

The Daily Bulletin: 2017-03-09**PUBLIC/HOUSE BILLS**

H 144 (2017-2018) [CREDIT UNION/TRUST INSTITUTION CHANGES](#). Filed Feb 21 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE GENERAL STATUTES TO INCLUDE CREDIT UNIONS BY REFERENCING FEDERALLY INSURED DEPOSITORY INSTITUTIONS AND TO INCLUDE TRUST INSTITUTIONS, TO DECREASE THE FREQUENCY OF EXAMINATIONS BY THE ADMINISTRATOR OF CREDIT UNIONS, AND TO CORRECT A CITATION.*

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

Amends GS 20-63.01(c) (regarding bonds required for commission contractors), GS 42A-17(a) (regarding vacation rental security deposits), GS 85B-7.1(a) (regarding auctioneers' escrow accounts), GS 85B-8 (regarding auctioneers' escrow accounts), GS 86A-22(7) (regarding bonds required for barber schools), GS 88B-17(c) (regarding bonds required for private cosmetic art schools), GS 90-171.55(b)(3) (regarding bonds required for nurses aides), GS 93A-42(d) (regarding time share purchase escrow accounts), GS 93A-45(c) (regarding time share purchase escrow accounts), by combining changes made throughout the bill to authorize various deposits and bonds currently authorized to be deposited in a federally insured depository institution also to be deposited in trust institutions authorized to do business in this State.

Amends GS 54-109.16 to direct the Administrator of Credit Unions to cause every credit union formed under GS Chapter 54, Article 14A, to be examined once every 18 months or (was, and) whenever the Administrator deems necessary.

Makes technical and conforming changes.

Intro. by Szoka, J. Bell, Howard, Henson.

[GS 1A, GS 20, GS 36C, GS 42, GS 42A, GS 47A, GS 47C, GS 54, GS 85B, GS 86A, GS 88B, GS 90, GS 93A](#)

[View summary](#)

[Banking and Finance, Business and Commerce, Courts/Judiciary, Civil, Civil Law, Civil Procedure, Motor Vehicle, Development, Land Use and Housing, Health and Human Services, Health, Health Care Facilities and Providers](#)

H 199 (2017-2018) [ESTABLISH STANDARDS FOR SURGICAL TECHNOLOGY](#). Filed Feb 27 2017, *AN ACT ESTABLISHING STANDARDS FOR SURGICAL TECHNOLOGY CARE IN HOSPITALS AND AMBULATORY SURGICAL FACILITIES.*

House amendment #1 adds to the continuing education requirement set out in proposed GS 131E-79.3(d) and GS 131E-147.2(d) to additionally require individuals who qualify to practice surgical technology by meeting the requirements set forth in the exception set out in subsection (f) to satisfy the annual 15-hour continuing education requirement in order for a hospital or an ambulatory surgical facility to contract or employ the individual to practice.

Intro. by Murphy, Lambeth.

[GS 131E](#)

[View summary](#)

[Health and Human Services, Health, Health Care Facilities and Providers](#)

H 240 (2017-2018) [GA APPOINT FOR DISTRICT COURT VACANCIES](#). Filed Mar 1 2017, *AN ACT TO PROVIDE THAT DISTRICT COURT VACANCIES SHALL BE FILLED BY APPOINTMENT OF THE GENERAL ASSEMBLY.*

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

Amends proposed new GS 7A-142(c) and proposed new GS 7A-142(d) to require vacancy appointees to the district court bench be residents of the district where the vacancy occurs.

Intro. by Burr, K. Hall, Saine, Bumgardner.

GS 7A

[View summary](#)

Courts/Judiciary, Court System, Government, General Assembly, State Government, Executive

H 302 (2017-2018) **DODEA/CLINICAL EDUCATORS FOR STUDENT TEACHING**. Filed Mar 9 2017, *AN ACT TO PROVIDE FOR CLINICAL EDUCATORS TO INCLUDE EDUCATORS EMPLOYED AT DEPARTMENT OF DEFENSE SCHOOLS*.

Current law requires the State Board of Education to adopt and establish rules for educator preparation in accordance with six detailed requirements. One of those specifications requires the educator preparation program to ensure that clinical educators who supervise students in residencies or internships are (1) professionally licensed in the field of licensure sought by the student, (2) have a minimum of three years of experience in a teaching role, and (3) have been rated at least at the accomplished level as part of the North Carolina Teacher Evaluation System through formal evaluations and have met expectations as part of student growth in the field of licensure sought by the student. This act adds an alternative to satisfy that third prong, concerning supervisors having been at least rated at the accomplished level, to alternatively allow for clinical educators that are employed by the Department of Defense elementary and secondary schools located in the State and established pursuant to 10 USC 2164 who have been rated as fully successful in all areas of the Department of Defense Education Activity teacher evaluation instrument. Similarly, requires clinical educators employed by the Department of Defense schools to also have met expectations as part of student growth in the field of licensure sought by the student if that student growth measure exists. Makes technical changes.

Applies beginning with the 2017 fall academic semester.

Intro. by Szoka, Lucas, G. Martin, Shepard.

GS 115

[View summary](#)

Education, Elementary and Secondary Education, Military and Veteran's Affairs

H 303 (2017-2018) **VOTER FREEDOM ACT**. Filed Mar 9 2017, *AN ACT REGARDING THE REQUIRED PROOF SUFFICIENT TO CHALLENGE A PERSON'S ELIGIBILITY TO VOTE*.

Identical to [S 228](#), filed 3/9/17.

Includes several whereas clauses.

Amends GS 163-85, setting out the procedure to challenge the right of any person to register, remain registered, or vote other than on the day of a primary, general, or special election, to establish that any registered voter of the precinct can challenge the voting rights of any person in the same precinct in accordance with the statute (currently, refers to the county instead of precinct).

Under current law, presenting a returned first-class letter from the address listed on a person's voter registration card is prima facie evidence that the voter no longer resides in the precinct. Establishes that evidence of a returned mailing, on its own and absent affirmative proof, is not sufficient to sustain the burden of proof required under GS 163-90.1 in either a preliminary hearing under GS 163-85(d) or a challenge hearing under GS 163-86.

Prohibits sustaining a challenge on the basis of a change in residency except by (1) written confirmation of the registrant of a change that renders the registrant ineligible to vote in the county, (2) notification from another county or state that the registrant have registered to vote in that county or state, or (3) exhaustion of the notice provisions required by the National Voter Registration Act.

Amends GS 163-86 by amending the language of the oath, setting forth the oath or affirmation and submission of an affidavit required of a challenged registrant at a challenge hearing, to allow the challenge to be sustained if the challenged registrant refuses to take the tendered oath or submit the required affidavit only if the board of elections determines from evidence at the hearing that the challenged registrant received actual notice of the challenge and the hearing. Further provides that in the absence of a determination that the challenged registrant received actual notice of the challenge and the hearing, the board of elections must review the registration of the voter for inclusion in the list maintenance process under GS 163-82.14.

Amends GS 163-90.1, concerning the burden of proof of a challenger, to allow a challenge to be made only if the challenger knows or reasonably believes a person is not qualified and entitled to vote (currently, can also challenge if challenger suspects a person to not be qualified and entitled to vote). Adds a new requirement that the challenger must demonstrate to the board of elections the basis for which the challenger knows or reasonably believes the person is not qualified or entitled to vote. Makes conforming changes to provide that evidence of a returned mailing as set out in GS 163-85(e) is not on its own sufficient to constitute demonstrated knowledge and belief of a person's qualifications to vote, nor is it sufficient on its own to constitute the affirmative proof required for a challenge to be sustained under GS 163-90.1. Establishes that the challenged registrant's name can not be released nor is it public record until the challenger demonstrates to the board of elections the burden of proof required by this statute to establish the likelihood the challenge will be sustained.

Applies to elections held on or after the date the act becomes law.

Intro. by Pierce.

