

## The Daily Bulletin: 2017-03-13

### PUBLIC/HOUSE BILLS

H 323 (2017-2018) [HONOR THE LIFE AND MEMORY OF HOWARD WILSON](#). Filed Mar 13 2017, *A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF HOWARD "BUDDY" WILSON*.

As title indicates.

**Intro. by Clampitt.**

[HOUSE RES](#)

[View summary](#)

[Government, Cultural Resources and Museums](#)

H 325 (2017-2018) [AMEND ARSON LAW/PROSECUTOR FUNDS](#). Filed Mar 13 2017, *AN ACT TO STRENGTHEN THE CRIMINAL LAWS REGARDING ARSON AND TO APPROPRIATE FUNDS TO THE CONFERENCE OF DISTRICT ATTORNEYS TO ESTABLISH AND SUPPORT A POSITION FOR A RESOURCE PROSECUTOR*.

Enacts new GS 14-67.2, creating a new Class D felony. New felony applies to persons who, during the commission of a felony, by means of fire or explosive, knowingly damage or knowingly cause, aid, abet, advise, encourage, hire, counsel, or procure another to damage any dwelling, structure, building, or conveyance referenced in GS Chapter 14, Article 15 (Arson and Other Burnings). Effective December 1, 2017, and applies to offenses committed on or after that date.

Amends GS 14-69.3 to expand the scope of that Class E felony. Currently, the felony applies to persons who commit a felony under GS Chapter 14, Article 15 (Arson and Other Burnings), and a firefighter or emergency medical technician suffers serious bodily injury while discharging their duties on the property, or proximate to the property, that is the subject of their duties. Expands the class of people whose injury results in the Class E felony to also include law enforcement officers and fire investigators. Defines *fire investigator* (persons with the responsibility and authority to determine the origin, cause, or development of a fire or explosion). Makes a technical change. Effective December 1, 2017, and applies to offenses committed on or after that date.

Appropriates \$115,603 in recurring funds and \$3,865 in nonrecurring funds from the General Fund for 2017-18 to the Conference of District Attorneys to establish and support a position for a resource prosecutor on arson and homicide cases for allied professionals in the state. Effective July 1, 2017.

**Intro. by McNeill, Hurley.**

[APPROP, GS 14](#)

[View summary](#)

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

H 326 (2017-2018) [MILITARY COLLEGE PLATES/REDUCE APPLICATIONS](#). Filed Mar 13 2017, *AN ACT TO REDUCE THE NUMBER OF APPLICATIONS THAT MUST BE RECEIVED BY THE DIVISION OF MOTOR VEHICLES BEFORE A COLLEGIATE INSIGNIA SPECIAL REGISTRATION PLATE MAY BE DEVELOPED FOR A PUBLIC MILITARY COLLEGE OR UNIVERSITY*.

Amends GS 20-81.12(a) as stated in title.

**Intro. by G. Martin, Dollar.**

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Education, Higher](#)

H 327 (2017-2018) NC BOARD OF PROPRIETARY SCHOOLS. Filed Mar 13 2017, AN ACT TO ESTABLISH THE NORTH CAROLINA PROPRIETARY SCHOOL LICENSURE ACT.

Repeals GS Chapter 115D, Article 8 (regarding Proprietary Schools) effective July 1, 2017.

Enacts new GS Chapter 115F (regarding Proprietary Schools). The new Chapter is largely identical to the repealed GS Chapter 115D, Article 8, with the following exceptions.

Sets out the purpose of the new Chapter

New term definitions are added, including *Distance Education* and *License*.

Changes the definition of *Catastrophic loss amount* to increase the dollar amount in the definition from \$1 million to \$1.5 million. Changes the definition of *Fund cap amount* from \$1.5 million to the amount for the catastrophic loss amount plus a \$5,000 reserve.

Changes the name of the State Board of Proprietary Schools to the North Carolina Board of Proprietary Schools (Board), and moves its administration from the Community Colleges System Office to the Department of Administration. Transfers all powers and responsibilities currently given to the State Board of Community College regarding proprietary schools to the North Carolina Board of Proprietary Schools.

Requires the Board to establish the office of Proprietary Schools. Directs the executive director of the Office of Proprietary Schools to annually submit a written report to the North Carolina Board of Proprietary Schools and the State Board of Community College to report annually, including eight specified pieces of information. Deletes the provision requiring the Executive Director to give the Board an annual projected operating budget.

Directs that the physical locations of proprietary schools in separate counties constitute separate proprietary schools for the purposes of licensure.

