

The Daily Bulletin: 2017-03-16

PUBLIC/HOUSE BILLS

H 7 (2017-2018) [LRC/STRENGTHEN SAVINGS RESERVE](#). Filed Jan 25 2017, *AN ACT TO STRENGTHEN THE SAVINGS RESERVE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.*

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

Corrects statutory cross references throughout the act to now correctly refer to GS 143C-4-2(f), which contains provisions for developing the recommended Savings Reserve balance.

Intro. by Dollar, McGrady, Arp, B. Richardson.

[GS 142](#), [GS 143C](#), [GS 147](#)

[View summary](#)

Government, Budget/Appropriations, General Assembly, State Government

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

The Governor vetoed the act on 03/16/17. The Governor's objections and veto message are available here: <http://www.ncleg.net/Sessions/2017/H100Veto/H100Veto.html>

Intro. by Burr, Saine, Bumgardner, Henson.

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

[View summary](#)

Courts/Judiciary, Government, Elections

H 235 (2017-2018) [TEACHER MENTOR QUALIFICATIONS](#). Filed Mar 1 2017, *AN ACT TO MODIFY THE CRITERIA FOR SELECTION OF TEACHER MENTORS.*

House amendment makes the following change to the 2nd edition:

Amends GS 115C-296(e) to authorize a teacher to be a mentor at a different school building from the one where the mentor is assigned so long as the principals of each school and the mentor teacher approve the assignment, the mentor teacher is rated at least "accomplished" and has met expectations for student growth, and the new teacher's principal maintains a record of the reasons for selecting the mentor from a different building.

Intro. by Conrad, Elmore, J. Bell.

[View summary](#)

H 382 (2017-2018) [INSURANCE TECHNICAL CORRECTIONS.-AB](#) Filed Mar 15 2017, *AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE INSURANCE LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE.*

Identical to [S 293](#), filed 3/15/17.

Amends GS 58-7-179 to raise the limit on mortgage loans on real property for dwellings intended for occupancy by up to four families from 95% to 97% of the value of the property, and raises the insurance level from 75% to 80% in that case. Effective January 1, 2018.

Amends GS 58-10-345(g) to apply GS 58-2-160 (concerning reporting and investigation insurance and reinsurance fraud and licensee financial conditions) to audits and processing only (currently also applies to investigations).

Amends GS 58-10-355 to allow only organizational audits (redefined as a general review of the applicant business entity's corporate records, currently defined as a general survey) to be performed before an applicant business entity is licensed (currently also allows organizational investigations).

Amends GS 58-10-385(a) to direct that the biographical affidavit of new executive officers and directors submitted by captive insurance companies are deemed approved unless they are disapproved within 30 days from the completion of the Commissioner's review of the biographical affidavit.

Amends GS 58-19-10(b) to further allow domestic insurers to invest in affiliates as described (currently allows only subsidiaries).

Amends GS 58-21-40 to designate the NC Surplus Lines Association to be the regulatory support organization of surplus lines licensees described in that statute, and directs it to operate the stamping office described. Makes conforming changes.

Amends GS 58-21-65 to prohibit licensed brokers from directly procuring contracts of surplus lines insurance with a nonadmitted insurer (currently does not include the word "directly"), and directs the Commissioner to issue surplus lines licenses to any qualified licensed property and casualty agent (currently to a licensed property broker or agent).

Amends GS 58-21-75 to require surplus lines licensees to keep records of contracts for five years (was, three years).

Amends GS 58-21-85(a) to clarify that the licensee has the responsibility to return a described tax to the policyholder (currently does not specify whose responsibility).

Amends GS 58-57-90(a) to amend the definition of *single interest credit property* to include non-household property, not including an automobile.

Amends GS 58-57-110(a) to direct the Commissioner to prescribe a minimum incurred loss ratio standard requirement every third year, beginning September 1, 2018 (currently required every year), effective on January 1 of the year following the year the Commissioner prescribes it.

Amends GS 143-143.10(a) to transfer the duty of nominating members to the Manufactured Housing Board from the North Carolina Manufactured Housing Institute to the North Carolina Manufactured and Modular Homebuilders Association.

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

Intro. by Setzer, Bumgardner, Henson, Destin Hall.

[GS 58, GS 143](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, State Agencies, Department of Insurance](#)

H 383 (2017-2018) [NAIC MODEL/OWN RISK AND SOLVENCY ASSESSMENT.-AB](#) Filed Mar 15 2017, *AN ACT TO MAKE CERTAIN CHANGES TO THE NORTH CAROLINA INSURANCE LAWS REGARDING OWN RISK AND SOLVENCY ASSESSMENTS IN ACCORDANCE WITH A MODEL ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS.*

Identical to [S 295](#), filed 3/15/17.

Enacts new GS Chapter 58, Article 10, Part 10 (Risk Management and Own Risk and Solvency Assessment), as described below.

Enacts new GS 58-10-700 (Purpose and Scope). Applies the Part to all insurers in this State unless exempt pursuant to new GS 58-10-725. Enacts new GS 58-10-705 (Definitions). Defines six terms, including own risk and solvency assessment or ORSA (confidential internal assessment conducted by an insurer or insurance group of the material and relevant risks associated with the insurer or insurance group's current business plan, and the sufficiency of capital resources to support those risks), and ORSA Guidance Manual (current version of the ORSA Guidance Manual developed and adopted by NAIC and as amended from time to time).

Enacts new GS 58-10-710 (Risk Management Framework). Directs insurers to maintain risk management frameworks to assist with identifying, assessing, monitoring, managing, and reporting on their material and relevant risks.

Enacts new GS 58-10-715 (ORSA Requirement). Directs insurers to regularly conduct an ORSA, no less than annually, but also at any time when there are significant changes to the insurer's risk profile.

Enacts new GS 58-10-720 (ORSA Summary Report). Directs the insurer to submit to the Commissioner an ORSA Summary Report, no more than once each year, under two described circumstances. Specifies requirements for signatures and filing a copy of the report with the insurer's board of directors, and provides an allowance for the insurer to substitute a report provided to a commissioner of another state or foreign jurisdiction's regulator, if it includes comparable information.

Enacts new GS 58-10-725 (Exemption). Exempts insurers from this Part's requirements if both the insurer and its insurance group have annual assumed premiums under specified amounts, and specifies report requirements for insurers who only partially meet the exemption standards. Provides for a request for a waiver of the requirements of this Part, to be granted at the discretion of the Commissioner as described. Authorizes the Commissioner to require an insurer that qualifies for an exemption to perform certain ORSA-related tasks, notwithstanding the exemption.

Enacts new GS 58-10-730 (Contents of ORSA Summary Report). Requires an ORSA Summary Report to be prepared consistent with the ORSA Guidance Manual.

Enacts new GS 58-10-735 (Confidentiality). Provides for the confidentiality of documents and other information that are obtained by, created by, or disclosed to the Commissioner under this Part, and provides that they are not public records or subject to subpoena or discovery, or admissible as evidence in any private civil action. Authorizes the Commissioner to use the documents and information in certain ways to assist in the performance of the Commissioner's regulatory duties, including by sharing them with other regulatory organizations, subject to confidentiality requirements.

Enacts new GS 58-10-740 (Sanctions). Subjects insurers who fail, without just cause, to timely file the ORSA Summary Report as required to a civil penalty of \$100 for each day's delay, not to exceed a total penalty of \$1,000, to be remitted to the Civil Penalty and Forfeiture Fund.

Contains a severability clause.

Effective January 1, 2018. The Commissioner may request filing of a report under new GS 58-10-720 on or after that date.

Intro. by Setzer, Bumgardner, Henson, Destin Hall.

