B

[View summary](#)

**Environment, Environment/Natural Resources, Government, APA/Rule Making, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health**

H 630 (2015-2016) **DRINKING WATER PROTECT'N/COAL ASH CLEANUP ACT** Filed Apr 13 2015, *AN ACT TO (1) REQUIRE A COAL COMBUSTION RESIDUALS IMPOUNDMENT OWNER TO PROVIDE PERMANENT ALTERNATIVE WATER SUPPLIES FOR RESIDENTS IN AREAS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS; (2) REPEAL STATUTORY PROVISIONS RELATED TO THE COAL ASH MANAGEMENT COMMISSION; (3) MODIFY THE CLOSURE REQUIREMENTS FOR COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS UNDER THE COAL ASH MANAGEMENT ACT OF 2014; AND (4) MODIFY APPOINTMENTS TO THE MINING COMMISSION AND THE OIL AND GAS COMMISSION.*

Senate committee substitute makes the following changes to the first edition.

Amends the act's short and long titles.

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

Amends the Coal Ash Management Act of 2014 (Act) found in GS 130A, Article 9, Part 2I, as provided. Repeals the Coal Ash Management Commission, as created in GS 130A-309.202. Amends GS 130A-309.201, the definitions section of the Act, making conforming changes and deleting the term and definition *Commission* as well as making other conforming changes throughout the remainder of the Act reflecting the abolition of the Coal Ash Commission, including transferring all responsibilities throughout the Act to the Department of Environmental Quality (DEQ).

Enacts new subsection GS 130A-309.211(c1) to require owners of coal combustion residuals surface impoundments (coal ash impoundments) to establish permanent replacement water supplies for households with drinking water supply wells located within certain distances and areas surrounding coal ash impoundments as specified. Requires this permanent replacement of water supply to be established no later than October 15, 2018. Sets out procedures for approval of those permanent water supplies, with preference given to connection to a public water supply. Gives DEQ authority to determine if connection to a permanent water supply is appropriate or cost prohibitive. Provides for installation of a filtration system if a public connection is deemed too costly. Requires owners of coal ash impoundments to submit details of proposed permanent replacement water supplies by December 15, 2016. Sets out other dates and deadlines for coal ash impoundment owners to meet in regards to replacement water supplies, including a possible one year extension.

Amends GS 130A-309.213 concerning the prioritization of coal ash impoundments and the development of proposed classifications, deleting the nine specified factors that the Department of Environmental Quality (DEQ) must evaluate in determining the proposed risk of each coal ash impoundment, instead requiring DEQ to evaluate any other information deemed relevant. Amends subsection (b) to provide that any classifications previously issued by DEQ would be considered preliminary (previously, were to be considered final), as the risk-criteria used to establish such classifications have been repealed as noted above. Deletes subsection (c), which included provisions detailing the timeline for DEQ to issue proposed classifications for coal ash impoundments. Enacts new subsection (d) requiring DEQ to issue final classifications within 30 days after the deadline for providing a permanent water supply.

Specifies guidelines for determining the classifications, providing that a coal ash impoundment is low-risk if (1) the owner has established permanent water supplies as required and (2) the owner has rectified any identified deficiencies pursuant to any dam safety order or inspection. Sets out requirements and procedures to provide for annual inspections of each dam associated with coal ash impoundments and for compliance of any dam orders in cases where issues of safety, repair, and operating conditions arise. Provides that coal ash impoundments that do not meet these criteria are to be classified intermediate-risk. Specifies that these classifications can be appealed pursuant to the administrative hearing provisions in the Administrative Procedure Act.

Amends GS 130A-309.214 concerning the closure of coal ash impoundments, providing that proposed closure plans for low- and intermediate-risk coal ash impoundments must be submitted as specified by December 31, 2019 (previously required such plans to be submitted by December 31, 2018). Amends the closure options for the two different classifications, providing that intermediate risk impoundments can be closed pursuant to the provisions of newly enacted GS 130A-309.216, which allows for closure of coal ash impoundments through ash beneficiation projects. Provides that for low-risk coal ash impoundments, in

addition to the previously established options for closure, possible closure options include compliance with closure requirements promulgated by the US EPA pursuant to 40 CFR Parts 257 and 261, Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals From Electric Utilities. Further provides that DEQ elects the closure method for low-risk coal ash impoundments.

Amends GS 130A-309.215 concerning variance authority surrounding the management of coal ash impoundments, providing that the Secretary of DEQ has the authority to grant a variance for deadlines under the Act, on the Secretary's own motion or by request of an impoundment owner, if compliance with the deadline cannot be achieved by application of best available technology found to be economically reasonable at the time and as such would produce serious hardship without equal or greater benefits to the public (previously, variance authority was given to the Commission). Sets out procedure for a coal ash impoundment variance request, including requiring the request be submitted no earlier than one year before the applicable deadline (was, two years).

Also sets out process for including the public in the proposed variance process, included taking public input. Deletes subsection that prohibited a variance from extending a deadline for closure of a coal ash impoundment for more than three years beyond the date applicable as provided in GS 130A-309.214, provisions for closure.

Enacts new GS 130A-309.216, Ash beneficiation projects (projects), which specifies and provides procedures, timelines, and requirements for the closure of coal ash impoundments by way of processing specified tons of ash annually for use in cementitious products. Requires impoundment owners to identify impoundments suitable for processing for such projects on or before January 1, 2017, and enter into binding agreements related to the projects. Provides for expediting all necessary permits and approvals required for such projects. Specifies that notwithstanding any deadline for closure, any coal ash impoundment classified as low or intermediate risk located at a site where a project is installed and processing at least 300,000 tons of ash annually must be closed no later than December 31, 2029.

Amends GS 62-302.1 concerning regulatory fees for coal ash impoundments, lowering the fee imposed on public utilities with coal ash impoundments to 0.022% (was, 0.03%), now paid to the DEQ and placed in a special fund to be used 100% by the DEQ for the oversight of coal ash impoundments. Makes conforming changes.

Specifies certain coal ash impoundments as intermediate risk, notwithstanding provisions and requirements for prioritization and closure, including the coal ash impoundments located in Wayne County, Chatham County, and New Hanover County as specified. Further provides that these coal ash impoundments are to be closed as soon as practicable but no later than August 1, 2028. Sets out the process and procedure for closure for these impoundments, requiring certain impoundments to be dewatered and then removed and transferred for either disposal or for use in a structural fill as specified. Requires groundwater restoration actions where groundwater quality has been degraded as a result of the coal ash impoundment.

Appropriates \$450,000 to the State Water Infrastructure Authority from the Coal Combustion Residuals Management Fund to provide for grants to local governments operating public water supplies in areas surrounding coal ash impoundments as may be needed to facilitate the establishment of permanent water supplies to the specified households.

Repeals Section 3(e) and 4(e) of SL 2014-122, making conforming changes concerning terms of the Commission members and other various responsibilities of the Commission to reflect the repeal of the Commission.

Amends GS 143B-291 in order to modify the appointments to the Mining Commission. Provides that the membership terms of each appointed member will be reduced from six years to four years. Sets out staggered terms and expiration of terms for the initial appointments. Specifies other procedures, such as the process for filling vacancies. Requires that DEQ provide staff support for the Commission. Provides that the Governor's initial appointments do not require confirmation by the General Assembly.

Amends GS 143B-293.2 in order to modify appointments to the NC Oil and Gas Commission. Sets out the appointment process. Provides that the terms of each member will be increased from three years to four years. Sets out staggered terms and expiration of terms for the initial appointments. Specifies other procedures, such as the process for filling vacancies. Provides that staff will be provided from the Division of Energy, Mineral, and Land Resources and the NC Geological Survey. Provides that the Governor's initial appointments do not require confirmation by the General Assembly. Clarifies that the administrative rules as specified in 15A NCAC 05H (Oil and Gas Conservation Rules) remain effective until the Oil and Gas Commission, as provided and established for above, amends or repeals the rules.

Includes a severability clause.

Provides that the requirements for the establishment of a permanent alternative water supply as provided for in Section 1 apply

only to households with drinking water supply wells in existence when the act goes into effect.

**Intro. by Yarborough**

GS 62, GS 130A, GS 143B

[View summary](#)

**Environment, Environment/Natural Resources, Government, APA/Rule Making, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health**

H 804 (2015-2016) **KELSEY SMITH ACT**. Filed Apr 14 2015, *AN ACT TO PROVIDE ACCESS BY LAW ENFORCEMENT TO TELECOMMUNICATIONS DEVICE LOCATION INFORMATION UNDER CERTAIN CIRCUMSTANCES.*

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

Amends the title of proposed statute GS 14A-300.10.

Changes the definitions provisions in proposed GS 15A-300.100(a) as follows. Adds new subdivision to define *call location warrant* to mean a warrant issued pursuant to the statute that authorizes law enforcement agency or public safety answering point to obtain call location data from a wireless service provider. Deletes the subdivision that defined *public safety answering point*. Amends the definition of *wireless service provider* to replace the statutory reference to GS 62A-40 with GS 143B-1400 to reflect recodification of the statute that became effective September 18, 2015.