Allows the Board to refuse to issue or renew a license, or suspend or revoke a license, for failure to pay license or renewal fees.

Amends the Bond requirements to allow the bond currently applicable to the first four license renewals to apply to the first five bond requirements, and the requirement for schools licensed for at least five continuous school years to apply to schools licensed for at least six continuous school years. Authorizes the Board to require any licensed school to increase its bond if it determines the increase is necessary to provide indemnification to a student or student's parent or legal guardian who may suffer a loss of tuition, fees, or any other instructional-related expenses paid to the school.

Authorizes the Board or its authorized representatives to make application to superior court for an order enjoining violations of this Chapter. Authorizes the court to grant an injunction or restraining order or take any other appropriate action upon a showing of violation or impending violation, regardless of whether criminal prosecution or other actions may be instituted as a result of the violation. Authorizes the Board to assess a civil penalty of up to \$1,000 for the violation of any section of this Chapter, or of Board rules implementing the chapter, to be remitted to the Civil Penalty and Forfeiture Fund. Directs the Board to establish a schedule of penalties for violations of this Chapter. Directs the Board to consider four listed factors before assessing a civil penalty under the statute. Authorizes the Board to assess the costs of enforcement actions taken under this Chapter.

Makes technical and conforming changes.

Makes conforming changes to GS 86A-22(7), GS 88B-17(a), GS 90-171.55(b)(1), GS 93A-32(2), GS 116-15, and GS 126-5(c2)(4).

The act does not affect the current terms of the members of the State Board of Proprietary Schools, and directs them to continue as members of the North Carolina Board of Proprietary Schools.

Authorizes the North Carolina Board of Proprietary Schools to enter into an agreement with the State Board of Community Colleges to provide that the Community Colleges System Office acts as the fiscal agent for the North Carolina Board of

Proprietary Schools and for the Office of Proprietary Schools for the purpose of administering the Commercial Education Fund and the Student Protection Fund, until those funds may be established in accounts with the Department of State Treasurer under the sole supervision and direction of the North Carolina Board of Proprietary Schools.

**Intro. by Blackwell, Fraley, R. Turner.**

[GS 86A, GS 90, GS 93A, GS 115D, GS 115F, GS 116, GS 126](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Education, Higher Education, Government, State Agencies, Community Colleges System Office, Department of Administration](#)

H 328 (2017-2018) [ATHLETIC ASSOCIATIONS ACCOUNTABILITY ACT](#). Filed Mar 13 2017, *AN ACT TO DETERMINE WHETHER THE NCAA AND THE ACC HAVE VIOLATED THEIR TAX-EXEMPT STATUS BY ENGAGING IN POLITICAL OR LEGISLATIVE ACTIVITIES AND TO PROVIDE TRANSPARENCY RELATED TO THE STATE'S PARTICIPATION IN INTERCOLLEGIATE ATHLETIC ASSOCIATIONS.*

Directs the President Pro Tempore of the Senate and the Speaker of the House of Representatives to file a complaint with the Internal Revenue Service against the National Collegiate Athletic Association (NCAA) and the Atlantic Coast Conference (ACC), alleging excessive lobbying activities.

Enacts new GS Chapter 116, Article 1, Part 3B (Participation in Intercollegiate Athletic Associations). Specifies a list of legislative findings regarding the NCAA and ACC, including findings related to the Public Facilities Privacy and Security Act of 2016 (HB 2). Directs the chancellor of a constituent institution of the University of North Carolina that participates in any intercollegiate athletic association to report specified information to the President of the University of North Carolina (President) and the Board of Governors (Board), including information on employees and faculty members participating in boards, committees, and other working groups organized or operated by an intercollegiate athletic association, matters brought before those individuals, and the anticipated impact on the constituent institution. Directs the President and Board members to notify the chairs of the Senate Appropriations Committee on Education/Higher Education and the chairs of the House Education/Higher Education Appropriations Committee of any chancellor, employee, staff member, or faculty member, that the President or Board member believes is not in compliance with the reporting requirements, in writing and within 30 days of the President or Board member becoming aware of the potential noncompliance. Specifies that the required reports and notifications of noncompliance are public records. Specifies that the term "intercollegiate athletic association" means the NCAA and all member conferences.

