

## The Daily Bulletin: 2017-02-14

### PUBLIC/HOUSE BILLS

H 90 (2017-2018) [ELIMINATE NC FINAL EXAM](#). Filed Feb 14 2017, *AN ACT TO ELIMINATE THE NC FINAL EXAM AND THE ANALYSIS OF STUDENT WORK PROCESS AS THE MEASURES USED TO EVALUATE TEACHER PERFORMANCE AS PART OF THE EVALUATION INSTRUMENT AND INSTEAD USE SCHOOL-WIDE GROWTH VALUES FOR TEACHERS WHO TEACH LESS THAN SIXTY PERCENT OF THEIR TIME IN END-OF-GRADE OR END-OF-COURSE SUBJECTS.*

Directs the State Board of Education (Board) to eliminate the use of the NC Final Exam and the analysis of student work process to assess teacher performance and professional growth as part of the North Carolina Teacher Evaluation System. Instead, directs the Board to adopt a policy to require that local school administrative units assess teacher performance and professional growth by using: (1) for teachers who teach at least 60% of their time in an End-of-Grade or End-of-Course tested subject, End-of-Course and End-of-Course assessments to determine student growth values or (2) for all other teachers, school-wide growth values.

Requires the Board and the Department of Public Instruction to reflect these requirements in the consolidated State plan to be submitted to the US Department of Education in accordance with 20 USC 6301, et seq., as amended.

Applies beginning with the 2017-18 school year.

**Intro. by Elmore, K. Hall, Hurley.**

UNCODIFIED

[View summary](#)

**Education, Elementary and Secondary Education, Government, State Agencies, Department of Public Instruction, State Board of Education**

H 91 (2017-2018) [REQUIRE SAFETY HELMETS/UNDER 21](#). Filed Feb 14 2017, *AN ACT TO REVISE THE MOTOR VEHICLE LAWS TO PROVIDE CERTAIN EXCEPTIONS TO THE REQUIREMENT THAT ALL OPERATORS AND PASSENGERS ON MOTORCYCLES OR MOPEDS WEAR A SAFETY HELMET AND TO REMOVE THE ASSESSMENT OF COURT COSTS FROM THE PENALTIES APPLIED TO PERSONS FOUND GUILTY OF A HELMET USE INFRACTION.*

Identical to [S 66](#), filed 2/9/17.

Amends GS 20-140.4 to allow a person 21 years of age or older to operate a motorcycle without wearing a safety helmet if (1) the operator has held a motorcycle license or motorcycle endorsement for more than 12 months or (2) the operator has successfully completed the course of instruction offered by the Motorcycle Safety Instruction Program or its equivalent. Prohibits a person from operating a motorcycle without wearing a safety helmet unless the operator is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while operating or riding on a motorcycle. Allows a person 21 years of age or older to ride as a motorcycle passenger without wearing a safety helmet if the operator is allowed to operate a motorcycle without a helmet, under conditions described above, and the person is covered by an insurance policy providing for at least \$10,000 in medical benefits for injuries incurred as a result of a crash while riding on a motorcycle. Violations of GS 20-140.4 require payment of a \$25.50 penalty and are not assessed any court costs (was, payment of \$25.50 plus three specified court costs).

Effective for violations occurring on or after October 1, 2017.

**Intro. by Torbett.**

GS 20

[View summary](#)

**Courts/Judiciary, Motor Vehicle**

H 92 (2017-2018) [BLUE RIBBON COMMITTEE/TRANSPORTATION FUNDING](#). Filed Feb 14 2017, *AN ACT TO ESTABLISH THE BLUE RIBBON COMMITTEE ON TRANSPORTATION INFRASTRUCTURE FUNDING, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STRATEGIC TRANSPORTATION PLANNING AND LONG TERM FUNDING SOLUTIONS.*

Establishes a 20-member Blue Ribbon Committee on Transportation Infrastructure Funding (Committee), with ten members each appointed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, as specified. Directs the Committee to study all options available to increase funding for the transportation infrastructure needs of the State as well as any other matters the Committee deems relevant to accomplishing this purpose. Provides that the Speaker and President Pro Tempore are to each designate a cochair and fill any vacancy on the Committee. Sets out provisions concerning member compensation and Committee meetings. Grants the Committee the powers provided under GS 120-19 (mandatory requirement that all State officers, agents, agencies and departments comply with committee requests for information or data within their possession or easily ascertainable from their records) and GS 120-19.4 (establishes failure to respond to a subpoena or refusal to testify is punishable as civil contempt). Allows the Committee to make an interim report of its findings and recommendations to the 2018 Regular Session of the General Assembly, and requires a final report to the 2019 General Assembly prior to its convening. Terminates the Committee upon the convening of the 2019 General Assembly, or upon the filing of its final report, whichever occurs first.

**Intro. by Torbett.**

UNCODIFIED

[View summary](#)

[Transportation](#)

H 94 (2017-2018) [EMERGENCY MANAGEMENT/DRONE USE](#). Filed Feb 14 2017, *AN ACT TO AUTHORIZE EMERGENCY MANAGEMENT SERVICES PERSONNEL TO USE UNMANNED AIRCRAFT SYSTEMS FOR EMERGENCY MEDICAL RESPONSE PURPOSES.*

Amends GS 15A-300.1, which prohibits the use of unmanned aircraft systems for specified uses, to allow emergency management services personnel acting in the course and scope of their duties to use unarmed aircraft systems for incident command, area reconnaissance, personnel and equipment deployment monitoring, and other related emergency management purposes.

**Intro. by Speciale, Pittman.**

GS 15A

[View summary](#)

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

H 95 (2017-2018) [GTP TRUCK DELIVERIES TO PORT/NIGHT TRAVEL](#). Filed Feb 14 2017, *AN ACT TO AUTHORIZE PERMITTED OVERSIZED OR OVERWEIGHT VEHICLES TO TRAVEL AFTER SUNSET WHEN TRANSPORTING AND DELIVERING CARGO, CONTAINERS, OR OTHER EQUIPMENT FROM THE NORTH CAROLINA GLOBAL TRANSPARK TO THE PORT OF MOREHEAD CITY OR THE PORT OF WILMINGTON.*

Amends GS 20-119, concerning special permits for vehicles of excessive size or weight, to prohibit the Department of Transportation from including a term or condition prohibiting travel after sunset for a special permit issued by the Department for the transport and delivery of cargo, containers, or other equipment from the North Carolina Global TransPark to the Port of Morehead City or the Port of Wilmington.

**Intro. by Torbett, Presnell.**

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Transportation](#)

H 96 (2017-2018) [ADOPT STATE FRIED CHICKEN FESTIVAL](#). Filed Feb 14 2017, *AN ACT TO ADOPT THE FAYETTEVILLE FRIED CHICKEN FESTIVAL AS THE OFFICIAL FRIED CHICKEN FESTIVAL OF THE STATE OF NORTH CAROLINA*.

Enacts new GS 145-49, as the title indicates.