Deletes subsections (b) through (e) to proposed GS 15A-300.10, and instead provides the following.

Authorizes a law enforcement agency that believes the user of a telecommunications device to be in imminent risk of death or serious physical harm to be criminally involved in the imminent risk of death or serious physical harm to another to apply for and be issued a call location warrant, as defined in subsection (a). Sets out that the warrant to be issued by any person authorized to issue a search warrant under GS 15A-243(a) (Justice of the Supreme Court, judge of the Court of Appeals, or judge of the superior court) or GS 15A-243(b)(3) (a magistrate, as specified). Provides that the application must be made in writing upon oath and affirmation, and sets out four requirements to be included in the application. Establishes that upon the finding that the call location warrant is necessary to prevent imminent risk of death or serious physical harm, the issuing official may issue a warrant authorizing the applicant to obtain call location data for the device and user indicated. provides that the warrant is valid anywhere in the State for a period of 48 hours from issuance.

Sets out a procedure for a law enforcement agency to obtain an expedited call location warrant from a judge of superior court by telephone, and instead file a written application that complies subdivision (2) of subsection (b) within 48 hours of issuance.

Requires any applicant who receives a verbal warrant to execute an affidavit for presentation to the wireless service provider.

Requires a wireless service provider to provide, upon receipt of proof of issuance of a warrant from a law enforcement agency, call location information concerning the telecommunications device and user identified in the warrant for the period of time deemed by the law enforcement agency to be relevant to preventing the imminent death or serious physical harm. Provides that electronic or fax transmission of the warrant or affidavit pursuant to subsection (c) is sufficient proof of issuance of a warrant.

Requires any warrant issued under the statute to be filed with the clerk in the county which it is issued. Directs that the warrant is to remain under seal for 30 days from the date it is filed, unless extended by the superior court upon motion of the law enforcement agency.

Provides immunity to a wireless service provider, as specified, for providing mobile communications tracking information to a law enforcement agency as required by the statute.

Deletes proposed GS 15A-265, concerning warrantless use of pen register or trap and trace device by law enforcement officers in emergency situations where there is an imminent danger of death or serious bodily injury to any person, or another authorized use under GS Chapter 15A. Deletes conforming change to GS 15A-216(b).

Amends GS 7A-273, concerning powers of magistrates in infractions or criminal actions, by adding a new subsection to



authorize magistrates to issue a call location warrant valid anywhere in the State pursuant to GS 15A-300.10, as enacted by the act.

Effective December 1, 2016 (previously, provided that the act applies to offenses committed on or after that date).

Changes the long title.

**Intro. by Hurley, Glazier, Schaffer, Lambeth.**

[GS 7A, GS 15A](#)

[View summary](#)

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

H 958 (2015-2016) [FELONY DEATH IMP. BOATING/SHEYENNE'S LAW](#). Filed Apr 25 2016, *AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES.*

AN ACT TO PROVIDE AN INCREASED PENALTY FOR IMPAIRED BOATING RESULTING IN DEATH OR SERIOUS INJURY AND TO CLARIFY THE PENALTY FOR IMPAIRED BOATING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON WILDLIFE RESOURCES. Enacted June 27, 2016. Effective December 1, 2016.

**Intro. by Pittman, Fraley, Ford, J. Bell.**

[GS 75A](#)

[View summary](#)

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

H 972 (2015-2016) [LAW ENFORCEMENT RECORDINGS/NO PUBLIC RECORD \(New\)](#) Filed Apr 26 2016, *AN ACT TO PROVIDE THAT RECORDINGS MADE BY LAW ENFORCEMENT AGENCIES ARE NOT PUBLIC RECORDS, TO ESTABLISH WHETHER, TO WHOM, AND WHAT PORTIONS OF A RECORDING MAY BE DISCLOSED OR A COPY RELEASED, TO ESTABLISH THE PROCEDURE FOR CONTESTING A REFUSAL TO DISCLOSE A RECORDING OR TO OBTAIN A COPY OF A RECORDING, AND TO DIRECT STATE OR LOCAL LAW ENFORCEMENT AGENCIES TO PROVIDE, UPON REQUEST, ACCESS TO A METHOD TO VIEW AND ANALYZE RECORDINGS TO THE STATE BUREAU OF INVESTIGATION AND THE NORTH CAROLINA STATE CRIME LABORATORY TO AUTHORIZE GOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS TO ESTABLISH AND OPERATE HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS, AND TO OFFER LIMITED IMMUNITY TO EMPLOYEES, VOLUNTEERS, AND PARTICIPANTS OF AUTHORIZED HYPODERMIC SYRINGE AND NEEDLE EXCHANGE PROGRAMS.*

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

Amends Article 5C of GS Chapter 90, concerning drug paraphernalia, by enacting GS 90-113.27, which authorizes needle and hypodermic syringe exchange programs authorized and extend immunity in limited circumstances.

Authorizes any governmental or nongovernmental organization, including a local or district health department or an organization that promotes scientifically proven ways of mitigating health risks associated with drug use and other high risk behaviors, to establish and operate a needle and hypodermic syringe exchange program (exchange program), with the objectives to reduce the spread of HIV, AIDS, viral hepatitis, and other bloodborne diseases in the state; reduce needlestick injuries to law enforcement officers and other emergency personnel; and encourage individuals who inject drugs to enroll in evidence-based treatment.

Requires exchange programs to offer all of the following: (1) disposal of used needles and hypodermic syringes; (2) needles, hypodermic syringes, and other injection supplies at no cost and in quantities sufficient to ensure that needles, hypodermic syringes, and other injection supplies are not shared or reused; (3) reasonable and adequate security of program sites, equipment, and personnel; (4) educational materials; (5) access to naloxone kits or referrals to programs that provide such access; and (6) personal consultations from a program employee or volunteer concerning mental health or addiction treatment, as appropriate, for

each individual requesting services. Prohibits the use of public funds to purchase needles, hypodermic syringes, or other injection supplies. Requires the written plans for security to be updated annually, and requires the plans for security to be provided to the police and sheriff's offices with jurisdiction in the program location.

Provides immunity to every employee, volunteer, or participant of programs established under the statute so that they cannot be charged with or prosecuted for possession of needles, hypodermic syringes, or other injection supplies obtained from or returned to an exchange program, or residual amounts of a controlled substance contained in a used needle, used hypodermic syringe, or used injection supplies obtained from or returned to an exchange program, notwithstanding any provision of the Controlled Substances Act in Article 5 of GS Chapter 90. Conditions the limited immunity to apply only if the person claiming immunity provides written verification that a needle, syringe, or other injection supplies were obtained from a needle and hypodermic syringe exchange program established pursuant to the statute. Established immunity from civil liability for a law enforcement officer who acts in good faith in arresting or charging a person who is thereafter determined to be entitled to immunity from prosecution under the statute.

Requires organizations establishing exchange programs to report certain information to the Department of Health and Human Services (DHHS) prior to commencing operations.

Also requires organizations operating exchange programs to report specified information to DHHS's Division of Public Health (DPH) no later than one year after commencing operations and every 12 months thereafter.

Makes conforming change to the long title.

Provides that this new Section 4 is effective when it becomes law and that Sections 1, 2, and 3 (all provisions of the previous edition related to law enforcement recordings) of the act are effective October 1, 2016, and apply to all requests made on or after that date for the disclosure or release of a recording.

**Intro. by Fairecloth, McNeill.**

GS 15A, GS 90, GS 114, GS 132, GS 143, GS 153A, GS 160A

[View summary](#)

**Government, Public Records and Open Meetings, Public Safety, State Agencies, Department of Health and Human Services, Local Government, Health and Human Services, Health, Public Health**

H 984 (2015-2016) [TRANSFER OF DAVIE COUNTY CORRECTIONAL CENTER](#). Filed Apr 27 2016, *AN ACT TO TRANSFER THE FORMER DAVIE COUNTY CORRECTIONAL CENTER PROPERTY TO THE DAVIE COUNTY BOARD OF COMMISSIONERS*.

Conference committee report makes the following changes to the 2nd edition.

Revises Section 1 to clarify the location and exact acreage of the property to be transferred from the State to the Davie County board of commissioners.

**Intro. by Howard.**

UNCODIFIED, Davie

[View summary](#)

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

H 986 (2015-2016) [ZETA PHI BETA/LONG LEAF PINE PLATE CHANGES. \(NEW\)](#) Filed Apr 27 2016, *AN ACT TO REAUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR THE ZETA PHI BETA SORORITY AND TO AUTHORIZE A FULL COLOR BACKGROUND FOR THE ORDER OF THE LONG LEAF PINE SPECIAL REGISTRATION PLATE*.