**Intro. by Brody, Millis, Yarborough, Boswell.**

[GS 116](#)

[View summary](#)

[Education, Higher Education, Government, General Assembly](#)

H 329 (2017-2018) [HOME SCHOOL EDUCATION TAX CREDIT](#). Filed Mar 13 2017, *AN ACT TO CREATE AN INCOME TAX CREDIT FOR CHILDREN WHO ARE HOME SCHOOLED.*

Enacts new GS 105-153.11 to allow a taxpayer a personal income tax credit of \$1,250 per semester for each eligible dependent child who is a state resident, and who for one or two semesters during the taxable year is enrolled in a home school (which must meet the requirements of GS 115C-564). Defines *semesters* and provides that an eligible dependent child is enrolled in a home school for a semester if the eligible dependent child is enrolled in that home school for more than 70 days during that semester. Sets out the following disqualifying events: (1) the child spent time enrolled in a public school, (2) the child spent time enrolled as a full-time student taking at least 12 hours of academic credit in a postsecondary educational institution, (3) the child was 22 years of age or older during the entire semester, or (4) the child graduated from high school prior to the end of the semester. Requires the taxpayer to provide specified information, when requested, in order to claim the tax credit. Allows any unused portion of the credit to be carried forward for the succeeding three years.

Requires the Department of Revenue to report to the Revenue Laws Study Committee and the Joint Legislative Education Oversight Committee on the administration of the new statute. Requires the report, which is due by October 1, 2019, to include three specified types of information.

Effective for taxable years beginning on or after January 1, 2017, and applying to semesters for which the credit is claimed beginning on or after July 1, 2017.

**Intro. by Pittman, Boswell, Brody.**

GS 105

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, State Agencies, Department of Revenue, Tax**

H 330 (2017-2018) **CIVPRO/QUALIFIED IMMUNITY FOR AUTO ACCIDENT**. Filed Mar 13 2017, *AN ACT PROVIDING THAT A PERSON DRIVING AN AUTOMOBILE WHILE EXERCISING DUE CARE IS IMMUNE FROM CIVIL LIABILITY FOR ANY INJURY TO ANOTHER IF THE INJURED PERSON WAS PARTICIPATING IN A PROTEST OR DEMONSTRATION AND BLOCKING TRAFFIC IN A PUBLIC RIGHT-OF-WAY AT THE TIME OF THE INJURY.*

Amends the caption for GS Chapter 1, Article 43B, to now read "Immunities and Other Defenses."

Enacts new GS 1-539.13 to protect drivers exercising due care who injure a person who is participating in a protest or demonstration, and is blocking traffic in a public right-of-way, from civil liability for the injury, unless the actions leading to the injury were willful or wanton.

**Intro. by Burr, Millis.**

[View summary](#)

**Courts/Judiciary, Civil, Civil Law, Civil Procedure, Motor Vehicle**

H 332 (2017-2018) **MORROW MOUNTAIN STATE PARK LICENSE PLATE**. Filed Mar 13 2017, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A MORROW MOUNTAIN STATE PARK SPECIAL REGISTRATION PLATE.*

Amends GS 20-79.4(b) as title indicates. Establishes a special plate fee of \$30 and requires that \$20 of that amount be transferred quarterly to the Friends of Morrow Mountain State Park to support the organization. Requires the receipt of 300 or more applications before the plate may be developed. Makes technical changes.

Effective July 1, 2018.

**Intro. by Burr.**

GS 20

[View summary](#)

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

H 333 (2017-2018) **LOCAL OPTION SALES TAX FLEXIBILITY**. Filed Mar 13 2017, *AN ACT TO GIVE COUNTIES ADDITIONAL FLEXIBILITY WITH REGARD TO THE LOCAL OPTION SALES AND USE TAX WITHOUT INCREASING THE EXISTING MAXIMUM TAX RATE.*

Enacts new GS Chapter VIII, Subchapter 105, Article 43A (County Sales and Use Tax for Public Education). Authorizes counties to levy a tax, at a rate of up to .5%, under the new article to finance public education needs. Directs that taxes levied under the new article must be approved in an advisory referendum, as specified. Restricts a referendum to an increase in increment of .25%, and limits the total local sales and use tax rate to 2.5% or 2.75%, as specified. Authorizes the county board of commissioners, upon a successful referendum, to levy a local sales and use tax at the specified rate by resolution and after 10 days' public notice. Requires taxes under the new Article to be administered in accordance with GS Chapter 105, Article 39 (Local Government Sales and Use Tax), and GS 105-468.1. Directs counties to only use the proceeds of a tax levied under this

article for specified public education purposes, including public school capital outlay, teacher salary supplements, and financial support of community colleges.