**Intro. by Floyd, Boles, Dobson, C. Graham.**

GS 145

[View summary](#)

[Government, Cultural Resources and Museums](#)

H 97 (2017-2018) [ARTS EDUCATION REQUIREMENT](#). Filed Feb 14 2017, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO REQUIRE ONE ARTS EDUCATION CREDIT PRIOR TO GRADUATION FROM HIGH SCHOOL*.

Directs the State Board of Education (Board) to modify the State graduation requirements to include one required credit in arts education, to be completed any time in grades 6 through 12. Implementation begins with students entering the sixth grade in 2020. Requires the Board to include an exemption from the arts education requirement for students who transfer to a North Carolina public school beginning in the ninth grade or later if adhering to the requirement would result in a student being unable to graduate with the graduation class to which the student was assigned when transferring to North Carolina's public school system. Further directs the State Board of Education to (1) establish procedures and a timeline for a phased-in implementation of the new arts requirement; (2) establish the minimum criteria to meet the arts requirement; and (3) report to the Joint Legislative Education Oversight Committee, by December 15, 2020, on the statewide implementation of the three interdependent components of comprehensive arts education (arts education, arts integration, and arts exposure) and this new graduation requirement.

**Intro. by Elmore, Carney, Johnson.**

UNCODIFIED

[View summary](#)

[Education, Elementary and Secondary Education, Government, State Agencies, State Board of Education](#)

H 98 (2017-2018) [CRIM. OFFENSE/VANDALIZE FIRE & EMS EQUIPMENT](#). Filed Feb 14 2017, *AN ACT TO CREATE THE CRIMINAL OFFENSE OF INJURING, DESTROYING, REMOVING, VANDALIZING, OR TAMPERING WITH ANY OF THE FOLLOWING: FIREFIGHTING MACHINERY, FIREFIGHTING EQUIPMENT, AN AMBULANCE, A RESCUE SQUAD EMERGENCY MEDICAL SERVICES VEHICLE, OR EMERGENCY MEDICAL SERVICES EQUIPMENT*.

Enacts GS 14-160.3 to establish that it is a Class 1 misdemeanor if a person injures, destroys, removes, vandalizes, or tampers with or otherwise interferes with firefighting or emergency medical services machinery or equipment with the intent to temporarily or permanently prevent their useful operation. Applies to injury, destruction, removal, interference, and so forth with any machinery, apparatus, or equipment used by a fire department or the North Carolina Forest Services for fighting fires, protecting property, or protecting human life, and any ambulance as defined in GS 131E-155 or rescue squad emergency medical services vehicle, or any equipment or apparatus used for emergency medical services as defined in GS 131E-155. Effective December 1, 2017, and applies to offenses committed on or after that date.

**Intro. by Dollar, Malone, Wray, Clampitt.**

GS 14

[View summary](#)

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

H 99 (2017-2018) [THE ANTIDISCRIMINATION ACT OF 2017](#). Filed Feb 14 2017, *AN ACT TO (1) PROHIBIT THE USE OF DISCRIMINATORY PROFILING BY LAW ENFORCEMENT OFFICERS IN THE PERFORMANCE OF THEIR DUTIES; (2) AMEND THE TYPES OF INFORMATION REQUIRED TO BE REPORTED BY CERTAIN LAW ENFORCEMENT AGENCIES CONCERNING TRAFFIC LAW ENFORCEMENT; (3) REQUIRE CERTAIN LAW ENFORCEMENT AGENCIES TO REPORT CERTAIN INFORMATION*

*CONCERNING HOMICIDES; AND (4) REQUIRE LAW ENFORCEMENT OFFICERS TO RECEIVE ANNUAL EDUCATION AND TRAINING CONCERNING DISCRIMINATORY PROFILING.*

Enacts new Article 18, "Discriminatory Profiling," in GS Chapter 15A. Defines *discriminatory profiling* as the practice of subjecting a person to investigation, detention, or arrest based on the person's real or perceived race, ethnicity, national origin, disability, religion, sexual orientation, or gender identity, instead of based on the person's behavior or on information identifying the person as having engaged in criminal activity. Defines *law enforcement officer* as an employee of state and local government agencies, company and campus police agencies certified by the Attorney General, and any special police agency created by the state with the authority to enforce the criminal laws of the state. Also defines *law enforcement officer* in terms of duties and responsibilities for prevention and detection of crime and the authority to arrest by virtue of an oath administered under the authority of the state. Effective when this act becomes law.

Provides that the remainder of this act becomes effective December 1, 2017, and applies to any misconduct committed on or after that date.

Amends GS 143B-903(a) to include in the data to be collected and maintained by the Department of Public Safety (Department) regarding traffic law enforcement whether the law enforcement officers making the stop attempted to determine the immigration status of the driver or passenger(s).

Enacts new GS 143B-904.1 regarding the collection of homicide statistics in this state. Defines law enforcement agency as any duly accredited state or local government agency with the authority to enforce the criminal laws of North Carolina. Directs the Department to collect, correlate, and maintain specified data regarding homicides committed in the state, including the number committed, the geographic location where the homicide was committed, identifying characteristics of the offenders and the victims, as well as information regarding the number of cases solved and unsolved. Requires that law enforcement agencies submit the required information within 60 days of the close of each month. Makes any law enforcement agency that fails to submit the required data ineligible for any available law enforcement grants until the information is submitted. Charges the Department to publish and distribute annually by December 1 a list of the law enforcement agencies that will be subject to the reporting requirements during the coming calendar year as of January 1. Directs the Department to make any report or summary under this statute available to the public, including posting the report or summary on the Department's website.

Current law requires the Department to collect, maintain, and annually publish information regarding deaths resulting from the use of deadly force by law enforcement officers in the course and scope of their official duties. Amends GS 143B-904(a) to specify that the collected information contain (1) the number of deaths, including any justified or excused homicides; (2) the geographic location where the death occurred; and (3) identifying characteristics including race or ethnicity, age, gender identity, and sex of the victims and the law enforcement officers.

Amends GS 17C-2 to add the definition for discriminatory profiling as defined in GS 15A-306, under new Article 18 in this act.

Under current law, the North Carolina Criminal Justice Education and Training Standards Commission (Commission) is authorized to establish minimum educational training standards to be met in order to qualify for entry level employment and retention as a criminal justice officer. Amends GS 17C-6(a) to provide that the standards for entry-level employment and retention must include education and training concerning (1) the prohibition against discriminatory profiling and (2) the proper techniques for recording and storing information and completing reports as required under GS 143B-903, 143B-904, 143B-904.1, and any other provision of law. Additionally specifies the training content and focus that in-service training must include.

Also amends GS 17E-2 and 17E-4 to incorporate the same educational training standards for entry level employment and retention as apply in GS Chapter 17C to the North Carolina Sheriff's Education and Training Standards Commission's training standards applicable to "justice officers," including a peace officer in the office of the sheriff, and including deputy sheriffs, reserve deputy sheriffs, and special deputy sheriffs. Additionally specifies the training content and focus that in-service training must include.