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

Current GS 20-63(b1) exempts certain special registration plates from being a "First in Flight" or "First in Freedom" plate, as required in subsection (b) of the statute, and instead requires the design of plates that are not "First in Flight" or "First in



Freedom" plates be developed in accordance with GS 20-79.4(a3), which sets out a standardized format for special license plates. Further, for special plates authorized in GS 20-79.7 on or after July 1, 2013, subsection (b1) prohibits the Division of Motor Vehicles from issuing the plate on a background under the subsection unless it receives at least 200 applications for the plate in addition to the applications required under GS 20-79.4 (special registration plates) or GS 20-81.12 (collegiate insignia plates and other certain special plates).

Adds new subdivision (54) to authorize a background for the Order of the Long Leaf Pine special registration plate, subject to the requirements set out in subsection (b1) of the statute.

Makes conforming changes to the act's long and short titles.

Changes the effective date to when the act becomes law (previously, effective July 1, 2016).

**Intro. by Gill.**

GS 20

[View summary](#)

**Government, State Agencies, Department of Transportation, Transportation**

H 1044 (2015-2016) [LAW ENFORCEMENT OMNIBUS BILL](#). Filed May 4 2016, *AN ACT TO CREATE A PUBLIC SERVICE ALERT SYSTEM TO AID IN THE APPREHENSION OF SUSPECTS WHO KILL OR INFLICT SERIOUS BODILY INJURY ON A LAW ENFORCEMENT OFFICER; TO PROVIDE THAT THE HEAD OR CHIEF OF A LAW ENFORCEMENT AGENCY MAY DESIGNATE A PERSON TO SUBMIT A WRITTEN REQUEST FOR A DEADLY WEAPON TO BE TURNED OVER TO A LAW ENFORCEMENT AGENCY; TO AMEND THE SILVER ALERT SYSTEM TO EXPAND THE CLASS OF CITIZENS IT PROTECTS; TO PREVENT MOTOR CARRIERS FROM AVOIDING CIVIL PENALTIES OWED TO THE STATE BY TRANSFERRING TITLE PRIOR TO PAYMENT; TO MAKE MINOR CHANGES TO THE DEFINITION OF EMERGENCY IN THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT; TO PROVIDE THAT THE SAMARCAND TRAINING ACADEMY IS SPECIFICALLY EXEMPTED FROM THE UMSTEAD ACT; AND TO CREATE AN EXCEPTION TO THE LENGTH OF SERVICE REQUIREMENTS FOR FORENSIC SCIENTISTS TO BECOME CAREER STATE EMPLOYEES.*

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

Changes the long title.

Deletes Section 8 of the previous edition, which amended GS 15A-622(i) to expand the categories of crimes that can be the basis for convening an investigative grand jury to include violations of GS 90-95(h) or GS 90-95.1 (trafficking in marijuana or criminal enterprise); GS Chapter 14, Article 29 or 30 (relating to bribery and obstructing justice); GS 14-288 (buying and selling of offices); and GS 14-234 public officers or employees benefiting from public contracts). Makes conforming changes to the effective date.

**Intro. by Hager.**

GS 12, GS 14, GS 20, GS 66, GS 126, GS 143B, GS 166A

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Public Safety, State Agencies, Department of Public Safety, Transportation**

H 1074 (2015-2016) [SCHOOLS/CC FACILITIES - TEST WATER FOR LEAD \(NEW\)](#) Filed May 10 2016, *AN ACT TO REQUIRE ALL SCHOOLS IN NORTH CAROLINA TO TEST DRINKING WATER OUTLETS FOR THE PRESENCE OF LEAD AND TO CREATE THE HOUSE SELECT STUDY COMMITTEE ON HEALTH AND SAFETY IN OUTDOOR WATER RECREATION SITES AND TO REGULATE WATER RECREATION ATTRACTIONS TO PROTECT THE HEALTH AND SAFETY OF FACILITY PATRONS AND TO CLARIFY THE SEARCH AUTHORITY OF MARINE INSPECTORS.*

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

Amendment #1 creates the House Select Study Committee on Health and Safety in Outdoor Water Recreation Sites (Committee) to study the necessary health and safety requirements for water recreation attractions including recommendations for required testing of the water used in the attraction for the presence of physical, biological, or chemical substances. Provides that nine members of the House of Representatives are to be appointed by the Speaker. Sets out provisions for the designation of a chair and Committee meetings. Authorizes the Committee to exercise all powers provided under GS 120-19 (which require State officers, etc. to furnish data and information upon request to legislative committees or commissions) and Article 5A of GS Chapter 120 (General Assembly Committee Activity). Requires the Committee to submit a final report of its findings and recommendations by December 1, 2016 to the General Assembly. Directs that the Committee is to terminate upon filing its final report. Provides for the expenses of Committee members and staff for the Committee.

Makes conforming changes to the long title. Makes technical changes to the numbering of the remaining Parts and Sections of the act.

Amendment #2 amends Part 10 of Article 8 of GS Chapter 130A. Amends the title of Part 10 to Public Swimming Pools and Water Recreational Attractions (previously, did not include water recreational attractions). Amends GS 130A-280, which sets out the scope of Article 8 of GS Chapter 130A, to add the regulation of water recreation attractions in the State to the scope of the Article. Defines "water recreation attraction" to mean a public bathing or swimming facility with design and operational features that provide patrons recreational activity that is different from that associated with a conventional swimming pool. Further provides that water recreation attractions include, but are not limited to, water slides, wave pools, water amusement lagoons, and recirculating artificial whitewater rivers where contact between the patron and the water either occurs or is intended to occur. Makes conforming changes to GS 130A-281 (Operation permit required) and GS 130A-282 (Commission to adopt rules) to make the statutes applicable to both public swimming pools and water recreation attractions (previously, only applicable to public swimming pools).

Directs the Commission for Public Health to amend its rules regulating water recreation attractions as provided in 15A NCAC 18A .2543 to (1) include artificial whitewater river facilities using recirculating water where body contact occurs or is intended to occur, and (2) require artificial whitewater river facilities using recirculating water to test for physical, biological, or chemical substances in the water that may adversely affect the health or safety of facility patrons, as may be deemed necessary by the Commission. Requires the Commission for Public Health to adopt temporary rules as soon as practicable to implement the provisions of Part 10 of Article 8 of GS Chapter 130A, as amended.

Makes conforming changes to the long title. Makes technical changes to the numbering of the remaining Parts and Sections of the act.

Amendment #3 amends GS 113-136, concerning the enforcement authority of inspectors and protectors of Conservation Agencies. Current subsection (k) makes it unlawful to refuse to allow inspectors, protectors, or other law enforcement officers to inspect weapons or equipment in certain circumstances.

Amendment adds that an officer may inspect commercial fishing equipment or gear, as defined in GS 15A NCAC 03I .0101(3) (c) without reasonable suspicion that a violation has been committed. Establishes that it is unlawful to refuse to allow inspectors to inspect marine and estuarine resources, and that it is unlawful to refuse to allow protectors or other law enforcement officers to inspect fish or wildlife for the purpose of ensuring compliance with bag limits and size limits (previously, unlawful to refuse to allow inspectors, protectors, or other law enforcement officers to inspect fish or wildlife for the purpose of ensuring compliance with bag limits and size limits).

Makes conforming changes to the long title. Makes technical changes to the numbering of the remaining Parts and Sections of the act.

**Intro. by Hager, Bryan, Jeter, Burr.**

**APPROP, STUDY, GS 113, GS 130A**

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, State Agencies, Department of Environmental  
Quality (formerly DENR), Department of Health and Human  
Services**

H 1074 (2015-2016) [SCHOOLS/CC FACILITIES - TEST WATER FOR LEAD \(NEW\)](#) Filed May 10 2016, *AN ACT TO REQUIRE ALL SCHOOLS IN NORTH CAROLINA TO TEST DRINKING WATER OUTLETS FOR THE PRESENCE OF LEAD AND TO CREATE THE HOUSE SELECT STUDY COMMITTEE ON HEALTH AND SAFETY IN OUTDOOR WATER RECREATION SITES AND TO REGULATE WATER RECREATION ATTRACTIONS TO PROTECT THE HEALTH AND SAFETY OF FACILITY PATRONS AND TO CLARIFY THE SEARCH AUTHORITY OF MARINE INSPECTORS.*

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

Amends the act's short and long titles.

Amends the act's whereas clauses.

Makes the title of the act and the definitions set out in Section 2 applicable to the entire act. Amends the definitions in Section 2 by: (1) adding and defining the term child care facility; (2) deleting the terms Director and Secretary; (3) amends the definition of school so that it now means a public school under the direction of a local board of education, a charter school, a regional school, a high school operated as part of UNC, a school operated by the Department of Health and Human Services, or a school operated by the State Board of Education that was permitted in accordance with either GS 153A-357 or GS 160A-417, on or before January 1, 1987; (4) adds and defines the term standard action level as the federal standard action level for lead, which is 15 parts per billion; and (5) amends the definition of technical guidance to also include guidance for testing the level of lead in drinking water issued by the specified entities.