[GS 163](#)

[View summary](#)

Government, Elections

H 304 (2017-2018) [DOT/MAINTAIN DRIVEWAYS USED BY SCHOOL BUSES](#). Filed Mar 9 2017, *AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO MAINTAIN AND KEEP IN REPAIR CERTAIN PRIVATE DRIVEWAYS USED BY PUBLIC SCHOOL BUSES FOR THE PURPOSE OF TURNING THE SCHOOL BUS AROUND.*

Amends GS 136-18(17) to authorize and direct the Department of Transportation to maintain and keep in repair any private driveway used by a public school bus for the purpose of turning the school bus around. To be eligible, requires the owner of the driveway to submit written consent to the superintendent of the local school administrative unit authorizing the driveway to be used for that purpose.

Makes technical changes.

Intro. by C. Graham.

[GS 136](#)

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, Department of Transportation,
Transportation**

H 305 (2017-2018) [SCHOOL BOARDS CAN'T SUE COUNTIES](#). Filed Mar 9 2017, *AN ACT REPEALING THE STATUTORY AUTHORITY FOR A LOCAL BOARD OF EDUCATION TO FILE A LEGAL ACTION CHALLENGING THE SUFFICIENCY OF THE FUNDS APPROPRIATED BY THE BOARD OF COUNTY COMMISSIONERS.*

Amends GS 115C-431 to repeal language that would have allowed a dispute between a board of education and a board of county commissioners about the sufficiency of education funds to enter mediation and then be appealed to the courts. Provides that the decision of the county commissioners is final. Prohibits the local board of education from filing any legal action challenging the sufficiency of the funds appropriated by the board of county commissioners. Makes conforming change to GS 115C-432(a). Effective when it becomes law and applies beginning with budget ordinances adopted on or after that date.

Intro. by Conrad, Potts, Ford, Wray.

[GS 115C](#)

[View summary](#)

**Education, Elementary and Secondary Education,
Government, Budget/Appropriations, Local Government**

H 306 (2017-2018) **E-VERIFY REQUIRED - ALL GOVERNMENT CONTRACTS**. Filed Mar 9 2017, *AN ACT TO REQUIRE ALL CONTRACTORS AND SUBCONTRACTORS DOING BUSINESS WITH THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE TO USE E-VERIFY*.

Amends GS 143-133.3 to prohibit boards and governing bodies of the State, institutions of State government, and political subdivisions of the State from entering contracts unless the contractor and any subcontractors verify the work authorization of each employee through E-verify. Compliance is satisfied by a term in the contract stating the requirement.

Effective October 1, 2017, and applies to contracts awarded on or after that date.

Intro. by Millis, Cleveland, Conrad, Collins.

GS 143

[View summary](#)

**Business and Commerce, Employment and Retirement,
Government, State Government, Local Government,
Immigration**

H 307 (2017-2018) **BOARD CERT. BEHAVIOR ANALYST/AUTISM COVERAGE**. Filed Mar 9 2017, *AN ACT TO ALLOW ADAPTIVE BEHAVIOR TREATMENT COVERED BY A HEALTH BENEFIT PLAN TO BE PROVIDED OR SUPERVISED BY A BOARD CERTIFIED BEHAVIOR ANALYST*.

Under current law, GS 58-3-192 prohibits an insurer from terminating coverage or refusing to issue, amend, or renew coverage to an individual solely because the individual is diagnosed with autism spectrum disorder or has received treatment for autism spectrum disorder. This act amends the definition of adaptive behavior treatment to include treatment provided or supervised by a board certified behavior analyst. Makes conforming changes.

Effective July 1, 2017, and applies to insurance contracts issued, renewed, or amended on or after that date.

Intro. by McGrady, Shepard, Jackson, Murphy.

GS 58

[View summary](#)

Health and Human Services, Health, Health Insurance

H 308 (2017-2018) **NO INSURANCE WHILE DRIVING/TOW VEHICLE**. Filed Mar 9 2017, *AN ACT TO REQUIRE THE TOWING AND STORAGE OF A VEHICLE BEING OPERATED BY A DRIVER WHO IS CHARGED WITH FAILING TO MAINTAIN FINANCIAL RESPONSIBILITY*.

Amends GS 20-313, which makes it a Class 3 misdemeanor for an owner to operate or permit the operation of a motor vehicle without the required financial responsibility, to require the charging law enforcement officer to have the vehicle driven by the person charged with a violation towed and stored. Authorizes a person in custody of a vehicle towed and stored pursuant to this provision to charge a reasonable fee not to exceed \$10 per day. Requires a person in custody of a vehicle towed and stored to release the vehicle to its owner when (1) the owner presents proof to the charging law enforcement agency of financial responsibility required by Article 13 of GS Chapter 20 covering the vehicle for a period of at least six months and the owner receives the charging law enforcement agency's acknowledgment of the owner's compliance and (2) the owner submits to the person in custody of the vehicle the charging law enforcement agency's document acknowledging compliance along with payment in full of any towing and storage costs.

Establishes that the person in custody of the vehicles has a mechanic's lien on the vehicle for the full amount of towing and storage, and can dispose of the vehicle pursuant to Article 1 of GS Chapter 44A (Possessory liens on personal property) if the

owner of a vehicle towed and stored pursuant to the statute's new provisions does not obtain release of the vehicle within 90 days from the date the vehicle was towed and stored.

Clarifies that the statute does not alter or supersede other law requiring the seizure of a vehicle when a person is charged with a violation of law arising out of the same transaction requiring seizure of the vehicle under this statute.

Makes organizational and clarifying changes. Makes conforming changes to GS 44A-2(d).

Effective December 1, 2017, and applies to charges filed on or after that date.

Intro. by Cleveland, Clampitt, Collins, Millis.

GS 20

[View summary](#)

Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle

H 309 (2017-2018) **RESPONSIBLE DEER MANAGEMENT ACT**. Filed Mar 9 2017, *AN ACT TO IMPOSE A DUTY TO AVOID WANTON WASTE ON PERSONS TAKING WILDLIFE UNDER A DEPREDATION PERMIT.*

Amends GS 113-274(c)(1a) to require owners or lessees who take wildlife while committing depredations upon the property to notify the Wildlife Resources Commission (Commission) within 24 hours by email or an internet-based reporting process. Authorizes the Commission to impose a duty to avoid wanton waste (defined as killing or crippling big game without making a reasonable effort to retrieve and properly dispose of the animal) on wildlife taken by an owner or lessee of land on their property. Authorizes the Commission to issue temporary rules to implement the act.

Effective October 1, 2017.

Intro. by Pittman, Henson.

GS 113

[View summary](#)

Animals

H 310 (2017-2018) **WIRELESS COMMUNICATIONS INFRASTRUCTURE SITING**. Filed Mar 9 2017, *WIRELESS COMMUNICATIONS INFRASTRUCTURE SITING.*

Section 1 sets forth seven findings by the General Assembly.

Section 2

Recodifies GS 160A-400.51(4a) defining *eligible facilities request* as GS 160A-400.51(4b), and GS 160A-400.51(7a) defining *substantial modification* as GS 160A-400.51(7b) as those terms apply to Part 3E of Article 19 of GS Chapter 160A (Wireless Telecommunications Facilities).

Makes the following changes to Part 3E of Article 19 of GS Chapter 160A, Wireless Telecommunications Facilities.

Clarifies that Part 3E does not authorize a city to require construction or installation of wireless facilities or to regulate wireless services other than as set forth in Part 3E.

Adds *applicable codes*, *city right-of-way*, *city utility pole*, *communications service provider*, *small wireless facility*, *wireless infrastructure provider*, *wireless provider*, *wireless services*, and *wireless services provider* to the defined terms in GS 160A-500.51. Amends the definitions provided for *collocation*, *utility pole*, and *wireless facility*.

Enacts GS 160A-400.54, providing that a city cannot prohibit, regulate, or charge for the collocation of small wireless facilities except as expressly provided in Part 3E. Defines a small wireless facility as a wireless facility that meets both of the following: (1) each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than six cubic feet; and (2) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet.