**Intro. by R. Moore, Alexander, Brockman, Quick.**

[GS 15A, GS 17C, GS 17E, GS 143B](#)

[View summary](#)

[Government, Public Safety, Local Government](#)

H 100 (2017-2018) [RESTORE PARTISAN ELECTIONS/SUP. & DIST. COURT](#). Filed Feb 14 2017, *AN ACT TO RESTORE PARTISAN JUDICIAL ELECTIONS FOR NORTH CAROLINA SUPERIOR AND DISTRICT COURTS*.

Repeals Article 25 of Subchapter X of GS Chapter 163 and amends various statutes in GS Chapter 163 to make the election of superior court and district court judges partisan. Makes conforming changes to remove statutory references to those statutes repealed by this act in GS 18C-112(e)(1), GS 163-1(b), GS 163-22.3, GS 163-82.10B, and GS 163-165.5(a)(3). Makes conforming repeals of GS 163-122(c) and GS 163-123(g).

Amends GS 163-106 to prohibit filing a notice of candidacy for superior court judge unless that person is, at the time of filing the notice of candidacy, a resident of the judicial district as it will exist at the time the person would take office if elected. Prohibits nomination as a superior court judge under GS 163-114 unless that person is, at the time of nomination, a resident of the judicial district as it will exist at the time the person would take office if elected. Requires regular superior court judges to reside in the district for which elected. Amends GS 163-107(a) to establish a filing fee for justices and judges at 1% of the annual salary of the respective office sought. Amends GS 163-107.1 to allow petitions for candidates for superior and district court judges to be filed, as specified, in lieu of paying the filing fee. Adds judicial candidates to those who can request a second primary in accordance with GS 163-111(c)(1). Amends GS 163-114 to provide for the filling of vacancies for district and superior court judges.

Effective with respect to primaries and elections held on or after January 1, 2018.

**Intro. by Burr, Saine, Bumgardner, Henson.**

[GS 18C, GS 163](#)

[View summary](#)

[Courts/Judiciary, Government, Elections](#)

H 101 (2017-2018) [LOCAL FIREFIGHTER RELIEF FUND ELIGIBILITY](#). Filed Feb 14 2017, *AN ACT TO PROVIDE THAT ANY DESTITUTE FIREFIGHTER SERVING HONORABLY WITH A CERTIFIED FIRE DEPARTMENT MAY RECEIVE FINANCIAL ASSISTANCE FROM A LOCAL FIREFIGHTERS' RELIEF FUND*.

Amends GS 58-84-35 to allow the board of trustees of a local firefighters' relief fund to distribute funds to provide assistance to a destitute member firefighter who has served or is serving honorably (previously, funds were only available to destitute members who had served honorably for at least five years) with a certified fire department (previously, did not clarify service to be with a certified fire department). Effective July 1, 2017, and applies to distributions to local firefighters' relief funds on or after that date.

**Intro. by Clampitt, Saine.**

[GS 58](#)

[View summary](#)

[Government, Public Safety](#)

H 102 (2017-2018) [NC ADOPT EQUAL RIGHTS AMENDMENT](#). Filed Feb 14 2017, *AN ACT TO RATIFY THE EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN*.

Identical to [S 85](#), filed 2/14/17.

Includes several whereas clauses.

Ratifies the Equal Rights Amendment to the US Constitution (which is set out in the act's whereas clauses). Requires that the Governor forward certified copies of the act and its preamble to the Administrator of General Services, the President of the Senate, and the Speaker of the House of the US Congress.

**Intro. by Cunningham, Fisher, Terry, Ager.**

[UNCODIFIED](#)

[View summary](#)

[Constitution](#)

H 103 (2017-2018) [EQUAL TAX TREATMENT OF GOV'T RETIREES](#). Filed Feb 14 2017, *AN ACT TO PROVIDE EQUAL INCOME TAX TREATMENT OF GOVERNMENT RETIREES' BENEFITS*.

Amends GS 105-153.3 to add a new subdivision (15a) defining the term *retirement plan*, as used in the state Individual Income Tax Act. Defines a retirement plan, as a written plan established by the employer to make payments to an employee or the beneficiary of an employee after the employee's period of employment ends and where the entitlement to the payments is based upon the employment relationship. Also defines the term as used with respect to a self-employed person or the beneficiary of a self-employed person. Additionally, declares that the term includes an individual retirement plan as defined in the Tax Code and any plan treated as an individual retirement plan under the Code. Provides that for the purposes of this new subdivision, the term "employee" includes a volunteer worker.

Adds a new subdivision (5a) to GS 105-153.5(b), which provides that a taxpayer may make other deductions from the taxpayer's adjusted gross income (AGI) for specified items in this section that are included in the taxpayer's AGI. Provides a time table for a taxpayer regarding the amount received during the specified taxable year from one or more state, local, or federal government retirement plans subject to the phase-in provided in this new subdivision. This section is effective for taxable years beginning on or after January 1, 2017, and repealed for taxable years beginning on or after January 1, 2026.

Amends GS 105-153.5(b) to add two new subdivisions effective for taxable years beginning on or after January 1, 2026. Provides that a taxpayer may deduct from the taxpayer's AGI any of the following items included in the taxpayer's AGI: (1) the amount received during the taxable year under state and local government retirement plans and under federal government retirement plans and (2) the amount received during the taxable year under a state or local government retirement plan of a state other than North Carolina, to the extent that the other state would not subject the equivalent amount received under a North Carolina state or local government retirement plan to individual income tax.

Except as otherwise indicated, this act is effective when it becomes law.

**Intro. by Cleveland, Iler, Setzer, Dollar.**

**GS 105**

[View summary](#)

**Employment and Retirement, Government, Tax**

H 104 (2017-2018) [AUTO INSURANCE/PROTECT LIENHOLDERS](#). Filed Feb 14 2017, *AN ACT TO ENSURE THE RIGHTS AND INTERESTS OF LIENHOLDERS ARE ADEQUATELY PROTECTED UNDER CURRENT STATE LAW GOVERNING THE ISSUANCE OF MOTOR VEHICLE LIABILITY POLICIES AND PAYMENTS OF CLAIMS*.

Enacts GS 58-41-32 to require an insurer, prior to making payment on a nonfleet private passenger motor vehicle insurance policy claim, to verify with any lienholders of record or loss payee whether the lienholder or loss payee holds a perfected security interest in the motor vehicle covered by the policy. Mandates that, if the insurer determines a lienholder or loss payee does hold perfected security interest in the motor vehicle covered by the policy, the lienholder or loss payee be named as a co-payee on the insurer's payment of the claim, and directs the insurer to mail the payment of the claim to the lienholder or loss payee. Effective October 1, 2017, and applies to claims filed on or after that date.

Amends GS 58-39-75 to allow an insurer to disclose personal or privileged information about an individual collected or received in connection with an insurance transaction to a lienholder of record with a perfected security interest in a motor vehicle covered by a nonfleet passenger motor vehicle insurance policy, provided that three requirements are met. Sets forth those three requirements to be (1) the lienholder submits the request in writing or electronically, (2) the personal or privileged information disclosed is limited as specified, and (3) the lienholder agrees not to disclose the information unless permitted or required to do so by State or federal law.