GS 58

[View summary](#)

Business and Commerce, Insurance

H 394 (2017-2018) [CORRECTION TO DAY/DATE](#). Filed Mar 16 2017, *A HOUSE RESOLUTION TO AMEND THE 2017 HOUSE PERMANENT RULES TO CORRECT A REFERENCE.*

Amends House Rule 31.1 to correct the day of the week for April 25, to Tuesday.

Intro. by Lewis.

HOUSE RES

[View summary](#)

Government, General Assembly

H 395 (2017-2018) [ADD MEMBER TO NC TRAINING STANDARDS COMMISS.](#) Filed Mar 16 2017, *AN ACT TO PROVIDE THAT THE POLICE BENEVOLENT ASSOCIATION CAN APPOINT ONE FULL-TIME SWORN LAW ENFORCEMENT OFFICER TO SERVE ON THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.*

Amends GS 17C-3 to add a full-time sworn law enforcement officer selected by the North Carolina Police Benevolent Association to the membership of the North Carolina Criminal Justice Education and Training Standards Commission. Gives the member full voting privileges, except for in cases being heard before the probable cause committee involving its own member.

Sets the initial term of the new member from July 1, 2017, to June 30, 2020; subsequent appointees will serve a term of three years, with services at the will of the appointing authority.

Intro. by Jordan, R. Turner.

[GS 17C](#)

[View summary](#)

[Government, Public Safety](#)

H 396 (2017-2018) [MUNICIPAL BROADBAND SERVICE AREA.](#) Filed Mar 16 2017, *AN ACT TO CLARIFY THE SERVICE AREA FOR COMMUNICATIONS SERVICES PROVIDED BY CERTAIN SERVICE PROVIDERS EXEMPTED FROM CERTAIN REQUIREMENTS OF ARTICLE 16A OF CHAPTER 160A OF THE GENERAL STATUTES.*

Amends GS 160A-340.2(c)(3) to include the municipality of Pinetops and a specified additional service area to the list of communication service areas for the city of Wilson.

Intro. by S. Martin, Farmer-Butterfield.

[Wilson, GS 160A](#)

[View summary](#)

[Government, Local Government, Public Enterprises and Utilities](#)

H 399 (2017-2018) [STOP IMAGES TAKEN W/O CONSENT FROM DISSEMIN.](#) Filed Mar 16 2017, *AN ACT TO PROTECT PERSONS WHO ARE PHOTOGRAPHED, VIDEOTAPED, OR RECORDED WITHOUT THEIR CONSENT FROM HAVING HIS OR HER IMAGE DISCLOSED.*

Identical to [S 255](#), filed 3/14/17.

Amends GS 14-190.5A to expand the definition of *image* to include computer-generated images and other reproductions produced by electronic means. Deletes the definition of *personal relationship* and *reasonable expectation of privacy*. Amends the list of requirements for an act to constitute the crime of disclosure of private images to require that the offending person have obtained the image without consent of the depicted person or under circumstances such that the person knew or should have known that the depicted person expected the images to remain private (currently, requires the person to disclose the image under circumstances such that the person knew or should have known that the depicted person had a reasonable expectation of privacy).

Effective December 1, 2017.

Intro. by Malone, Adcock, Faircloth, R. Turner.

[GS 14](#)

[View summary](#)

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

H 400 (2017-2018) [EXEMPT VACATION LINEN RENTALS FROM SALES TAX.](#) Filed Mar 16 2017, *AN ACT TO EXEMPT FROM SALES AND USE TAX THE RENTAL OF LINENS TO THE PROVIDER OF A RESIDENTIAL ACCOMMODATION.*

Amends GS 105-164.4F to exempt the rental of linens for vacation rentals, if the three specified conditions are met, from the tax enacted in this statute.

Effective July 1, 2017, and applies to rental receipts for rentals with occupancy on or after that date.

Intro. by Boswell, Iler, Shepard.

[GS 105](#)

[View summary](#)

[Government, Tax](#)

H 401 (2017-2018) [SUPPORTING CLEAN ENERGY/CREATING GREEN JOBS](#). Filed Mar 16 2017, *A HOUSE RESOLUTION SUPPORTING A STATE GOAL OF ONE HUNDRED PERCENT CLEAN ENERGY BY 2050 AND THE CREATION OF GREEN JOBS*.

As title indicates.

Intro. by Harrison, Autry, Fisher, Farmer-Butterfield.

[HOUSE RES](#)

[View summary](#)

[Environment, Energy, Environment/Natural Resources](#)

H 402 (2017-2018) [LIMIT ENV. LIABILITY FOR CERTAIN RECYCLERS](#). Filed Mar 16 2017, *AN ACT TO GENERALLY EXEMPT PERSONS WHO ARRANGE FOR RECYCLING OF RECYCLABLE MATERIALS FROM LIABILITY FOR HAZARDOUS SUBSTANCES RELEASED OR THREATENED TO BE RELEASED AT A FACILITY OWNED OR OPERATED BY ANOTHER PERSON*.

Amends GS 130A-310.7 to prevent liability under that statute for persons who arrange for recycling of recyclable materials if that person complies with the Superfund Recycling Equity Act of 1999, 42 USC s. 9627, as amended.

Intro. by McElraft, Yarborough.

[GS 130A](#)

[View summary](#)

[Environment, Health and Human Services, Health, Public Health](#)

H 403 (2017-2018) [LME/MCO CLAIMS REPORTING/MENTAL HEALTH AMDTS](#). Filed Mar 16 2017, *AN ACT MODIFYING CERTAIN REQUIREMENTS PERTAINING TO LOCAL MANAGEMENT ENTITIES/MANAGED CARE ORGANIZATIONS*.

Directs the Department of Health and Human Services (DHHS) to specify a standardized format for local management entities/managed care organizations (LME/MCOs) when submitting encounter data to DHHS. Directs LME/MCOs to submit specified data to DHHS using that format. Authorizes DHHS to use encounter data for five purposes, including measuring quality of services by LME/MCOs. Directs DHHS to work with LME/MCOs to ensure successful submission of encounter claims through NC Tracks. Directs DHHS to report to the Joint Legislative Oversight Committee on Health and Human Services by February 1, 2018, on the success of the data submission process.

Amends GS 122C-112.1(a)(39) to direct the Secretary of DHHS (Secretary) to further develop standard contracts for LME/MCOs for management of State appropriations and federal block grant funds (in addition to contracts for the operation of the 1915(b)(C) Medicaid Waiver). Requires that the contracts include quality outcome measures for mental health, developmental disabilities, and substance use disorders.

Amends GS 122C-3 to delete the terms *county program*, and *program director*, to redefine *area board* and *area director*, and make conforming changes. Defines LME as an area authority (was, an area authority, county program, or consolidated human services agency).

Amends GS 122C-115.4(b) to require an LME to obtain the prior written approval of the Secretary of the Department of Health and Human Services to enter into a contract with another entity to perform the primary functions of an LME. Applies to contracts

entered into on or after the act's effective date.

Amends GS 122C-116. Amends the caption to read "Status of area authority." Clarifies the definition of *area authority* to mean a local political subdivision established by counties for the management and delivery of services for individuals with mental illness, intellectual or other developmental disabilities, and substance use disorders under a 1915(b)/(c) Medicaid Waiver, and clarifies its status and functions as an LME. Clarifies the meaning of LME, and the terminology around it.

Amends GS 122C-117(a) to clarify that GS Chapter 122C applies to the administrative head of the area authority, LME, or LME/MCO, regardless of title or contract.