Prohibits a city from instituting, either expressly or in practice, a moratorium on filing, receiving, or processing applications, or issuing permits or any other approvals for the collocation of small wireless facilities. Requires small wireless facilities to be classified as permitted uses and not subject to zoning review or approval authorized by Article 19 of GS Chapter 160A (Planning and Regulation of Development) if they are collocated in a city right-of-way within any zoning district or outside of rights-of-way on any property other than property zoned exclusively for single-family residential use. Authorizes a city to require an applicant to obtain a building permit to collocate a small wireless facility so long as the permit is of general applicability and does not apply exclusively to wireless facilities. Details seven requirements a city must comply with in receiving applications for, processing, and issuing building permits to collocate a small wireless facility. Authorizes the city to charge a fee to offset the cost of reviewing and processing applications subject to specified limitations. Prohibits a city from requiring an application for routine maintenance or the replacement of wireless facilities with wireless facilities substantially similar or the same size or smaller. Allows a city to require a permit, subject to the requirements provided by subsections (d) and (e) of the statute (as discussed above), to work within a city right-of-way for the activities of routine maintenance or the replacement of wireless facilities with wireless facilities that are substantially similar or the same size or smaller.

Enacts GS 160A-400.55 prohibiting a city from entering into an exclusive arrangement with any person for use of the city rights-of-way for the construction, operation, marketing, or maintenance of wireless facilities or wireless support structures or the collocations of small wireless facilities. Clarifies that this statute applies to activities of a wireless provider within any city right-of-way. Sets forth qualifications for exemption from zoning review or approval authorized by Article 19 of GS Chapter 160A that a wireless provider wishing to undertake the collocation of wireless facilities and the construction, operation, modification, or maintenance of utility poles, wireless support structures, conduit, cable, and related appurtenances and facilities along, across, upon, and under any city right-of-way must satisfy. Provides that a city cannot prohibit the construction, modification, or maintenance of utility poles, wireless support structures, or wireless facilities that exceed the height limits set forth in subsection (c)(3) if those structures and facilities comply with applicable zoning requirements for the site. Requires applicants for use of a city's right-of-way to comply with the city's undergrounding requirements prohibiting communications service providers from installing structures in the rights-of-way without prior zoning approval in areas zoned for single-family residential use so long as those requirements are nondiscriminatory with respect to type of utility and do not prohibit the replacement of structures existing at the time of adoption of the requirements. Authorizes a city to charge a wireless provider for the use of a city right-of-way to construct, collocate, install, mount, maintain, modify, operate, or replace a wireless facility or wireless support structure if the city charges other communications service providers or publicly, cooperatively, or municipally owned utilities for similar uses of the right-of-way. Details limitations on the authorized charges. Clarifies that the provision is not intended to prevent a city from providing free access to city rights-of-way on a nondiscriminatory basis in order to facilitate the public benefits of deployment of wireless services. Allows a city to require a wireless provider to repair all damage to a city right-of-way directly caused by the activities of the wireless provider, and allows the city to undertake the repairs and charge the party the reasonable and documented costs if the wireless provider fails to make the repairs required by the city within a reasonable time after written notice.

Enacts GS 160A-400.56, providing for dispute resolution regarding fees or charges before the Utilities Commission pursuant to GS 62-350(c). Requires the city to allow the placement of a wireless facility or wireless support structure at a temporary rate of one-half of a city-proposed annual fee or charge or \$20, whichever is less, pending resolution of the dispute. Makes conforming changes to GS 62-350(c) and (e).

Enacts GS 160A-400.57 limiting the city's authority to adopt or enforce any ordinance, rule, regulation, or resolution that (1) regulates the design, engineering, construction, installation, or operation of any small wireless facility located in an interior structure or upon the site of any stadium or athletic facility or (2) requires a wireless provider to indemnify the city and its officers and employees as specified.

Effective July 1, 2017, and applies to applications for wireless communications infrastructure received by cities on or after that date. Requires any charge imposed by a city on wireless providers for use of rights-of-way owned, leased, or operated by a city to construct, collocate, install, mount, maintain, modify, operate, or replace a wireless facility or wireless support structure to comply with the requirements of GS 160A-400.55, as enacted, no later than January 1, 2018.

Section 3

Amends GS 136-18 to add to the powers of the Department of Transportation the duty to make reasonable rules, regulations, and ordinances for the placing, erection, change, or removal of wireless facilities that may contribute to the hazard upon or interfere with any State-maintained highways.

Enacts GS 136-18.3A to authorize the Department of Transportation (Department) to issue permits to wireless providers for the collocation of wireless facilities and the construction, operation, modification, or maintenance of utility poles, wireless support structures, conduit, cable, and related appurtenances and facilities for the provision of wireless services along, across, upon, and under the rights-of-way of State-maintained highways. Requires the permits and included requirements to be issued and administered in a reasonable and nondiscriminatory manner. Sets forth that a permit is deemed approved if the Department does not take action to approve or deny a permit application within 60 days of receipt. Authorizes the Department to charge a wireless provider for the use of rights-of-way of a State-maintained highway to construct, collocate, install, mount, maintain, modify, operate, or replace a wireless facility or wireless support structure as provided. Sets limitations on the authorized charges. Allows the Department to require a wireless provider to repair all damage to a right-of-way directly caused by the activities of the wireless provider, and allows the Department to undertake the repairs and charge the party the reasonable and documented costs if the wireless provider fails to make the repairs required by the Department within a reasonable time after written notice.

Intro. by Saine, Torbett, Wray.

[GS 62, GS 136, GS 160A](#)

[View summary](#)

**Government, State Agencies, Department of Transportation,
Local Government, Public Enterprises and Utilities**

H 311 (2017-2018) [STATE AUDITOR/VARIOUS AMENDMENTS.-AB](#) Filed Mar 9 2017, *AN ACT TO CLARIFY THAT THE OFFICE OF THE STATE AUDITOR DOES NOT HAVE OVERSIGHT AUTHORITY OVER LICENSING BOARDS, TO CLARIFY THAT THE OFFICE OF THE STATE AUDITOR IS NOT REQUIRED TO ADOPT UNNECESSARY RULES, TO REQUIRE A NON-STATE ENTITY THAT RECEIVES STATE FUNDS TO POST THE OFFICE OF THE STATE AUDITOR'S HOTLINE, TO CLARIFY THAT THE PRODUCTION OF DOCUMENTS TO THE OFFICE OF THE STATE AUDITOR DOES NOT WAIVE THE ATTORNEY CLIENT OR ATTORNEY WORK PRODUCT PRIVILEGES, AND TO ALLOW THE OFFICE OF THE STATE AUDITOR TO DETERMINE THE LENGTH OF TIME THAT A STATE AGENCY MAY RESPOND TO AN AUDIT OF ECONOMY AND EFFICIENCY OR AN AUDIT OF PROGRAM RESULTS.*

Amends GS 93B-4 to subject the books, records, and operations of each occupational licensing board to audit (was, oversight) by the State Auditor.

Amends GS 147-64.9 to require rules (was, rules and regulations) made and enforced by the Auditor to be reasonably necessary, as determined by the Auditor for the operation of the Auditor's office. Makes technical changes.

Amends GS 143C-6-23(g) to require non-state entities who are grantees or subgrantees of grant funds to conspicuously post in their offices the State Auditor's hotline telephone number, effective July 1, 2017.

Enacts new GS 147-64.7(d) to clarify that production of documents or information required under this statute for the State Auditor does not waive or impair attorney-client or attorney work product privileges.

Amends GS 147-64.6(c) to clarify that the window for an auditee's written response to an audit is a 15- to 30-day window. Directs the Auditor to determine the length of time, commensurate with the number and complexity of the audit findings.

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

Intro. by Riddell, Cleveland, Adcock, Floyd.