Directs the Department of Insurance (Department), in consultation with the Division of Motor Vehicles, to study ways to better ensure the rights and interests of any lienholder of record of a motor vehicle are protected when an insurer issues a motor vehicle liability policy or makes a claim of payment. Requires the study to include examining necessary rule or legislative changes to better protect a lienholder of record from losses incurred due to a denial of claim based on the covered vehicle being driven at the time of the accident by a person not covered by the liability policy or the insured making fraudulent or false representations in the

claim. Directs the Department to report its findings and recommendations to the Joint Legislative Oversight Committee on General Government and the Joint Legislative Transportation Oversight Committee no later than December 1, 2017.

Authorizes the Department to adopt temporary rules to implement the provisions of the act. Provides that these temporary rules will remain in effect until permanent rules replacing them become effective.

**Intro. by Brenden Jones, Iler, Corbin, Szoka.**

GS 58

[View summary](#)

**Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Insurance, Department of Transportation, Transportation**

H 105 (2017-2018) [CONST. AMENDMENT-LIMIT GOVERNOR/LG TO 2 TERMS](#). Filed Feb 14 2017, *AN ACT TO LIMIT THE GOVERNOR AND THE LIEUTENANT GOVERNOR TO A LIFETIME MAXIMUM OF TWO TERMS*.

Subject to voter approval at the general election in November 2018, amends Section 2 of Article III of the North Carolina Constitution to provide that no person may serve more than two terms (was, two consecutive terms) as Governor or as the Lieutenant Governor, beginning with terms of office commencing on or after January 1, 2021.

**Intro. by Bert Jones.**

CONST

[View summary](#)

**Constitution, Government, Elections, State Government, Executive**

## PUBLIC/SENATE BILLS

S 74 (2017-2018) [UPDATE RABIES CONTROL LAWS](#). Filed Feb 14 2017, *AN ACT IMPLEMENTING THE RECOMMENDATIONS AND GUIDELINES OF THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS REGARDING THE MANAGEMENT OF DOGS, CATS, AND FERRETS EXPOSED TO RABIES*.

Currently, GS 130A-197 requires an animal exposed to rabies to be (1) destroyed immediately by its owner, the county Animal Control Officer, or a peace officer unless the animal has been vaccinated against rabies, as specified, more than 28 days prior to being exposed, and is given a booster dose of rabies vaccine within five days of exposure or (2) quarantined at a facility approved by the local health director for a period of up to six months. This act eliminates these provisions and instead directs that the recommendations and guidelines specified by the National Association of State Public Health Veterinarians in the most current edition of the Compendium of Animal Rabies Prevention and Control be the required control measures for dogs, cats, and ferrets exposed to rabies. Makes conforming changes to the statute's title. Effective October 1, 2017.

**Intro. by J. Davis.**

GS 130A

[View summary](#)

**Animals**

S 75 (2017-2018) [CONST. AMD. - MAX. INCOME TAX RATE OF 5.5%](#). Filed Feb 14 2017, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE THAT THE MAXIMUM TAX RATE ON INCOMES CANNOT EXCEED FIVE AND ONE-HALF PERCENT*.

Subject to approval by voters at the statewide election on November 6, 2018, amends Section 2 to Article V of the North Carolina Constitution by capping the rate on incomes at 5.5% (currently capped at 10%). If approved, effective for taxable years beginning on or after January 1, 2019.

**Intro. by Tucker, Brock, Tillman.**

CONST

[View summary](#)

**Constitution, Government, Tax**

S 77 (2017-2018) **PUBLIC MEETINGS/RECORDS LAW VIOLATIONS**. Filed Feb 14 2017, *AN ACT TO MAKE VIOLATIONS OF THE PUBLIC RECORDS AND OPEN MEETINGS LAWS CLASS 3 MISDEMEANORS*.

Amends GS 132-9 to establish that denying access to public records for purposes of inspection and examination or denying copies of public records is a Class 3 misdemeanor. Enacts GS 143-318.18A to establish that violation of Article 33C of GS Chapter 143, which requires all official meetings of public bodies to be open to the public, is a Class 3 misdemeanor. Effective December 1, 2017.

**Intro. by Cook, Sanderson.**

GS 132, GS 143

[View summary](#)

**Government, Public Records and Open Meetings**

S 78 (2017-2018) **COST TO COMPLY/FED ED FUNDS/PED STUDY**. Filed Feb 14 2017, *AN ACT TO STUDY THE FINANCIAL COSTS TO THE STATE AND LOCAL SCHOOL ADMINISTRATIVE UNITS OF COMPLIANCE WITH FEDERAL MANDATES RELATED TO THE RECEIPT OF FEDERAL EDUCATION FUNDING*.

Requires the Department of Public Instruction, by January 15, 2018, to study, report, and provide any supporting data to the Fiscal Research Division and the Program Evaluation Division of the General Assembly on the cost of compliance with federal education funding mandates to local school administrative units. Requires the Joint Legislative Program Evaluation Oversight Committee to consider including in the 2017-18 Program Evaluation Division's Work Plan an evaluation of the cost of compliance with federal education funding mandates for K-12 education and, if included in the Work Plan, requires a report to the General Assembly at a date to be determined by the Committee.

**Intro. by Daniel.**

STUDY

[View summary](#)

**Education, Elementary and Secondary Education, Government, General Assembly, State Agencies, Department of Public Instruction**

S 79 (2017-2018) **PERMANENT LICENSE PLATES FOR REACT**. Filed Feb 14 2017, *AN ACT TO REAUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO RADIO EMERGENCY ASSOCIATED COMMUNICATIONS TEAMS (REACT)*.

Reenacts GS 20-84(b)(7), as it existed immediately before its repeal under Section 1 of SL 2012-159, to authorize the Division of Motor Vehicles to issue a permanent registration plate for a motor vehicle owned by an incorporated REACT (Radio Emergency Association Communications Teams) Team (was, Radio Emergency Association of Citizen Teams).

**Intro. by Daniel.**

GS 20

[View summary](#)

**Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation**

S 81 (2017-2018) **SALES TAX ECONOMIC NEXUS FOR REMOTE SALES**. Filed Feb 14 2017, *AN ACT TO ESTABLISH THAT ECONOMIC NEXUS IS THE BASIS FOR COLLECTION OF SALES TAX BY REMOTE SELLERS*.



Amends GS 105-164.8(b) to establish that a retailer is engaged in business in this state and is subject to the tax levied under Article 5 of GS Chapter 105 (Sales and Use Tax) if the retailer, with respect to remote sales into North Carolina for the previous calendar year, had (1) gross sales in excess of \$100,000 and/or (2) 200 or more separate transactions. Effective July 1, 2017, and applies to sales made on or after that date.

**Intro. by Tucker, Brock, Tillman.**

[GS 105](#)

[View summary](#)

[Business and Commerce, Government, Tax](#)

S 82 (2017-2018) [REVENUE LAWS TECHNICAL CHANGES](#). Filed Feb 14 2017, *AN ACT TO MAKE TECHNICAL CHANGES TO THE REVENUE LAWS*.

Identical to [H 59](#), filed 2/8/17.

