

## The Daily Bulletin: 2017-03-02

### PUBLIC/HOUSE BILLS

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 AND TO CHANGE THE TIME FOR SUBMISSION OF PETITIONS FOR UNAFFILIATED CANDIDATES*.

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

Makes technical changes to Section 10 of the act, replacing pronouns with gender-neutral terms.

Amends GS 163-122, concerning unaffiliated candidates nominated by petition, to provide that candidates seeking statewide office, or for a district office under the jurisdiction of the State Board of Elections, must file written petitions with the State Board of Elections (Board) supporting that voter's candidacy for a specified office, on or before 12:00 noon on the second Wednesday prior to the primary election. Requires the petition to be divided into sections based on the county in which the signatures were obtained. Revises the provision requiring the petitions to be presented to the chairmen of the county boards of elections, to instead direct the State Board of Elections to require the filed petition to be verified no later than fifteen business days after canvass of the primary. Adds a provision authorizing the Executive Director to verify the petition through the same procedure currently authorized for the chair of the county boards of elections. Directs State Board of Elections to return copies of each petition and certificate to the State Board.

Amends the filing deadline for county offices, single county legislative districts, and superior court and district court judges, to be 12:00 noon the second Wednesday prior to the primary election. Directs the chair or director of the county board of elections to verify the filed petition no later than fifteen days after canvass as provided in revised GS 163-122(1)b for these offices and for partisan municipal offices.

Makes conforming and technical changes.

Amends the act's long title.

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

[GS 18C](#), [GS 163](#)

[View summary](#)

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

H 229 (2017-2018) [GSC TECHNICAL CORRECTIONS 2017](#). Filed Mar 1 2017, *AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE GENERAL STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION*.

Amends GS 1-117, concerning the "Record of Lis Pendens" to clarify that it is to be kept under GS 7A-109 (was, GS 2-42(6), which no longer exists). Makes language gender neutral.

Amends GS 7B-302(a), by making a technical correction to add the word "juvenile."

Amends GS 14-118.6(b1) to clarify that the clerk of superior court must not file, index, or docket a document against the property of a public officer or public employee until the document is approved by any judge of the judicial district having subject matter jurisdiction for filing by the clerk of superior court.

Amends GS 14-159.3(a1) by replacing he/she, with landowner, making the language gender neutral and allowing for corporate landowners.

Amends GS 14-208.6 to correct an oversight by adding violations of GS 14-27.24, first-degree statutory rape, to those considered to be sexually violent offenses. Effective December 1, 2015.

Amends GS 20-45, concerning the seizure of documents and license plates by the Division of Motor Vehicles, to make a technical change, make language gender neutral, and to update a statutory reference for a repealed statute.

Amends GS 20-171.24 by updating the statute's catchline to reflect the fact that the statute applies statewide.

Amends GS 24-10.1 by deleting a reference to a repealed statute.

Amends GS 28A-2-4, concerning the clerk of superior court's subject matter jurisdiction in estate proceedings, by correcting an error in (a) to now provide that in the absence of a transfer to superior court, Article 26 of GS Chapter 1 applies to an estate (was, to a trust) proceeding pending before the clerk of superior court. Also corrects a cross-reference and adds a reference to GS 28A-2-5 in (c).

Amends GS 28A-19-5(b) by inserting a missing word, to clarify that the subsection applies to unliquidated claims that have "not yet" become absolute.

Amends GS 31B-1(a), which lists the person who may renounce an interest in property, to clarify that the list also includes permissible appointees or takers in default, in addition to appointees.

Amends GS 36C-8-816.1 to replace the term "Code" with "Internal Revenue Code." Further amends (c)(9) to prohibit the terms of a second trust from containing any provisions that would jeopardize any other specific tax benefit for which the first trust was clearly designed to qualify and for which the first trust qualified or would have qualified but for the enactment of the statute (was, any other specific tax benefit for which a contribution originally qualified for income, gift, estate, or generation skipping transfer tax purposes).

Repeals GS 39-33 (concerning the method of release or limitation of a power of appointment with respect to real or personal property exercisable by deed or will), which is no longer necessary because the provisions are contained in a new statute. Makes a conforming repeal of GS 39-34 (which provides that the method of release prescribed in GS 39-33 is not exclusive).

Recodifies GS 39-35 as GS 31D-5-505 and GS 39-36 as GS 31D-4-403.1.

Amends GS 42A-17(a) to require that a vacation rental agreement identify the name and address of the federally insured depository institution (was, the bank or savings and loan association) in which the tenants's security deposit and other advance payments are held.

Amends GS 97-25 by making clarifying changes and replacing the term "electronic mail" with "electronic means."

Amends the catchline of GS 108A-70.21 by removing the reference to the purchase of extending coverage, which is no longer included in the statute.

Amends GS 115C-112.6(b1)(2)d. by removing an unneeded word.

Amends GS 120-4.16 by making an organizational change.

Repeals GS 120-57, which required the Legislative Intern Program Council to promulgate a plan for the use of legislative interns, as the Council no longer exists.

Amends GS 136-41.2(c) by updating a statutory reference.

Amends GS 143-215.31(a1) to correct punctuation.

Amends GS 143-341.2(b)(3) by correcting a spelling error.

Amends GS 143B-168.5 by clarifying that the unit within the Department of Health and Human Services that is responsible for dealing with violations involving child abuse and neglect in child care arrangements is the Division of Child Development and Early Education. Updates a statutory reference for a repealed statute.

Amends GS 143B-394.15 by removing the Secretary of the Department of Public Safety from the membership of Domestic Violence Commission, because the Secretary appears twice. Make additional conforming and technical changes.

Amends GS 143B-931 by updating a statutory reference.

Amends GS 143C-6-4(b) to update statutory references.

Amends GS 146-9(b) by deleting an extra word.

Amends GS 147-12(a) by correcting a reference to a statutory subdivision.

Amends GS 153A-340(h) by deleting duplicate language.

Amends GS 160A-332(a) to make punctuation changes and to update a statutory reference.

Amends GS 160A-372(e) and (f) by making clarifying changes.

Amends SL 2014-107 to add that Section 5.1 of the act, which amends GS 41-23 to provide that the common law rule against accumulations does not apply to trusts created or administered in this state, applies to all trusts created before, on, or after the effective date of the act. Retroactively effective to August 6, 2014.

Makes a clarifying change to the introductory language of Section 54.5(b) of SL 2015-264.

Requires the Revisor of Statutes to cause to be printed an explanatory comment to GS 36C-1-112 by the Estate Planning and Fiduciary Law Section of the North Carolina Bar Association. Also requires printing of all explanatory comments of the drafters of Section 12 and 13(b) and (c) as the Revisor deems appropriate.

**Intro. by Davis.**

[GS 1](#), [GS 7B](#), [GS 14](#), [GS 20](#), [GS 24](#), [GS 28A](#), [GS 31B](#), [GS 36C](#), [GS 39](#), [GS 42A](#), [GS 97](#), [GS 108A](#), [GS 120](#), [GS 136](#), [GS 143](#), [GS 143B](#), [GS 143C](#), [GS 146](#), [GS 147](#), [GS 153A](#), [GS 160A](#)

**[Banking and Finance](#), [Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Civil Procedure](#), [Juvenile Law](#), [Delinquency](#), [Motor Vehicle](#), [Criminal Justice](#), [Criminal Law and Procedure](#), [Development](#), [Land Use and Housing](#), [Property and Housing](#), [Employment and Retirement](#), [Government](#), [Budget/Appropriations](#), [General Assembly](#), [State Government](#), [State Property](#), [Local Government](#), [Health and Human Services](#), [Social Services](#), [Transportation](#)**

[View summary](#)

H 238 (2017-2018) [ECONOMIC SECURITY ACT OF 2017](#). Filed Mar 1 2017, *AN ACT TO ADVANCE ECONOMIC SECURITY IN NORTH CAROLINA BY INCREASING THE STATE MINIMUM WAGE IN PHASES TO FIFTEEN DOLLARS PER HOUR OVER FIVE YEARS, MANDATING EQUAL PAY FOR EQUAL WORK, REQUIRING PAID SICK LEAVE AND FAMILY MEDICAL LEAVE, INCREASING THE TIPPED MINIMUM WAGE, ENDING WAGE THEFT, REQUIRING THE FAIR ASSESSMENT OF PERSONS WITH CRIMINAL HISTORIES BY "BANNING THE BOX," REPEALING PUBLIC EMPLOYEE COLLECTIVE BARGAINING RESTRICTIONS, AND REENACTING THE EARNED INCOME TAX CREDIT AND TAX CREDITS FOR CHILD CARE AND CERTAIN EMPLOYMENT-RELATED EXPENSES.*

Identical to [S 174](#), filed 3/1/17.

Section 1.1

Amends GS 95-25.3(a) to delete the provision requiring wages of at least \$6.15 per hour. Replaces deleted text with a provision requiring a minimum wage of (1) \$8.00 per hour, effective Labor Day, September 1, 2017; (2) \$9.50 per hour, effective Labor Day, September 1, 2018; (3) \$11.00 per hour, effective Labor Day, September 1, 2019; (4) \$13.00 per hour, effective Labor Day, January 1, 2020 (likely means September 1, 2020); and (5) \$15.00 per hour, effective Labor Day, January 1, 2021 (likely means September 1, 2021). Each of the provisions states that if the minimum wage in the federal Fair Labor Standards Act is higher than the stated new minimum wage, that the rate specified in the Fair Labor Standards Act is the state minimum wage.

Section 2.1

Enacts Article 2B, entitled Equal Pay Act, to GS Chapter 95 as follows.

Enacts GS 95-25.27 to establish that no employer can pay any person in the employer's employ at wage rates less than the rates paid to employees of the opposite sex in the same establishment for the same quantity and quality of the same classification of work. Establishes that any employer who violates the statute is liable to the employee affected in the amount of the wages that the employee is deprived of by reason of the violation. Defines *employer* to include the state and any local political subdivision of the state and every person having control or direction of any woman or man employed at any labor, or responsible directly or indirectly for the wages of another who employs more than five employees. Defines an *employee* as any woman or man in receipt of or entitled to compensation for labor performed for another.