[GS 93B, GS 143B, GS 147](#)

[View summary](#)

**Business and Commerce, Occupational Licensing,
Government, State Agencies, Office of State Auditor**

H 312 (2017-2018) [CLARIFY RULES REVIEW COMMISSION REVIEW](#). Filed Mar 9 2017, *AN ACT TO CLARIFY THE STANDARDS FOR REVIEW BY THE RULES REVIEW COMMISSION.*

Amends GS 150B-21.9 to clarify that the Rules Review Commission must determine whether a rule is clearly within the authority delegated to the agency by the General Assembly.

Applies to rules determinations made on or after the date that the bill becomes law.

Intro. by Riddell, Bradford, Millis.

GS 150B

[View summary](#)

Government, APA/Rule Making

H 315 (2017-2018) **KELSEY SMITH ACT**. Filed Mar 9 2017, *AN ACT TO PROVIDE FOR WARRANTLESS ACCESS BY LAW ENFORCEMENT TO TELECOMMUNICATIONS DEVICE LOCATION INFORMATION UNDER CERTAIN CIRCUMSTANCES.*

Enacts new Article 16C, Provision of Wireless Call Location to Law Enforcement, in GS Chapter 15A. Requires a wireless services provider to give call location information for the device of a user to a requesting law enforcement agency or public safety answering point; only allows the request to be made in an emergency situation involving an imminent risk of death or serious physical harm. Provides that no civil action can be brought against the provider or specified persons for providing the call location data if the provider acted in good faith reliance upon the representations of the law enforcement agency or public safety answering point. Requires the State Bureau of Investigation to keep a database of emergency contact information for all wireless telecommunications carriers registered to do business in the state and make the information available when requested to all public safety answering points in the state.

Effective July 1, 2017.

Intro. by Hurley, Faircloth, McNeill, Williams.

GS 15A

[View summary](#)

Business and Commerce, Courts/Judiciary, Civil, Civil Law, Government, Public Safety, State Government

H 316 (2017-2018) **CATAWBA VALLEY CC/MANUFACTURING CENTER**. Filed Mar 9 2017, *AN ACT TO CODIFY THE ESTABLISHMENT OF THE MANUFACTURING SOLUTIONS CENTER AT CATAWBA VALLEY COMMUNITY COLLEGE.*

Enacts new GS Chapter 115D, Article 5B.

Sets out the purpose of the Manufacturing Solutions Center (Center) at Catawba Valley Community College (College). Directs the president of the College to appoint an individual to serve as the executive director of the Center. Directs the executive director to select Center personnel, subject to approval by the president of the College. Subjects executive director and Center personnel to personnel policies of the College. Directs that fees collected by the Center for services to industry, except for regular curriculum and continuing education tuition receipts, are retained by the Center and used for its operations. Exempts purchases made by the Center from GS Chapter 143, Article 3 (regarding state institution purchases and contracts). Directs the Center to notify the Secretary of the Department of Administration, or the Secretary's designee, of the intent to enter into contracts that exceed \$1 million, and to include in all agreements or contracts awarded by the Center a clause allowing the State Auditor and Center auditors to audit the contractor's records during and after the term of the contract. Prohibits the Center from awarding a cost plus percentage of cost agreement or contract.

Intro. by Adams, Torbett.

GS 115D

[View summary](#)

Business and Commerce, Education, Higher Education

H 317 (2017-2018) **SURCHARGE TRANSPARENCY**. Filed Mar 9 2017, *AN ACT TO PROVIDE THAT NORTH CAROLINA AUTO INSURANCE SURCHARGES IMPOSED TO SUBSIDIZE THE LOSSES OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY BE CLEARLY COMMUNICATED TO POLICYHOLDERS.*

Identical to [S 137](#) filed on 2/28/17.

Amends GS 58-37-40(f) concerning certain NC auto insurance surcharges, providing that such surcharges imposed to subsidize the losses of the NC Motor Vehicle Reinsurance Facility must be itemized and displayed to the policyholder at the time the policy is issued or renewed, and prescribes the form for that display. Applies to motor vehicle insurance policies issued or renewed on or after October 1, 2017.

Intro. by Hardister, Ross, Corbin, Goodman.

[GS 58](#)

[View summary](#)

[Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Insurance](#)

H 319 (2017-2018) [STUDY SOLAR FACILITY DECOMMISSIONING RQMTS.](#) Filed Mar 9 2017, *AN ACT TO REQUIRE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY MATTERS ASSOCIATED WITH THE DECOMMISSIONING OF UTILITY-SCALE SOLAR PROJECTS.*

Directs the Environmental Review Commission (Commission) to study matters related to the decommissioning of utility-scale solar projects. Details six analyses the study must include, including whether any materials used in utility-scale solar projects could be classified as hazardous, and the economic feasibility and availability of recycling solar panels. Defines *utility-scale solar project* to mean a ground-mounted photovoltaic, concentrating photovoltaic, or concentrating solar power project directly connected to the electrical transmission grid for sale to wholesale customers, as well as solar arrays, accessory buildings, transmission facilities, and any other infrastructure necessary for the operation of the project. Requires the Commission to report its findings and recommendations to the 2018 General Assembly upon its convening.

Intro. by Dixon.

[View summary](#)

[Environment, Public Enterprises and Utilities](#)

H 320 (2017-2018) [STUDY ELECTRONICS RECYCLING.](#) Filed Mar 9 2017, *AN ACT TO REQUIRE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY RECYCLING REQUIREMENTS FOR DISCARDED COMPUTER EQUIPMENT AND TELEVISIONS IN THE STATE.*

Requires the Environmental Review Commission (Commission) to conduct study as title indicates. Specifies issues to be considered in the study. Requires the Commission to report its findings and recommendations to the 2018 Regular Session of the 2017 General Assembly.

Intro. by Dixon.

[STUDY](#)

[View summary](#)

[Environment](#)

H 321 (2017-2018) [STUDY SOLID WASTE DISPOSAL TAX.](#) Filed Mar 9 2017, *AN ACT TO REQUIRE THE ENVIRONMENTAL REVIEW COMMISSION TO STUDY NORTH CAROLINA'S SOLID WASTE DISPOSAL TAX.*

Directs the Environmental Review Commission (Commission) to study North Carolina's solid waste disposal tax imposed under Article 5G of GS Chapter 105. Details specifics relating to the revenue, distribution, and expenditure of proceeds resulting from the solid waste disposal tax that the Commission is to examine in conducting the study. Requires the Commission to report its findings and recommendations to the 2018 General Assembly upon its convening.

Intro. by Dixon.

[STUDY](#)

[View summary](#)

**Environment, Government, Tax, Health and Human Services,
Health, Public Health**

H 322 (2017-2018) **SCHOOL PERFORMANCE GRADES**. Filed Mar 9 2017, *AN ACT TO INCREASE THE WEIGHT OF SCHOOL GROWTH IN THE CALCULATION OF SCHOOL PERFORMANCE SCORES*.

Amends GS 115C-83.15(d) to increase the weight of the school growth score in calculating the total school performance scores that are used to determine school performance grades. Establishes the school growth score and the school achievement score each account for 50% of the total school performance score (currently, the school achievement score accounts for 80% and the school growth score accounts for 20%).

Applies beginning with the 2017-18 school year.

Intro. by Johnson, Horn, Elmore.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

PUBLIC/SENATE BILLS

S 124 (2017-2018) **LEO MANAGED CBD OIL DROP BOX**. Filed Feb 22 2017, *AN ACT TO REQUIRE RESIDUAL OIL FROM HEMP EXTRACT TO BE DISPOSED AT ESTABLISHED SPECIFIC SECURE COLLECTION BOXES MANAGED BY LAW ENFORCEMENT*.

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

Proposed subsection (d) of GS 90-74.1 requires any individual who possess or uses hemp extract as specified to dispose of all residual oil from the extract at a secure collection box managed by a law enforcement agency. Adds clarifying and conforming language to prohibit attaching a criminal penalty for any violation of new subsection (d).

Intro. by D. Davis, Hise.

GS 90

[View summary](#)

**Government, Public Safety, Health and Human Services,
Health**

S 228 (2017-2018) **VOTER FREEDOM ACT**. Filed Mar 9 2017, *AN ACT REGARDING THE REQUIRED PROOF SUFFICIENT TO CHALLENGE A PERSON'S ELIGIBILITY TO VOTE*.