Amends GS 122C-118.1 to authorize boards of county commissioners to appoint an alternative area board appointment process subject to the Secretary's approval. Otherwise requires area board participation from each of the constituent counties of the area authority, and directs the Secretary to appoint members to the area board if the boards of county commissioners do not comply with the requirements of this statute. Requires a member of the board to have expertise in health insurance, health plan administration, or business expertise (currently this seat requires an individual with insurance expertise consistent with the scale and nature of the managed care organization). Requires that at least three-quarters of the constituent counties adopt a resolution to appoint area board members using an alternative process, in addition to obtaining approval from the Secretary, before the boards of county commissioners in a specified sized area can use the alternative appointment method. Sets additional requirements for seeking the Secretary's approval. No longer limits the power to remove members to the initial appointing authority. Requires LME/MCOs to annually notify the Secretary of 7 pieces of information, including the area board appointment process, beginning on July 1, 2017. Makes technical changes. Directs area boards not currently in compliance with the revised composition requirements to comply no later than October 1, 2017.

Enacts new GS 122C-147.3 (LME/MCO use of funds). Directs LME/MCOs to use funds only for purposes related to their functions and responsibilities under GS Chapter 122C, or to carry out functions and responsibilities required by state law, federal law, or contract with DHHS.

Amends GS 122C-124.2(c) to further direct the Secretary to take the described actions regarding notification of noncompliance when the Secretary determines that an LME/MCO has failed to comply with new GS 122C-147.3.

Amends GS 122C-121 (Area director) to clarify that area directors are full-time employees who may not be employed in any other capacity for the performance of services while serving as area director. Provides new requirements for salaries higher than those established by the State Human Resources Commission, requiring the area board to submit a request for the higher salary to the Director of the Office of State Human Resources and the Secretary, and prior written approval from both the Director of the Office of State Human Resources and the Secretary. Sets limits on higher salaries based on the average range of other area directors. Prohibits the area board from authorizing a salary for an area director without complying with the above-described requirements. Directs the area board to reduce an area director's compensation that does not comply with the above-described requirements within 60 days of the Secretary's determination of noncompliance. Authorizes the Secretary to appoint a caretaker board of directors if noncompliance continues past 60 days. Subjects the total compensation to area directors to review and written approval by the Director of the Office of State Human Resources and the Secretary on at least an annual basis. Directs each area board to submit to the Secretary and the Director of the Office of State Human Resources a copy of all current employment agreements, contracts, and amendments, with its area director. Requires the area director to ensure compliance by the area authority with listed requirements, including disability infrastructure maintenance, customer service, and all aspects of Medicaid Waiver operations. Requires the appointment of the area director to be based on the recommendations of at least two candidates by a search committee. Requires 30 days' notice of termination of an area director. Applies both to currently employed area directors hired prior to the effective date of this act, and area directors hired after that date. Directs each LME/MCO to submit a copy of all current employment agreements, contracts, and amendments to the Secretary and the Director of the Office of State Human Resources within 30 days of this act's effective date.

Amends GS 122C-141(d)(1) to allow counties that satisfy their duties under GS 122C-115(a) through a consolidated human services agency to be considered a qualified provider.

Amends GS 122C-154 (Personnel) to delete the provision designating employees appointed by the county program director as county employees, and to make conforming changes. Amends provisions governing when an area authority's employees may be paid more than the established salary ranges.

Amends GS 126-11 (Local personnel system may be established; approval and monitoring; rules and regulations) to provide that the merger or consolidation of two or more LME/MCOs requires a new petition to determine whether any portion of its total personnel system meets the requirements of the statute, and to make technical changes.

Amends SL 2015-241, Section 12F.2(a), to direct DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to distribute 1/12 of each LME/MCO's single stream allocation on or before the last working day of each month, effective July 1, 2017.

Repeals GS 122C-115.1 (County governance and operation of mental health, developmental disabilities, and substance abuse services programs), and GS Chapter 122C, Article 4, Part 2A (Consolidated human services).

Directs the Revisor of Statutes to make conforming changes to GS Chapter 122C.

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

Intro. by Dollar, Lambeth, Dobson, White.

[GS 122C, GS 126](#)

[View summary](#)

[Government, State Agencies, Department of Health and Human Services, Health and Human Services, Mental Health](#)

H 404 (2017-2018) [DEBTS TO JUDGMENT DEBTORS/PAY TO SHERIFF](#). Filed Mar 16 2017, *AN ACT TO REQUIRE SOME OR ALL OF CERTAIN PAYMENTS TO JUDGMENT DEBTORS AGAINST WHOSE PROPERTY AN EXECUTION HAS BEEN ISSUED TO BE MADE TO THE SHERIFF RATHER THAN TO THE JUDGMENT DEBTOR.*

Amends GS 1-359 to direct that, after the issuing of an execution against property and presentation of a copy of the execution by the sheriff, persons indebted to a judgment debtor are to pay the amount of their debt necessary to satisfy the execution to the sheriff, and not the debtor. Requires knowledge and demand for payment of the execution for failure to pay to be considered a violation of this statute. Specifies that payment of the amount owed to the judgment debtor by the person indebted to the judgment debtor after receiving a demand for payment from the sheriff under the execution subjects the person indebted to a penalty in the amount of either the full amount due on the judgment and execution or the amount paid on the debt to the judgment debtor, whichever is less.

Amends GS 162-16 to clarify that the statute does not require a sheriff or coroner to execute a judgment where the sheriff or coroner has knowledge that the property to be sold to satisfy the judgment is exempt from execution under GS Chapter 1C, Article 16, and has been so notated on the writ of execution. Makes a technical change.

Effective October 1, 2017.

Intro. by Ford, McNeill.

[GS 1, GS 162](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Procedure](#)

PUBLIC/SENATE BILLS

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

Senate amendment makes the following changes to the 1st edition. Deletes the content of Section 1 concerning the Senate's consideration of confirmation of James Trogdon III as Secretary of the Department Transportation, and instead provides that, having given due consideration, the Senate confirms James Trogdon III as Secretary of the Department of Transportation. Makes conforming changes to the act's long title.

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 CONFIRMING ERIK HOOKS AS SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY*.

Senate amendment makes the following changes to the 1st edition.

Deletes the content of Section 1 concerning the Senate's consideration of confirmation of Erik Hooks as Secretary of the Department of Public Safety, and instead provides that, having given due consideration, the Senate confirms Erik Hooks as Secretary of the Department of Public Safety. Makes conforming changes to the long title.

Intro. by Rabon.

SENATE RES

[View summary](#)

Government, General Assembly, Public Safety, State Agencies, Department of Public Safety

S 293 (2017-2018) **INSURANCE TECHNICAL CORRECTIONS.-AB** Filed Mar 15 2017, *AN ACT TO MAKE TECHNICAL AND OTHER CHANGES TO THE INSURANCE LAWS OF NORTH CAROLINA, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE*.

Amends GS 58-7-179 to raise the limit on mortgage loans on real property for dwellings intended for occupancy by up to four families from 95% to 97% of the value of the property, and raises the insurance level from 75% to 80% in that case. Effective January 1, 2018.

Amends GS 58-10-345(g) to apply GS 58-2-160 (concerning reporting and investigation insurance and reinsurance fraud and licensee financial conditions) to audits and processing only (currently also applies to investigations).

Amends GS 58-10-355 to allow only organizational audits (redefined as a general review of the applicant business entity's corporate records, currently defined as a general survey) to be performed before an applicant business entity is licensed (currently also allows organizational investigations).

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Amends GS 58-19-10(b) to further allow domestic insurers to invest in affiliates as described (currently allows only subsidiaries).

Amends GS 58-21-40 to designate the NC Surplus Lines Association to be the regulatory support organization of surplus lines licensees described in that statute, and directs it to operate the stamping office described. Makes conforming changes.

Amends GS 58-21-65 to prohibit licensed brokers from directly procuring contracts of surplus lines insurance with a nonadmitted insurer (currently does not include the word "directly"), and directs the Commissioner to issue surplus lines licenses to any qualified licensed property and casualty agent (currently to a licensed property broker or agent).