Amends GS 105-506 to make conforming changes.

Enacts new GS 105-506.3 to require that taxes under GS Chapter 105, Article 43 (local government sales and use taxes for public transportation) only be levied when the total local sales and use tax rate in the county, including a levy under this article, does not exceed a specified limit (limit is identical to that in new GS Chapter 105, subchapter 105, Article 43A, described above).

Amends GS Chapter 105, Article 46 (now, the one-quarter cent or one-half cent county sales and use tax), as follows. Requires that taxes levied under the Article be approved in a referendum, as specified. Requires that the total local sales and use tax rate in the county, including a levy under this article, does not exceed a specified limit (limit is identical to that in new GS Chapter 105, subchapter 105, Article 43A, described above). Requires the rate to be in an increment of .25%. Makes conforming changes.

Amends GS 105-164.3(4a) to amend the definition of *Combined general rate* to mean the sum of: the State's general rate in GS 105-164.4(a); the sum of the rates of the local sales and use taxes authorized for every county in GS Chapter 105, Articles 39 &40, and SL 1967-1096; and half of the maximum rate authorized by GS Chapter 105, Article 46.

**Intro. by S. Martin, Hunter, Watford, Saine.**

[GS 105](#)

[View summary](#)

[Government, Tax, Local Government](#)

H 334 (2017-2018) [FAMILIES' STABILIZATION ACT](#). Filed Mar 13 2017, *AN ACT TO ENACT THE FAMILIES' STABILIZATION ACT TO ENSURE THAT EMPLOYEES IN THIS STATE ARE PAID THE SAME WAGES IN THE SAME ESTABLISHMENT FOR THE SAME QUALITY AND QUANTITY OF THE SAME CLASSIFICATION OF WORK.*

Enacts new Article 2B, Families' Stabilization Act, in GS Chapter 95, as follows. Prohibits an employer from paying an employee a wage that is less than the rates paid to employees of another gender in the same establishment for the same quantity and quality of the same classification of work. Employer includes (1) the State and any local political subdivision of the State and (2) every person having control or direction of any employee employed at any labor, or responsible directly or indirectly for the wages of another, who employs more than five employees. An employer who violates the wage requirement is liable to the affected employee in the amount of the wages that the employee is deprived due to the violation. Provides that nothing in the statute prohibits a variation of rates of pay for 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, factor, or factors other than gender when exercised in good faith. Prohibits violating employers from reducing the pay of any employee in order to bring the employer into compliance. Prohibits employers from retaliating against any employee who seeks redress pursuant to this Article or who participates in the investigation of a complaint under this Article.

Allows an affected employee to file a complaint with the Department of Labor and requires the Department to investigate the complaint and notify the employer and employee of the investigation results. Allows an employee receiving less than the entitled wage to recover the balance of the wages, and the costs and attorneys' fees in a civil action, notwithstanding any agreement to work for a lesser wage. Requires a civil action to be instituted within two years after the date that the employee discovers the alleged violation.

**Intro. by Cunningham, Fisher, Black, Butler.**

[GS 95](#)

[View summary](#)

[Employment and Retirement, Government, State Government, State Personnel](#)

H 335 (2017-2018) [VACANCIES/NC SUP CT/CT OF APP/SUPERIOR CT/DAS](#). Filed Mar 13 2017, *AN ACT TO CLARIFY THE MANNER IN WHICH VACANCIES ARE FILLED IN THE OFFICES OF JUSTICE OF THE NORTH CAROLINA SUPREME COURT,*

Amends GS 163-9(a) and GS 163-10 to require that vacancy appointments to the Supreme Court, the Court of Appeals, superior courts, or district attorney be made from a list of three persons recommended by the specified committees of the political party with which the vacating member was affiliated when elected. Lists for the Supreme Court and Court of Appeals are submitted by the state executive committee for the political party, lists for superior court seats for single-county judicial districts are submitted by the county executive committee for the political party, lists for superior court seats for multicounty judicial districts are made by the district executive committee for the political party, and lists for district attorneys are submitted by the prosecutorial district committee for the political party. Directs that a prosecutorial district committee must consist of at least one member appointed by the county executive committee of that political party from each county included in that prosecutorial district. Authorizes county executive committees to elect more than one member to the prosecutorial district committee, and directs that in such a case each member casts an equal share of the votes allotted to the county.