#### Part I: Income and Franchise Tax Changes

Amends GS 105-228.90(b)(1b) to update the definition for Code, as the term is used in Article 9 of GS Chapter 105 (Taxation: General Administration; Penalties and Remedies) to mean the Internal Revenue Code as enacted as of January 1, 2017 (was, 2016).

Makes technical changes to GS 105-122 (Franchise or privilege tax on domestic and foreign corporations).

Makes clarifying changes to GS 105-129.96, concerning credit a taxpayer may receive for constructing a railroad intermodal facility placed in service in this state during a taxable year. Further, prohibits a credit under this statute to the extent the eligible railroad intermodal facility was provided by public funds. Adds a new subsection to prohibit a taxpayer from taking the credit allowed under the statute for an eligible intermodal railroad facility the taxpayer leases from another, unless the taxpayer gets the lessor's certification that the lessor will not claim a credit under GS Chapter 105 with respect to the same facility. Effective for taxable years beginning on or after January 1, 2017.

Amends GS 105-130.20 to require a taxpayer to file an income tax return with the Secretary reflecting the corrected or determined taxable income within six months of a taxpayer's notification of a federal taxable income or federal tax credit that affects the amount of State tax payable is corrected or otherwise determined by the federal government (previously, only specified corrections to federal taxable income).

Amends GS 105-159 to require a taxpayer to file an income tax return with the Secretary reflecting the corrected or determined adjusted gross income or federal tax credit that affects the amount of State tax payable within six months of notification of a taxpayer's adjusted gross income, filing status, personal exemptions, standard deduction, itemized deductions, or federal tax credit that affects the amount of State tax payable is corrected or otherwise determined by the federal government (previously, only specified corrections to adjusted gross income or federal tax credit that affects the amount of State tax payable).

#### Part II: Sales Tax Changes

Amends GS 105-164.3, concerning the definitions as used in Article 5 of GS Chapter 105 (Sales and Use Tax), to eliminate the definition for the term protective equipment. Updates the definition of Streamlined Agreement to mean the Streamlined Sales and Use Tax Agreement as amended as of May 4, 2016 (was, September 15, 2015).

Current law, GS 105-164.6(f), sets out two circumstances that require a person to obtain a certificate of registration by wholesale merchants, retailers, and facilitators, in accordance with GS 105-164.29. Amends the second circumstance to require a person to obtain a certificate of registration if the person is a facilitator liable for tax under Article 5 of GS Chapter 105 (was, pursuant to GS 105.164.4F). Makes conforming, technical, and clarifying changes to GS 105-164.29. Amends GS 105-164.29(c) to establish that a certificate of registration issued to a seller that contracts with a certified service provider under GS 105-164.42I and that is a model seller as defined by the Streamlined Agreement does not become void if the certified service provider files returns for the seller showing no sales for a period for which a certificate could become void under this statute.

Amends GS 105-164.14A(a) to provide that the allowable refund of the sale and use tax for aviation fuel used by motorsports teams or sanctioning bodies to travel to or from motorsports events includes aviation gasoline or jet fuel.

### Part III: Excise Tax Changes

Makes technical change to GS 105-41(a)(11) to refer to a funeral director (was, a mortician) as required to pay the \$50 tax under the statute.

Makes technical and clarifying changes to GS 105-113.29 (Unlicensed place of business).

Amends GS 105-449.37 to update the definition of International Fuel Tax Agreement, as the term is used in Article 36B of GS Chapter 90 (Tax on Carriers Using Fuel Purchased Outside State) to mean the Articles of Agreement adopted by the International Fuel Tax Association, Inc., as amended as of January 1, 2017 (was, July 1, 2013). Makes technical and clarifying changes.

Makes the following changes to GS 105-449.60, the definitions applicable to Article 36C of GS Chapter 105 (Gasoline, Diesel, and Blends). Defines biodiesel provider to include a person who imports biodiesel (was, imports biodiesel outside the terminal transfer system) by means of a transport truck, a railroad tank car, a tank wagon, or a marine vessel (previously, did not include a marine vessel). Makes identical changes to the definition of fuel alcohol provider. Adds the term bulk storage and defines the term to mean a container or tank used to store bulk purchases of motor fuel or alternative fuel of 42 gallons or more.

Defines diversion to mean the movement of motor fuel to a state (was, from a terminal to a state) other than the destination state indicated on the original bill of lading. Defines gasoline to include a petroleum product component of gasoline, listed in Treasury Regulation Section 48-4081-1(c)(3) as of January 1, 2017, that can be blended for use in a motor fuel (previously, did not refer to Treasury Regulation or include ability to blend for use in motor fuel). Removes a refiner from the definition of supplier. Limits the definition of system transfer to a transfer of motor fuel within the terminal transfer system (previously, also included a transfer by transport truck or railroad tank car of fuel grade ethanol).

Amends GS 105-449.65(b) to establish that a person who is licensed as a supplier (was, a supplier and is a biodiesel provider) is considered to have a license as a blender in the context of the exceptions from the requirement to obtain separate licenses for each activity when conducting multiple activities.

Eliminates the requirement in GS 105-449.69(e) that an applicant for a license as an exporter must designate an agent located in the state for service of process and give the agent's name and address.

**Intro. by Brock, Tillman, Tucker.**

**GS 105**

[View summary](#)

**Government, Tax**

S 83 (2017-2018) [RAISE AWARENESS OF LUPUS](#). Filed Feb 14 2017, *AN ACT DESIGNATING THE MONTH OF MAY OF EACH YEAR AS LUPUS AWARENESS MONTH AND ESTABLISHING AN ADVISORY COUNCIL ON LUPUS WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.*

Enacts new GS 103-15 designating May as Lupus Awareness Month.

Enacts new Part 6A in Article 1B of GS Chapter 130A establishing the 15-member Lupus Advisory Council (Council). Sets out the Council's duties, including making recommendations to the Governor and the Secretary of Health and Human Services aimed at improving patient health status and examining the financing of, and access to, health services. Sets out Council membership and provisions for electing the chairperson, establishing a quorum, paying member expenses, and providing Council support.

**Intro. by Robinson, Foushee.**

**GS 103, GS 130A**

[View summary](#)

**Government, Cultural Resources and Museums, Health and Human Services, Health**

S 84 (2017-2018) [EQUALITY FOR ALL/REPEAL HB2](#). Filed Feb 14 2017, *AN ACT TO PROTECT ALL NORTH CAROLINIANS AGAINST DISCRIMINATION IN ALL WALKS OF LIFE AND TO REPEAL HOUSE BILL 2, AS ENACTED DURING THE 2016 SECOND EXTRA SESSION OF THE 2015 GENERAL ASSEMBLY.*

Identical to H 82, filed 2/9/17.

#### Part I. HB2 Repeal

Repeals SL 2016-3 (Public Facilities Privacy & Security Act, commonly known as House Bill 2) and SL 2016-99 (Restore State Claim for Wrongful Discharge, which amended House Bill 2).