Amends GS 58-21-75 to require surplus lines licensees to keep records of contracts for five years (was, three years).

Amends GS 58-21-85(a) to clarify that the licensee has the responsibility to return a described tax to the policyholder (currently does not specify whose responsibility).

Amends GS 58-57-90(a) to amend the definition of *single interest credit property* to include non-household property, not including an automobile.

Amends GS 58-57-110(a) to direct the Commissioner to prescribe a minimum incurred loss ratio standard requirement every third year, beginning September 1, 2018 (currently required every year), effective on January 1 of the year following the year the Commissioner prescribes it.

Amends GS 143-143.10(a) to transfer the duty of nominating members to the Manufactured Housing Board from the North Carolina Manufactured Housing Institute to the North Carolina Manufactured and Modular Homebuilders Association.

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

Intro. by Meredith, Newton, Dunn.

GS 58, GS 143

[View summary](#)

**Development, Land Use and Housing, Property and Housing,
Government, State Agencies, Department of Insurance**

S 295 (2017-2018) [NAIC MODEL/OWN RISK AND SOLVENCY ASSESSMENT.-AB](#) Filed Mar 15 2017, *AN ACT TO MAKE CERTAIN CHANGES TO THE NORTH CAROLINA INSURANCE LAWS REGARDING OWN RISK AND SOLVENCY ASSESSMENTS IN ACCORDANCE WITH A MODEL ACT OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS.*

Enacts new GS Chapter 58, Article 10, Part 10 (Risk Management and Own Risk and Solvency Assessment), as described below.

Enacts new GS 58-10-700 (Purpose and Scope). Applies the Part to all insurers in this State unless exempt pursuant to new GS 58-10-725. Enacts new GS 58-10-705 (Definitions). Defines six terms, including own risk and solvency assessment or ORSA (confidential internal assessment conducted by an insurer or insurance group of the material and relevant risks associated with the insurer or insurance group's current business plan, and the sufficiency of capital resources to support those risks), and ORSA Guidance Manual (current version of the ORSA Guidance Manual developed and adopted by NAIC and as amended from time to time).

Enacts new GS 58-10-710 (Risk Management Framework). Directs insurers to maintain risk management frameworks to assist with identifying, assessing, monitoring, managing, and reporting on their material and relevant risks.

Enacts new GS 58-10-715 (ORSA Requirement). Directs insurers to regularly conduct an ORSA, no less than annually, but also at any time when there are significant changes to the insurer's risk profile.

Enacts new GS 58-10-720 (ORSA Summary Report). Directs the insurer to submit to the Commissioner an ORSA Summary Report, no more than once each year, under two described circumstances. Specifies requirements for signatures and filing a copy of the report with the insurer's board of directors, and provides an allowance for the insurer to substitute a report provided to a commissioner of another state or foreign jurisdiction's regulator, if it includes comparable information.

Enacts new GS 58-10-725 (Exemption). Exempts insurers from this Part's requirements if both the insurer and its insurance group have annual assumed premiums under specified amounts, and specifies report requirements for insurers who only partially meet the exemption standards. Provides for a request for a waiver of the requirements of this Part, to be granted at the discretion of the Commissioner as described. Authorizes the Commissioner to require an insurer that qualifies for an exemption to perform certain ORSA-related tasks, notwithstanding the exemption.

Enacts new GS 58-10-730 (Contents of ORSA Summary Report). Requires an ORSA Summary Report to be prepared consistent with the ORSA Guidance Manual.

Enacts new GS 58-10-735 (Confidentiality). Provides for the confidentiality of documents and other information that are obtained by, created by, or disclosed to the Commissioner under this Part, and provides that they are not public records or subject to subpoena or discovery, or admissible as evidence in any private civil action. Authorizes the Commissioner to use the documents and information in certain ways to assist in the performance of the Commissioner's regulatory duties, including by sharing them with other regulatory organizations, subject to confidentiality requirements.

Enacts new GS 58-10-740 (Sanctions). Subjects insurers who fail, without just cause, to timely file the ORSA Summary Report as required to a civil penalty of \$100 for each day's delay, not to exceed a total penalty of \$1,000, to be remitted to the Civil

Penalty and Forfeiture Fund.

Contains a severability clause.

Effective January 1, 2018. The Commissioner may request filing of a report under new GS 58-10-720 on or after that date.

Intro. by Meredith, Newton, Dunn.

[GS 58](#)

[View summary](#)

[Business and Commerce, Insurance](#)

S 301 (2017-2018) [NEED-BASED SCHOLARSHIPS/PRIVATE COLLEGES](#). Filed Mar 16 2017, *AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA STATE EDUCATION ASSISTANCE AUTHORITY TO BE USED TO SUPPORT NEED-BASED SCHOLARSHIPS FOR STUDENTS ATTENDING PRIVATE INSTITUTIONS OF HIGHER EDUCATION.*

Appropriates \$2 million for 2017-18 and \$5 million for 2018-19 from the General Fund to the North Carolina State Education Assistance Authority to be used to support need-based scholarships for students attending private institutions of higher education. Effective July 1, 2017.

Intro. by D. Davis, Pate.

[APPROP](#)

[View summary](#)

[Education, Higher Education, Government, Budget/Appropriations](#)

S 302 (2017-2018) [CONCUSSION PROTOCOL/COUNTY REC](#). Filed Mar 16 2017, *AN ACT TO PROVIDE THAT A COUNTY OR MUNICIPAL RECREATION PROGRAM TAKE PRECAUTIONS TO ENSURE THE SAFETY AND WELL-BEING OF ACTIVITY PARTICIPANTS, INCLUDING PROVIDING CONCUSSION AWARENESS INFORMATION AND A RESPONSE PROTOCOL FOR CERTAIN ATHLETIC ACTIVITIES.*

Amends GS 160A-353 to give counties and cities the authority to require precautions to ensure the safety and well-being of county and municipal recreation program participants, including concussion awareness information and a response protocol in case of a suspected concussion. Requires the information and response protocol to be consistent with the State Board of Education's rules for interscholastic athletic activities under GS 115C-12(23). Provides immunity from civil damages to any program director, employee, or volunteer of a county or municipal recreation program for any act authorized above or for any related omission unless that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Makes additional technical changes. Effective October 1, 2017.

Intro. by D. Davis, Hise, Brock.

[GS 160A](#)

[View summary](#)

[Government, Local Government, Health and Human Services, Health](#)

S 303 (2017-2018) [USE OF PASSING LANE/INCREASED PENALTY](#). Filed Mar 16 2017, *AN ACT TO EXPAND THE PROHIBITION ON OPERATING A MOTOR VEHICLE IN THE LEFTMOST TRAVEL LANE OF A CONTROLLED-ACCESS OR PARTIALLY CONTROLLED-ACCESS HIGHWAY AT LESS THAN THE SPEED LIMIT OR WHEN IMPEDING THE STEADY FLOW OF TRAFFIC AND TO INCREASE THE MONETARY PENALTY FOR COMMITTING A VIOLATION OF THAT PROHIBITION.*

Amends GS 20-146 to require any vehicle on a controlled-access or partially controlled access highway to drive in a lane other than the inside lane next to the centerline or median when traveling at less than the speed limit or when impeding the steady flow of traffic (defined as when the person knows or reasonably should know that he or she is being overtaken from the rear by a vehicle traveling at a higher rate of speed). Includes exceptions for overtaking and passing another vehicle or when making a left

turn. Violations are an infraction punishable by a \$200 fine. Makes conforming changes. Applies to offenses committed on or after December 1, 2017.

Intro. by Tarte, McInnis, J. Davis.