Now requires child care facilities, in addition to schools to test drinking water outlets for lead in accordance with the criteria and timelines set out in the act. Makes conforming changes. Adds 11 criteria that must be met by schools and child care facilities in testing drinking water outlets and other locations within or outside the building for the presence of lead. The criteria includes: all drinking water outlets located within the kitchen and any other food preparation area; all classroom combination sinks and drinking water fountains; and any sink known to be or visibly used for consumption. Adds the Division of Public Health (Division) and the Department of Environmental Quality (Department) to those entities that may assist a school or child care facility with compliance.

Deletes the previous testing, reporting, and notification requirements, to now require the following. Requires each school and child care facility to sample and test drinking water for the presence of lead in drinking water outlets and other locations inside or outside of the building with sampling and testing beginning no earlier than February 1, 2017, and concluding no later than April 1, 2017. Requires the lab to report test results to the Division and each school or facility within 10 business days of completing the analysis of each drinking water sample, and in any case, no later than April 15, 2017. Specifies what must be included in the lab report. Requires the Division, in consultation with the Department of Public Instruction and the Division of Child Development and Early Education to establish criteria for the labs to use in order to report the results of the analysis that include at least the four required items. Requires the school or facility to make the test results publicly available for free, and notify the parents or guardians of the children attending the school or facility within 10 business days of receiving the results of the drinking water analyses.

Amends the actions that must be taken when elevated lead levels are found to also require that access be restricted to similar drinking water outlets located on the same wing or floor of the building of the outlet with elevated lead levels, in addition to restricting access to the outlet with the elevated lead level. No longer requires both the Department and Division to find that the drinking water is safe before ceasing to provide alternate drinking water supplies; now requires the Division to make the determination and provide written documentation to the Department and other entities.

Requires a second test to be conducted immediately, or as soon as practicable, but no more than five business days after receiving the elevated lead test result. Requires the lab to report the results of the subsequent test as soon as practicable, but no later than five business days after completing the analysis. Requires the written notice to be provided to the teachers, school personnel, and parents and guardians within one day of the test confirming the elevated lead level. Makes clarifying changes to the content that must be included in the notice. Adds the requirement that the school or facility determine the source of the lead and work with the Division, Department, Department of Public Instruction, and the Division of Child Development and Early Education to identify corrective action. Requires all corrective action to be taken within 12 months of receipt of the confirmatory test results.

Requires the technical guidance to be developed by the Division in consultation with the Department, instead of by the two entities. Makes conforming changes.

Amends the reporting requirements to now instead require the following. Requires within five business days of receipt that all

test results confirming elevated lead levels be reported to the specified chairs of General Assembly committees related to education, health and human services, and agriculture and environment and the Fiscal Research Division. Requires a report to those same entities on the implementation of the act and the test results by May 1, 2017. Specifies what is to be included in the report.

Deletes the exemption for schools that are on public water systems.

Adds the requirement that the Division coordinate with the NC Government Data Analytics Center to assist the Division with the development and implementation of a database and reporting infrastructure necessary to support the testing, reporting and notification requirements.

Requires the Department and Division of Public Health to provide the specified information to the Department of Public Instruction, the Division of Nonpublic Education and each public and nonpublic school in the state within 15 business days of the effective date of the act. Amends the required technical and advisory assistance.

Deletes Section 6 of the previous edition, which established a pilot program to raise the high school dropout age from 16 to 18 in the Hickory Public Schools, the Newton-Conover City Schools, and the Rutherford County Schools.

Deletes the previous edition's study provision and instead provides the following. Requires the Division, in consultation with the Department, to study and make recommendations as specified. Requires the Division to report its findings, recommendations, and any legislative proposals to the Environmental Review Commission and the Joint Legislative Oversight Committee on Health and Human Services on or before December 1, 2016. Requires the Department, in consultation with the Department of Public Instruction, to study and make recommendations as to the appropriate timing and duration of water system flushing for schools prior to the commencement of the academic year. Requires the Department to report its findings, recommendations, and any legislative proposals to the Environmental Review Commission and the Joint Legislative Committee on Education Oversight on or before December 1, 2016.

Deletes the previous edition's appropriations provision and instead provides the following. Appropriates \$2.4 million in nonrecurring funds from the General Fund to the Department of Health and Human Services to either (1) reimburse schools and child care facilities for the costs associated with testing drinking water for the presence of lead as required in Section 2, or (2) to cover the costs associated with the Department conducting sampling and analysis of drinking water on behalf of schools and child care facilities. Allows up to 5% of the total appropriation to be used by the Divisions of Public Health and Child Development and Early Education, the Department, and the Department of Public Instruction to support the administration and implementation of Section 2 and 3, and up to \$250,000 of the total appropriation to be used to develop and implement the database and reporting infrastructure necessary to support the requirements of Sections 2 and 3. Requires the Department of Health and Human Services to reimburse each school and child care facility upon receipt of appropriate documentation that authenticates the payment for and completion of the required sampling and analysis for lead in drinking water. Specifies the costs incurred by schools and child care facilities for which the Department of Health and Human Services may use the remaining funds to reimburse. Provides the appropriations provisions are effective July 1, 2016.

Makes the act effective when it becomes law (previously, July 1, 2016).

**Intro. by Hager, Bryan, Jeter, Burr.**

**APPROP, STUDY**

[View summary](#)

**Education, Elementary and Secondary Education, Government, State Agencies, Department of Environmental Quality (formerly DENR), Department of Health and Human Services**

H 1080 (2015-2016) **ACHIEVEMENT SCHOOL DISTRICT**. Filed May 10 2016, *AN ACT TO ESTABLISH THE ACHIEVEMENT SCHOOL DISTRICT*.

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

Amendment #7 changes subdivision (3) of proposed GS 115C-75.12(a), which includes in the term of a contract with an AS operator of an achievement school an optional extension of the contract by the State Board of Education for three years. Sets out

that, if by the end of the five-year contract, the achievement school remains a qualifying school but has exceeded the average annual percentage growth of other qualifying schools and has shown growth over the term of the contract (previously, did not include the requirement that the qualifying school show growth over the term of the contract), the State Board of Education, upon the recommendation of the ASD Superintendent in his or her discretion, may continue the contract with the AS operator for an additional three-year term.

Amendment #9 adds a new Section 4.5 to direct the State Board of Education to authorize the Charlotte-Mecklenburg (CMS) Board of Education to create an innovation zone among Project LIFT Schools and Beacon Initiative schools, as provided in proposed GS 115C-71.13, for the 2017-2018 through 2021-22 school years. Allows the CMS innovation zone to include up to five low-performing schools. Sets out definitions for Project LIFT schools and Beacon Initiative schools for purposes of Section 4.5. Amends the directive to the State Board of Education to contract with an independent research organization to evaluate the implementation and effectiveness of the ASD in turning around low-performing schools beginning in the 2017-18 school year through 2021-22 school year, including the innovation zone established in Section 4.5 of the act.

**Intro. by Bryan, Brockman, Bradford.**

[APPROP, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction](#)

## PUBLIC/SENATE BILLS

S 53 (2015-2016) [PRIVATE ALTERNATIVE TEACHER PREPARATION \(NEW\)](#) Filed Feb 10 2015, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO APPROVE CERTAIN QUALIFYING ALTERNATIVE LATERAL ENTRY TEACHER EDUCATION PREPARATION PROGRAMS.*

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

Changes the long and short titles.

Deletes all of the provisions of the previous edition and now provides the following.

Amends GS 115C-296.12, concerning lateral entry teacher education preparation programs, by adding a new subsection (a1) to allow the State Board of Education (Board) to approve alternative, private, for-profit or nonprofit lateral entry teacher preparation programs that meet standards set by the Board. Provides that the standards are to include preservice training pursuant to existing subsection (a) of the statute, as well as the competency-based standards necessary to earn a teaching license pursuant to subdivisions (1) through (4) of existing subsection (b) of the statute. Directs that the approved alternative, private, lateral entry teacher education preparation program providers to administer the training to meet those standards. Makes conforming change to subsection (e) of the statute to reflect the option of an alternative, private, for-profit or nonprofit lateral entry teacher education preparation program that meet the standards set by the Board, as provided in new subsection (a1).

Directs the Board to request participation applications from alternative, private, for-profit or nonprofit lateral entry teacher education preparation programs no later than September 1, 2016. Requires that the Board must approve at least one program, including any application from North Carolina Teachers of Tomorrow, by October 15, 2016, but no more than four programs, if the programs meet the requirements of GS 115C-296.12(a1). Authorizes approved programs to begin operating as early as the 2017 Spring academic term.

**Intro. by Krawiec.**

[GS 115C](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Education](#)

S 105 (2015-2016) [REPORT NO. VETERANS FILING TAX RETURNS. \(NEW\)](#) Filed Feb 19 2015, *AN ACT TO REQUIRE THE*

*SECRETARY OF REVENUE TO COMPILE INFORMATION ABOUT THE NUMBER OF VETERANS FILING TAX RETURNS IN NORTH CAROLINA ANNUALLY AND PROVIDE THIS INFORMATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.*

House amendments make the following change to the 3rd edition.