Establishes that nothing in the statute prohibits a variation of rates of pay for male and female employees engaged in the same classification of work based upon seniority; a difference in length of service; ability; skill; difference in duties or services performed, whether regularly or occasionally; difference in the shift or time of day worked; hours of work; or restrictions or prohibitions on lifting or moving objects in excess of specified weight or other reasonable differentiation; or factor or factors other than sex, when exercised in good faith.

Bars an employer who is in violation of the statute from reducing the pay of any employee in order to bring the employer into compliance with Article 2B. Bars an employer from retaliating against any employee who seeks redress pursuant to Article 2B or who participates in the investigation of a complaint under Article 2B.

Enacts GS 95-25.28, which allows an affected employee to file a complaint with the Department of Labor (Department) and requires the Department to investigate the complaint and notify the employer and the employee of the results of the investigation. Allows an employee receiving less than the wage to which the employee is entitled under the statute to recover in a civil action the balance of those wages, together with costs and attorneys' fees, notwithstanding any agreement to work for a lesser wage. Provides that the employee is not required to exhaust administrative remedies before filing the civil action. Establishes that a civil action pursuant to the statute is to be instituted within two years after the date that the alleged violation is discovered by the affected employee.

### Section 3.1

Enacts new Article 3A of GS Chapter 95, to be cited as the Healthy Families and Healthy Workplaces Act (HFHW Act). Denotes that state public policy in promoting the general welfare of the people of North Carolina requires the enactment of new Article 3A under the police power of the state.

Provides definitions for the following terms as used in the HFHW Act: (1) child, (2) domestic violence, (3) employee, (4) employ, (5) employer, (6) federal act, (7) health care provider, (8) immediate family member, (9) parent, (10) paid sick time or paid sick days, (11) sexual assault, (12) stalking, and (13) small business.

Provides that the proposed HFHW Act does not apply to (1) bona fide volunteers in an organization where an employer-employee relationship does not exist or (2) any person who is exempt from the Wage and Hour Act under GS 95-25.14(a)(2) through (8), GS 95-25.14(b), GS 95-25.14 (b1), GS 95-25.14(c), and GS 95-25.14(e). Makes an exception regarding domestic workers, providing that they are exempt only if they are employed in the place of residence of their employer.

Provides that paid sick time begins to accrue at the start of employment at a rate of one hour of paid sick time for every 30 hours worked. Provides additional guidelines regarding discretionary advancement of sick time by the employer, limits on the amount of paid sick time accrued and the accrual of paid sick time when there is a separation of employment followed by a rehiring by the same employer. Provides that with the exception of the specified exemptions to the proposed HFHW Act, any employee who works in North Carolina and who must be absent from work for the reasons delineated in proposed new GS 95-31.5(a) is entitled to paid sick time.

Directs that paid sick time is to be provided by an employer to an employee who meets any of the following reasons listed in proposed new GS 95-31.5: (1) to care for a member of the employee's immediate family suffering from health issues or to care for the employee's own health, unless the care is covered under federal law or (2) to allow an employee to address the psychological, physical, or legal effects on himself or herself or an immediate family member of domestic violence, sexual assault, or stalking. Permits the employer to require certification of the qualifying health issue or event when a paid sick time period covers more than three consecutive work days. Provides guidelines for determining what may be deemed acceptable certification. Provides that an employer may not require certification from a health care provider that is employed by the employer. Prohibits an employer from requiring the disclosure of details relating to domestic violence, sexual assault, stalking, or an employee's medical condition as a condition of providing paid sick time to an employee. Directs an employer to treat as

confidential any information that the employer acquires about the employee or the employee's immediate family regarding domestic violence, sexual assault, stalking, or health conditions. Prohibits the employer from requiring an employee to secure a replacement worker as a condition of providing sick time under the proposed HFHW Act. Directs the employee to make a good faith effort, when the use of sick time is foreseeable, to provide the employer with advance notice. States that this act provides minimum requirements regarding paid sick time and should not be construed to limit, preempt, or otherwise affect other applicability of law, regulation, or policy that extends additional or greater protections to employees, nor should this proposed act be construed to discourage employers from adopting more generous paid sick time policies. Provides that employers already offering a paid sick time policy do not have to modify that policy providing that the paid sick time policy currently in place offers an employee, at his or her discretion, the option to take paid sick time that is equivalent to the amount and for the same purposes offered under the proposed HFHW Act.

Requires employers to provide notice to employees, in Spanish and English, of their entitlement to paid sick time as well as other related information. Notice may be provided by supplying each employee with a notice in Spanish and English or by conspicuously displaying a poster in the place of employment in both languages. Prohibits employers from retaliating against employees who request or use paid sick time. Provides that an employee has a right to file a complaint with the Commissioner of Labor (Commissioner) or in the General Court of Justice if an employer (1) denies an employee paid sick time or (2) retaliates against an employee for requesting or taking paid sick time.

Authorizes the Commissioner to enforce and administer the provisions of the proposed HFHW Act. Provides criteria regarding employer's liability for a violation under the proposed HFHW Act, including provisions for the potential awarding of liquidated damages for a violation of the act. Directs that actions under the proposed HFHW Act must be brought within two years pursuant to GS 1-53. Also provides that the rights and remedies created under the HFHW Act are supplementary to all existing common law and statutory rights and remedies. Directs the Commissioner to adopt rules to implement the proposed act. Provides that the provisions of the proposed act are severable.

Makes conforming changes to GS 95-241(a).

Effective July 1, 2017, and applies only to covered employment on or after that date and does not apply to any collective bargaining agreement entered into before July 1, 2017, still in effect on that date.

#### Section 4.1

Amends the labor laws of North Carolina to reduce the amount of tips that may be counted as wages of tipped employees through December 1, 2017, and subsequently requires that no tips may be counted as wages.

#### Section 5.1

Amends GS 95-25.2 modifying the format of the definitions section and adding subsection (5a) defining *employment status*, subsection (8a) defining *intentional*, and subsection (16a) defining *willful*. Makes technical changes.

Amends GS 95-25.13(1) requiring only written (not oral) notification to employees at the time of hiring and upon any material change of (1) the promised wages and basis upon which wages will be calculated; (2) the method, day, and place for payment; (3) the full name, mailing address, and telephone number of the employer and the federal and state tax identification number of each employer who is not a natural person; and (4) the employment status of the employee.

Amends GS 95-25.22 requiring the court to award liquidated damages in an amount equal to twice the amount found to be due to an employee when the employer has violated provisions relating to minimum wage, overtime, or wage payment unless the employer shows the act or omission constituting a violation was in good faith and the employer had reasonable grounds for believing the act or omission was not a violation of this article.

Amends GS 95-25.22 adding subsection (a2) clarifying liability of an employer found in violation of GS 95-25.13 to be in the form of actual damages, including, but not limited to, lost wages and benefits plus interest.

Amends GS 95-25.22 adding subsection (a3) expanding the forms of damages available to employees to include statutory damages of up to \$500 per employee per violation.

Amends GS 95-25.22(d) to require awarding costs, fees, and attorneys' fees in addition to a judgment awarded to a plaintiff.

Amends GS 95-25.22 adding an exception to the statute of limitations for actions arising out of a willful violation. Such actions may be brought within three years. Actions may also be brought within one year after notification to the employee of final disposition by the state of a complaint for the same violation.

Amends GS 95-25.23 expanding civil penalties to include violations of provisions relating to minimum wage, overtime, youth employment, wage payment, or notification.

Enacts GS 95-25.23D entitling an employee to enumerated liens for the purpose of wage claims and collections under this Article and outlining perfection and priority of liens. Liens recorded pursuant to subsection (f) take precedence over all other debts, decrees, liens, or mortgages against the employer. A successful action to foreclose a lien pursuant to this section entitles the employee to court costs and reasonable attorneys' fees. Provides further regulations of the liens.

#### Section 6.1

Adds a new Article 17, Fair Assessment of Persons with Criminal Histories, to GS Chapter 126. Defines the following terms as they apply in this Article: (1) *criminal history* means a state or federal history of conviction for a misdemeanor or felony relevant to an applicant's fitness for public employment but does not include a record of arrest that did not result in a conviction; (2) *hiring authority* means an agent responsible by law for the hiring of persons for public employment; and (3) *public employment* means any employment, including seasonal or temporary work, where the State or any local political subdivision of the State is the employer.

Prohibits a hiring authority from (1) asking about or considering the criminal history of an applicant for public employment or (2) including such an inquiry on any initial employment application form until the hiring authority has made a conditional offer of employment to the applicant. Declares that this Article does not apply to public employment in positions where the hiring authority is required by law to consider the applicant's criminal record. Provides that nothing in this Article is to be construed to prevent any hiring authority in its discretion from adopting the provisions of this Article.

Prohibits any person from being disqualified for public employment solely or in part because of a previous conviction except as otherwise required by law or if the conviction is determined to be substantially related to the qualifications, functions, or duties of the position after all of the following factors are considered: (1) the level and seriousness of the crime; (2) the date of the crime; (3) the age of the person at the time of conviction; (4) the circumstances surrounding the commission of the crime; (5) the connection between the criminal conduct and the duties of the position; (6) the prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed; and (7) the subsequent commission of a crime by the person. Clarifies that an arrest record that did not result in a conviction cannot be the basis for disqualification from public employment.

Requires a hiring authority to inform an individual of a potential adverse hiring decision based on the background check and provide the applicant an opportunity to provide evidence that the report is incorrect or inaccurate.

Specifies criteria governing data to be collected by the Office of State Personnel.

Declares that the provisions of this Article apply to all applicants for public employment. Makes a conforming change to GS 126-5.

Effective when the act becomes law and applies to applications for employment made on or after that date.