Includes several whereas clauses.

Amends GS 163-85, setting out the procedure to challenge the right of any person to register, remain registered, or vote other than on the day of a primary, general, or special election, to establish that any registered voter of the precinct can challenge the voting rights of any person in the same precinct in accordance with the statute (currently, refers to the county instead of precinct).

Under current law, presenting a returned first-class letter from the address listed on a person's voter registration card is prima facie evidence that the voter no longer resides in the precinct. Establishes that evidence of a returned mailing, on its own and absent affirmative proof, is not sufficient to sustain the burden of proof required under GS 163-90.1 in either a preliminary hearing under GS 163-85(d) or a challenge hearing under GS 163-86.

Prohibits sustaining a challenge on the basis of a change in residency except by (1) written confirmation of the registrant of a change that renders the registrant ineligible to vote in the county, (2) notification from another county or state that the registrant has registered to vote in that county or state, or (3) exhaustion of the notice provisions required by the National Voter Registration Act.

Amends GS 163-86 by amending the language of the oath, setting forth the oath or affirmation and submission of an affidavit required of a challenged registrant at a challenge hearing, to allow the challenge to be sustained if the challenged registrant refuses to take the tendered oath or submit the required affidavit only if the board of elections determines from evidence at the hearing that the challenged registrant received actual notice of the challenge and the hearing. Further provides that in the absence of a determination that the challenged registrant received actual notice of the challenge and the hearing, the board of elections must review the registration of the voter for inclusion in the list maintenance process under GS 163-82.14.

Amends GS 163-90.1, concerning the burden of proof of a challenger, to allow a challenge to be made only if the challenger knows or reasonably believes a person is not qualified and entitled to vote (currently, can also challenge if challenger suspects a person to not be qualified and entitled to vote). Adds a new requirement that the challenger must demonstrate to the board of elections the basis for which the challenger knows or reasonably believes the person is not qualified or entitled to vote. Makes conforming changes to provide that evidence of a returned mailing as set out in GS 163-85(e) is not on its own sufficient to constitute demonstrated knowledge and belief of a person's qualifications to vote, nor is it sufficient on its own to constitute the affirmative proof required for a challenge to be sustained under GS 163-90.1. Establishes that the challenged registrant's name cannot be released nor is it public record until the challenger demonstrates to the board of elections the burden of proof required by this statute to establish the likelihood the challenge will be sustained.

Applies to elections held on or after the date the act becomes law.

Intro. by Clark, Van Duyn, Woodard.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

S 229 (2017-2018) [PROTECTION FOR FORMER GOVERNMENT OFFICER](#). Filed Mar 9 2017, *AN ACT TO PROVIDE PROTECTION FOR FORMER EXECUTIVE, LEGISLATIVE, AND COURT OFFICERS FOR A PERIOD OF ONE YEAR AFTER THEY LEAVE OFFICE*.

Enacts new GS 14-16.9A to make Article 5A (setting out crimes for endangering executive and legislative, and court officers) applicable to elected officers for a period of one year from either the date that the person's term expired, or the date that the person resigned from office. Effective December 1, 2017, and applicable to offenses committed on or after that date.

Amends GS 20-189 to direct the Secretary of Public Safety, at the request of the immediate past Governor, to assign a member of the State Highway Patrol on an occasional basis to the former governor for his or her security for one year after the former Governor leaves office. Expenses are to be paid from appropriations made to the office of the Governor.

Unless otherwise indicated, the act is effective when it becomes law.

Intro. by Bishop, B. Jackson.

[GS 14, GS 20](#)

[View summary](#)

[Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure, Government, General Assembly, Public Safety, State Government, Executive](#)

S 230 (2017-2018) [EXEMPT VACATION LINEN RENTALS FROM SALES TAX](#). Filed Mar 9 2017, *AN ACT TO EXEMPT FROM SALES AND USE TAX THE RENTAL OF LINENS TO THE PROVIDER OF A RESIDENTIAL ACCOMMODATION*.

Amends GS 105-164.13, as the title indicates. Applies to rental of linens occurring on or after July 1, 2017.

Intro. by Cook, Tillman, McInnis.

[GS 105](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Tax](#)

S 231 (2017-2018) [DENTAL SERVICES/MEDICAID TRANSFORMATION](#). Filed Mar 9 2017, *AN ACT TO ENHANCE MEDICAID TRANSFORMATION BY PROVIDING FOR CAPITATED CONTRACTS FOR THE PROVISION OF DENTAL SERVICES TO MEDICAID AND NC HEALTH CHOICE RECIPIENTS.*

Directs the Department of Health and Human Services (DHHS) to enter into capitated contracts with at least two prepaid dental plans for the provision of dental services to Medicaid and NC Health Choice recipients consistent with the goals of Medicaid transformation outlined in SL 2015-245 (Medicaid Transformation and Reorganization) as amended. Requires DHHS to consult with the Joint Legislative Oversight Committee on Medicaid and NC Health Choice on the terms and conditions of the requests for proposals (RFPs) for the solicitation of bids for statewide capitated contracts for the provision of services, in accordance with GS 12-3(15). Requires contracts to be the result of the submission of competitive bids by prepaid dental plans resulting from the RFPs, and details the minimum provisions the contracts must include. Directs DHHS to oversee, monitor, and enforce capitated dental services contract performance.

Clarifies that the intent of the General Assembly is that the transition to the provision of dental services under capitated contracts will coincide with Medicaid transformation provided for in SL 2015-245, as amended. Directs DHHS to ensure the act's implementation is in line with the implementation of Medicaid transformation. Requires DHHS to submit to the Centers for Medicare and Medicaid Services (CMS) any necessary waiver applications and State Plan amendments to accomplish the act's requirements no later than January 1, 2018.

Intro. by Pate, Krawiec.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Insurance, Public Health

S 232 (2017-2018) [SEPTIC TANK TAX FAIRNESS ACT](#). Filed Mar 9 2017, *AN ACT TO REPEAL THE SALES TAX EXEMPTION FOR CERTAIN PROPERTY USED IN WASTEWATER DISPERSAL SYSTEMS.*

Repeals GS 105-164.13(68), as title indicates. Applies to sales made on or after July 1, 2017.

Intro. by B. Jackson.

GS 105

[View summary](#)

Government, Tax

S 234 (2017-2018) [SBA PAY/NEEDS-BASED PUB. SCH. CAPITAL FUND](#). Filed Mar 9 2017, *AN ACT TO APPROPRIATE A PORTION OF LOTTERY REVENUES TO REFORM THE COMPENSATION STRUCTURE FOR SCHOOL-BASED ADMINISTRATORS AND FOR K-12 SCHOOL CONSTRUCTION BASED UPON COUNTY NEED AND ABILITY TO PAY FOR SCHOOL CONSTRUCTION PROJECTS AND TO MAKE CHANGES TO ADVERTISING COST LIMITATIONS IN THE NORTH CAROLINA EDUCATION LOTTERY.*

Directs the Department of Public Instruction (DPI) to allot to each local school administrative unit (unit) a lump sum for the 2017-18 fiscal year to provide compensation for the principals in that unit at the discretion of the superintendent, in lieu of a salary schedule. Allotment equals the average total salary paid to a principal from State funds in the 2016-17 fiscal year, plus 7%, multiplied by the number of principal positions in that unit for the 2017-18 fiscal year. Directs DPI to further allot sufficient additional funds to each unit to ensure that principals contracted with a unit in fiscal year 2016-17, continuing in that contract in fiscal year 2017-18, shall receive at least as much as the principal earned under SL 2016-94. Directs the superintendent of each unit to compensate any such principal at least as much as the principal earned under SL 2016-94.

Appropriates \$13,771,652 for 2017-18 in recurring funds from the Education Lottery Fund to DPI for the purpose described above.

Directs DPI to allot a nonrecurring bonus of \$2,600 to all principals working in the 2017-18 school year. The bonuses are not compensation under GS Chapter 135, Article 1.