GS 20

[View summary](#)

Courts/Judiciary, Motor Vehicle

S 304 (2017-2018) **REQUIRED FINANCIAL AUDITS**. Filed Mar 16 2017, *AN ACT TO REQUIRE FINANCIAL AUDITS OF CERTAIN NONPROFIT CORPORATIONS AND ALL STATE OFFICES, DEPARTMENTS, AND AGENCIES AND AN ANNUAL SUBMISSION OF COMPLETED AUDITS TO THE STATE AUDITOR BY UNITS OF LOCAL GOVERNMENT AND PUBLIC AUTHORITIES.*

Enacts new GS 147-64.6E to make all principal offices and departments listed in GS 143A-11 and GS 143B-6 subject to an annual financial audit. Requires State agencies not listed in those statutes to undergo biennial financial audits. Requires nonprofits that receive State funds (as defined in GS 143C-1-1) or local funds to undergo a quadrennial financial audit. Requires the State Auditor to select independent certified public accountants to perform these audits, under the State Auditor's supervision. Requires audit results to be submitted to the Auditor, General Assembly, and the Governor, and makes them public records.

Sets out requirements that must be met when contracting for auditing services by an independent certified public accountant.

Requires local governments and public authorities subject to GS 159-34 to submit an audit of its accounts (which are considered to be public record) to the Auditor, General Assembly, and the Governor.

Authorizes the Auditor to collect the costs of audit work from each State office, department, agency, or nonprofit corporation.

Specifies that the audits performed under the statute are in addition to any discretionary audits made by the Auditor.

Makes conforming changes to GS 147-64.6.

Effective January 1, 2018.

Intro. by Tarte, Hise, B. Jackson.

GS 147

[View summary](#)

Government, State Agencies, Office of State Auditor, Local Government, Nonprofits

S 305 (2017-2018) **RAISE AWARENESS ABOUT ALZHEIMER'S & DEMENTIAS**. Filed Mar 16 2017, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, FOR THE IMPLEMENTATION OF CERTAIN RECOMMENDATIONS OF THE TASK FORCE ON ALZHEIMER'S DISEASE AND RELATED DEMENTIAS.*

Appropriates \$300,000 for 2017-18 and \$200,000 for 2018-19 from the General Fund to the Department of Health and Human Services, Division of Aging and Adult Services, to be allocated to the Center of Outreach in Alzheimer's, Aging, and Community Health at NC Agricultural and Technical State University, to be used to develop workshops, support groups, and conferences to promote awareness of Alzheimer's disease and related dementias in 20 counties with the highest number of low-income families, to develop a comprehensive caregiver toolkit to assist families caring for Alzheimer's or related dementia patients, and to implement a project to increase awareness of Alzheimer's disease and related dementias resources, as specified.

Effective July 1, 2017.

Intro. by Robinson, Barefoot, Chaudhuri.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Adult Services

S 306 (2017-2018) [SUBDIVIDE MECKLENBURG COUNTY DISTRICT COURTS](#). Filed Mar 16 2017, *AN ACT TO SUBDIVIDE MECKLENBURG COUNTY DISTRICT COURTS TO MIRROR THE SUPERIOR COURT DISTRICTS*.

Amends GS 7A-133 to split district court district 26 into three districts, with seven judges each, consisting of parts of Mecklenburg County with composition as described in GS 7A-41(b)(28).

Effective January 1, 2018.

Intro. by Tarte, Bishop.

[Mecklenburg, GS 7A](#)

[View summary](#)

[Courts/Judiciary, Court System](#)

S 307 (2017-2018) [OCCUP. THERAPY/CHOICE OF PROVIDER](#). Filed Mar 16 2017, *AN ACT TO ENSURE THAT PATIENTS HAVE THE RIGHT TO CHOOSE THEIR OCCUPATIONAL THERAPIST UNDER THEIR HEALTH BENEFIT PLANS*.

Identical to [H 208](#) filed on 2/28/17.

As the title indicates. Amends GS 58-50-30(b) to add an occupational therapist licensed by the North Carolina Board of Occupational Therapy under Article 18D of GS Chapter 90 to the list of providers whom patients have the right to choose under their health benefit plans. Effective October 1, 2017, and applies to health benefit contracts issued, renewed, or amended on or after that date.

Intro. by Newton, Krawiec.

[GS 58](#)

[View summary](#)

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

S 308 (2017-2018) [AMEND VARIOUS DWI STATUTES](#). Filed Mar 16 2017, *AN ACT TO PROVIDE THAT THE STATUTE OF LIMITATIONS SHALL BE TOLLED WHEN A MISDEMEANOR IS DISMISSED WITH LEAVE AND TO PROVIDE THAT THE RESULTS OF HGN TESTS SHALL BE ADMISSIBLE WHEN GIVEN BY A PERSON WHO HAS SUCCESSFULLY COMPLETED HGN TRAINING AND THE TEST IS ADMINISTERED IN ACCORDANCE WITH THE PERSON'S TRAINING*.

Amends GS 15-1. Tolls the statute of limitations for crimes of deceit and malicious mischief, and the crime of petit larceny where the value of the property does not exceed \$5, and all misdemeanors except malicious misdemeanors, during the time a misdemeanor is dismissed with leave. Requires those same crimes to be charged (was, presented or found by the grand jury) within two years after the commission of the crime, and specifies that the provision preserving the validity of a defective indictment preserves any criminal process. Effective December 1, 2017, and applies to offenses committed on or after that date.

Amends GS 8C-1, Rule 702(a1), to authorize expert testimony on the results of a Horizontal Gaze Nystagmus Test, administered in accordance with the expert's training (currently does not require administration in accordance with training). Requires an expert to have administered a drug influence evaluation, and who hold a certification as a Drug Recognition Expert, for expert testimony on a person's impairment by impairing substances (currently does not require the administration of the evaluation). Effective when the act becomes law.

Intro. by J. Davis.

[View summary](#)

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

S 309 (2017-2018) [9/11 AS FIRST RESPONDERS DAY](#). Filed Mar 16 2017, *AN ACT TO DESIGNATE SEPTEMBER ELEVEN OF EACH YEAR AS A DAY TO HONOR AND REMEMBER FIRST RESPONDERS*.

Amends GS 103-4, as the title indicates.

Intro. by Sanderson.

GS 103

[View summary](#)

Government, Cultural Resources and Museums, Public Safety

S 310 (2017-2018) [ADVISORY COUNCIL REVIEW OF RARE DISEASE BILLS](#). Filed Mar 16 2017, *AN ACT EXPANDING THE DUTIES OF THE ADVISORY COUNCIL ON RARE DISEASES TO INCLUDE THE PREPARATION OF ADVISORY NOTES FOR PROPOSED BILLS AND RESOLUTIONS PERTAINING TO RARE DISEASES AND REQUIRING THE ADVISORY NOTE TO BE ATTACHED TO THE BILL OR RESOLUTION AT THE TIME OF ITS CONSIDERATION BY THE GENERAL ASSEMBLY*.

Enacts new Article 6E, Review of Rare Disease Bills and Resolutions, in GS Chapter 120. Requires that every bill and resolution introduced in the General Assembly that proposes changes to the law pertaining to rare diseases, rare disease research, or rare disease care include an advisory note prepared by the Advisory Council on Rare Diseases (Advisory Council). Specifies that the advisory note must include the Advisory Council's opinion about the merits of the legislation and any recommended changes. Requires the Advisory Council to give the advisory note to the bill sponsor within two weeks after the sponsor has made the request for an advisory note, unless the sponsor agrees to more time. Requires that the advisory note be attached to the original of each proposed bill or resolution that is reported favorably by a committee, but specifies that the note is not a part of the legislation and is not an expression of legislative intent proposed by the legislation. Requires that if a committee reports favorably a proposed bill or resolution with an amendment that proposes a change in the law that pertains to rare diseases, rare disease research, or rare disease care, the chairperson of the committee must obtain an advisory note from the Advisory Council and attach it to the amended bill or resolution. Requires that copies the advisory notes be given to the sponsor of the bill or resolution and the chairpersons of the rules committees.