#### Section 7.1

Repeals GS 95-98 (prohibiting public employee union collective bargaining agreements).

#### Section 8.1

Reenacts GS 105-151.31 (earned income tax credit), which provides an individual who claims an income tax credit under section 32 of the Internal Revenue Code (IRS Code) for the taxable year with a credit against the tax imposed by the Individual Income Tax Act (Act), as it existed immediately before its specified sunset expiration. Also amends the statute by establishing that the allowable credit against the tax imposed by the Act is to be equal to 5% (was, a percentage of up to 5% based on the taxable year) of the amount of credit the individual qualified for under section 32 of the Code. Amends the sunset provision to repeal the statute effective for taxable years beginning on or after January 1, 2021.

Effective for taxable years on or after January 1, 2017.

## Section 9.1

Reenacts GS 105-151.11 (tax credit for child care), which provides an individual who claims an income tax credit under section 21 of the IRS Code for the taxable year to receive a credit against the tax imposed by the Act as it existed immediately before its specified sunset expiration. Makes a conforming change to the statute.

Effective for taxable years beginning on or after January 1, 2017.

## Section 10.1

Act is effective when it becomes law, except as otherwise provided.

**Intro. by Harrison, Fisher, B. Richardson, Holley.**

[GS 95, GS 105, GS 126](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure, Employment and Retirement, Government, Tax](#)

H 242 (2017-2018) [LICENSE PLATE READER SYSTEMS IN STATE ROWS](#). Filed Mar 2 2017, *AN ACT TO AUTHORIZE THE INSTALLATION AND USE OF AUTOMATIC LICENSE PLATE READER SYSTEMS IN STATE RIGHTS-OF-WAY*.

Enacts new GS 136-18(46). Authorizes the Department of Transportation (DOT) to enter into agreements with municipalities, counties, and other governmental entities to install automatic license plate reader systems, subject to conditions that preserve right-of-way use by other public utilities. Authorizes DOT to approve requests by municipalities, counties, and other governmental entities to use land or rights-of-way owned by the DOT that are encumbered by utility easements for the installation and use of an automatic license plate reader, so long as specified criteria are met including that the use is temporary, and the license plate reader system is above-ground and does not contain combustible fuel. Directs the removal of the system at the request of any affected public utility, and grants affected public utilities the right to move the system when they need immediate access to their facilities. The public utility is only liable for damages to the system resulting from gross negligence or willful misconduct.

**Intro. by Fairecloth.**

[GS 136](#)

[View summary](#)

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

H 243 (2017-2018) [STRENGTHEN OPIOID MISUSE PREVENTION \(STOP\)ACT](#). Filed Mar 2 2017, *AN ACT STRENGTHENING OPIOID MISUSE PREVENTION BY EXTENDING STANDING ORDERS FOR OPIOID ANTAGONIST TO COMMUNITY HEALTH GROUPS; REQUIRING SUPERVISING PHYSICIANS TO PERSONALLY CONSULT WITH PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS WHO PRESCRIBE SCHEDULE II THROUGH V CONTROLLED SUBSTANCES FOR LONG-TERM USE; REQUIRING ELECTRONIC PRESCRIBING OF SCHEDULE II THROUGH V CONTROLLED SUBSTANCES; ESTABLISHING MAXIMUM LIMITS FOR INITIAL PRESCRIPTIONS OF SCHEDULE II THROUGH V CONTROLLED SUBSTANCES; CLARIFYING ALLOWABLE FUNDS FOR SYRINGE EXCHANGE PROGRAMS; REQUIRING VETERINARIAN PARTICIPATION IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM; ESTABLISHING CIVIL PENALTIES FOR PHARMACIES THAT EMPLOY DISPENSERS WHO IMPROPERLY REPORT INFORMATION TO THE CONTROLLED SUBSTANCES REPORTING SYSTEM (CSRS); EXPANDING THE ROLE OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) IN USING CSRS DATA TO DETECT AND PREVENT FRAUD AND MISUSE; MANDATING DISPENSER REGISTRATION FOR ACCESS TO THE CSRS; MANDATING DISPENSER AND PRACTITIONER USE OF THE CSRS; REQUIRING DHHS TO REPORT PRACTITIONERS WHO FAIL TO PROPERLY USE THE CSRS; CREATING A SPECIAL REVENUE FUND TO SUPPORT THE CSRS; IMPOSING AN ANNUAL FEE ON PRACTITIONERS TO BE DEPOSITED INTO THE CSRS SPECIAL REVENUE FUND; REQUIRING AN ANNUAL REPORT FROM DHHS ON THE CSRS; AND APPROPRIATING FUNDS FOR COMMUNITY-BASED SUBSTANCE USE DISORDER TREATMENT AND RECOVERY SERVICES.*

Identical to [S 175](#), filed 3/2/17.

Section 1 refers to the bill as the “Strengthen Opioid Misuse Prevention Act of 2017” or the “STOP Act.” Effective July 1, 2017.

Section 2 amends GS 90-12.7. Authorizes a practitioner acting in good faith and exercising reasonable care to prescribe opioid antagonists to any governmental or nongovernmental organization, either directly or by standing order, for the purpose of distributing the opioid antagonist to persons at risk of experiencing an opioid overdose, or persons in a position to assist a person at risk of experiencing an opioid overdose. Authorizes governmental or nongovernmental organizations to distribute opioid antagonists obtained pursuant to an authorized prescription to persons at risk of experiencing an opioid overdose, or to persons in a position to assist a person at risk of experiencing an opioid overdose. Adds organizations and agents of organizations that distribute opioid antagonist as described above to the list of individuals immune from civil or criminal liability for actions authorized by this statute. Makes conforming changes. Authorizes the State Health Director's designee to prescribe an opioid antagonist by a statewide standing order. Effective July 1, 2017.

Sections 3 and 4 amend GS 90-18.1(b) and GS 90-18.2(b). Directs physicians assistants and nurse practitioners, when prescribing a controlled substance included in Schedule II through V of GS Chapter 90, Article 5 (all subsequent references to Schedule [x] Substances refer to GS Chapter 90, Article 5, schedules), and the use of the substance is expected to exceed a period of 30 days, to consult with the supervising physician prior to prescription to verify that the prescription is medically appropriate, and to consult with the supervising physician at least once every 90 days to verify that the prescription remains medically appropriate. Effective July 1, 2017.

Section 5 amends GS 90-106 to authorize the dispensation of Schedule II substances pursuant to an electronic prescription (previously only authorized written prescriptions), and prohibits dispensation after six months from the date of prescription. Directs practitioners to electronically prescribe all controlled substances included in Schedule II through V. Exempts (1) non-pharmacist practitioners who dispense directly to an ultimate user; (2) practitioners who order a controlled substance to be administered in a hospital, nursing home, hospice facility, or residential care facility; (3) practitioners experiencing temporary technological or electrical failures that prevent transmitting electronic prescriptions, provided that the reason for the exception is documented in the patient's medical record; and (4) practitioners who write prescriptions to be dispensed by a pharmacy on federal property, provided that the reason for this exception is documented in the patient's medical record. Dispensers are not required to verify that a practitioner falls under one of the exceptions prior to dispensation, and may continue to dispense controlled substances from valid written, oral, or facsimile prescriptions. Prohibits practitioners from prescribing more than a five-day supply of controlled substances on Schedule II through V upon initial consultation and treatment for acute pain (defined as pain that the practitioner reasonably expects to last for three months or less, not including chronic pain or pain being treated as part of cancer care, hospice care, palliative care, or medication-assisted treatment for substance use disorder), unless for immediate post-operative pain relief, which may not exceed a seven-day supply. Practitioners may issue any appropriate renewal, refill, or new prescription, upon subsequent consultation. Effective July 1, 2018.

Section 6 enacts new GS 90-106.3 (Disposal of residual pain prescriptions following death of hospice or palliative care patient). Directs hospice or palliative care providers who prescribe Schedule II through V controlled substances to patients in their home to make diligent efforts to ensure that residual portions of the substance are safely disposed of following the death of the patient. Effective July 1, 2017.

Section 7 enacts new GS 58-51-56 (Limitation on co-payments for limited, initial opioid prescriptions). Directs health benefit plans to charge a co-payment for a limited, initial prescription of a Schedule II through V controlled substance in an amount that is either proportional between the co-payment charged for a 30-day supply of the controlled substance and the amount prescribed to the beneficiary, or equal to the co-payment charged for a 30-day supply, provided that the beneficiary will not be charged any additional co-payments for subsequent prescriptions for the remainder of the 30-day supply. Effective July 1, 2018.

Section 8 amends GS 90-113.27(b)(2). Clarifies that State funds may not be used to purchase needles, hypodermic syringes, or other injection supplies in syringe exchange programs (currently prohibits use of public funds). Effective July 1, 2017.

Section 9 amends GS 90-113.72. Amends the definition of dispenser to no longer exclude persons licensed to practice veterinary medicine. Defines pharmacy as a person or entity holding a valid pharmacy permit. Makes technical changes.

Section 10 amends GS 90-113.73. Amends the Schedule II through V prescription reporting deadline for dispensers to require a report no later than 24 hours after a prescription is delivered (currently required at close of business three days after the date of delivery). Directs the Department of Health and Human Services (DHHS) to assess a civil penalty up to \$250 against a pharmacy that employs a dispenser who fails to comply with the reporting requirements within a reasonable period of time after being informed by DHHS that required information is missing or incomplete for a first, and a civil penalty up to \$500 for each



subsequent violation, up to a maximum of \$10,000 per pharmacy per calendar year. Each day of a continuing violation constitutes a separate violation. Proceeds of the penalty must be deposited to the Civil Penalty and Forfeiture Fund. Directs the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services to adopt rules to implement the penalty requirements, including factors to be considered in determining the amount of the penalty. Makes a conforming change to the statute's caption.

Section 11 amends GS 90-113.74(b1). Authorizes DHHS to notify practitioners of prescribing behavior that increases risk of diversion of controlled substances, increases risk of patient harm, or is an outlier among other practitioner behavior.