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

GS 163

[View summary](#)

[Courts/Judiciary, Court System](#)

## PUBLIC/SENATE BILLS

S 240 (2017-2018) [APPROPRIATIONS ACT OF 2017](#). Filed Mar 13 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 Harrington, Brown, B. Jackson.**

APPROP

[View summary](#)

[Government, Budget/Appropriations](#)

S 241 (2017-2018) [SECRETARY OF TRANSPORTATION CONFIRMATION](#). Filed Mar 13 2017, *A SENATE RESOLUTION RELATING TO THE APPOINTMENT, NOMINATION, AND CONFIRMATION OF JAMES TROGDON III AS SECRETARY OF THE DEPARTMENT OF TRANSPORTATION.*

Includes whereas clauses. Requires the Senate to consider whether to confirm James Trogon III as Secretary of the Department of Transportation.

**Intro. by Rabon.**

SENATE RES

[View summary](#)

[Government, General Assembly, State Agencies, Department of Transportation, Transportation](#)

S 242 (2017-2018) [SECRETARY OF DPS CONFIRMATION](#). Filed Mar 13 2017, *A SENATE RESOLUTION RELATING TO THE APPOINTMENT, NOMINATION, AND CONFIRMATION OF ERIK HOOKS AS SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY.*

Includes whereas clauses. Requires the Senate to consider whether to confirm Erik Hooks as the Secretary of the Department of Public Safety.

**Intro. by Rabon.**

SENATE RES

[View summary](#)

[Government, General Assembly, Public Safety, State Agencies,](#)

S 244 (2017-2018) [COASTAL CRESCENT TRAIL/STATE PARKS SYSTEM](#). Filed Mar 13 2017, *AN ACT TO ADD THE COASTAL CRESCENT TRAIL TO THE MOUNTAINS-TO-SEA STATE TRAIL*.

Requires the Department of Natural and Cultural Resources (DNCR) to add the Coastal Crescent Trail through Johnston, Sampson, Cumberland, Bladen, Pender, and Onslow counties, as well as other counties designated by the Secretary of the Department of Natural and Cultural Resources, to the Mountains-to-Sea State Park Trail. Requires that the trail route include public and private lands. Requires the Secretary and staff of DNCR to work with with the staff and volunteers of Friends of the Mountains-to-Sea Trail to plan and develop the route. Requires DNCR, by October 1, 2017, to amend the State Parks System Plan required by GS 143B-135.48 to reflect the addition of the Coastal Crescent Trail to the Mountains-to-Sea State Park Trail.

**Intro. by B. Jackson.**

UNCODIFIED

[View summary](#)

**Environment, Environment/Natural Resources, Government, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)**

S 245 (2017-2018) [AMEND SENATE UNC BOG ELECTION](#). Filed Mar 13 2017, *A SENATE RESOLUTION TO AMEND THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA THAT WAS SET OUT IN SENATE RESOLUTION 134*.

The act's provisions are identical to Senate 134, adopted on 03/02/17, with the following exceptions. Changes the nomination period for election to the UNC Board of Governors to March 14 through March 16 (was, March 6 through March 10). Makes conforming changes. Changes references to the Chair of the Senate Select Committee on Nominations, to now refer instead to Cochairs throughout bill. Adds that any person who has already been formally nominated as a candidate by a member of the Senate and had filed a nomination form with the Senate Principal Clerk's Office by 5 pm on March 10 is not required to file another nomination form. Changes the deadline for completing the NC State Ethic Statement of Economic Interest to March 16 (was, March 10). Adds that any person who has already been formally nominated and had filed a NC State Ethic Statement of Economic Interest by 5 pm on March 10 is not required to file another statement.

**Intro. by Rabon.**

SENATE RES

[View summary](#)

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

S 247 (2017-2018) [IMPROVE PROFESSOR TEACHING OPPORTUNITIES/UNC](#). Filed Mar 13 2017, *AN ACT TO IMPROVE THE QUALITY OF INSTRUCTION AT THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA*.