Makes conforming changes toGS 130A-33.66 by adding the review of each proposed bill and resolution pertaining to rare diseases, rare disease research, and rare disease care and the preparation of an advisory note within 14 days to the Advisory Council's duties.

Appropriates \$250,000 for 2017-18 and \$250,000 for 2018-19 from the General Fund to the Department of Health and Human Services to be allocated to the Advisory Council to prepare advisory notes.

Effective July 1, 2017.

Intro. by Pate, Bishop.

APPROP, GS 120, GS 130A

[View summary](#)

Government, Budget/Appropriations, General Assembly, State Agencies, Department of Health and Human Services, Health and Human Services, Health

S 311 (2017-2018) [DHHS STUDY/MATERNAL AND NEONATAL CARE](#). Filed Mar 16 2017, *AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY ISSUES PERTAINING TO HIGH-QUALITY, RISK-APPROPRIATE MATERNAL AND NEONATAL CARE*.

Includes whereas clauses.

Requires the Department of Health and Human Services (DHHS) to study and analyze the state's ability to provide women with timely and equitable access to high-quality, risk-appropriate maternal and neonatal care. Sets out seven issues to be studied, including the complexity levels of care currently being provided by all delivering hospitals in caring for birth mothers and newborns, and disparities in access to risk-appropriate maternal and hospital care.

Requires DHHS to make an interim report on its findings and recommendations to the 2018 Regular Session of the General Assembly by May 1, 2018, and requires a final report to the 2019 General Assembly.

Intro. by D. Davis, Krawiec.

STUDY

[View summary](#)

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

S 312 (2017-2018) [SURPLUS COMPUTERS FOR LOW-INCOME STUDENTS](#). Filed Mar 16 2017, *AN ACT TO ALLOW THE STATE SURPLUS PROPERTY AGENCY TO DISTRIBUTE STATE SURPLUS COMPUTERS TO NONPROFIT ENTITIES THAT REFURBISH AND DONATE COMPUTERS FOR THE BENEFIT OF LOW-INCOME STUDENTS AND HOUSEHOLDS.*

Identical to [H 254](#) filed on 3/6/17.

Under GS 143-64.03, the State Surplus Property Agency's duties include distributing surplus State-owned supplies, materials, and equipment to tax-supported or nonprofit tax-exempt organizations. Amends GS 143-64.02 to expand upon the definition of nonprofit tax exempt organizations to include nonprofits that refurbish computers for donation to low-income students or households.

Intro. by Tarte, Brock, Hise.

GS 143

[View summary](#)

Government, State Government, State Property, Nonprofits

S 313 (2017-2018) [INCREASE SMALL BREWERY LIMITS](#). Filed Mar 16 2017, *AN ACT TO INCREASE THE NUMBER OF BARRELS OF MALT BEVERAGES A SMALL BREWERY MAY SELF-DISTRIBUTE.*

Amends GS 18B-1104(8) to authorize breweries that sell fewer than 103,091 barrels of malt beverages per year (currently fewer than 25,000) to obtain a malt beverage wholesaler permit.

Amends GS 105-113.68(a)(13) to make a conforming change.

Intro. by Tarte, Krawiec, J. Jackson.

[View summary](#)

S 314 (2017-2018) [GIVE RETIREES 2% COLA/FUNDS](#). Filed Mar 16 2017, *AN ACT TO PROVIDE A COST-OF-LIVING ADJUSTMENT FOR RETIREES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM.*

Amends GS 135-5, concerning retirement benefits for teachers and state employees, adding new subsection (vvv), providing for cost-of-living increases of 2%.

Amends GS 135-65, concerning retirement benefits for individuals in the consolidated judicial retirement system, adding new subsection (gg), providing for cost-of-living increases of 2%.

Amends GS 120-4.22A, concerning retirement benefits for members of the legislative retirement system, adding new subsection (aa), providing for cost-of-living increases of 2%.

Appropriates \$88 million from the General Fund to the Reserve for Retiree Cost-of-Living Adjustments for the 2017-18 fiscal year and \$88 million for the 2018-19 fiscal year to implement the cost-of-living adjustment authorized in this act.

Effective July 1, 2017.

Intro. by Waddell, D. Davis, Smith-Ingram.

APPROP, GS 120, GS 135

[View summary](#)

Courts/Judiciary, Court System, Employment and Retirement, Government, Budget/Appropriations, General Assembly, State Government, State Personnel

S 315 (2017-2018) **IMPLEMENT UNC UNDERGRAD COMPLETION PLAN**. Filed Mar 16 2017, *AN ACT TO DIRECT THE UNIVERSITY OF NORTH CAROLINA TO IMPLEMENT THE UNDERGRADUATE DEGREE COMPLETION IMPROVEMENT PLAN*.

Requires the UNC President to implement the University of North Carolina Undergraduate Degree Completion Improvement Plan, developed in accordance with Section 11.7 of SL 2015-241, as amended, and presented to the General Assembly on December 31, 2016, effective beginning with the 2017-18 academic year.

Intro. by Barefoot, Curtis, Tarte.

UNCODIFIED

[View summary](#)

Government, State Agencies, UNC System

S 316 (2017-2018) **SUICIDE PREVENTION/AWARENESS SCHOOL PERSONNEL**. Filed Mar 16 2017, *AN ACT TO PROVIDE FOR A TRAINING PROGRAM ON YOUTH SUICIDE AWARENESS AND PREVENTION AND RISK REFERRAL PROTOCOL FOR SCHOOL PERSONNEL*.

Identical to [H 285](#) filed on 3/8/17.

Enacts new GS 115C-375.10 (Youth suicide awareness and prevention training and risk referral protocol for school personnel).

Directs the State Board of Education in consultation with the Department of Health and Human Services, Division of Public Health, to develop a youth suicide awareness and prevention training program and a model risk referral protocol to provide to school personnel who work directly with K-12 students, consisting of at least two hours of evidence-informed instruction to increase awareness of suicide, identification of risk factors and signs, and information for suicide prevention resources and support. Directs that the model risk referral protocol must provide guidelines on identification of at-risk students, suicide prevention procedures, and referral sources. Directs that the training program and model risk referral protocol shall be periodically reviewed and updated as necessary.

Directs each local school administrative unit to provide the training program and model risk referral protocol, or a locally developed plan that meets the requirements of this statute, to school personnel who work directly with K-12 students at no cost to the employee. Directs that school employees who work directly with K-12 students shall receive the training within 12 months of employment and annually thereafter while employed with that local school board. Authorizes several methods of administering the training.

Authorizes local boards of education to develop local plans that include, at minimum, (1) conveying information on State and national data on suicide rates, methods, and at-risk populations; (2) myths and attitudes about suicide; (3) warning signs and symptoms; (4) identification of at-risk students and steps for referral to support services; (5) protective factors for suicide prevention; and (6) safe messaging to children. Also requires that a local plan shall include at least (1) a plan to include specialized training for specified student support personnel; (2) a safety plan for the school in the event of identification of an at-risk student and suicide or suicide attempt by a student enrolled in the school; (3) designation of a school employee as the school suicide prevention responder; (4) a plan for communication with at-risk students' parents or legal guardians; and (5) a plan for post-intervention for at-risk students, including reentry into the classroom.

Directs each local school administrative unit to report to the Department of Public Instruction on compliance with mandatory training and prevention requirements under this statute by September 15 of each year.

Prevents civil liability for local boards of education and its members, employees, designees, agents, and volunteers, for acts or omissions of acts relating to the training program or protocol required by this statute unless those acts or omissions amount to

gross negligence, wanton conduct, or intentional wrongdoing.