Amendment #1 requires the Department of Revenue to revise the relevant income tax form to comply with the new law for tax years beginning on or after January 1, 2016 (previously, on or after January 1, 2017).

Amendment #2 makes a technical change to a statutory reference in proposed GS 105-254.1.

**Intro. by Brown, Meredith.**

**GS 105**

[View summary](#)

**Government, State Agencies, Department of Revenue, Tax, Military and Veteran's Affairs**

S 349 (2015-2016) **AMEND VARIOUS LAWS (NEW)** Filed Mar 19 2015, *AN ACT TO CLARIFY CERTAIN LAWS RELATING TO THE FILING OF DOCUMENTS BY THE CLERK OF COURT AND TO DIRECT THE ADMINISTRATIVE OFFICE OF THE COURTS TO DEVELOP AND IMPLEMENT A PILOT MAGISTRATE/CLERK STAFFING PROJECT; TO PROVIDE FOR MEDIATED SETTLEMENT CONFERENCES IN DISTRICT COURT CIVIL ACTION; TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON PUBLIC RECORDS AND OPEN MEETINGS; TO ALLOW THE BOARD OF PHARMACY TO OBTAIN CRIMINAL RECORD REPORTS FROM APPROVED REPORTING SERVICES; TO PROHIBIT HUNTING FROM THE RIGHT-OF-WAYS OF PUBLIC ROADS IN BUNCOMBE COUNTY; AND TO CREATE A DEFINITION FOR PROVISIONAL PROVIDERS IN CHILD CARE.*

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

Changes the long and short titles.

Deletes all provisions of the previous edition and now provides the following.

Section 1

Amends GS 1A-1, Rule 5 (Service and filing of pleadings and other papers in the Rules of Civil Procedure), subsection (e)(1), to require the filing of pleadings and other papers with the court pursuant to the rules promulgated under GS 7A-109 (record-keeping procedures of the clerk of superior court) or subsection (e)(2) of the statute as required by the Rules to be made by filing them with the clerk of court, or with the judge as specified (previously, did not specify filing be made pursuant to rules promulgated under GS 7A-109 or subsection (e)(2) of the statute). Establishes that the failure to affix a date stamp or file stamp to any pleading or other papers filed in the courts will not affect the sufficiency, validity, or enforceability of the document. Effective when the act becomes law and applies to all pleadings and papers filed with the courts, including pleadings and papers filed prior to that date. Effective when the section becomes law and applies to all pleadings and papers filed with the courts, including pleadings and papers filed prior to that date.

Amends Rule 5, subsection (e)(2), concerning filing by electronic means, to add that filing may be made by electronic means when, in the manner, and to the extent provided in uniform rules, regulations, costs, procedures, and specifications for the filing of pleadings or other court papers by electronic means established by the Supreme Court and the Administrative Officer of the Courts pursuant to GS 7A-34, GS 7A-49.5 (previously, GS 7A-49.5, which provides for statewide electronic filing in courts, was not included), and GS 7A-343. Effective when the section becomes law and applies to all pleadings and papers filed with the courts on or after that date.

Amends GS 1A-1, Rule 58, concerning entry of judgment, to provide that, subject to the provisions of Rule 54(b) (judgment upon multiple claims or involving multiple parties), a judgment is entered when it is reduced in writing, signed by the judge, and filed with the clerk of court in accordance with Rule 5, as amended (previously, did not specify filed with the clerk of court in accordance with Rule 5).

Directs the Administrative Office of the Courts (AOC) to establish and implement a pilot project to allow the clerk of superior court of a county, with the written consent of the chief district court judge for the district in which the county is located, to hire one deputy clerk or assistant clerk, based on the assistant clerk allocation formula established by the AOC, in lieu of one of the



magistrate positions allocated to that county, notwithstanding the minimum number of magistrates prescribed for each county under GS 7A-133(c). Authorizes the pilot project for counties with three or four magistrate allocations. Establishes that, in order to provide accessibility to law enforcement personnel and citizens, in counties participating in the pilot project, the clerk of superior court's office will provide some of the services traditionally provided by the magistrates' office during some or all of the regular courthouse hours. Directs the AOC to report to the Joint Legislative Oversight Committee on Justice and Public Safety on the outcomes of the pilot project, with recommendations on continuation or expansion, by March 1, 2017.

## Section 2

Changes the caption of GS 7A-38.4A to Settlement procedures in family financial actions (previously, Settlement procedures in district court actions), clarifying that the section applies only to family financial actions. Makes a clarifying change. Effective July 1, 2015.

Enacts new GS 7A-38.4B, Settlement procedures in district court general civil actions, permitting mediated settlement conferences in all other district court civil actions. Allows the chief district court judge, or designee, to order parties in a civil action to participate in mediated settlement conferences or other settlement procedures. Excludes actions involving family issues covered by GS 7A-38.4 and issues exempted by Supreme Court rules. Provides that local rules can be adopted for the procedures as long as they are not inconsistent with any rules adopted by the Supreme Court. Sets out procedures for interested parties on issues including attendance, designation of a mediator, and assignment of associated costs. Also limits the admissibility and discovery, in future court proceedings, of communications made during the conferences with four exceptions, including proceedings for specified sanctions, and proceedings to enforce or rescind a settlement of the action. These provisions are closely modeled after and similar to existing statutes for mediated settlement conferences in family financial actions, namely GS 7A-38.4A (District Court) and GS 7A-38.1 (Superior Court).

Effective October 1, 2016, applying to actions filed on or after that date.

## Section 3

Creates the 10-member Joint Legislative Study Committee on Public Records and Open Meetings to study ways to improve transparency of state and local government in the state. Requires the Committee to examine existing laws regarding public access to government records and meetings and legislation enacted in other states that allows greater public access than we currently have in North Carolina. Specifies issues to be included in the study. Requires five members of the House of Representatives to be appointed by the Speaker of the House and five members of the Senate to be appointed by the President Pro Tempore of the Senate. Sets out provisions concerning naming cochairs, filling vacancies, and staffing the Committee. Requires a final report to the 2017 General Assembly, at which time the Committee terminates.

## Section 4

Amends GS 90-85.15, concerning the application and examination for licensure as a pharmacist, by making the language gender neutral in subsection (a).

Currently, GS 90-85.15(c) allows the Department of Public Safety (DPS) to provide a criminal record check to the North Carolina Board of Pharmacy (Board) for an applicant, where, after an applicant consents to the criminal record check and use of their fingerprints and other identifying information, the Board must provide the applicant's fingerprints and other identifying information to DPS, the State Bureau of Investigation, and the Federal Bureau of Investigation for a complete check of the applicant's criminal history. Current law also requires the Board to keep all of the information pursuant to existing subsection (c) privileged and confidential, and establishes that that information is not public record under GS Chapter 132. Current law allows DPS to charge each applicant a fee for conducting the criminal history record checks.

Deletes the existing language of subsection (c), as described above, and instead provides that the Board may require an applicant to provide the Board with a criminal record report. Establishes that all applicants are required to obtain criminal record reports from one or more reporting services designated by the Board to provide criminal record reports. Requires applicants to pay the designated reporting service for the cost of those reports.

## Section 5

Makes it a Class 3 misdemeanor to hunt with a firearm or deadly weapon, or to attempt to hunt with a firearm or deadly weapon, any wild animal or wild bird on, from, or across the right-of-way of any public road or highway. Provides that Section 5 is enforceable by law enforcement officers of the Wildlife Resource Commission, by sheriffs and deputy sheriffs, and by other

peace officers with general subject matter jurisdiction. Provides that Section 5 only applies to Buncombe County.

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

#### Section 6

Amends GS 110-90.2, concerning mandatory child care providers' criminal history checks, to define *provisional provider* to mean a person who has been employed as a child care provider whose notification of qualification under subsection (b) of the statute is pending. Adds new subsection (b2) to establish that a provisional provider can be hired, begin orientation and training, and be counted in staff/child ratio as long as the provider is supervised by a qualified child care provider when supervising any child and is clearly identified as a provisional provider by wearing in plain view a badge identifying the person as a provisional provider. Requires that an explanation of the status of provisional provider be included in a policy statement provided to parents and must also be posted in a conspicuous place in the child care facility.

Provides that a child care provider subject to a criminal history check every three years in accordance with subsection (b) is to be treated as a provisional provider until receiving notification of the Department's determination under subsection (d) of the statute. Provides that, if the child care provider has not received notification of the Department's determination within 90 calendar days from the date the criminal check was requested by the Department, the child care provider must not enter or remain on the premises of the child care facility until the notification is received.

Effective August 1, 2016.