Enacts new GS 116-11.5 requiring the UNC Board of Governors to adopt a policy that applies to all of the constituent institutions, except the NC School of Science and Math and the UNC School of the Arts, that sets faculty teaching standards that are differentiated by the institution type and course discipline. Sets out required average faculty teaching loads for each department at a constituent institution with different requirements for Research Universities I (defined as NC State University and UNC-Chapel Hill), Doctoral Institutions I (defined as East Carolina University, North Carolina Agricultural and Technical State University, UNC-Charlotte, and UNC-Greensboro), Masters Institutions I (defined as Appalachian State University, Fayetteville State University, North Carolina Central University, UNC-Pembroke, UNC-Wilmington, and Western Carolina University), and Baccalaureate Institutions (defined as Elizabeth City State University, UNC-Asheville, and Winston-Salem State University). The requirements for each type of institution also vary depending on whether the department is *STEM* or *Humanities and Social Sciences* (both of which are defined in the act). Prohibits a department from averaging fewer than 10 students per course. Requires the salary of any full-time professor who teaches less than the required number of courses to be reduced on a pro rata

basis, unless: (1) the institution chooses to supplement the professor's salary with the proceeds of the constituent institution's endowment fund, (2) the professor has private or federal grant funds transferred to the department in exchange for a pro rata reduction of teaching obligations, or (3) the professor is serving concurrently in an administrative position. Requires annual compliance audits.

Amends GS 116-36 to allow the proceeds of an endowment fund to be used to supplement the salary of a professor whose salary has been reduced under new GS 116-11.5.

Applies to academic years beginning on or after July 1, 2017.

**Intro. by Curtis, McInnis.**

**GS 116**

[View summary](#)

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

S 248 (2017-2018) **NC BOARD OF PROPRIETARY SCHOOLS**. Filed Mar 13 2017, *AN ACT TO ESTABLISH THE NORTH CAROLINA PROPRIETARY SCHOOL LICENSURE ACT*.

Identical to [H 327](#), filed 3/13/17.

Repeals GS Chapter 115D, Article 8 (regarding Proprietary Schools) effective July 1, 2017.

Enacts new GS Chapter 115F (regarding Proprietary Schools). The new Chapter is largely identical to the repealed GS Chapter 115D, Article 8, with the following exceptions.

Sets out the purpose of the new Chapter

New term definitions are added, including Distance Education and License.

Changes the definition of Catastrophic loss amount to increase the dollar amount in the definition from \$1 million to \$1.5 million. Changes the definition of Fund cap amount from \$1.5 million to the amount for the catastrophic loss amount plus a \$5,000 reserve.

Changes the name of the State Board of Proprietary Schools to the North Carolina Board of Proprietary Schools (Board), and moves its administration from the Community Colleges System Office to the Department of Administration. Transfers all powers and responsibilities currently given to the State Board of Community College regarding proprietary schools to the North Carolina Board of Proprietary Schools.

Requires the Board to establish the office of Proprietary Schools. Directs the executive director of the Office of Proprietary Schools to annually submit a written report to the North Carolina Board of Proprietary Schools and the State Board of Community College to report annually, including eight specified pieces of information. Deletes the provision requiring the Executive Director to give the Board an annual projected operating budget.

Directs that the physical locations of proprietary schools in separate counties constitute separate proprietary schools for the purposes of licensure.

Allows the Board to refuse to issue or renew a license, or suspend or revoke a license, for failure to pay license or renewal fees.

Amends the Bond requirements to allow the bond currently applicable to the first four license renewals to apply to the first five bond requirements, and the requirement for schools licensed for at least five continuous school years to apply to schools licensed for at least six continuous school years. Authorizes the Board to require any licensed school to increase its bond if it determines the increase is necessary to provide indemnification to a student or student's parent or legal guardian who may suffer a loss of tuition, fees, or any other instructional-related expenses paid to the school.

Authorizes the Board or its authorized representatives to make application to superior court for an order enjoining violations of this Chapter. Authorizes the court to grant an injunction or restraining order or take any other appropriate action upon a showing of violation or impending violation, regardless of whether criminal prosecution or other actions may be instituted as a result of the violation. Authorizes the Board to assess a civil penalty of up to \$1,000 for the violation of any section of this Chapter, or of



Board rules implementing the chapter, to be remitted to the Civil Penalty and Forfeiture Fund. Directs the Board to establish a schedule of penalties for violations of this Chapter. Directs the Board to consider four listed factors before assessing a civil penalty under the statute. Authorizes the Board to assess the costs of enforcement actions taken under this Chapter.

Makes technical and conforming changes.

Makes conforming changes to GS 86A-22(7), GS 88B-17(a), GS 90-171.55(b)(1), GS 93A-32(2), GS 116-15, and GS 126-5(c2)(4).

The act does not affect the current terms of the members of the State Board of Proprietary Schools, and directs them to continue as members of the North Carolina Board of Proprietary Schools.