Section 12 amends GS 90-113.74(c). Authorizes DHHS to release Controlled Substances Reporting System (CSRS) data to third-party payers and their agents, for the purposes of claimant case management, detection of inappropriate prescriptions of controlled substances to a claimant, or detection of misuse or diversion of a controlled substance by a claimant.

Section 13 enacts new GS 90-113.74A through GS 90-113.75C, as described below, effective September 1, 2017.

New GS 90-113.74A (Mandatory dispenser registration for access to CSRS) directs pharmacy licensees to demonstrate to the North Carolina Board of Pharmacy that he or she is registered for access to CSRS within 30 days of obtaining an initial or renewal license. Violation of this requirement may be cause for the Board of Pharmacy to suspend or revoke the license.

New GS 90-113.74B (Practitioner use CSRS; mandatory reporting of violations) directs practitioners, prior to prescribing Schedule II through V controlled substances, to review information in CSRS regarding the patient for the 12 months preceding the initial prescription, and to consult CSRS information for the 12 months preceding each subsequent three-month period that the substance remains part of the patient's medical care, and to document each instance of review in the patient's medical record, as well as instances in which review is not possible due to the unavailability of CSRS due to some technological failure, and directs the practitioner to review the information when the CSRS becomes available again, and to document that review in the patient's medical record. Authorizes, but does not direct, practitioners to review information in the CSRS before prescribing a Schedule II through V controlled substance in other circumstances. Directs DHHS to conduct periodic audits of prescribers' compliance with this section, and to report violations to the appropriate licensing board. Violations may constitute cause for suspension or revocation of a prescriber's license.

New GS 90-113.74C (Dispenser use of CSRS) directs dispensers to review patients' information in the CSRS for the preceding 12-month period prior to dispensation in several circumstances, including whenever the dispenser has a reasonable belief that the ultimate user may be seeking a Schedule II through V controlled substance for any reason other than treatment of the ultimate user's existing medical condition. Directs a dispenser to withhold delivery of prescribed Schedule II through V substances whenever the dispenser has reason to believe the prescription is fraudulent or duplicative, until the dispenser is able to contact the prescriber and determine that the prescription is medically appropriate. Protects dispensers from civil or criminal liability for actions authorized by this subsection.

New GS 90-113.75A (Creation of CSRS Fund) creates the fund as indicated in the caption as a special revenue fund. Directs DHHS to administer the fund and use it only for the operation of the reporting system and to carry out the provisions of GS Chapter 90, Article 5E. The fund consists of moneys transmitted to the fund pursuant to new GS 90-113.75B, appropriated by the General Assembly, or received for deposit into the fund. Interest that accrues to the fund shall be credited to the Fund, and remaining balances at the end of any fiscal year remain in the fund.

New GS 90-113.75B (CSRS fee) directs, beginning January 1, 2018, each licensing board that issues licenses authorizing prescription of controlled substances for medical care to impose an annual CSRS fee of \$20 upon the licensee, at the same time as the initial or renewal license fee imposed on the licensee, and to retain 10% of the total fee to cover the costs of collecting and providing an accounting of all moneys received as payment of this fee. Directs the licensing boards to transmit the remaining 90% of the moneys collected by this fee to the CSRS Fund on the first day of each calendar quarter. Does not apply to individuals licensed to practice veterinary medicine.

New GS 90-113.75C (annual report to General Assembly and licensing boards) directs DHHS to report annually, on November 1, beginning on November 1, 2018, to the Joint Legislative Oversight Committee on Health and Human Services, the North Carolina Medical Board, the North Carolina Board of Nursing, the North Carolina Dental Board, the North Carolina Veterinary Medical Board, and the North Carolina Board of Pharmacy on data reported to the CSRS. The report must include eight types of information on Schedule II through V substances reported during the preceding calendar year, including the total number of

prescriptions dispensed, broken down by Schedule, and the demographics about the ultimate users to whom prescriptions were dispensed.

Section 14 appropriates \$10 million each for 2017-18 and 2018-19 from the General Fund to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to be used for increasing the availability of community-based treatment and recovery services for substance use disorders. These funds do not supplant existing funds for this purpose. Effective July 1, 2017.

Except as otherwise indicated, the bill is effective when it becomes law and applies to acts committed on or after the date the State Chief Information Officer notifies the Revisor of Statutes that (1) the upgrades to the CSRS database described in SL 2016-94, section 12F.7(a)(1 & 2) have been completed and (2) the upgraded CSRS database is fully operational within the Department of Information Technology and connected to the statewide health information exchange.

**Intro. by Murphy, Davis, Malone, Horn.**

[APPROP, GS 90](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers](#)

H 244 (2017-2018) [PUBLIC PARTICIPATION/COMPOSTING FACILITIES](#). Filed Mar 2 2017, *AN ACT TO BROADEN THE SCOPE OF IMPACTS TO BE CONSIDERED IN SOLID WASTE MANAGEMENT FACILITY PERMITTING, TO PROVIDE FOR NOTICE AND PUBLIC HEARING FOR COMPOSTING FACILITIES, AND TO REDUCE ODOR EMISSIONS FROM THOSE FACILITIES*.

Amends GS 130A-294 by expanding the conditions under which a solid waste management facility permit may be denied, to allow denial if construction or operation of the facility would significantly damage school grounds or athletic fields, or existing community facilities hosting outdoor activities.

Amends GS 130A-309.11 to require that the rules establishing standards for the production of compost include requirements necessary to substantially reduce and minimize fugitive emissions and offensive odors from the composting facility that will adversely affect the general health, safety, and welfare of persons beyond the facility's boundary. Further amends the statute to prohibit issuing a permit for the construction, operation, expansion, or modification of a solid waste management facility that will produce compost from solid waste or solid waste co-composted with other wastes without first conducting a public hearing in the county where the proposed facility is to be located. Sets out additional requirements for notice of the hearing. Prohibits issuing a permit less than 90 days following the public hearing.

Effective October 1, 2017.

**Intro. by Howard, McElraft, McGrady, Setzer.**

[GS 130A](#)

[View summary](#)

[Environment, Environment/Natural Resources, Health and Human Services, Health, Public Health, Public Enterprises and Utilities](#)

H 246 (2017-2018) [FORSYTH TECH MULTICAMPUS FUNDS](#). Filed Mar 2 2017, *AN ACT TO PROVIDE MULTICAMPUS FUNDING FOR THE FORSYTH TECHNICAL COMMUNITY COLLEGE TRANSPORTATION TECHNOLOGY CENTER*.

Appropriates \$526,119 in recurring funds for 2017-18 from the General Fund to the Community Colleges System Office to operate the Transportation Technology Center at Forsyth Technical Community College as a multicampus center.

**Intro. by Conrad, Lambeth, Hanes, Terry.**

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Community Colleges System Office](#)

H 247 (2017-2018) [LIMIT SOLDIERS' COMMUNITY COLLEGE TUITION](#). Filed Mar 2 2017, *AN ACT TO LIMIT COMMUNITY COLLEGE TUITION FOR REENROLLING ACTIVE DUTY SERVICE MEMBERS SO THAT THE MAXIMUM RATE SHALL NOT EXCEED AVAILABLE FEDERAL TUITION ASSISTANCE*.

Enacts new GS 116-143.3(b3). Directs that the out-of-state tuition rate of community colleges for active duty members of the Armed Forces to be waived to the extent the rate exceeds the amount of tuition assistance available from the federal government, as set forth in US Department of Defense Directive 1322.08E, so long as the active duty member was enrolled in a program at a North Carolina community college and charged the in-State tuition rate at the time of deployment or reassignment, was not able to remain continuously enrolled in the program due to deployment or reassignment, the active duty member re-enrolls in the program in which the member was enrolled at the time of deployment or reassignment within 18 months of deployment or reassignment, and does not otherwise qualify for the in-State tuition rate. Directs that the amount of tuition charged to an active duty member eligible for this waiver shall not be lower than the in-State tuition rate.

Effective July 1, 2017, and applies beginning with the 2017-18 academic year.

**Intro. by Hanes, Horn, Floyd, Blackwell.**

[GS 116](#)

[View summary](#)

[Education, Higher Education, Military and Veteran's Affairs](#)

H 248 (2017-2018) [ESTABLISH AGING SUBCOMMITTEE OF JLOC HHS](#). Filed Mar 2 2017, *AN ACT ESTABLISHING A SUBCOMMITTEE ON AGING OF THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES*.

Requires the Joint Legislative Oversight Committee on Health and Human Services (Committee) to appoint a 21-member Subcommittee on Aging (Subcommittee) to examine the State's delivery of services for older people to determine their needs and to make recommendations to the Committee on how to address those needs. Appoints specified cochairs. Sets out membership appointment requirements, with eight members appointed by the House of Representatives cochair of the Subcommittee and eight members appointed by the Senate cochair of the Subcommittee. Sets out provisions governing vacancies, the exercise of specified powers, meeting space, professional staffing, and allowable expenses. Sets out eight issues that must be a part of the Subcommittee's study, including current and future service needs of older persons, including supports for older persons residing in institutional and in-home settings, and the feasibility of developing mechanisms for allowing older persons to express the setting in which they prefer to receive services and honoring these preferences. Requires the Subcommittee to submit an interim report to the Committee, on or before May 8, 2018, and requires a final report to the Committee on or before January 15, 2019, at which time the Subcommittee terminates.