#### **Intro. by Randleman.**

STUDY, Buncombe, GS 1A, GS 7A, GS 90, GS 110

[View summary](#)

**Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Civil Procedure, Court System, Government, General Assembly, Public Records and Open Meetings, Health and Human Services, Health, Health Care Facilities and Providers**

S 508 (2015-2016) [AMEND BAIL BOND LAWS](#). Filed Mar 25 2015, *AN ACT TO MAKE VARIOUS AMENDMENTS TO THE BAIL BOND, COLLECTION AGENCY, AND CRIMINAL MEDIATION LAWS*.

House committee substitute makes the following changes to the 3rd edition.

Amends the short and long titles.

Amends GS 15A-534 concerning the determination of pretrial release conditions, specifically amends the listed conditions of when the obligation of an obligor is terminated, deleting the newly enacted conditions from the previous edition that provided that, in addition to other circumstances that terminate the obligation, it is terminated when the defendant has been ruled incapable to proceed by the courts pursuant to GS Chapter 15A, Article 56 or when (2) the defendant has entered into a deferred prosecution agreement or written conditional discharge. Adds new language that provides the obligation is terminated when the court has placed the defendant on probation pursuant to a deferred prosecution or conditional discharge, which if it occurs, the court is required to modify the conditions of release so that a secured bond is not required for future appearance. Deletes proposed GS 15A-534(j) which provided that no surety can be held liable for a bond posted for any charge for more than 36 months. As well as deleting language which required specific written notice on the part of the surety. Makes technical changes.

Deletes proposed changes made to GS 15A-544.5 concerning the setting aside of forfeitures.

Amends GS 15A-544.7(d) renaming subsection to "Sureties, Professional Bail Bondsmen, Bail Agents, and Runners" (was, Sureties and Bondsman May Not Execute Bonds in County). Deletes proposed language which provided that no bondsman whose name appears on a bond or bond forfeiture notice that results in a final judgment can sign any bond for any surety until the judgment is satisfied in full and replaces it with language that provides that no professional bail bondsman, bail agent, or runner whose name appears on a bond posted in that person's licensed capacity for which a final judgment has been entered can sign any bond in any licensed capacity statewide until judgment is satisfied in full.

Amends GS 58-71-80 concerning grounds for license renewal, suspension, denial, or revocation for bail bondsmen and runners. Provides that the Commissioner of Insurance (Commissioner) retains enforcement authority even when a person's license or registration has been surrendered or has lapsed. Authorizes the Commissioner to order summary suspension in certain circumstances.

Amends GS 58-71-75 concerning license renewal schedule and requirements for bail bondsmen and runners. Requires biennial renewal (was, annual). Amends the requirement that applicants provide fingerprints and a fee for conducting a criminal record check as part of the renewal application. Previously, the record check was required with every annual renewal. With the amendment, the record check would be required every four years (every other biennial license renewal cycle). Revises the fees associated with renewals to reflect the new biennial cycle.

Amends GS 58-70-5 to clarify that a permit for operation as a collection agency is not required for remote locations from which employees work under the control and monitoring of the agency through telecommunications and computer links as long as specified conditions are met, including (1) that the agency holds a valid permit for at least one physical location in NC, (2) required records and record keeping are not maintained at this remote location, and (3) the remote location is not held open to the public as a place of business. Makes a technical change.

Amends GS 58-70-20(a) to lower the maximum permissible amount of the required bond for a collection agency renewal permit from \$75,000 to \$30,000.

Amends GS 7A-38.5 concerning fees charges by community mediation centers or dispute settlement centers providing that they can only charge fees for criminal court mediation services as provided in GS 7A-38.7, with no authority to charge any additional fees in such cases. Also amends subsection (e) to provide that criminal actions generated by a criminal summons can be referred to community mediation centers. Further provides that mediation centers have 45 days (was 30 days) to resolve a criminal case before it proceeds in court. Enacts new subsection (g) clarifying that nothing in the provisions of GS 7A-38.5 is intended to prohibit or delay the appointment or engagement of an attorney in a criminal case.

Amends GS 7A-38.3D, concerning dispute resolution fees, making conforming changes reflecting the above proposed changes to GS 7A-38.5.

Amends the catchline of GS 7A-38.7 to be dispute resolution fee for cases referred to mediation (was, ...cases resolved in mediation). Further amends section to provide that the dispute resolution fee is assessed when each criminal case is referred to the community mediation center, with the required fee to be paid in advance of the mediation by the defendant. Enacts new subsection (c) which establishes that the assessed fee can agree to split the fee but specifies process for paying fee if not agreement to split fee is agreed upon. Also provides that fee can be waived by the court upon written order as specified. Prohibits mediators or volunteers or employees from receiving payment directly from any mediation participant or any other fee.

Makes conforming changes to the effective date provisions.

**Intro. by Lee, Randleman.**

[GS 7A, GS 15A, GS 48](#)

[View summary](#)

**[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure](#)**

S 770 (2015-2016) [NC FARM ACT OF 2016 \(NEW\)](#) Filed Apr 27 2016, *AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY.*

House committee substitute makes the following changes to the 6th edition.

Section 11 proposes establishing a new Article 86 of Chapter 106, entitled Farmed Cervid Industry Promotion Act. Deletes the revisions of the previous edition to Article 86, and reverts to the proposed language of the 5th edition.

**Intro. by B. Jackson, Brock, Cook.**

[GS 19A, GS 75, GS 87, GS 90, GS 105, GS 106, GS 113, GS 113A, GS 115C, GS 139, GS 143, GS 143B, GS 150B, GS 153A, GS 160A, GS 166](#)

**Agriculture, Animals, Business and Commerce, Development, Land Use and Housing, Building and Construction, Education, Elementary and Secondary Education, Environment, Environment/Natural Resources, Government, APA/Rule Making, State Agencies, Department of Agriculture and Consumer Services, Tax, Local Government, Health and Human Services, Health, Public Health**

[View summary](#)

S 770 (2015-2016) **NC FARM ACT OF 2016 (NEW)** Filed Apr 27 2016, *AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE AGRICULTURAL COMMUNITY.*

House committee substitute makes the following changes to the 5th edition.

#### Section 11

Adds new subsection to proposed GS 106-1042, which sets out definitions to terms as they are used in proposed Article 86 of GS Chapter 106, to define *cervid* to mean any member of the Cervidae family.

Changes the term *farmed cervid feed* to *cervid feed*, and defines the term to mean any commercial feed, as defined in GS 106-284.33, labeled or marketed for cervid use (previously, labeled or marketed for farmed cervid use). Makes conforming changes to proposed GS 106-1043, proposed GS 106-1044, and proposed GS 106-1045.

#### Section 12

Deletes proposed subsection (a1) to GS 143-215.15, which exempted water uses for agricultural purposes on bona fide farms or silviculture operations from water permitting requirements for capacity use areas.

#### Section 13

Amends proposed subdivision (1) to GS 143-138(b10), which sets out an exclusion to permitting requirements for replacement water heaters under the North Carolina State Building Code (Code). Now provides that no permit can be required under the Code or any local variant approved under subsection (e) of the statute for replacement water heaters in one or two-family dwellings, as long as (1) the energy use rate or thermal input is not greater than that of the water heater which is being replaced, and there is no change in fuel, energy source, location, or routing or sizing of venting and piping (previously, also required there to be no change in capacity); (2) the work is performed by a person or employee of a company licensed under GS 87-21 or pursuant to GS 87-21(i); and (3) the replacement is installed in accordance with the current edition of the Code.

#### Section 14

Amends the proposed revisions to GS 113A-52.01, concerning the applicability of the Sedimentation Pollution Control Act, to establish that the Act does not apply to activities, including the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture undertaken on agricultural land for the production of plants and animals useful to man (previously, activities, including the breeding and grazing of livestock, and any activity that constitutes a bona fide farm use under GS 153A-340(b)(2), undertaken on agricultural land for the production of plants and animals useful to man). Amends proposed GS 113A-52.01(1)g. of the statute to provide that the plants and animals useful to man include mulch, ornamental plants, and other horticultural products (previously, also included sod).

#### Section 16

Amends proposed GS 75-41, concerning automatic renewal clauses in contracts, to provide that an automatic contract renewal for the sale or lease of products or services for a term exceeding 60 days is void and unenforceable unless the consumer is given written notice of the automatic renewal at least 15 days but no earlier than 45 days (previously, 30 days) before the date of automatic renewal of the contract, unless it is cancelled prior to that date.

#### Section 18

New section requires that an electric public utility that has received a request to interconnect to the public utility's distribution

system from a renewable energy facility must move that request to the front of the respective study queue relative to other pending valid interconnection requests if (1) the facility is fueled by only swine or poultry waste, or by a combination of swine and poultry waste, and (2) prior to May 21, 2016, the facility has entered into the interconnection queue and either obtained a certificate of public convenience and necessity under GS 62-110.(a) or reported to the Utilities Commission that it proposed to construct the facility under GS 62-110.1(g).

Provides that a renewable energy facility that meets the requirements of Section 18(a) cannot be moved in front of an interconnection request that has either initiated the system impact study process or received a system impact study report and is continuing through the interconnection process.