Enacts new GS 115C-285.5 (Principal Bonus Program). Directs the State Board of Education to establish the Principal Bonus Program (Program). Under the program, principals employed by local boards of education of a unit eligible to receive supplemental low-wealth funding from the State Board of Education may receive up to five one-time annual bonuses of \$1,000 each, subject to specified criteria, including achieving, during the previous year, improvement of the learning environment and physical environment of the school, and the school exceeding expected growth. Directs local boards of education to report to DPI on the decisions made regarding payment of the bonuses, including specified information, by August 1 of each payment year. Directs DPI to report the information in the local boards' reports to the Joint Legislative Education Oversight Committee and the Fiscal Research Division no later than October 31 of each payment year. Directs DPI to allot funds beginning in 2018-19 to units based on the information it receives, and that bonuses shall be paid no later than October 31 of each year. Clarifies that the bonuses are not compensation under GS Chapter 135, Article 1.

Appropriates \$6.7 million for 2017-18, in recurring funds, from the Education Lottery Fund to DPI to provide the described principal bonuses.

Directs that assistant principals will receive a monthly salary for fiscal year 2017-18 based on the salary schedule for "A" teachers plus 13%. Years of experience include years serving as a teacher, an assistant principal, or both. Includes administrators with one-year provisional assistant principal's certificates. Clarifies that assistant principals continue to receive any additional State-funded percentage increases earned for school years 1997-98 through 1999-2000. Clarifies that longevity for assistant principals is provided as under the North Carolina Human Resources Act. Directs that assistant principals with certification based on academic preparation at the six-year degree level shall receive a salary supplement of \$126 per month, and at the doctoral degree level of \$253 per month. Grants a 10-month stipend for participants in approved full-time master's in-school administration programs during the internship period of the master's program, as specified. Directs Principal Fellows Program or school of education to supply DPI with certification of eligible interns. Clarifies that assistant principals will receive in 2017-18 at least as much as the assistant principal earned under SL 2016-94. Appropriates \$4,135,137 for 2017-18, in recurring funds, from the Education Lottery Fund to DPI to improve and raise assistant principal pay as described.

Creates the Needs-Based Public School Capital Fund to be administered by the Superintendent of Public Instruction, to award grants to counties designated as development tier one or tier two areas under GS 143B-437.08, to assist with critical public school building capital needs. Specifies the order of priorities in granting the funds. Makes funds subject to a matching requirement from the recipient county in the amount of \$2 for every \$1 provided by a tier one county, and \$1 for every \$1 provided by a tier two county. Grant to a single county is not to exceed \$10 million in a single fiscal year. Limits fund uses to new capital projects and prohibits use of the grant funds to acquire real property or pay operational lease agreements. Directs grant recipients to submit to the Superintendent of Public Instruction an annual report describing the progress of the project for which the grant was received by April 1 of each year, and a final report to the Superintendent within three months of the project's completion. Directs the Superintendent of Public Instruction to report to the chairs of the Senate Appropriation Committee on Education/Higher Education, the Chairs of the House Appropriations Committee on Education, and the Fiscal Research Division, on or before May 1 of each year, specified information regarding the grants. Appropriates \$75 million for 2017-18, in recurring funds, from the Education Lottery Fund to the Needs-Based Public School Capital Fund.

Amends GS 18C-162 to restrict advertising costs for the Lottery to 2% (was, 1%) of the annual total revenues.

Amends GS 18C-163(b) to direct that the expenses of the lottery include advertising costs.

Amends GS 18C-164(e) to direct the Governor to transfer from the Education Lottery Reserve Fund an amount sufficient to equal the appropriation by the General Assembly (currently allows, but does not direct, the Governor to do so) when the net revenues are less than the appropriation for a given year.

Effective July 1, 2017.

Intro. by Tillman, Brown, Hise.

[APPROP, GS 18C, GS 115C](#)

[View summary](#)

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

S 235 (2017-2018) [APPROPRIATIONS ACT OF 2017](#). Filed Mar 9 2017, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Blank bill.

Intro. by B. Jackson, Brown, Harrington.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations](#)

S 236 (2017-2018) [EFFICIENT AND AFFORDABLE ENERGY RATES](#). Filed Mar 9 2017, *AN ACT (1) TO REQUIRE THE NORTH CAROLINA UTILITIES COMMISSION TO ESTABLISH TIERED ELECTRICITY RATES FOR RESIDENTIAL, COMMERCIAL, PUBLIC, AND INDUSTRIAL CUSTOMERS TO ENCOURAGE ENERGY CONSERVATION AND ENERGY EFFICIENCY; (2) TO CREATE THE ENERGY EFFICIENCY BANK TO BE USED FOR LOANS TO CUSTOMERS FOR THE COSTS OF CERTAIN ENERGY EFFICIENCY OR RENEWABLE ENERGY PROJECTS; AND (3) TO CREATE AN INCENTIVE FOR CONSUMERS TO PURCHASE ENERGY STAR QUALIFIED HOUSEHOLD PRODUCTS.*

Enacts new GS 62-115.1 requiring the Utilities Commission (Commission) to develop rate structures for residential, commercial, public, and industrial customers of electric public utilities. Sets out six characteristics that the rate structure must have.

Enacts new GS 62-155.2 to create the Energy Efficiency Bank (Bank) to issue loans to customers for investment in energy efficiency and renewable energy projects. Projects are eligible if they result in a lower utility bill for that customer when the bill includes the loan payment due. The Bank funds come from: (1) the proceeds from the avoidable pollution tax levied on the sale of energy inefficient household products, (2) the difference in revenues collected from the highest tiered block of the tiered rate structure and the revenues that would have been due based upon the next lower tiered rate block of the tiered rate structure, (3) the difference in the rate of return on capital expenditures for an electric public utility prior to the closure of a peak demand electric power facility or other peak demand electric power generating source for that utility and the rate of return on capital expenditures for the utility after the closure, and (4) any loan interest paid.

These sections are effective January 1, 2018.

Effective January 1, 2018, and applicable to tax years beginning on or after that date, enacts new Article 5J, Avoidable Pollution Tax for Certain Energy Inefficient Products, in GS Chapter 105. Imposes a privilege tax on an energy inefficient product retailer for each new energy inefficient product the retailer sells. Imposes an excise tax on a new energy inefficient product sold outside the state for storage or use in the state. Sets the rate for the taxes at 5% of the sales price. Provides for the administration of the tax, exemptions from the tax, and refunds. Requires the taxes, minus the allowance for administrative expenses, to be credited to the Bank Fund.

Intro. by Woodard, Foushee, Smith-Ingram.

[GS 62, GS 105](#)

[View summary](#)

[Environment, Energy, Government, Tax, Public Enterprises and Utilities](#)

S 239 (2017-2018) [YOUTH DEVELOPMENT PILOT PROGRAM](#). Filed Mar 9 2017, *AN ACT TO ESTABLISH THE YOUTH DEVELOPMENT PILOT PROGRAM.*

Contains whereas clauses.

Directs the Department of Health and Human Services, Division of Social Services (Division), to establish a two-year youth development pilot program. Directs the Division to designate three geographically diverse counties in the State in which to conduct the pilot program, one each being a tier one, tier two, and tier three county.

Directs boards of commissioners in the selected counties to appoint volunteer members to a local youth development committee, each consisting of five members, as specified. Makes the local youth development committee responsible for establishing criteria for grants and approving grant requests from each eligible youth development activity organization (defined as a community organization that provides a place where K-12 students receive counseling, mentoring, tutoring, and any other related services after school and during school vacations). Prohibits a local youth development committee from using funds for administrative costs.

Requires youth development activity organizations to meet the local youth development committee's criteria to be eligible for grant funds. Requires certain described information about participating student grade level demographics in the application.