Enacts new GS 115C-218.75(g) to require charter schools to provide a youth suicide awareness and prevention training program and risk referral protocol in accordance with new GS 115C-375.10. Directs the charter school to report to the Department of Public Instruction by September 15 on compliance with required training and prevention activities. Prevents civil liability for charter school boards of directors, their members, employees, designees, agents, and volunteers for acts or omissions relating to the training programs and protocols required by this statute unless those acts or omissions amount to gross negligence, wanton conduct, or intentional wrongdoing.

Applies beginning with the 2018-19 school year.

Intro. by Krawiec, D. Davis, Pate.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education, Health and Human Services, Health, Mental Health

S 317 (2017-2018) [HYPERTENSION AWARENESS DAY](#). Filed Mar 16 2017, *AN ACT DESIGNATING THE THIRD WEDNESDAY IN MAY OF EACH YEAR AS HYPERTENSION/HIGH BLOOD PRESSURE AWARENESS DAY.*

Enacts new GS 103-15, as the title indicates.

Intro. by Krawiec, Pate, Hise.

GS 103

[View summary](#)

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

LOCAL/HOUSE BILLS

H 42 (2017-2018) [ROWAN-SALISBURY BD. OF ED. ELECTION METHOD](#). Filed Feb 6 2017, *AN ACT TO PROVIDE FOR A REFERENDUM TO CHANGE THE ELECTION METHOD OF THE ROWAN-SALISBURY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN.*

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

Amends the provisions for the terms of the Rowan-Salisbury Board of Education to provide that beginning with the primary and election held in 2020 and quadrennially thereafter, members for Seats 3, 5, and 7 (was, 1, 2, 4, and 6) are to be elected for four-year terms, and beginning with primary and election held in 2022 and quadrennially thereafter, members for Seats 1, 2, 4, and 6 (was, 3, 5, and 7) are to be elected for four-year terms.

Intro. by Warren.

Rowan

[View summary](#)

Education, Elementary and Secondary Education

H 393 (2017-2018) [MEBANE CHARTER REVISED & CONSOLIDATED](#). Filed Mar 16 2017, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF MEBANE AND TO REPEAL PRIOR CHARTER ACTS.*

As title indicates, revises the City of Mebane's charter and consolidates certain local acts related to City incorporation and powers; composition and election of the City's governing body, which consists of a mayor and five-member city council; finance and taxation; street and sidewalk improvements; water and sewer improvements; regulatory powers; and claims against the City. Makes conforming repeals of specified session laws. Provides that the act does not affect any rights or interests that arose under

any provisions repealed by this act. Continues in effect all existing ordinances, resolutions, and other provisions of the City that are not inconsistent with the provisions of this act, until they are repealed or amended. Provides that no action or proceeding pending on the effective date of this act by or against the City or any of its departments or agencies is abated or otherwise affected by this act. Sets out a severability clause.

Intro. by Ross, Riddell.

Alamance, Orange

[View summary](#)

H 397 (2017-2018) [CAROLINA SHORES DEANNEXATION](#). Filed Mar 16 2017, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF CAROLINA SHORES.*

Removes specific property, described in metes and bounds, from the corporate limits of the town of Carolina Shores.

Effective June 30, 2017. Property in the described territory as of January 1, 2017, is no longer subject to municipal tax for taxable years beginning on or after July 1, 2017.

Intro. by Iler.

Brunswick

[View summary](#)

H 398 (2017-2018) [BRUNSWICK COUNTY/MUNICIPAL MEALS TAXES](#). Filed Mar 16 2017, *AN ACT TO AUTHORIZE BRUNSWICK COUNTY OR THE MUNICIPALITIES LOCATED THEREIN TO LEVY A PREPARED FOOD AND BEVERAGES TAX.*

Part 1 authorizes the Brunswick County Board of Commissioners to levy a prepared food and beverage tax of up to .5%, either by resolution and after 10 days of public notice and a public hearing, or after a referendum approves the tax, as specified. Directs retailers to collect the tax, and the county to administer the tax. Provides for refunds to nonprofit or governmental entities of the tax paid by those entities. Directs proceeds of the tax to be used for beach nourishment or to construct and improve public infrastructure and facilities. Provides for repeal of the tax.

Part 2 authorizes the governing body of a municipality in Brunswick County, so long as the tax authorized in Part 1 is not in effect, to levy an identical tax. Contains the same provisions as Part 1, with references to the Brunswick County Board of Commissioners replaced with the governmental body of the municipality in question. Provides that a tax levied under Part 2 is repealed on the effective date of a tax levied under Part 1.

Intro. by Iler, Butler.

Brunswick

[View summary](#)

Government, Tax

ACTIONS ON BILLS

PUBLIC BILLS

H 7: [LRC/STRENGTHEN SAVINGS RESERVE.](#)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

H 11: [HANDICAP PARKING PRIVILEGE CERTIFICATION.](#)

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

H 15: PUBLIC AUTHORITY/PERMANENT PLATES.

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

Vetoed 03/16/2017

H 135: TECHNICAL CHANGES TO COURSES OF STUDY STATUTE.

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 176: PENSIONS INTEGRITY 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 183: RETIREMENT ADMIN. CHANGES 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 235: TEACHER MENTOR QUALIFICATIONS.

House: Amend Adopted A1
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Engrossed

H 256: MODIFY VARIOUS APPOINTMENTS.

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 260: ATTORNEY GENERAL/NORTH SHORE RD. PAYMENT.

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

H 322: SCHOOL PERFORMANCE GRADES.

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 355: FIREFIGHTERS' DEATH BENEFITS/CANCERS.

House: Passed 1st Reading

House: Ref to the Com on Pensions and Retirement, if favorable, Appropriations

H 356: TAX REDUCTION ACT OF 2017.

House: Passed 1st Reading

House: Ref To Com On Finance

H 357: MODERNIZE DIETETICS/NUTRITION PRACTICE ACT.

House: Passed 1st Reading

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

H 358: MODERNIZE RESPIRATORY CARE PRACTICE ACT.

House: Passed 1st Reading

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

H 359: CC/HIGH SCHOOL ENROLLMENT IN CTE COURSES.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, Education - Community Colleges

H 361: COASTAL CRESCENT TRAIL/STATE PARKS SYSTEM.

House: Passed 1st Reading

House: Ref To Com On State and Local Government II

H 362: CHANGES TO THE JUVENILE CODE.-AB

House: Passed 1st Reading

House: Ref To Com On Judiciary IV

House: Withdrawn From Com

House: Re-ref to the Com on Judiciary III, if favorable, Homelessness, Foster Care, and Dependency

H 363: THE POLLINATOR PROTECTION ACT.

House: Passed 1st Reading

House: Ref to the Com on Environment, if favorable, Agriculture

H 364: TOLLING OF MISDEMEANOR STATUTES.

House: Passed 1st Reading

House: Ref To Com On Judiciary II

H 365: TOWING MVS WITH HANDICAPPED PLACARD/PLATE.

House: Passed 1st Reading

House: Ref to the Com on Regulatory Reform, if favorable, Transportation, if favorable, Judiciary III

H 366: RETAIL WORKERS' BILL OF RIGHTS.

House: Passed 1st Reading

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

H 367: COMMUNITY HEALTH CENTERS GRANT PROGRAM/FUNDS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 369: COMMUNITY CORRECTIONS AND PROBATIONS.

House: Passed 1st Reading

House: Ref To Com On Judiciary III

H 370: INTERSTATE COMPACT BILL.