Authorizes the North Carolina Board of Proprietary Schools to enter into an agreement with the State Board of Community Colleges to provide that the Community Colleges System Office acts as the fiscal agent for the North Carolina Board of Proprietary Schools and for the Office of Proprietary Schools for the purpose of administering the Commercial Education Fund and the Student Protection Fund, until those funds may be established in accounts with the Department of State Treasurer under the sole supervision and direction of the North Carolina Board of Proprietary Schools.

**Intro. by Curtis.**

[GS 86A, GS 90, GS 93A, GS 115F, GS 116, GS 126](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

## LOCAL/HOUSE BILLS

H 324 (2017-2018) [PILOT PROJECT TO TREAT OPIATE OVERDOSE](#). Filed Mar 13 2017, *AN ACT TO DIRECT THE CITY OF WILMINGTON TO DEVELOP AND IMPLEMENT A PILOT PROJECT TO ESTABLISH A QUICK RESPONSE TEAM TO ADDRESS THE UNMET NEEDS OF OPIATE OVERDOSE VICTIMS WHO ARE IN NEED OF FOLLOW-UP TREATMENT, COUNSELING, SUPPORT, AND OTHER RECOVERY SERVICES.*

Directs the Department of Public Safety (DPS) and the City of Wilmington (City) to develop and implement a pilot project to establish a Quick Response Team to address the needs of opiate and heroin overdose victims, considering five listed factors in the development of the program. Directs DPS and City to report on the results of the project to the 2019 General Assembly.

Appropriates \$250,000 each in recurring funds for 2017-18 and 2018-19 from the General Fund to DPS to for the purpose described above.

**Intro. by Davis.**

[APPROP, New Hanover](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Public Safety](#)

H 331 (2017-2018) [CORRECT BOARD MEMBER TERMS/TOWN OF OAKBORO](#). Filed Mar 13 2017, *AN ACT TO CORRECT HOW THE TERMS OF BOARD MEMBERS ARE TO EXPIRE DUE TO TRANSITION OF MUNICIPAL ELECTIONS TO EVEN-NUMBERED YEARS IN THE TOWN OF OAKBORO.*

Amends the Charter of the Town of Oakboro to designate that in 2015, two (currently three) members of the Town Board are elected for five-year terms, and that the three (currently two) members whose terms expire in 2017 will continue to serve until 2018. In 2020, and quadrennially thereafter, two (currently three) seats will be elected for four-year terms, and in 2018, and quadrennially thereafter, three (currently two) seats will be elected for four-year terms.

**Intro. by Burr.**

[Stanly](#)

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## LOCAL/SENATE BILLS

S 243 (2017-2018) [14TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 13 2017, *AN ACT RELATING TO THE 14TH SENATORIAL DISTRICT*.

Blank bill.

**Intro. by Blue.**

[Wake](#)

[View summary](#)

S 246 (2017-2018) [44TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 13 2017, *AN ACT RELATING TO THE 44TH SENATORIAL DISTRICT*.

Blank bill.

**Intro. by Curtis.**

[Gaston, Iredell, Lincoln](#)

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## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 181: [FIRST RESPONDERS ACT OF 2017.](#)**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Judiciary III, if favorable, Transportation, if favorable, Finance*

### **H 194: [SBCC ELECTIONS.](#)**

*Ratified*

*Ch. Res 2017-3*

### **H 254: [SURPLUS COMPUTERS FOR LOW-INCOME STUDENTS.](#)**

*House: Withdrawn From Com*

*House: Re-ref Com On Appropriations*

### **H 299: [STATE HEALTH PLAN ADMINISTRATIVE CHANGES.-AB](#)**

*House: Passed 1st Reading*

*House: Ref to the Com on Insurance, if favorable, State Personnel*

### **H 300: [PARTIALLY DISABLED VETERAN/FREE PLATE.](#)**

*House: Passed 1st Reading*

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

### **H 302: [DODEA/CLINICAL EDUCATORS FOR STUDENT TEACHING.](#)**

*House: Passed 1st Reading*

*House: Ref to the Com on Education - K-12, if favorable, Homeland Security, Military, and Veterans Affairs*

**H 303: VOTER FREEDOM ACT.**

*House: Passed 1st Reading*

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

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

*House: Passed 1st Reading*

*House: RefTo Com On Transportation*

**H 305: SCHOOL BOARDS CAN'T SUE COUNTIES.**

*House: Passed 1st Reading*

*House: Ref to the Com on State and Local Government I, if favorable, Judiciary IV*

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

*House: Passed 1st Reading*

*House: Ref to the Com on State and Local Government II, if favorable, Regulatory Reform, if favorable, Judiciary III*