#### Part II. Housing

Amends GS 41A-4, which delineates unlawful discriminatory housing practices, to refer to the protected status of another person as the basis for unlawful discrimination instead of listing specific protected classes (currently, race, color, religion, sex, national origin, handicapping condition, or familial status). Adds protected status to the defined terms in GS 41A-3 and defines the term to mean a person's race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Makes conforming changes to use a person's protected status language to replace specific classes of persons throughout GS 41A-4 and GS 41A-5 (concerning proof of a violation of GS 41A-4).

Amends GS 41A-6, which exempts from GS 41A-4 (except for subdivision (a)(6)) religious institutions and organizations operated by religions institutions or organizations that give preference to members of the same religion in a real estate transaction, so long as membership in that religion is not restricted by a protected status, other than religion (previously, specified race, color, sex, national origin, handicapping condition or familial status).

#### Part III. Employment

Amends GS 143-422.2 to establish that it is the public policy of the State to protect and safeguard the right and opportunity of all persons to seek, obtain and hold employment without discrimination or abridgment on account of race, religion, color, national origin, age, sex, sexual orientation, gender identity, disability, marital status, familial status, military or veteran status, or genetic information (previously, only protected race, religion, color, national origin, age, sex or handicap) by employers which regularly employ one or more employees (was, 15 or more employees).

Makes conforming changes to expand employment protections to those same classes added to GS 143-422.2 by this act, to GS 126.16 (Equal opportunity for employment and compensation by State departments and agencies and local political subdivisions) and GS 126-34.02(b) (concerning the appeal process for agency employment discrimination, harassment, and retaliation issues to be heard as contested cases).

#### Part IV. Public Accommodations

Enacts Article 49B to GS Chapter 143, Access to Public Accommodations, to be known as the Equal Access to Public Accommodations Act. Provides a legislative declaration that it is the public policy of the State to protect and safeguard the right and opportunity of all individuals within the State to enjoy fully and equally the goods, services, facilities, privileges, advantages, and accommodations of places of public accommodation free of discrimination because of race, religion, color, national origin, sex, sexual orientation, gender identity, disability, marital status, familial status, military or veteran status, or genetic information.

Establishes that it is not discrimination on the basis of sexual orientation or gender identity for a public accommodation to provide separate bathrooms or changing facilities based on gender. Mandates places of accommodation to provide access to facilities based on a person's gender identity. Defines places of public accommodation to have the same meaning as defined in GS 168A-3(8), but excludes any private club or other establishment that is not in fact open to the public.

Authorizes the Human Relations Commission (Commission) in the Department of Administration to receive, investigate, and conciliate complaints of discrimination in public accommodations, and directs the Commission to effect an amicable resolution. Provides that in the event the Commission cannot effect an amicable resolution of the charges of discrimination, the complainant and the Commission can proceed with an enforcement action in accordance with GS 41A-7 (State Fair Housing Act enforcement provisions).

#### V. Credit

Enacts GS 75-43 to prohibit discrimination by any person engaged in any form of lending money in this State, or to residents of this State, in the extension of credit on the basis of race, color, national origin, religion, age, disability, sex, marital status, familial status, sexual orientation, gender identity, military or veteran status, or genetic information. Allows complainants concerning violations of this statute to file a grievance with the Human Relations Commission. Directs the Commission to effect an amicable

resolution, and in the event the Commission cannot effect an amicable resolution, the complainant and the Commission can proceed with an enforcement action in accordance with GS 41A-7, as similarly provided in GS 143-422.13 enacted by this act. Makes a violation of this statute an unfair trade practice in violation of GS 75-1.1.

#### Part VI. Insurance

Amends GS 58-3-25 to prohibit discriminatory practices by insurers because of an individual's race, color, national or ethnic origin, religion, sex, marital status, familial status, sexual orientation, gender identity, disability, military or veteran status, or genetic information (previously, only protected race, color, national or ethnic origin).

#### Part VIII. Human Relations Commission

Amends GS 143B-391 by expanding the North Carolina Human Relations Commission's duties to also include administering the provisions of the new Equal Access to Public Accommodations Act; GS 143-422.3 (concerning investigating charges of discrimination received from the Equal Employment Opportunity Commission); GS 143-422.13 (concerning investigating complaints of discrimination in public accommodations); GS 75-43 (concerning investigating discrimination by lenders); GS 115C-47(64) (concerning investigating discrimination by a local board of education or school personnel); GS 115C-218.55 (concerning investigating discrimination by a charter school); GS 115C-562.5 (concerning investigating discrimination by a nonpublic school); GS 115D-77 (concerning investigating discrimination by a community college); and GS 116-11 (concerning investigating discrimination by the UNC system).

#### Part IX. Appropriation

Appropriates \$788,076 in recurring funds from the General Fund to the Department of Administration, Human Relations Commission for 2017-18. Requires that \$545,407 from those funds be used for operating expenses, and \$242,669 be used to fund four specified new positions. Effective July 1, 2017.

**Intro. by Chaudhuri, Woodard, Van Duyn.**

[APPROP, GS 41A, GS 58, GS 75, GS 115C, GS 115D, GS 116, GS 126, GS 143, GS 143B](#)

[View summary](#)

**Banking and Finance, Business and Commerce, Insurance, Development, Land Use and Housing, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, State Agencies, Department of Administration, Local Government**

S 85 (2017-2018) [NC ADOPT EQUAL RIGHTS AMENDMENT](#). Filed Feb 14 2017, *AN ACT TO RATIFY THE EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN.*

Includes several whereas clauses.

Ratifies the Equal Rights Amendment to the US Constitution (which is set out in the act's whereas clauses). Requires that the Governor forward certified copies of the act and its preamble to the Administrator of General Services, the President of the Senate, and the Speaker of the House of the US Congress.

**Intro. by McKissick, Bryant, Van Duyn.**

[UNCODIFIED](#)

[View summary](#)

[Constitution](#)

S 87 (2017-2018) [ALLOW ELECTION DAY SERVICE - RETIRED LEOS](#). Filed Feb 14 2017, *AN ACT TO ALLOW RETIRED LAW ENFORCEMENT OFFICERS TO BE EMPLOYED BY A COUNTY BOARD OF ELECTIONS FOR ELECTION DAY SERVICE*

WITHOUT CAUSING THE SUSPENSION OF THE RETIRED OFFICERS' SPECIAL SEPARATION ALLOWANCE.

Identical to [H 9](#), filed 1/25/17.

Amends GS 143-166.42, which provides for a special separation allowance for retired local law enforcement officers, by establishing that payments to a retired officer are not to cease when a local government employer employs a retired officer either (1) in a public safety position in a capacity not requiring participation in the Local Government Employees' Retirement System or (2) in service to a county board of elections on an election day. Previously, employment of a retired officer by a local government in service to a county board of elections on election day was not included as an instance where special allowances to officers were not to be ceased under the statute.