**Intro. by Dobson, Presnell, White, Carney.**

[STUDY](#)

[View summary](#)

[Government, General Assembly, Health and Human Services, Social Services, Adult Services](#)

H 249 (2017-2018) [ECONOMIC TERRORISM](#). Filed Mar 2 2017, *AN ACT TO CREATE THE CRIMINAL OFFENSE OF ECONOMIC TERRORISM, TO ESTABLISH CIVIL LIABILITY FOR ECONOMIC TERRORISM, TO CREATE A DUTY FOR A RESPONSIBLE PUBLIC OFFICIAL TO TAKE ACTION TO CLEAR TRAFFIC OBSTRUCTIONS RESULTING FROM UNLAWFUL ACTIVITIES, TO INCREASE CRIMINAL PENALTIES FOR OBSTRUCTING TRAFFIC WHILE PARTICIPATING IN UNLAWFUL ACTIVITIES, AND TO PROVIDE CIVIL LIABILITY FOR THE COSTS OF RESPONDING TO TRAFFIC OBSTRUCTIONS AND CERTAIN OTHER UNLAWFUL ACTIVITIES*.

Enacts new GS 14-10.1(b1). Creates a new crime of *economic terrorism*, defined as when a person willfully and maliciously or with reckless disregard commits a criminal offense that impedes or disrupts the regular course of business, resulting in damages of more than \$1,000, with the intent to either intimidate the civilian population or an identifiable group of the civilian population,

or to influence, through intimidation, the conduct or activities of the government of the United States, a state, or any unit of local government. Economic terrorism is a Class H felony, and is a separate offense from the underlying offense, and shall not merge with other offenses. Renames the pre-existing crime of terrorism, defined at GS 14-10.1(b), to be *violent terrorism*. Makes conforming changes.

Amends GS 1-539.2D to authorize a civil action by any person whose property or person is injured by persons who violate new GS 14-10.1(b1) against the perpetrators of those actions, and makes conforming changes.

Enacts new Article 53, Liability for Public Safety Response Costs, in GS Chapter 1. Enacts new GS 1-640 (Liability for public safety response costs). Holds persons convicted under GS 14-288.2 (Riot; inciting to riot; punishments) or GS 14-274.1 (probably refers to GS 20-174.1 (Standing, sitting or lying upon public streets prohibited)) civilly liable to state agencies or political subdivisions of the State for public safety response costs (defined as costs incurred for the purpose of responding to the unlawful assembly, riot, or obstruction of traffic) incurred by the political subdivision. Authorizes state agencies or political subdivisions of the State to bring civil action to recover public safety costs and related legal, administrative, and court costs.

Amends GS 14-159.13 (Second degree trespass) to hold persons, except the owner or lessee of the premises, the family and nonrioting guests of the owner or lessee, and public officers and persons assisting them, who remain at the place of any riot or unlawful assembly after having been lawfully warned to disperse, guilty of a Class 1 misdemeanor.

Enacts new GS 20-174.3 (Duty to clear roads). Directs responsible public officials (defined as mayors, with respect to an incident that occurs in a municipality, and sheriffs, with respect to incidents that occur in the unincorporated area of a county), upon learning of a *mass traffic obstruction* (defined as an incident in which, as part of, or as the result of a protest, riot, or other assembly, at least 10 persons obstruct vehicular traffic in violation of GS 20-174.1) to dispatch available law enforcement officers to clear the roads of persons unlawfully obstructing vehicular traffic.

Amends GS 20-174.1 (Standing, sitting or lying upon highways or streets prohibited). Holds that a violation of subsection (a), which prohibits willfully standing, sitting, or lying on the highway or street in a manner that impedes the traffic, by participation in a riot or other unlawful assembly is a Class A1 misdemeanor. Makes a conforming change.

Effective December 1, 2017, and applies to offenses committed on or after that date.

**Intro. by Torbett.**

GS 1, GS 14, GS 20

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**Business and Commerce, Courts/Judiciary, Civil, Civil Law, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Government, Public Safety, Transportation**

H 250 (2017-2018) **BODY ART REGULATION CHANGES**. Filed Mar 2 2017, *AN ACT TO MAKE CHANGES TO THE REGULATION OF BODY ART*.

Amends GS 130A-283. Defines a number of terms, including *body art* (procedures conducted for artistic purposes that include *body piercing, branding, scarification, subdermal implants, and tattooing* as these terms are also newly defined).

Redefines *tattooing* to exclude the production of scars (now defined as *scarification*). Applies existing regulations of tattooing to all forms of body art. Creates a new Class A1 misdemeanor consisting of any violation of GS 130A-283. Adds text clarifying that GS 130A-283 does not authorize licensed body artists to treat injuries or otherwise practice medicine. Makes conforming changes.

Amends GS 130A-29(c) to apply the existing regulation of tattooing to all forms of body art.

Amends GS 130A-39(g) to make a conforming change.

Effective January 1, 2018. Permits for tattooing issued before that date, but not yet expired, remain valid until expiration.

**Intro. by Corbin, Bert Jones, Murphy.**

GS 130A

[View summary](#)

**Business and Commerce, Occupational Licensing, Health and**

H 251 (2017-2018) [ALLOW CONCEALED CARRY ON UNC & CC CAMPUSES](#). Filed Mar 2 2017, *AN ACT TO PROVIDE THAT A PERSON WHO HAS A VALID CONCEALED HANDGUN PERMIT OR WHO IS EXEMPT FROM OBTAINING A CONCEALED HANDGUN PERMIT MAY CARRY A CONCEALED HANDGUN ON EDUCATIONAL PROPERTY IF THE EDUCATIONAL PROPERTY IS A CONSTITUENT INSTITUTION OR A COMMUNITY COLLEGE.*

Enacts new GS 14-269.2(m). Authorizes persons with concealed handgun permits issued under Article 54B or one considered valid under GS 14-415.24, or one who is exempt from obtaining a permit under GS 14-415.25 to carry a concealed handgun on institutions of higher education as defined in GS 116-143.1.

Amends GS 14-415.11(c) to make a conforming change.

Effective December 1, 2017. Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

**Intro. by K. Hall, Burr, Presnell, Destin Hall.**

[View summary](#)

H 252 (2017-2018) [BUILDING CODE REGULATORY REFORM](#). Filed Mar 2 2017, *AN ACT TO MAKE VARIOUS CHANGES AND CLARIFICATIONS TO THE STATUTES GOVERNING THE CREATION AND ENFORCEMENT OF BUILDING CODES.*

Section 1 amends GS 153A-352(b) and GS 160A-412(b). Adds language clarifying that counties and cities may not adopt a new local ordinance or resolution or any other policy, or enforce an existing local ordinance, resolution, or policy, requiring inspections of buildings constructed in compliance with the North Carolina Building Code for One- and Two-family Dwellings in addition to those required by the North Carolina Building code, without first obtaining approval by the North Carolina Building Code Council.

Section 2 amends GS 153A-352(c) and GS 160A-412(c). Adds language authorizing persons under the direct supervisory control of the licensed architect or licensed engineer submitting a design or other proposal for the construction of buildings to perform field inspections of the installations as required by the subsection, and clarifies that the licensed architect or licensed engineer submitting the design must provide the required signed written statement of compliance.

Section 3 enacts new GS 153A-352(e) and GS 160A-412(e). Directs that no certification by a licensed architect or engineer is required for components or elements engineered by their manufacturer when the manufacturer has certified the components or elements comply with the North Carolina State Building Code or the North Carolina Residential Code for One- and Two-Family Dwellings.

Enacts new GS 153A-352(f) and GS 160A-412(f). Directs inspection departments, no later than December 1, 2017, to create a process for informal internal review of inspection decisions made by department's inspectors, including, at minimum, initial review by the supervisor of the inspector, provisions on permits stating the inspector's contact information and notice of availability of informal internal review, and procedures for internal review of an inspector's decision. Does not abrogate rights under GS Chapter 150B to a permit holder or applicant.

Directs each inspection department to annually report to the Joint Legislative Committee on Local Government, no later than January 15, beginning in 2018, on the implementation of the informal internal review process required by new GS 153A-352(f) and new GS 160A-412(f), including the number of times the informal review process was utilized and the outcome of the review. Authorizes individual inspection departments to meet this requirement through a report by an organization of cities or counties on behalf of the organization's members. Expires June 30, 2022.

Section 4 amends GS 143-136(c). Authorizes a committee within the Building Code Council to review any proposal for revision or amendment to any current or future code applicable to residential construction (currently authorized to review an enumerated list of codes). Makes conforming changes.

Section 5 amends GS 143-140. Directs enforcement agencies not to apply interpretations of the North Carolina State Building Code to construction begun under validly issued permits at the time the agency provides the interpretation. Makes technical changes.

Section 6 amends GS 143-355.4(a) (requiring separate water meters for new in-ground irrigation systems). Exempts lots with septic tank systems or other types of innovative on-site wastewater systems if a lockable cutoff valve and a backflow prevention device are installed on the water supply line for the irrigation system within 12 inches of the connection to the water meter.

Effective October 1, 2017.

**Intro. by Brody, Riddell, Potts, R. Moore.**

[GS 143, GS 153A, GS 160A](#)

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**[Development, Land Use and Housing, Building and Construction, Government, Local Government](#)**

## **PUBLIC/SENATE BILLS**

S 131 (2017-2018) [REGULATORY REFORM ACT OF 2016](#). Filed Feb 23 2017, *AN ACT TO AMEND CERTAIN ENVIRONMENTAL, NATURAL RESOURCES, AND OTHER LAWS.*

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

Amends proposed new GS 87-97(b1)(4) by adding that a certified well contractor is not required to have a permit for the connection or disconnection of the electrical wiring to the pump or pressure switch of a well system to the electrical system that serves the well system. Amends the definition of the term *well system* to also include the pressure switch.

Amends GS 143-138(b17)(2) by deleting the existing language and instead provides that among the conditions that must be met in order to not need a permit for the electrical and plumbing activities associated with the installation, construction, maintenance, or repair of a private drinking water well is the condition that the scope of the work includes only the well system and the connection or disconnection of the well system to either the plumbing served by the well system or the electrical service that serves the well system.

Deletes the provisions in Section 2.3, concerning the regulation of stormwater control system design, which amended GS 143-214.7B. Instead, requires the Environmental Management Commission (EMC) and the Department of Environmental Quality (DEQ) to implement 15A NCAC 02H .0506 (Review of Applications) as follows. Prohibits the Director of the Division of Water Resources from requiring the use of on-site stormwater control measures to protect downstream water quality standards, except as required by state or federal law. Requires the EMC to adopt rules to amend 15A NCAC 02H .0506, consistent with these provisions.