Directs each local youth development committee from the selected counties to monitor the success of the grantee organizations, and to report to the Division on the organizations' success by July 1, 2018, and again by July 1, 2019. Directs the Division to report to the Joint Legislative Oversight Committee on Health and Human Services on the grantee organizations, their success, and their costs, by October 1, 2018, and again by October 1, 2019, along with any recommendations for sustaining the program.

Appropriates \$300,000 each for 2017-18 and 2018-19 from the General Fund to the Division to fund the program described above, with each of the three counties selected to participate in the program receiving \$100,000 each for 2017-18, and again for 2018-19.

Effective July 1, 2017.

Intro. by Rabin, Krawiec, Sanderson.

APPROP, STUDY

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Health and Human Services, Health and
Human Services, Social Services, Child Welfare**

LOCAL/HOUSE BILLS

H 301 (2017-2018) **SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS**. Filed Mar 9 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO DAVIE COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR*.

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local board of education for the Davie County Schools with additional flexibility in adopting their school calendar.

Includes whereas clauses.

Applies beginning with the 2017-18 school year.

Intro. by Howard.

Davie

[View summary](#)

Education, Elementary and Secondary Education

H 313 (2017-2018) **SCHOOL CALENDAR FLEX./DURHAM PUBLIC SCHOOLS**. Filed Mar 9 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO DURHAM PUBLIC SCHOOLS IN ADOPTING THE SCHOOL CALENDAR*.

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local board of

education for the Durham County Public Schools additional flexibility in adopting its school calendar.

Applies beginning with the 2017-18 school year.

Intro. by Meyer, Michaux, Lehman, Black.

Durham

[View summary](#)

Education, Elementary and Secondary Education

H 314 (2017-2018) [SCHOOL CALENDAR FLEX./ORANGE COUNTY](#). Filed Mar 9 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO THE ORANGE COUNTY SCHOOL SYSTEMS IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local boards of education for the Orange County Schools and Chapel Hill-Carrboro Schools with additional flexibility in adopting their school calendars.

Applies beginning with the 2017-18 school year.

Intro. by Meyer, Insko.

Orange

[View summary](#)

Education, Elementary and Secondary Education

H 318 (2017-2018) [SCHOOL CALENDAR FLEX./YADKIN COUNTY](#). Filed Mar 9 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO YADKIN COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR.*

Includes 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 local board of education for the Yadkin County Schools with additional flexibility in adopting its school calendar.

Applies beginning with the 2017-18 school year.

Intro. by Zachary.

Yadkin

[View summary](#)

Education, Elementary and Secondary Education

LOCAL/SENATE BILLS

S 227 (2017-2018) [SCHOOL CAL. FLEX./CERTAIN SYSTEMS](#). Filed Mar 9 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN SCHOOL SYSTEMS IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local boards of education for the Columbus County Schools, Robeson County Schools, and Whiteville City Schools. with additional flexibility in adopting their school calendars by allowing the opening date for students to be set no earlier than August 10 (currently, no earlier than the Monday closest to August 26). Eliminates provisions allowing the State Board of Education to waive the opening date requirement upon a showing of good cause by the local board of education. Makes conforming changes.

Amends GS 115C-174.12(a)(4), concerning the responsibilities of the State Board of Education in establishing student assessment policies, to permit a local board of education that has implemented a school calendar that concludes the fall semester

prior to December 31 to administer assessments prior to the conclusion of that semester.

Includes whereas clauses.

Limits application to Columbus County Schools, Robeson County Schools, and Whiteville City Schools. Applies beginning with the 2017-18 school year.

Intro. by Britt.

[Bladen, Columbus, Robeson](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 233 (2017-2018) [PERMIT ALIGN SCHOOL/COMM. COLLEGE CALENDAR](#). Filed Mar 9 2017, *AN ACT TO PERMIT CERTAIN SCHOOL SYSTEMS TO ALIGN THEIR SCHOOL CALENDARS WITH THOSE OF COMMUNITY COLLEGES SERVING THEIR COMMUNITIES.*

Amends GS 115C-84.2(d) to authorize local boards of education to align the calendar of schools in the local school administrative unit with the calendar of a community college serving the city or county in which the unit is located.

Applies only to Bertie County Schools, Edenton-Chowan Schools, Edgecombe County Schools, Halifax County Schools, Hertford County Schools, Martin County Schools, Nash-Rocky Mount Schools, Northampton County Schools, Roanoke Rapids Graded School District, Tyrrell County Schools, Vance County Schools, Warren County Schools, Washington County Schools, Wilson County Schools, and Weldon City Schools.

Applies beginning with the 2017-18 school year.

Intro. by Bryant, Smith-Ingram.

[Bertie, Chowan, Edgecombe, Halifax, Hertford, Martin, Nash, Northampton, Tyrrell, Vance, Warren, Washington, Wilson](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 237 (2017-2018) [SCHOOL CALENDAR FLEX./CASWELL COUNTY](#). Filed Mar 9 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CASWELL COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local board of education for the Caswell County Schools with additional flexibility in adopting its school calendar.

Applies beginning with the 2017-18 school year.

Intro. by Woodard.

[Caswell](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 238 (2017-2018) [CASWELL COUNTY MEALS TAX](#). Filed Mar 9 2017, *AN ACT TO AUTHORIZE CASWELL COUNTY TO LEVY A PREPARED FOOD AND BEVERAGES TAX.*

As the title indicates. Authorizes the Board of Commissioners of Caswell County to levy a prepared food and beverages tax of up to 1% of the sales price of prepared food and beverages sold within Caswell County at retail for consumption on or off the premises by a retailer subject to sales tax under GS 105-164.4(a)(1). Requires public notice and a public hearing before levying the tax. Provides that the tax applies to catering if the food is served in the county, regardless of the caterer's residency. Provides that this tax is in addition to state and local sales tax. Provides additional specifics as to the administration, collection, and use of the tax. Also includes provisions identifying seven types of prepared food and beverages sales that are exempt from the tax, and

criteria for when the tax must be refunded. Provides criteria governing the repeal of the tax levied under this section and selecting the effective date for the levying of the tax.

Intro. by Woodard.

Caswell

[View summary](#)

Government, Tax

ACTIONS ON BILLS

PUBLIC BILLS

H 16: ENHANCE OVERSIGHT OF SERVICE CONTRACTS/PED.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 86: AMEND BANKING COMMISSION MEMBERSHIP.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/14/2017

H 95: TRUCK DELIVERIES TO PORT/NIGHT TRAVEL.(NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

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

Pres. To Gov. 3/9/2017

H 115: RETIREMENT TECHNICAL CORRECTIONS ACT OF 2017.-AB

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 144: CREDIT UNION/TRUST INSTITUTION CHANGES.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/14/2017

H 156: EYEGLASSES EXEMPTION FROM MEDICAID CAPITATION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 194: SBCC ELECTIONS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 199: ESTABLISH STANDARDS FOR SURGICAL TECHNOLOGY.

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

H 205: WORKERS' COMPENSATION/PRISON INMATES.

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

H 215: STATE OF STATE.

Ratified
Ch. Res 2017-2

H 239: REDUCE COURT OF APPEALS TO 12 JUDGES.

House: Passed 2nd Reading
House: Passed 3rd Reading
House: Special Message Sent To Senate

H 240: GA APPOINT FOR DISTRICT COURT VACANCIES.

House: Amend Adopted A1
House: Amend Failed A2
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Engrossed
House: Special Message Sent To Senate

H 241: SPECIAL SUP. CT. JUDGESHIP APPOINTED BY GA.

House: Amend Failed A1
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Special Message Sent To Senate

H 278: OCC.LIC./AMEND FEE SCHED. BARBER EXAMINERS BD.

House: Passed 1st Reading
House: Ref to the Com on Regulatory Reform, if favorable, Commerce and Job Development, if favorable, Finance

H 279: FANTASY SPORTS REGULATION.

House: Passed 1st Reading
House: Ref to the Com on Regulatory Reform, if favorable, Finance

H 280: JUVENILE JUSTICE REINVESTMENT ACT.

House: Passed 1st Reading
House: Ref to the Com on Judiciary I, if favorable, Appropriations

H 283: TELEHEALTH FAIRNESS ACT.