Requires that any prioritization of a renewable energy facility pursuant to Section 18 of the act must be based on original queue numbers. Requires the facility to otherwise comply with the North Carolina Interconnection Standard approved by the Commission.

This section is effective when it becomes law and expires January 1, 2017.

**Intro. by B. Jackson, Brock, Cook.**

[GS 19A, GS 75, GS 87, GS 90, GS 106, GS 113, GS 113A, GS 115C, GS 139, GS 143, GS 143B, GS 150A, GS 153A, GS 160A, GS 166A](#)

[View summary](#)

[Agriculture, Animals, Business and Commerce, Development, Land Use and Housing, Building and Construction, Education, Elementary and Secondary Education, Environment, Environment/Natural Resources, Government, APA/Rule Making, State Agencies, Department of Agriculture and Consumer Services, Tax, Local Government, Health and Human Services, Health, Public Health](#)

S 803 (2015-2016) [REV. LAWS TECH. CHG./NO PERMIT FOR FIBER \(NEW\)](#) Filed May 3 2016, *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO THE REVENUE LAWS AND RELATED STATUTES.*

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

Adds new section amending GS 160A-417 to include a new prohibition on requiring a low voltage permit for the construction, installation, repair, replacement, or alteration of passive optical networks.

Makes conforming changes to the short title and long title.

**Intro. by Wade, McKissick, Hartsell.**

[GS 66, GS 96, GS 105, GS 153A, GS 160A](#)

[View summary](#)

[Business and Commerce, Employment and Retirement, Government, Tax, Local Government, Health and Human Services, Social Services, Public Assistance](#)

SJR 902 (2015-2016) [SBE CONFIRMATION](#). Filed Jun 28 2016, *A JOINT RESOLUTION PROVIDING FOR CONFIRMATION OF APPOINTMENT BY THE GOVERNOR OF JAMES TODD CHASTEEN AND AMY BANNISTER WHITE TO THE STATE BOARD OF EDUCATION.*

Confirms the appointments of James Todd Chasteen and Amy Bannister White to the State Board of Education for terms expiring March 31, 2023.

**Intro. by Barefoot, Ballard.**

[JOINT RES](#)

[View summary](#)[Education, Elementary and Secondary Education](#)

## LOCAL/HOUSE BILLS

H 1045 (2015-2016) [NEW BERN CHARTER/REVISED & CONSOLIDATED](#). Filed May 4 2016, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN*.

AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF NEW BERN. Enacted June 27, 2016.  
Effective June 27, 2016.

**Intro. by Speciale.**

[Craven](#)[View summary](#)

## LOCAL/SENATE BILLS

S 727 (2015-2016) [MOORE COUNTY LOCAL SALES TAX USE RESTRICTION \(NEW\)](#) Filed Apr 25 2016, *AN ACT TO MODIFY PERMISSIBLE USES OF THE QUARTER CENT LOCAL OPTION SALES TAX FOR MOORE COUNTY*.

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

Directs the county board of elections to fix the date of the special election provided for in Section 2 of the act at the same time as the statewide election on November 8, 2016.

Requires the board of county commissioners to submit a written request required by GS 105-456 to the board of elections no later than August 1, 2016.

**Intro. by Tillman.**

[Moore](#)[View summary](#)[Government, Tax, Local Government](#)

S 787 (2015-2016) [STOKES COUNTY/LOCAL ACTS - BY REQUEST](#). Filed Apr 28 2016, *AN ACT AUTHORIZING THE TOWN OF WALNUT COVE IN STOKES COUNTY TO COMPEL THE TERMINATION OF AN IRREVOCABLE TRUST ESTABLISHED BY THE TOWN FOR THE PURPOSE OF PAYING LAW ENFORCEMENT SPECIAL SEPARATION ALLOWANCE BENEFITS AND AUTHORIZING THE GOVERNING BODY OF STOKES COUNTY TO ADOPT ORDINANCES REGULATING, RESTRICTING, OR PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOL ON NAVIGABLE RIVERS IN THE COUNTY*.

AN ACT AUTHORIZING THE TOWN OF WALNUT COVE IN STOKES COUNTY TO COMPEL THE TERMINATION OF AN IRREVOCABLE TRUST ESTABLISHED BY THE TOWN FOR THE PURPOSE OF PAYING LAW ENFORCEMENT SPECIAL SEPARATION ALLOWANCE BENEFITS AND AUTHORIZING THE GOVERNING BODY OF STOKES COUNTY TO ADOPT ORDINANCES REGULATING, RESTRICTING, OR PROHIBITING THE POSSESSION OR CONSUMPTION OF ALCOHOL ON NAVIGABLE RIVERS IN THE COUNTY. Enacted June 27, 2016. Section 2 is effective August 1, 2016. The remainder is effective June 27, 2016.

**Intro. by Randleman.**

[Stokes](#)[View summary](#)[Government, Public Safety](#)



S 795 (2015-2016) [CLAY COUNTY COURTHOUSE](#). Filed Apr 28 2016, *AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING.*

AN ACT EXEMPTING CLAY COUNTY FROM CERTAIN STATE CONTRACT LAWS IN THE RENOVATION AND RESTORATION OF THE COUNTY'S OLD COURTHOUSE BUILDING. Enacted June 27, 2016. Effective June 27, 2016.

**Intro. by J. Davis.**

[Clay](#)

[View summary](#)

[Courts/Judiciary, Court System](#)

S 831 (2015-2016) [DUPLIN/SAMPSON/DETENTION CONTRACTS ANIMALS \(NEW\)](#). Filed May 10 2016, *AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING DUPLIN, ROWAN, AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT.*

AN ACT TO ALLOW THE DUPLIN AND SAMPSON COUNTY SHERIFF'S OFFICES TO CONTRACT FOR THE PURCHASE OF FOOD AND FOOD SERVICES SUPPLIES FOR THEIR COUNTY'S DETENTION FACILITY WITHOUT BEING SUBJECT TO THE REQUIREMENTS OF CERTAIN STATE PURCHASE AND CONTRACT LAWS AND AUTHORIZING DUPLIN, ROWAN, AND SAMPSON COUNTIES AND THE MUNICIPALITIES IN THOSE COUNTIES TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THE LOCAL GOVERNMENT. Enacted June 27, 2016. Effective June 27 2016.

**Intro. by B. Jackson.**

[Duplin, Rowan, Sampson](#)

[View summary](#)

[Animals, Government, Public Safety](#)

S 849 (2015-2016) [WAKE CTY TOWNS DONATE RETIRED SERVICE ANIMALS](#). Filed May 10 2016, *AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL.*

AN ACT TO ALLOW THE TOWNS OF APEX, CARY, GARNER, KNIGHTDALE, MORRISVILLE, ROLESVILLE, WAKE FOREST, AND ZEBULON AND THE COUNTY OF YANCEY, AND ALL OF THE MUNICIPALITIES IN THAT COUNTY, TO TRANSFER RETIRED SERVICE ANIMALS OWNED BY THAT TOWN TO THE OFFICER OR EMPLOYEE WHO HAD NORMAL CUSTODY AND CONTROL OF THE ANIMAL. Enacted June 27, 2016. Effective June 27, 2016.

**Intro. by Barringer, Chaudhuri, Foushee.**

[Wake, Yancey, GS 160A](#)

[View summary](#)

[Animals, 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.*

AN ACT TO ABOLISH THE OFFICE OF CORONER IN CASWELL COUNTY. Enacted June 27, 2016. Effective on the earlier of a vacancy in the office of coroner in the county or the expiration of the current term of office in 2016.

**Intro. by Woodard.**

[Caswell](#)

[View summary](#)

S 883 (2015-2016) [NORTHAMPTON COUNTY/WRC SHOOTING RANGES \(NEW\)](#). Filed May 19 2016, *AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY.*

AN ACT TO ALLOW WILDLIFE RESOURCES COMMISSION SHOOTING RANGES IN NORTHAMPTON COUNTY.  
Enacted June 27, 2016. Effective June 27, 2016.