Deletes the provisions of Section 2.4, concerning stream mitigation requirements and replaces it with the following. Amends GS 143-214.7C to prohibit DEQ, except as required by federal law, from (1) requiring mitigation for losses of 300 linear feet or less of stream bed or (2) requiring mitigation for 300 linear feet of the losses for losses of more than 300 linear feet of stream bed. Requires the EMC to amend its rules so that they are consistent with these provisions. Requires the cochairs of the Environmental Review Commission to examine the mitigation thresholds for losses of stream bed under the Regional Conditions adopted by the Norfolk, Charleston, and Savannah Districts of the US Army Corps of Engineers, and submit written comments to the US Army Corps of Engineers Headquarters and the North Carolina congressional delegation to encourage the Wilmington District to adopt Regional Conditions on the thresholds for losses of stream bed that are consistent with those adopted by those districts.

Instead of repealing Section 4(c) of SL 2001-355, repeals the entire Section 4, which contains provisions related to best management practice for pasture-based production or management of livestock.

Moves the provision creating the North Carolina Sentinel Landscapes Committee from Section 3.24 to Section 2.12 and makes the following changes. Amends the statement of intent to include directing the North Carolina Sentinel Landscape Committee (Committee) to coordinate the overlapping priority areas in the vicinity of and where testing and training occur near or adjacent to major military installations, or other areas of strategic benefit to national defense (previously did not include other areas of

strategic benefit to national defense). Makes conforming changes throughout to account for the inclusion of other areas of strategic benefit to national defense. Amends the Committee's work to include protecting working lands in the vicinity of and where testing and training occur near or adjacent to major military installations or other areas of strategic benefit to national defense (was, protect working lands in the vicinity of and where testing and training occur on major military installations). Makes conforming changes. Amends the Committee chairs so that now the Commissioner of Agriculture or the Commissioner's designee serves as chair for an initial two-year term, with one of the five listed Committee members serving as chair thereafter. Adds that the chair may appoint members representing other State agencies, local government officials, and nongovernmental organizations experienced in land management activities with sentinel lands.

Amends Section 3.12 to push back the due date of the combined reports to January 1, 2019 (was, 2018).

**Intro. by Wells, Cook, Sanderson.**

STUDY, GS 74, GS 87, GS 106, GS 113A, GS 130A, GS 132, GS 139, GS 143, GS 143B, GS 159G

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**Development, Land Use and Housing, Building and Construction, Land Use, Planning and Zoning, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Public Records and Open Meetings, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health, Military and Veteran's Affairs**

S 134 (2017-2018) [SENATE 2017 UNC BOARD OF GOVERNORS ELECTION](#). Filed Feb 27 2017, *A SENATE RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.*

Amends the requirements related to the completion of a statement of economic interest to remove references to the State Ethics Commission.

**Intro. by Rabon.**

SENATE RES

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**Education, Higher Education, Government, State Agencies, UNC System**

S 175 (2017-2018) [STRENGTHEN OPIOID MISUSE PREVENTION \(STOP\)ACT](#). Filed Mar 2 2017, *AN ACT STRENGTHENING OPIOID MISUSE PREVENTION BY EXTENDING STANDING ORDERS FOR OPIOID ANTAGONIST TO COMMUNITY HEALTH GROUPS; REQUIRING SUPERVISING PHYSICIANS TO PERSONALLY CONSULT WITH PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS WHO PRESCRIBE SCHEDULE II THROUGH V CONTROLLED SUBSTANCES FOR LONG-TERM USE; REQUIRING ELECTRONIC PRESCRIBING OF SCHEDULE II THROUGH V CONTROLLED SUBSTANCES; ESTABLISHING MAXIMUM LIMITS FOR INITIAL PRESCRIPTIONS OF SCHEDULE II THROUGH V CONTROLLED SUBSTANCES; CLARIFYING ALLOWABLE FUNDS FOR SYRINGE EXCHANGE PROGRAMS; REQUIRING VETERINARIAN PARTICIPATION IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM; ESTABLISHING CIVIL PENALTIES FOR PHARMACIES THAT EMPLOY DISPENSERS WHO IMPROPERLY REPORT INFORMATION TO THE CONTROLLED SUBSTANCES REPORTING SYSTEM (CSRS); EXPANDING THE ROLE OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) IN USING CSRS DATA TO DETECT AND PREVENT FRAUD AND MISUSE; MANDATING DISPENSER REGISTRATION FOR ACCESS TO THE CSRS; MANDATING DISPENSER AND PRACTITIONER USE OF THE CSRS; REQUIRING DHHS TO REPORT PRACTITIONERS WHO FAIL TO PROPERLY USE THE CSRS; CREATING A SPECIAL REVENUE FUND TO SUPPORT THE CSRS; IMPOSING AN ANNUAL FEE ON PRACTITIONERS TO BE DEPOSITED INTO THE CSRS SPECIAL REVENUE FUND; REQUIRING AN ANNUAL REPORT FROM DHHS ON THE CSRS; AND APPROPRIATING FUNDS FOR COMMUNITY-BASED SUBSTANCE USE DISORDER TREATMENT AND RECOVERY SERVICES.*

Section 1 refers to the bill as the “Strengthen Opioid Misuse Prevention Act of 2017” or the “STOP Act.” Effective July 1, 2017.

Section 2 amends GS 90-12.7. Authorizes a practitioner acting in good faith and exercising reasonable care to prescribe opioid antagonists to any governmental or nongovernmental organization, either directly or by standing order, for the purpose of distributing the opioid antagonist to persons at risk of experiencing an opioid overdose, or persons in a position to assist a person at risk of experiencing an opioid overdose. Authorizes governmental or nongovernmental organizations to distribute opioid antagonists obtained pursuant to an authorized prescription to persons at risk of experiencing an opioid overdose, or to persons in a position to assist a person at risk of experiencing an opioid overdose. Adds organizations and agents of organizations that distribute opioid antagonist as described above to the list of individuals immune from civil or criminal liability for actions authorized by this statute. Makes conforming changes. Authorizes the State Health Director's designee to prescribe an opioid antagonist by a statewide standing order. Effective July 1, 2017.

Sections 3 and 4 amend GS 90-18.1(b) and GS 90-18.2(b). Directs physicians assistants and nurse practitioners, when prescribing a controlled substance included in Schedule II through V of GS Chapter 90, Article 5 (all subsequent references to Schedule [x] Substances refer to GS Chapter 90, Article 5, schedules), and the use of the substance is expected to exceed a period of 30 days, to consult with the supervising physician prior to prescription to verify that the prescription is medically appropriate, and to consult with the supervising physician at least once every 90 days to verify that the prescription remains medically appropriate. Effective July 1, 2017.

Section 5 amends GS 90-106 to authorize the dispensation of Schedule II substances pursuant to an electronic prescription (previously only authorized written prescriptions), and prohibits dispensation after six months from the date of prescription. Directs practitioners to electronically prescribe all controlled substances included in Schedule II through V. Exempts (1) non-pharmacist practitioners who dispense directly to an ultimate user; (2) practitioners who order a controlled substance to be administered in a hospital, nursing home, hospice facility, or residential care facility; (3) practitioners experiencing temporary technological or electrical failures that prevent transmitting electronic prescriptions, provided that the reason for the exception is documented in the patient's medical record; and (4) practitioners who write prescriptions to be dispensed by a pharmacy on federal property, provided that the reason for this exception is documented in the patient's medical record. Dispensers are not required to verify that a practitioner falls under one of the exceptions prior to dispensation, and may continue to dispense controlled substances from valid written, oral, or facsimile prescriptions. Prohibits practitioners from prescribing more than a five-day supply of controlled substances on Schedule II through V upon initial consultation and treatment for acute pain (defined as pain that the practitioner reasonably expects to last for three months or less, not including chronic pain or pain being treated as part of cancer care, hospice care, palliative care, or medication-assisted treatment for substance use disorder), unless for immediate post-operative pain relief, which may not exceed a seven-day supply. Practitioners may issue any appropriate renewal, refill, or new prescription, upon subsequent consultation. Effective July 1, 2018.

Section 6 enacts new GS 90-106.3 (Disposal of residual pain prescriptions following death of hospice or palliative care patient). Directs hospice or palliative care providers who prescribe Schedule II through V controlled substances to patients in their home to make diligent efforts to ensure that residual portions of the substance are safely disposed of following the death of the patient. Effective July 1, 2017.

Section 7 enacts new GS 58-51-56 (Limitation on co-payments for limited, initial opioid prescriptions). Directs health benefit plans to charge a co-payment for a limited, initial prescription of a Schedule II through V controlled substance in an amount that is either proportional between the co-payment charged for a 30-day supply of the controlled substance and the amount prescribed to the beneficiary, or equal to the co-payment charged for a 30-day supply, provided that the beneficiary will not be charged any additional co-payments for subsequent prescriptions for the remainder of the 30-day supply. Effective July 1, 2018.

Section 8 amends GS 90-113.27(b)(2). Clarifies that State funds may not be used to purchase needles, hypodermic syringes, or other injection supplies in syringe exchange programs (currently prohibits use of public funds). Effective July 1, 2017.

Section 9 amends GS 90-113.72. Amends the definition of dispenser to no longer exclude persons licensed to practice veterinary medicine. Defines pharmacy as a person or entity holding a valid pharmacy permit. Makes technical changes.