House: Passed 1st Reading
House: Ref to the Com on Health, if favorable, Insurance

H 284: 25-YEAR LEO RETIREMENT OPTION.

House: Passed 1st Reading
House: Ref to the Com on Pensions and Retirement, if favorable, Appropriations

H 285: SUICIDE PREVENTION/AWARENESS SCHOOL PERSONNEL.

House: Passed 1st Reading
House: Ref to the Com on Health, if favorable, Education - K-12

H 289: LIVING WAGE BY 2022.

House: Passed 1st Reading

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

H 292: DISAPPROVE CAPE FEAR RULES.

House: Passed 1st Reading

House: Ref to the Com on Environment, if favorable, Rules, Calendar, and Operations of the House

H 294: UNCLAIMED PROPERTY NOTICE REQUIREMENTS.-AB

House: Passed 1st Reading

House: Ref to the Com on Regulatory Reform, if favorable, Finance

H 295: HEALTH CARE SHARING EXPENSES DEDUCTION.

House: Passed 1st Reading

House: Ref to the Com on Insurance, if favorable, Finance

H 297: AMEND HABITUAL DWI.

House: Passed 1st Reading

House: RefTo Com On Judiciary II

H 298: 0.00 ALCOHOL RESTRICTION - ALL DWI.

House: Passed 1st Reading

House: Ref to the Com on Judiciary II, if favorable, Appropriations

H 302: DODEA/CLINICAL EDUCATORS FOR STUDENT TEACHING.

House: Filed

H 303: VOTER FREEDOM ACT.

House: Filed

H 304: DOT/MAINTAIN DRIVEWAYS USED BY SCHOOL BUSES.

House: Filed

H 305: SCHOOL BOARDS CAN'T SUE COUNTIES.

House: Filed

H 306: E-VERIFY REQUIRED - ALL GOVERNMENT CONTRACTS.

House: Filed

H 307: BOARD CERT. BEHAVIOR ANALYST/AUTISM COVERAGE.

House: Filed

H 308: NO INSURANCE WHILE DRIVING/TOW VEHICLE.

House: Filed

H 309: RESPONSIBLE DEER MANAGEMENT ACT.

House: Filed

H 310: WIRELESS COMMUNICATIONS INFRASTRUCTURE SITING.

House: Filed

H 311: STATE AUDITOR/VARIOUS AMENDMENTS.-AB

House: Filed

H 312: CLARIFY RULES REVIEW COMMISSION REVIEW.

House: Filed

H 315: KELSEY SMITH ACT.

House: Filed

H 316: CATAWBA VALLEY CC/MANUFACTURING CENTER.

House: Filed

H 317: SURCHARGE TRANSPARENCY.

House: Filed

H 319: STUDY SOLAR FACILITY DECOMMISSIONING RQMTS.

House: Filed

H 320: STUDY ELECTRONICS RECYCLING.

House: Filed

H 321: STUDY SOLID WASTE DISPOSAL TAX.

House: Filed

H 322: SCHOOL PERFORMANCE GRADES.

House: Filed

S 8: EASE OCC. LIC. BURDENS ON MILITARY FAMILIES.

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

S 42: REDUCE COST & REG. BURDEN/HOSP. CONSTRUCTION.

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

S 62: VETERANS' AFFAIRS COMMISSION/STRATEGIC PLAN.

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

S 69: LOCAL GOV'T COMM/FINANCE OFFICER TRAINING.

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

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

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

S 100: AERIAL ADVENTURE FINANCIAL RESPONSIBILITY.

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

S 124: LEO MANAGED CBD OIL DROP BOX.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed On Cal For 03/14/2017

S 131: REGULATORY REFORM ACT OF 2016.

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

S 216: LOCAL FIREFIGHTER RELIEF FUND REPORTING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 218: STATE HEALTH PLAN ADMINISTRATIVE CHANGES.-AB

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 220: MOTOR FUEL TAX REFUND FOR JOINT AGENCY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 222: SEARCH & RESCUE NAME/FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 223: HABITUAL FELONS/CLARIFY PREVIOUS CONVICTIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 224: INCLUDE B/E WITH INTENT TO TERRORIZE IN HB/E .

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 228: VOTER FREEDOM ACT.

Senate: Filed

S 229: PROTECTION FOR FORMER GOVERNMENT OFFICER.

Senate: Filed

S 230: EXEMPT VACATION LINEN RENTALS FROM SALES TAX.

Senate: Filed

S 231: DENTAL SERVICES/MEDICAID TRANSFORMATION.

Senate: Filed

S 232: SEPTIC TANK TAX FAIRNESS ACT.

Senate: Filed

S 234: SBA PAY/NEEDS-BASED PUB. SCH. CAPITAL FUND.

Senate: Filed

S 235: APPROPRIATIONS ACT OF 2017.

Senate: Filed

S 236: EFFICIENT AND AFFORDABLE ENERGY RATES.

Senate: Filed

S 239: YOUTH DEVELOPMENT PILOT PROGRAM.

Senate: Filed

LOCAL BILLS

H 55: APEX/CARY/POLICE ASSISTANCE ON SCHOOL GROUNDS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 58: CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 281: SCH. CAL. MODIFICATION/HOKE COUNTY SCHOOLS.

House: Passed 1st Reading
House: RefTo Com On Education - K-12

H 282: YADKIN OCCUPANCY TAX MODIFICATION.

House: Passed 1st Reading
House: Ref to the Com on State and Local Government II, if favorable, Finance

H 286: SCHOOL CALENDAR FLEX./CUMBERLAND COUNTY.

House: Passed 1st Reading
House: RefTo Com On Education - K-12

H 287: RED LIGHT CAMERAS/HOPE MILLS & SPRING LAKE.

House: Passed 1st Reading
House: Ref to the Com on State and Local Government II, if favorable, Transportation, if favorable, Finance

H 288: TOWN OF RAYNHAM/EXTEND MAYOR'S TERM OF OFFICE.

House: Passed 1st Reading
House: Ref to the Com on State and Local Government I, if favorable, Elections and Ethics Law

H 290: ABOLISH COLUMBUS COUNTY CORONER.

House: Passed 1st Reading
House: Ref to the Com on State and Local Government I, if favorable, Elections and Ethics Law

H 291: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.

House: Passed 1st Reading
House: RefTo Com On Education - K-12

H 293: ONSLOW BD. ED. PARTISAN/SWAIN CLARIFY ELECT.

House: Passed 1st Reading
House: Ref to the Com on State and Local Government I, if favorable, Elections and Ethics Law

H 296: SCHOOL CALENDAR FLEXIBILITY/MOORE COUNTY.

House: Passed 1st Reading
House: RefTo Com On Education - K-12

H 301: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.

House: Filed

H 313: SCHOOL CALENDAR FLEX./DURHAM PUBLIC SCHOOLS.

House: Filed

H 314: SCHOOL CALENDAR FLEX./ORANGE COUNTY.

House: Filed

H 318: SCHOOL CALENDAR FLEX./YADKIN COUNTY.

House: Filed

S 19: EVEN YR MUNICIPAL ELECTION/TOWNS OF TROY/STAR.

Senate: Reptd Fav

Senate: Placed On Cal For 03/14/2017

S 215: CHAPEL HILL-CARRBORO SCHOOL CALENDAR PILOT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 217: RICHMOND/RIGHT-OF-WAY SAFETY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 219: 2ND SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 221: SCHOOL CALENDAR FLEXIBILITY/GUILFORD COUNTY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 225: ABOLISH CLEVELAND COUNTY CORONER.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 226: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 227: SCHOOL CAL. FLEX./CERTAIN SYSTEMS.

Senate: Filed

S 233: PERMIT ALIGN SCHOOL/COMM. COLLEGE CALENDAR.

Senate: Filed

S 237: SCHOOL CALENDAR FLEX./CASWELL COUNTY.

Senate: Filed

S 238: CASWELL COUNTY MEALS TAX.

Senate: Filed