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

*House: Passed 1st Reading*

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

**H 308: NO INSURANCE WHILE DRIVING/TOW VEHICLE.**

*House: Passed 1st Reading*

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

**H 309: RESPONSIBLE DEER MANAGEMENT ACT.**

*House: Passed 1st Reading*

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

**H 310: WIRELESS COMMUNICATIONS INFRASTRUCTURE SITING.**

*House: Passed 1st Reading*

*House: Ref to the Com on Energy and Public Utilities, if favorable, Finance*

**H 311: STATE AUDITOR/VARIOUS AMENDMENTS.-AB**

*House: Passed 1st Reading*

*House: Ref to the Com on State and Local Government II, if favorable, Regulatory Reform*

**H 312: CLARIFY RULES REVIEW COMMISSION REVIEW.**

*House: Passed 1st Reading*

*House: Ref to the Com on State and Local Government II, if favorable, Judiciary III*

**H 315: KELSEY SMITH ACT.**

*House: Passed 1st Reading*

*House: RefTo Com On Judiciary I*

**H 316: CATAWBA VALLEY CC/MANUFACTURING CENTER.**

*House: Passed 1st Reading*

*House: Ref to the Com on Education - Community Colleges, if favorable, Appropriations*

**H 317: SURCHARGE TRANSPARENCY.**

*House: Passed 1st Reading*

*House: RefTo Com On Insurance*

**H 319: STUDY SOLAR FACILITY DECOMMISSIONING RQMTS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Environment, if favorable, Energy and Public Utilities*

**H 320: STUDY ELECTRONICS RECYCLING.**

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

**H 321: STUDY SOLID WASTE DISPOSAL TAX.**

*House: Passed 1st Reading*

*House: Ref To Com On Environment*

**H 322: SCHOOL PERFORMANCE GRADES.**

*House: Passed 1st Reading*

*House: Ref To Com On Education - K-12*

**H 323: HONOR THE LIFE AND MEMORY OF HOWARD WILSON.**

*House: Filed*

**H 325: AMEND ARSON LAW/PROSECUTOR FUNDS.**

*House: Filed*

**H 326: MILITARY COLLEGE PLATES/REDUCE APPLICATIONS.**

*House: Filed*

**H 327: NC BOARD OF PROPRIETARY SCHOOLS.**

*House: Filed*

**H 328: ATHLETIC ASSOCIATIONS ACCOUNTABILITY ACT.**

*House: Filed*

**H 329: HOME SCHOOL EDUCATION TAX CREDIT.**

*House: Filed*

**H 330: CIVPRO/QUALIFIED IMMUNITY FOR AUTO ACCIDENT.**

*House: Filed*

**H 332: MORROW MOUNTAIN STATE PARK LICENSE PLATE.**

*House: Filed*

**H 333: LOCAL OPTION SALES TAX FLEXIBILITY.**

*House: Filed*

**H 334: FAMILIES' STABILIZATION ACT.**

*House: Filed*

**H 335: VACANCIES/NC SUP CT/CT OF APP/SUPERIOR CT/DAS.**

*House: Filed*

**S 240: APPROPRIATIONS ACT OF 2017.**

*Senate: Filed*

**S 241: SECRETARY OF TRANSPORTATION CONFIRMATION.**

*Senate: Filed*

**S 242: SECRETARY OF DPS CONFIRMATION.**

*Senate: Filed*

**S 244: COASTAL CRESCENT TRAIL/STATE PARKS SYSTEM.**

*Senate: Filed*

**S 245: AMEND SENATE UNC BOG ELECTION.**

*Senate: Filed*

**S 247: IMPROVE PROFESSOR TEACHING OPPORTUNITIES/UNC.**

*Senate: Filed*

**S 248: NC BOARD OF PROPRIETARY SCHOOLS.**

*Senate: Filed*

**LOCAL BILLS**

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

*House: Passed 1st Reading*

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

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

*House: Passed 1st Reading*

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

**H 314: SCHOOL CALENDAR FLEX./ORANGE COUNTY.**

*House: Passed 1st Reading*

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

**H 318: SCHOOL CALENDAR FLEX./YADKIN COUNTY.**

*House: Passed 1st Reading*

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

**H 324: PILOT PROJECT TO TREAT OPIATE OVERDOSE.**

*House: Filed*

**H 331: CORRECT BOARD MEMBER TERMS/TOWN OF OAKBORO.**

*House: Filed*

**S 243: 14TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 246: 44TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*