**Intro. by Pate.**

[GS 143](#)

[View summary](#)

[Government, Elections, Public Safety](#)

S 88 (2017-2018) [LANDLORD/TENANT-ALIAS & PLURIES SUMMARY EJECT](#). Filed Feb 14 2017, *AN ACT TO ALLOW FOR SEVERANCE OF SUMMARY EJECTMENT AND MONETARY CLAIMS IN SMALL CLAIMS ACTIONS WHEN SERVICE OF PROCESS ONLY MEETS SUMMARY EJECTMENT STANDARDS, TO ALLOW FOR THE SEVERED MONETARY CLAIM TO BE CONTINUED WITH ALIAS AND PLURIES SUMMONS, AND TO ALLOW PRO SE REPRESENTATION ON APPEAL.*

Enacts new GS 7A-223(b1) providing that the plaintiff can request that a claim for summary ejectment be severed from the claim for monetary damages in regards to a small claim action demanding summary ejectment and monetary damages, where service of process was achieved solely by first-class mail and affixing the summons and complaint to the premise pursuant to GS 42-29. Requires the magistrate to sever the claim for monetary damages and proceed with the claim for summary ejectment after finding that personal service was not achieved for one or more defendants. Provides that if severed by the magistrate, the plaintiff can extend the action in accordance with GS 1A-1, Rule 4(d). Provides that the judgment of a magistrate in the severed claim for summary ejectment does not prejudice any claims or defenses of any party in the severed claim for monetary damages.

Amends GS 7A-228 by adding that a party in an action that takes an appeal for a trial de novo, as provided for under this statute (concerning new trials before a magistrate), is not required to get legal representation.

Amends GS 1A-1, Rule 4(h1), to provide that the provisions of this subsection do apply to claims severed by a magistrate pursuant to GS 7A-223(b1).

Effective October 1, 2017.

**Intro. by Randleman.**

[GS 1A, GS 7A](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Civil Procedure, Development, Land Use and Housing, Property and Housing](#)

S 89 (2017-2018) [OFFICE OF STATE AUDITOR/CORRECTIVE ACTION/PED](#). Filed Feb 14 2017, *AN ACT TO REQUIRE THE OFFICE OF THE STATE AUDITOR TO CONDUCT A FOLLOW-UP AUDIT ON AN UNDERPERFORMING STATE AGENCY, TO REPORT TO THE GENERAL ASSEMBLY A STATE AGENCY'S FAILURE TO TAKE CORRECTIVE ACTION, AND TO REPORT ANNUALLY ON ALL FINDINGS OF DEFICIENCIES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Identical to [H 17](#), filed 1/26/17.

Enacts GS 147-64.6E directing the State Auditor to include recommendations for the State agency in the audit report if a deficiency in meeting required practices, as specified in GS 147-64.6(b), is found. Further requires the State Auditor to conduct a follow-up audit six months after submitting the recommendations, with the purpose of determining if the State agency has made significant progress in correcting the identified deficiencies. If significant progress has not been made, then the State Auditor must submit a report to the Chairs of the Senate Appropriations/Base Budget Committee and to the Chairs of the House

Appropriations Committee. Report must include the results of both the initial and follow-up audit with recommendations for legislative action. Specifies examples of legislative action that could be recommended in the report, including inviting the State agency to appear before a legislative committee to provide information about the cited deficiencies or adjusting the amount of State funds appropriated to the agency to implement the process or program that is the source of the deficiency.

Enacts GS 147-64.6F requiring the State Auditor, beginning January 1, 2018, and annually thereafter, to publish a report identifying all deficiencies found during the prior calendar year. Specifies that the report must (1) distinguish the deficiencies as far as they have resulted in financial loss to the State and involve a failure to comply with State law regarding the expenditure of public funds and (2) include all other findings.

**Intro. by Randleman, Hise, McInnis.**

[View summary](#)

**Government, State Agencies, Office of State Auditor**

S 90 (2017-2018) [ENHANCE OVERSIGHT OF SERVICE CONTRACTS/PED](#). Filed Feb 14 2017, *AN ACT TO ENHANCE OVERSIGHT OF STATE SERVICE CONTRACTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Identical to [H 16](#), filed 1/25/17.

#### Section 1

Enacts new GS 143-50.2, Oversight of certain service contracts, requiring the Secretary of the Department of Administration, in conjunction with the Office of State Budget and Management, to create a business case justification template for use by State agencies to document the business case for selecting providers of agency services. Sets out 11 required components of the template, including a detailed description of the manner in which the agency service is currently provided, costs as specified for the delivery of the service during the most recently completed fiscal year, and a description of the transition process for a selection of providers. New subsection (b) sets out the following three requirements that must be completed before a provider may be selected: (1) the business case for such a selection has been documented on the business case justification template, (2) specified written approvals have been obtained in accordance with specified financial requirements, and (3) a consultation with the Joint Legislative Commission on Governmental Operations in regards to the provider selection has taken place. Subsection (c) sets out three exceptions to the requirements in subsection (b) when certain conditions are satisfied, including that the total cost of providing the agency service does not exceed \$1 million. Subsection (d) sets out definitions for use in the section for (1) agency service, (2) service contract, (3) private provider, and (4) total cost.

Enacts new GS 143-50.3 to require the Department of Administration (Department) to establish a schedule for each State agency to review the business case justification for each agency service to verify that the current provider is the most cost-effective provider. Requires each agency to document the results of its review on the business case justification template. Requires that the schedule provide for the review of agency services no less than every five years, but gives the Department authority to change the schedule and extend the time for review when appropriate.

Effective October 1, 2017.

#### Section 2

Directs the Office of State Budget and Management to develop and submit a plan by which it can determine if agency services can be more effectively and appropriately provided by private providers. A report on the plan is due to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division no later than December 1, 2017. Sets out requirements of the plan and requires State agencies to fully cooperate in its development.

#### Section 3

Effective when the act becomes law, enacts new GS 143-50.4, Contract management system. Requires the State Purchasing Officer to operate a contract management system that will be required to be used by all State agencies for the management of any service contracts entered into by that agency. Sets out specified capacities the system must have, including the ability to ensure that payments are made in accordance with applicable contract terms and conditions. Requires the State Purchasing Officer to

report annually, no later than December 1 of each year, to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division detailing service contracts entered into by state agencies as specified.

Provides that the use of the contract management system is not required until notice has been received from the Division of Purchase and Control in regards to its operational status; such notice is required within 30 days of when the system becomes operational.

Sections 4 and 5

Amends GS 143-48.3 and GS 143-50.1(e), concerning purchasing and contracting of State agencies, making conforming changes.

**Intro. by Randleman, Krawiec, Edwards.**

GS 143

[View summary](#)

[Government, State Agencies](#)

## LOCAL/HOUSE BILLS

H 93 (2017-2018) [SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS](#). Filed Feb 14 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN BOARDS OF EDUCATION IN ADOPTING THEIR SCHOOL CALENDARS*.

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the specified local boards of education with additional flexibility in adopting its school calendar, so long as the opening date for students is set no earlier than August 1, except for year-round schools. Limits application of this provision to the Duplin County Schools, Sampson County Schools, and Wayne County Schools. Applies beginning with the 2017-18 school year.

**Intro. by L. Bell.**

Duplin, Sampson, Wayne

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 106 (2017-2018) [SCHOOL CALENDAR FLEXIBILITY/CABARRUS COUNTY](#). Filed Feb 14 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CABARRUS COUNTY SCHOOLS AND KANNAPOLIS CITY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR*.