Section 10 amends GS 90-113.73. Amends the Schedule II through V prescription reporting deadline for dispensers to require a report no later than 24 hours after a prescription is delivered (currently required at close of business three days after the date of delivery). Directs the Department of Health and Human Services (DHHS) to assess a civil penalty up to \$250 against a pharmacy that employs a dispenser who fails to comply with the reporting requirements within a reasonable period of time after being informed by DHHS that required information is missing or incomplete for a first, and a civil penalty up to \$500 for each



subsequent violation, up to a maximum of \$10,000 per pharmacy per calendar year. Each day of a continuing violation constitutes a separate violation. Proceeds of the penalty must be deposited to the Civil Penalty and Forfeiture Fund. Directs the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services to adopt rules to implement the penalty requirements, including factors to be considered in determining the amount of the penalty. Makes a conforming change to the statute's caption.

Section 11 amends GS 90-113.74(b1). Authorizes DHHS to notify practitioners of prescribing behavior that increases risk of diversion of controlled substances, increases risk of patient harm, or is an outlier among other practitioner behavior.

Section 12 amends GS 90-113.74(c). Authorizes DHHS to release Controlled Substances Reporting System (CSRS) data to third-party payers and their agents, for the purposes of claimant case management, detection of inappropriate prescriptions of controlled substances to a claimant, or detection of misuse or diversion of a controlled substance by a claimant.

Section 13 enacts new GS 90-113.74A through GS 90-113.75C, as described below, effective September 1, 2017.

New GS 90-113.74A (Mandatory dispenser registration for access to CSRS) directs pharmacy licensees to demonstrate to the North Carolina Board of Pharmacy that he or she is registered for access to CSRS within 30 days of obtaining an initial or renewal license. Violation of this requirement may be cause for the Board of Pharmacy to suspend or revoke the license.

New GS 90-113.74B (Practitioner use CSRS; mandatory reporting of violations) directs practitioners, prior to prescribing Schedule II through V controlled substances, to review information in CSRS regarding the patient for the 12 months preceding the initial prescription, and to consult CSRS information for the 12 months preceding each subsequent three-month period that the substance remains part of the patient's medical care, and to document each instance of review in the patient's medical record, as well as instances in which review is not possible due to the unavailability of CSRS due to some technological failure, and directs the practitioner to review the information when the CSRS becomes available again, and to document that review in the patient's medical record. Authorizes, but does not direct, practitioners to review information in the CSRS before prescribing a Schedule II through V controlled substance in other circumstances. Directs DHHS to conduct periodic audits of prescribers' compliance with this section, and to report violations to the appropriate licensing board. Violations may constitute cause for suspension or revocation of a prescriber's license.

New GS 90-113.74C (Dispenser use of CSRS) directs dispensers to review patients' information in the CSRS for the preceding 12-month period prior to dispensation in several circumstances, including whenever the dispenser has a reasonable belief that the ultimate user may be seeking a Schedule II through V controlled substance for any reason other than treatment of the ultimate user's existing medical condition. Directs a dispenser to withhold delivery of prescribed Schedule II through V substances whenever the dispenser has reason to believe the prescription is fraudulent or duplicative, until the dispenser is able to contact the prescriber and determine that the prescription is medically appropriate. Protects dispensers from civil or criminal liability for actions authorized by this subsection.

New GS 90-113.75A (Creation of CSRS Fund) creates the fund as indicated in the caption as a special revenue fund. Directs DHHS to administer the fund and use it only for the operation of the reporting system and to carry out the provisions of GS Chapter 90, Article 5E. The fund consists of moneys transmitted to the fund pursuant to new GS 90-113.75B, appropriated by the General Assembly, or received for deposit into the fund. Interest that accrues to the fund shall be credited to the Fund, and remaining balances at the end of any fiscal year remain in the fund.

New GS 90-113.75B (CSRS fee) directs, beginning January 1, 2018, each licensing board that issues licenses authorizing prescription of controlled substances for medical care to impose an annual CSRS fee of \$20 upon the licensee, at the same time as the initial or renewal license fee imposed on the licensee, and to retain 10% of the total fee to cover the costs of collecting and providing an accounting of all moneys received as payment of this fee. Directs the licensing boards to transmit the remaining 90% of the moneys collected by this fee to the CSRS Fund on the first day of each calendar quarter. Does not apply to individuals licensed to practice veterinary medicine.

New GS 90-113.75C (annual report to General Assembly and licensing boards) directs DHHS to report annually, on November 1, beginning on November 1, 2018, to the Joint Legislative Oversight Committee on Health and Human Services, the North Carolina Medical Board, the North Carolina Board of Nursing, the North Carolina Dental Board, the North Carolina Veterinary Medical Board, and the North Carolina Board of Pharmacy on data reported to the CSRS. The report must include eight types of information on Schedule II through V substances reported during the preceding calendar year, including the total number of

prescriptions dispensed, broken down by Schedule, and the demographics about the ultimate users to whom prescriptions were dispensed.

Section 14 appropriates \$10 million each for 2017-18 and 2018-19 from the General Fund to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to be used for increasing the availability of community-based treatment and recovery services for substance use disorders. These funds do not supplant existing funds for this purpose. Effective July 1, 2017.

Except as otherwise indicated, the bill is effective when it becomes law and applies to acts committed on or after the date the State Chief Information Officer notifies the Revisor of Statutes that (1) the upgrades to the CSRS database described in SL 2016-94, section 12F.7(a)(1 & 2) have been completed and (2) the upgraded CSRS database is fully operational within the Department of Information Technology and connected to the statewide health information exchange.

**Intro. by J. Davis, McInnis, Rabon.**

[APPROP, GS 58, GS 90](#)

[View summary](#)

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

S176 (2017-2018) [MODERNIZE PHYSICAL THERAPY PRACTICE](#). Filed Mar 2 2017, *AN ACT UPDATING THE DEFINITION OF PHYSICAL THERAPY TO INCLUDE MANIPULATION OF THE SPINE WITHOUT A PRESCRIPTION FROM A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THIS STATE.*

Identical to [H 187](#) filed on 2/23/17.

Amends GS 90-270.24, as the title indicates. Effective October 1, 2017.

**Intro. by Pate.**

[GS 90](#)

[View summary](#)

**Health and Human Services, Health, Health Care Facilities  
and Providers**

S 177 (2017-2018) [MODERNIZE PHYSICAL THERAPY PRACTICE](#). Filed Mar 2 2017, *AN ACT UPDATING THE DEFINITION OF PHYSICAL THERAPY TO INCLUDE MANIPULATION OF THE SPINE WITHOUT A PRESCRIPTION FROM A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THIS STATE.*

Identical to [H 187](#), filed 2/23/17.

Amends GS 90-270.24, as the title indicates. Effective October 1, 2017.

**Intro. by Pate, Rabin, Krawiec.**

[GS 90](#)

[View summary](#)

**Health and Human Services, Health, Health Care Facilities  
and Providers**

S 178 (2017-2018) [LTD. DRIVING/REMOVE WAIT FOR FIRST OFFENSE](#). Filed Mar 2 2017, *AN ACT TO REMOVE THE FORTY-FIVE-DAY PERIOD A PERSON CONVICTED OF A FIRST IMPAIRED DRIVING OFFENSE WITH AN ALCOHOL CONCENTRATION OF 0.15 OR ABOVE MUST WAIT PRIOR TO LIMITED DRIVING PRIVILEGES BECOMING EFFECTIVE.*

Amends GS 20-179.3. Makes the provision delaying by 45 days the issuance of limited driving privileges to persons convicted of impaired driving with a blood alcohol concentration of .15 or more inapplicable to persons who have not previously been

convicted of impaired driving. Does not authorize the issuance of limited driving privileges to a person otherwise ineligible under this statute. Makes technical changes.

Effective December 1, 2017, and applies to limited driving privileges issued on or after that date.

**Intro. by D. Davis.**

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

## LOCAL/HOUSE BILLS

H 12 (2017-2018) [COMMUNITY COLLEGE BOARDS OF TRUSTEES \(NEW\)](#). Filed Jan 25 2017, *AN ACT TO MODIFY THE APPOINTMENT METHODS OF CERTAIN COMMUNITY COLLEGE BOARDS OF TRUSTEES*.

House amendment #3 makes a technical change to amendment #2, adopted the previous day, by deleting a duplicate word.

**Intro. by Burr.**

Brunswick, Cabarrus, Cleveland, Craven, Davidson, Duplin, Gaston, Lenoir, Rowan, Stanly

[View summary](#)

[Education, Higher Education](#)

H 14 (2017-2018) [COMMUNITY COLLEGE BOARDS OF TRUSTEES](#). Filed Jan 25 2017, *AN ACT TO MODIFY THE APPOINTMENT METHODS OF CERTAIN COMMUNITY COLLEGE BOARD OF TRUSTEES*.

House amendment #4 amends the 2nd edition, as amended, as follows. Makes the proposed changes to GS 115D-12 set out in Section 1 of the act, concerning the appointment of the Cape Fear Community College, Montgomery Community College, Nash Community College, Rockingham Community College, and Wayne Community College boards of trustees, also applicable to the Piedmont Community College board of trustees.

**Intro. by Burr.**

Montgomery, Nash, New Hanover, Person, Rockingham, Rutherford, Wake

[View summary](#)

[Education, Higher Education](#)

H 245 (2017-2018) [AMEND W-S CHARTER/CERTAIN CANDIDATES](#). Filed Mar 2 2017, *AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM TO ESTABLISH A UNIFORM PROCESS FOR THE ELECTION OF INDEPENDENT OR NONPARTISAN CANDIDATES IN MUNICIPAL ELECTIONS*.

Amends SL 1927-232, as amended, by amending the Winston-Salem city charter to require the Forsyth County Board of Elections to include among the candidates for municipal office, as independent or nonpartisan candidates, the name of any qualified voter who has been requested to be a candidate for office in accordance with the uniform municipal election laws under GS Chapter 163, Subchapter IX (deletes the specified petition requirements in the charter).

**Intro. by Conrad, Terry, Lambeth, Hanes.**

Forsyth

[View summary](#)

[Government, Elections](#)

H 253 (2017-2018) [SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS](#). Filed Mar 2 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO ALLEGHANY COUNTY SCHOOLS, ASHE COUNTY SCHOOLS, AND WILKES COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR.*

Identical to [S 110](#), filed 2/16/17.