**Intro. by Smith.**[Northampton](#)[View summary](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 3: OMNIBUS CONSTITUTIONAL AMENDMENTS. (NEW)**

*Senate: Amend Failed A2*

*Senate: Amend Tabled A3*

*Senate: Passed 3rd Reading*

*Senate: Special Message Sent To House*

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

*House: RefTo Com On Rules, Calendar, and Operations of the House*

### **H 100: LOCAL GOVERNMENT IMMIGRATION COMPLIANCE (NEW).**

*Senate: Passed 3rd Reading*

*Senate: Special Message Sent To House*

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

*House: RefTo Com On Rules, Calendar, and Operations of the House*

### **H 136: RECALL RETIRED BUSINESS COURT JUDGE. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

### **H 151: VACATION RENTALS/ORANGE CO. JAIL CONSTRUCTION. (NEW)**

*House: Withdrawn From Com*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Failed Concur In S Com Sub*

*House: Conf Com Appointed*

### **H 169: REGULATORY REDUCTION ACT OF 2016 (NEW)**

*House: Added to Calendar*

*House: Failed Concur In S Com Sub*

*House: Failed Concur In S Com Sub*

### **H 242: VARIOUS CHARTER SCHOOL LAW CHANGES (New)**

*Ratified*

### **H 253: JUSTICE REINVESTMENT ACT CHANGES.-AB**

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 287: AMEND INSURANCE LAWS.-AB**

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 289: NC MONEY TRANSMITTERS ACT.-AB**

*Ratified*

*Pres. To Gov. 6/28/2016*

**H 407: HOUSING AUTHORITY TRANSFERS (NEW).**

*House: Withdrawn From Cal*

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

**H 424: PROHIBIT UNLAWFUL CUSTODY TRANSFER OF CHILD (NEW).**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 523: DRIVERS LICENSE DESIGNATION/AMERICAN INDIAN.**

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 533: MODIFY PUV EXCEPTIONS TO DISQUALIFICATION.**

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 548: CONFORMING CHANGES/CONSTITUTIONAL AMEND. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 550: RALEIGH APODACA SERVICE DOG RETIREMENT ACT (NEW).**

*House: Added to Calendar*

**H 567: NC CEMETERY ACT CHANGES. (NEW)**

*Pres. To Gov. 6/28/2016*

**H 593: AMEND ENVIRONMENTAL & OTHER LAWS (NEW).**

*House: Reptd Unfav For Conc*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Failed Concur In S Com Sub*

**H 594: CLARIFY SALE OF ANTIQUE & SPECIALTY VEHICLES.**

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 630: DRINKING WATER PROTECT'N/COAL ASH CLEANUP ACT**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Placed on Today's Calendar*

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Engrossed*

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

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 804: KELSEY SMITH ACT.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 805: MEASURABILITY ASSESSMENTS.**

*Senate: Withdrawn From Cal*

*Senate: Re-ref Com On Appropriations/Base Budget*

**H 817: ENACT UNIFORM LAW ON ADULT GUARDIANSHIP.**

*House: Reconsidered Concurrence*

*House: Conf Com Dismissed*

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

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

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 884: AMEND TOWNSHIP ABC ELECTIONS. (NEW)**

*Senate: Withdrawn From Com*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Special Message Sent To House*

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

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

**H 948: AUTHORIZE APO STUDIES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**H 960: RETIREMENT CREDITABLE SERVICE CHARTER SCHOOLS.**

*Pres. To Gov. 6/28/2016*

**H 972: LAW ENFORCEMENT RECORDINGS/NO PUBLIC RECORD (New)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 984: TRANSFER OF DAVIE COUNTY CORRECTIONAL CENTER.**

*Senate: Conf Com Reported*

*Senate: Placed On Cal For 06/29/2016*

*House: Conf Com Reported*

*House: Placed On Cal For 06/29/2016*

**H 986: ZETA PHI BETA/LONG LEAF PINE PLATE CHANGES. (NEW)**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*  
*House: Special Message Sent To Senate*  
*House: Special Message Sent To Senate*

**H 1021: AMEND SEX OFFENDER CERTAIN PREMISES (NEW).**

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

**H 1030: 2016 APPROPRIATIONS ACT.**

*Senate: Conf Report Adopted 2nd*

**H 1033: ID CARD FEE WAIVER/DISABILITY.**

*Ratified*  
*Pres. To Gov. 6/28/2016*

**H 1044: LAW ENFORCEMENT OMNIBUS BILL.**

*Senate: Reptd Fav Com Substitute*  
*Senate: Com Substitute Adopted*

**H 1074: SCHOOLS/CC FACILITIES - TEST WATER FOR LEAD (NEW)**

*House: Reptd Fav Com Substitute*  
*House: Cal Pursuant Rule 36(b)*  
*House: Amend Adopted A1*  
*House: Amend Adopted A2*  
*House: Amend Adopted A3*  
*House: Passed 2nd Reading*  
*House: Passed 2nd Reading*

**H 1080: ACHIEVEMENT SCHOOL DISTRICT.**

*Senate: Amend Adopted A7*  
*Senate: Amend Adopted A8*  
*Senate: Amend Adopted A9*  
*Senate: Passed 3rd Reading*  
*Engrossed*  
*Senate: Reconsidered 3rd Reading*  
*Senate: Amend Recon A8*  
*Senate: Amendment Withdrawn A8*  
*Senate: Passed 3rd Reading*  
*Engrossed*

**H 1134: ADMIN. CHANGES RETIREMENT SYSTEM/TREASURER.**

*House: Withdrawn From Cal*  
*House: Re-ref Com On Appropriations*

**H 1135: RETIREMENT CREDITS FOR PEACE CORPS SERVICE.**

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

**S 53: PRIVATE ALTERNATIVE TEACHER PREPARATION (NEW)**

*House: Reptd Fav Com Substitute*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 06/29/2016*

**S 105: REPORT NO. VETERANS FILING TAX RETURNS. (NEW)**

*House: Amend Adopted A1*

*House: Amend Adopted A2*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

*House: Special Message Sent To Senate*

**S 124: ASSUMED BUS.NAME/IC CONTEMPT/PARKS (NEW).**

*House: Passed 2nd Reading*

**S 349: AMEND VARIOUS LAWS (NEW)**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

**S 387: SBE CONFIRMATIONS.**

*Senate: Reptd Fav*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Special Message Sent To House*

*House: Special Message Received From Senate*

*House: Cal Pursuant 32*

*House: Placed On Cal For 06/29/2016*

**S 481: FUND SM BUSINESS/DOR RULINGS/CITY RT OF WAY (New).**

*Senate: Concurred In H/Com Sub*

*Senate: Ordered Enrolled*

**S 482: LLC CLARIFICATIONS & EMP INVENTION OWNERSHIP. (NEW)**

*Senate: Failed Concur In H Com Sub*

*Senate: Conf Com Appointed*

**S 508: AMEND BAIL BOND LAWS.**

*House: Reptd Fav Com Substitute*

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

**S 667: PRINCIPLE-BASED RESERVING.**

*House: Withdrawn From Com*

*House: Re-ref Com On Elections*

**S 747: STATE-OWNED REAL PROPERTY MANAGEMENT/PED.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

**S 770: NC FARM ACT OF 2016 (NEW)**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/29/2016*

**S 791: LPA COMM. CONTRACTOR RATE REVISION & STUDY.**

*House: Reptd Fav*



*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Withdrawn From Cal*

*House: Placed On Cal For 06/29/2016*

**S 803: REV. LAWS TECH. CHG./NO PERMIT FOR FIBER (NEW)**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Withdrawn From Cal*

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

**S 821: GSC TECHNICAL CORRECTIONS 1.**

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Rules and Operations of the Senate*

**S 872: UNC SELF-LIQUIDATING PROJECTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

**S 902: SBE CONFIRMATION.**

*Senate: Filed*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Select Committee on Nominations*

**LOCAL BILLS**

**H 345: NORTHAMPTON SHOOTING RANGES (NEW).**

*House: Withdrawn From Cal*

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

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

*House: Concurred In S/Com Sub*

*House: Ordered Enrolled*

**H 1017: NORWOOD DEANNEXATIONS/ANNEXATION.**

*Ratified*

*Ch. SL 2016-42*

**H 1022: MAXTON DEANNEX/SILER CITY SATELLITE ANNEX. (NEW)**

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 1039: OMNIBUS OCCUPANCY TAX CHANGES (NEW).**

*House: Failed Concur In S Com Sub*

**H 1058: TOBACCOVILLE RECALL ELECTIONS.**

*Ratified*

*Ch. SL 2016-43*

**H 1126: RED LIGHT CAMERAS/CITY OF GREENVILLE.**

*Senate: Reptd Fav*

**H 1132: GLEN ALPINE DEANNEXATION.**

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 1133: PARTISAN ELECTION/TRANSYLVANIA BD. OF ED.**

*Ratified*

*Ch. SL 2016-44*

**H 1143: SPENCER MOUNTAIN CHARTER.**

*Ratified*

*Ch. SL 2016-45*

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

*House: Withdrawn From Com*

*House: Re-ref Com On Local Government*

**S 215: ABOLISH BRUNSWICK COUNTY CORONER.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 727: MOORE COUNTY LOCAL SALES TAX USE RESTRICTION (NEW)**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/29/2016*

**S 739: TOWN OF ROLESVILLE/ANNEXATION.**

*House: Passed 2nd Reading*

**S 774: MARVIN AND ASHEBORO/DEANNEXATION (NEW).**

*Senate: Concurred On 2nd Reading*

**S 852: TOWN OF BAKERSVILLE/DEANNEXATION.**

*Senate: Concurred On 2nd Reading*

**S 875: TOWN OF SUNSET BEACH/DEANNEXATION.**

*House: Withdrawn From Com*

*House: Re-ref Com On Finance*

**S 890: ELECTIONS EVERY FOUR YEARS/TOWN OF MARIETTA.**

*Senate: Reptd Fav*

[Print Version](#)