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the specified local boards of education with additional flexibility in adopting their school calendars. Limits application of this provision to the Cabarrus County Schools and Kannapolis City Schools. Applies beginning with the 2017-18 school year.

**Intro. by Ford.**

Cabarrus

[View summary](#)

[Education, Elementary and Secondary Education](#)

## LOCAL/SENATE BILLS

S 76 (2017-2018) [PERMIT NIGHTTIME HUNTING OF COYOTES](#). Filed Feb 14 2017, *AN ACT TO DIRECT THE WILDLIFE RESOURCES COMMISSION TO REPEAL ITS REGULATION BANNING NIGHT HUNTING OF COYOTES IN CERTAIN COASTAL COUNTIES*.

Directs the Wildlife Resources Commission (Commission) and the Commission staff to implement the rules for night hunting of a coyote as set forth in subsection (a) of 15A NCAC 10B .0219 in every county of the state to the extent allowed by federal law until the effective date of the revised permanent rule adopted by the Commission pursuant to this act. Current subsection (a) of 15A NCAC 10B .0219 establishes (1) there is no closed season for taking coyotes, (2) coyotes may be taken on private lands anytime during the day or night, and (3) coyotes may be taken on public lands without a permit from one-half hour before sunrise until one-half hour after sunset, and with a permit from one-half hour after sunset to one-half hour before sunrise. Subsection (b) of 15A NCAC 10B .0219, which this act refers to as the "Night Hunting Rule," prohibits coyote hunting on public lands in Beaufort, Dare, Hyde, Tyrell, and Washington counties, requires a permit and sets certain hours for coyotes to be taken on private lands in those counties, and further requires reporting of coyotes taken on private land in those counties within 24 hours to the Commission.

This act requires the Commission to adopt a rule to amend the Night Hunting Rule (subsection (b) of 15A NCAC 10B .0219, Coyote) consistent with and substantively identical to the above directive requiring the implementation of the provisions of subsection (a) of 15A NCAC 10B .0219 statewide. Provides that rules adopted pursuant to this act are not subject to review by the Rules Review Commission in accordance with Part 3 of Article 2A of GS Chapter 150B. Further, provides that rules adopted pursuant to this act are effective as provided in GS 150B-21.3(b1) as though 10 or more written objections had been received as provided by GS 150B-21.3(b2). Provides that this act expires when permanent rules adopted as required by this act become effective.

**Intro. by Cook.**

[UNCODIFIED](#)

[View summary](#)

[Animals](#)

S 80 (2017-2018) [46TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 14 2017, *AN ACT RELATING TO THE 46TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Daniel.**

[Burke, Cleveland](#)

[View summary](#)

S 86 (2017-2018) [35TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 14 2017, *AN ACT RELATING TO THE 35TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Tucker.**

[Union](#)

[View summary](#)

## **ACTIONS ON BILLS**

### **PUBLIC BILLS**

**H 39: [AMEND APPOINTMENTS/UNC BD OF GOVERNORS.](#)**

*Senate: Reptd Fav*

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



**H 87: ESSA PLAN SUBMISSION.**

*House: Passed 1st Reading*

*House: RefTo Com On Education - K-12*

**H 88: MODERNIZE NURSING PRACTICE ACT.**

*House: Passed 1st Reading*

*House: Ref to the Com on Health, if favorable, Finance*

*House: Serial Referral To Finance Stricken*

*House: Serial Referral To Insurance Added*

*House: Serial Referral To Finance Added*

**H 90: ELIMINATE NC FINAL EXAM.**

*House: Filed*

**H 91: REQUIRE SAFETY HELMETS/UNDER 21.**

*House: Filed*

**H 92: BLUE RIBBON COMMITTEE/TRANSPORTATION FUNDING.**

*House: Filed*

**H 94: EMERGENCY MANAGEMENT/DRONE USE.**

*House: Filed*

**H 95: GTP TRUCK DELIVERIES TO PORT/NIGHT TRAVEL.**

*House: Filed*

**H 96: ADOPT STATE FRIED CHICKEN FESTIVAL.**

*House: Filed*

**H 97: ARTS EDUCATION REQUIREMENT.**

*House: Filed*

**H 98: CRIM. OFFENSE/VANDALIZE FIRE & EMS EQUIPMENT.**

*House: Filed*

**H 99: THE ANTIDISCRIMINATION ACT OF 2017.**

*House: Filed*

**H 100: RESTORE PARTISAN ELECTIONS/SUP. & DIST. COURT.**

*House: Filed*

**H 101: LOCAL FIREFIGHTER RELIEF FUND ELIGIBILITY.**

*House: Filed*

**H 102: NC ADOPT EQUAL RIGHTS AMENDMENT.**

*House: Filed*

**H 103: EQUAL TAX TREATMENT OF GOV'T RETIREES.**

*House: Filed*

**H 104: AUTO INSURANCE/PROTECT LIENHOLDERS.**

*House: Filed*

**H 105: CONST. AMENDMENT-LIMIT GOVERNOR/LG TO 2 TERMS.**

*House: Filed*

**S 73: MODERNIZE NURSING PRACTICE ACT.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 74: UPDATE RABIES CONTROL LAWS.**

*Senate: Filed*

**S 75: CONST. AMD. - MAX. INCOME TAX RATE OF 5.5%.**

*Senate: Filed*

**S 77: PUBLIC MEETINGS/RECORDS LAW VIOLATIONS.**

*Senate: Filed*

**S 78: COST TO COMPLY/FED ED FUNDS/PED STUDY.**

*Senate: Filed*

**S 79: PERMANENT LICENSE PLATES FOR REACT.**

*Senate: Filed*

**S 81: SALES TAX ECONOMIC NEXUS FOR REMOTE SALES.**

*Senate: Filed*

**S 82: REVENUE LAWS TECHNICAL CHANGES.**

*Senate: Filed*

**S 83: RAISE AWARENESS OF LUPUS.**

*Senate: Filed*

**S 84: EQUALITY FOR ALL/REPEAL HB2.**

*Senate: Filed*

**S 85: NC ADOPT EQUAL RIGHTS AMENDMENT.**

*Senate: Filed*

**S 87: ALLOW ELECTION DAY SERVICE - RETIRED LEOS.**

*Senate: Filed*

**S 88: LANDLORD/TENANT-ALIAS & PLURIES SUMMARY EJECT.**

*Senate: Filed*

**S 89: OFFICE OF STATE AUDITOR/CORRECTIVE ACTION/PED.**

*Senate: Filed*

**S 90: ENHANCE OVERSIGHT OF SERVICE CONTRACTS/PED.**

*Senate: Filed*

**LOCAL BILLS**

**H 93: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.**

*House: Filed*

**H 106: SCHOOL CALENDAR FLEXIBILITY/CABARRUS COUNTY.**

*House: Filed*

**S 71: 17TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 72: 15TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 76: PERMIT NIGHTTIME HUNTING OF COYOTES.**

*Senate: Filed*

**S 80: 46TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 86: 35TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

[Print Version](#)