Includes several whereas clauses.

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. Applies only to the Alleghany County Schools, Ashe County Schools, and Wilkes County Schools. Applies beginning with the 2017-18 school year.

**Intro. by Jordan, Elmore, Stevens.**

[Alleghany, Ashe, Wilkes](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 9: ALLOW ELECTION DAY SERVICE - RETIRED LEOS.**

*House: Placed On Cal For 03/06/2017*

#### **H 24: STUDY UNFUNDED LIABILITY/RETIREE HEALTH FUND.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

#### **H 31: MATERIAL FACT DISCLOSURE CLARIFICATIONS.**

*House: Withdrawn From Cal*

*House: Re-ref Com On Transportation*

#### **H 32: LIMITED CIVIL IMMUNITY/SKI PATROL VOLUNTEERS.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

#### **H 65: REQ ACTIVE TIME FELONY DEATH MV/BOAT.**

*House: Withdrawn From Cal*

*House: Placed On Cal For 03/06/2017*

#### **H 81: STI/REGIONAL & DIVISION WEIGHTING.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

#### **H 87: ESSA PLAN SUBMISSION.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

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

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**H 97: ARTS EDUCATION REQUIREMENT.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

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

*House: Passed 2nd Reading*

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

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

**H 119: CLARIFY VACANCY ELECTIONS - COUNTY COMMISSION.**

*Senate: Reptd Fav*

**H 142: INCREASE OVERSIGHT OF OLBS.**

*House: Placed On Cal For 03/06/2017*

**H 158: SPECIAL ASSESSMENTS/CRITICAL INFRASTRUCTURE.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**H 159: CHARTER SCHOOL TSERS ELECTION.**

*House: Withdrawn From Com*

*House: Re-ref Com On Pensions and Retirement*

**H 162: AMEND ADMINISTRATIVE PROCEDURE LAWS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 194: SBCC ELECTIONS.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

*Senate: Withdrawn From Com*

*Senate: Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate*

**H 212: ZETA PHI BETA SPECIAL REGISTRATION PLATE.**

*House: Passed 1st Reading*

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

**H 214: AUTOCYCLES/NO HELMET REQUIRED.**

*House: Passed 1st Reading*

*House: RefTo Com On Transportation*

**H 215: STATE OF STATE.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

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

**H 216: DOC AND JJ COMBINED RECORDS.**

*House: Passed 1st Reading*

*House: RefTo Com On Judiciary II*

**H 219: TRANSPORTATION MEGAPROJECT FUNDING.**

*House: Passed 1st Reading*

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

**H 220: STATE INFRASTRUCTURE BANK REVISIONS.**

*House: Passed 1st Reading*

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

**H 221: REPEAL HB2.**

*House: Passed 1st Reading*

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

**H 222: STATE AUDITOR/SHARING RECORDS.-AB**

*House: Passed 1st Reading*

*House: RefTo Com On State and Local Government II*

**H 223: DISABLED VETERAN PLATE FOR MOTORCYCLES.**

*House: Passed 1st Reading*

*House: RefTo Com On Transportation*

**H 224: WARRANT CHECK OF INMATES IN CUSTODY.**

*House: Passed 1st Reading*

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

**H 225: PROPERTY TAKEN NOT PRECLUDE ATTEMPTED ROBBERY.**

*House: Passed 1st Reading*

*House: RefTo Com On Judiciary II*

**H 226: CONSULTATION REQUIREMENTS FOR DHHS.**

*House: Passed 1st Reading*

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

**H 227: PRESERVE TENANCY BY THE ENTIRETY.**

*House: Passed 1st Reading*

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

**H 228: POSTPONE ASSUMED NAME REVISIONS.**

*House: Passed 1st Reading*

*House: RefTo Com On Commerce and Job Development*

**H 229: GSC TECHNICAL CORRECTIONS 2017.**

*House: Passed 1st Reading*

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

**H 230: REVISED UNIFORM ATHLETE AGENTS ACT.**

*House: Passed 1st Reading*

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

**H 242: LICENSE PLATE READER SYSTEMS IN STATE ROWS.**

*House: Filed*

**H 243: STRENGTHEN OPIOID MISUSE PREVENTION (STOP)ACT.**

*House: Filed*

**H 244: PUBLIC PARTICIPATION/COMPOSTING FACILITIES.**

*House: Filed*

**H 246: FORSYTH TECH MULTICAMPUS FUNDS.**

*House: Filed*

**H 247: LIMIT SOLDIERS' COMMUNITY COLLEGE TUITION.**

*House: Filed*

**H 248: ESTABLISH AGING SUBCOMMITTEE OF JLOC HHS.**

*House: Filed*

**H 249: ECONOMIC TERRORISM.**

*House: Filed*

**H 250: BODY ART REGULATION CHANGES.**

*House: Filed*

**H 251: ALLOW CONCEALED CARRY ON UNC & CC CAMPUSES.**

*House: Filed*

**H 252: BUILDING CODE REGULATORY REFORM.**

*House: Filed*

**S 64: VETERANS' HISTORY AWARENESS MONTH.**

*Senate: Withdrawn From Com*

*Senate: Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate*

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

*Senate: Reptd Fav*

**S 120: SEC. MILITARY/VETERANS AFFAIRS CONFIRMATION.**

*Senate: Withdrawn From Com*

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

*Senate: Reptd Fav*

**S 124: LEO MANAGED CBD OIL DROP BOX.**

*Senate: Reptd Fav*

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

**S 131: REGULATORY REFORM ACT OF 2016.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 134: SENATE 2017 UNC BOARD OF GOVERNORS ELECTION.**

*Senate: Amend Adopted A1*

*Senate: Adopted*

**S 153: MILITARY STATE INCOME TAX RELIEF.**

*Senate: Passed 1st Reading*

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

**S 154: CHARITABLE FUNDRAISING FOR NONPROFIT ORGS.**

*Senate: Passed 1st Reading*

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

**S 155: ECONOMIC & JOB GROWTH FOR NC DISTILLERIES.**

*Senate: Passed 1st Reading*

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

**S 156: PLUMBING & HEATING CONTRACTORS CHANGES.**

*Senate: Passed 1st Reading*

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

**S 157: AMEND LAWS REGARDING MENTAL COMMITMENT BARS.**

*Senate: Passed 1st Reading*

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

**S 158: ENGLISH PROFICIENCY REQ./MASSAGE THERAPY LIC.**

*Senate: Passed 1st Reading*

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

**S 159: ACCESS TO SPORTS/EXTRACURR. FOR ALL STUDENTS.**

*Senate: Passed 1st Reading*

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

**S 160: HANDICAP PARKING PRIVILEGE CERTIFICATION.**

*Senate: Passed 1st Reading*

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

**S 161: CONFORMING CHANGES LME/MCO GRIEVANCES/APPEALS.**

*Senate: Passed 1st Reading*

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

**S 162: LEO ASSISTANCE AND PROTECTION ACT OF 2017.**

*Senate: Passed 1st Reading*

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

**S 163: SOLID WASTE AMENDMENTS.**

*Senate: Passed 1st Reading*

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

**S 165: WORKERS' COMP./CLARIFY MEDICARE METHODOLOGY.**

*Senate: Passed 1st Reading*

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



**S 166: EXPAND LOCAL OPTION SALES TAX FOR EDUCATION.**

*Senate: Passed 1st Reading*

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

**S 168: SUBSIDY RECIPIENTS TO COOPERATE/CHILD SUPPORT.**

*Senate: Passed 1st Reading*

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

**S 169: TEACHING EXCELLENCE BONUS EXPANSION.**

*Senate: Passed 1st Reading*

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

**S 170: REMOVE LIMITS ON LIGHT RAIL FUNDING.**

*Senate: Passed 1st Reading*

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

**S 171: REMOVE LIMITS ON LIGHT RAIL FUNDING.**

*Senate: Passed 1st Reading*

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

**S 172: REMOVE LIMITS ON LIGHT RAIL FUNDING.**

*Senate: Passed 1st Reading*

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

**S 173: HOUSING JUVENILES UNDER 18 IN COUNTY FACILITY.**

*Senate: Passed 1st Reading*

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

**S 174: ECONOMIC SECURITY ACT OF 2017.**

*Senate: Passed 1st Reading*

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

**S 175: STRENGTHEN OPIOID MISUSE PREVENTION (STOP)ACT.**

*Senate: Filed*

**S 176: MODERNIZE PHYSICAL THERAPY PRACTICE.**

*Senate: Filed*

**S 177: MODERNIZE PHYSICAL THERAPY PRACTICE.**

*Senate: Filed*

**S 178: LTD. DRIVING/REMOVE WAIT FOR FIRST OFFENSE.**

*Senate: Filed*

**LOCAL BILLS**

**H 12: COMMUNITY COLLEGE BOARDS OF TRUSTEES (NEW).**

*House: Amend Adopted A3*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 14: COMMUNITY COLLEGE BOARDS OF TRUSTEES.**

*House: Amend Adopted A4*

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 151: STANLY CTY/ECONOMIC DEVELOPMENT COMMISSION.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 213: SCHOOL CALENDAR FLEXIBILITY/WAKE COUNTY.**

*House: Passed 1st Reading*

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

**H 217: DOMESTIC VIOLENCE FATALITY REVIEW IN BUNCOMBE.**

*House: Passed 1st Reading*

*House: RefTo Com On Judiciary IV*

**H 218: PROHIBIT HUNTING FROM ROW/BUNCOMBE COUNTY.**

*House: Passed 1st Reading*

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

**H 231: SCHOOL CALENDAR FLEX./MARTIN COUNTY.**

*House: Passed 1st Reading*

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

**H 245: AMEND W-S CHARTER/CERTAIN CANDIDATES.**

*House: Filed*

**H 253: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.**

*House: Filed*

**S 164: 27TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

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

**S 167: 30TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Passed 1st Reading*

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