House: Passed 1st Reading

House: Ref To Com On Judiciary III

H 371: AGENCY POWERS AND DUTIES/TECHNICAL CHANGES.-AB

House: Passed 1st Reading

House: Ref to the Com on State and Local Government II, if favorable, Appropriations

H 373: DOL/CAROLINA STAR PROGRAM.-AB

House: Passed 1st Reading

House: Ref To Com On State and Local Government II

H 374: 2017 DOL TECHNICAL CHANGES.-AB

House: Passed 1st Reading

House: Ref To Com On State and Local Government II

H 375: SCHOOL CAL. FLEX./CC.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 376: SUBDIVISION IMPROVEMENT GUARANTEE CHANGES.

House: Passed 1st Reading

House: Ref to the Com on Transportation, if favorable, State and Local Government II

H 379: TASK FORCE ON REGULATORY REFORM.

House: Passed 1st Reading

House: Ref To Com On Regulatory Reform

H 382: INSURANCE TECHNICAL CORRECTIONS.-AB

House: Passed 1st Reading

House: Ref To Com On Insurance

H 383: NAIC MODEL/OWN RISK AND SOLVENCY ASSESSMENT.-AB

House: Passed 1st Reading

House: Ref To Com On Insurance

H 394: CORRECTION TO DAY/DATE.

House: Filed

House: Passed 1st Reading

House: Added to Calendar

House: Adopted

H 395: ADD MEMBER TO NC TRAINING STANDARDS COMMISS.

House: Filed

H 396: MUNICIPAL BROADBAND SERVICE AREA.

House: Filed

H 399: STOP IMAGES TAKEN W/O CONSENT FROM DISSEMIN.

House: Filed

H 400: EXEMPT VACATION LINEN RENTALS FROM SALES TAX.

House: Filed

H 401: SUPPORTING CLEAN ENERGY/CREATING GREEN JOBS.

House: Filed

H 402: LIMIT ENV. LIABILITY FOR CERTAIN RECYCLERS.

House: Filed

H 403: LME/MCO CLAIMS REPORTING/MENTAL HEALTH AMDTS.

House: Filed

H 404: DEBTS TO JUDGMENT DEBTORS/PAY TO SHERIFF.

House: Filed

S 55: SCHOOL BUS CAMERAS/CIVIL PENALTIES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 03/21/2017

S 62: VETERANS' AFFAIRS COMMISSION/STRATEGIC PLAN.

House: Passed 1st Reading

House: RefTo Com On Homeland Security, Military, and Veterans Affairs

S 64: VETERANS' HISTORY AWARENESS MONTH.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 03/21/2017

S 68: STUDENT ATTENDANCE/PAGE PROGRAM RECOGNITION.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 03/21/2017

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

House: Passed 1st Reading

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

S 124: LEO MANAGED CBD OIL DROP BOX.

House: Passed 1st Reading

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

S 125: CHILDREN OF WARTIME VETERANS MODIFICATIONS.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 03/21/2017

S 148: JUROR EXCUSED BY CLERK OF SUP. CT.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 03/21/2017

S 169: TEACHING EXCELLENCE BONUS EXPANSION.

Senate: Reptd Fav

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

S 241: SECRETARY OF TRANSPORTATION CONFIRMATION.

Senate: Amend Adopted A1

Senate: Adopted

Engrossed

S 242: SECRETARY OF DPS CONFIRMATION.

Senate: Amend Adopted A1

Senate: Adopted

Engrossed

S 263: UNC BOARD OF GOVERNORS VACANCY.

Senate: Adopted

S 268: STORMWATER/FLOOD CONTROL ACTIVITIES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 270: LUMBERTON RIVERWALK FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 271: FAIR BLUFF VISITORS CENTER FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 272: FAIR BLUFF TOWN HALL FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 273: FAIR BLUFF RIVERWALK FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 274: ROBESON FIRST RESPONDERS TRAINING/FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 275: COLUMBUS SWIFT WATER TRAINING/FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 276: ROBESON SWIFT WATER TRAINING/FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 278: PEMBROKE OPTOMETRY SCHOOL FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 279: CHANGE EXCLUSION FOR SOLAR ENERGY SYSTEMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 280: EARLY LITERACY INITIATIVE/FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 284: PROPERTY INSURANCE FAIRNESS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 290: MEDICAID EXPANSION/HEALTHCARE JOBS INITIATIVE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 291: NCVPS/EQUAL ACCESS TO EDUCATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 292: ORDINANCE VIOLATION NOT A MISDEMEANOR.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 293: INSURANCE TECHNICAL CORRECTIONS.-AB

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 294: DEPOPULATE REINSURANCE FAC./NCRB OPT OUT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 295: NAIC MODEL/OWN RISK AND SOLVENCY ASSESSMENT.-AB

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 296: ROAD IMPROVEMENTS ADJACENT TO SCHOOLS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 297: MODERNIZE DIETETICS/NUTRITION PRACTICE ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 298: MAYBERRY SPECIAL REGISTRATION PLATE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 299: HABITUAL IMPAIRED DRIVING/10-YEAR PERIOD.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 301: NEED-BASED SCHOLARSHIPS/PRIVATE COLLEGES.

Senate: Filed

S 302: CONCUSSION PROTOCOL/COUNTY REC.

Senate: Filed

S 303: USE OF PASSING LANE/INCREASED PENALTY.

Senate: Filed

S 304: REQUIRED FINANCIAL AUDITS.

Senate: Filed

S 305: RAISE AWARENESS ABOUT ALZHEIMER'S & DEMENTIAS.

Senate: Filed

S 306: SUBDIVIDE MECKLENBURG COUNTY DISTRICT COURTS.

Senate: Filed

S 307: OCCUP. THERAPY/CHOICE OF PROVIDER.

Senate: Filed

S 308: AMEND VARIOUS DWI STATUTES.

Senate: Filed

S 309: 9/11 AS FIRST RESPONDERS DAY.

Senate: Filed

S 310: ADVISORY COUNCIL REVIEW OF RARE DISEASE BILLS.

Senate: Filed

S 311: DHHS STUDY/MATERNAL AND NEONATAL CARE.

Senate: Filed

S 312: SURPLUS COMPUTERS FOR LOW-INCOME STUDENTS.

Senate: Filed

S 313: INCREASE SMALL BREWERY LIMITS.

Senate: Filed

S 314: GIVE RETIREES 2% COLA/FUNDS.

Senate: Filed

S 315: IMPLEMENT UNC UNDERGRAD COMPLETION PLAN.

Senate: Filed

S 316: SUICIDE PREVENTION/AWARENESS SCHOOL PERSONNEL.

Senate: Filed

S 317: HYPERTENSION AWARENESS DAY.

Senate: Filed

LOCAL BILLS

H 42: ROWAN-SALISBURY BD. OF ED. ELECTION METHOD.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/20/2017

H 153: FILLING VACANCY/ONSLow COUNTY BOARD OF COMM.

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 198: REPEAL CENTERVILLE CHARTER.

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 360: HARNETT CO. SCHOOLS/EXAM WINDOW.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 368: BLOCK MV REG./UNPAID PARKING FINES IN W-S.

House: Passed 1st Reading

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

H 372: SCHOOL CAL. FLEX./WARREN COUNTY.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 377: SCHOOL CAL. FLEX./CHATHAM COUNTY.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 378: BERTIE/GATES COUNTY/AMBULANCE SERVICE.

House: Passed 1st Reading

House: Ref To Com On State and Local Government I

H 380: WINSTON-SALEM DOWNTOWN REVITALIZATION.

House: Passed 1st Reading

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

H 381: WINSTON-SALEM DOWNTOWN ECON. DEVELOPMENT.

House: Passed 1st Reading

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

H 393: MEBANE CHARTER REVISED & CONSOLIDATED.

House: Filed

H 397: CAROLINA SHORES DEANNEXATION.

House: Filed

H 398: BRUNSWICK COUNTY/MUNICIPAL MEALS TAXES.

House: Filed

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

House: Passed 1st Reading

House: Ref To Com On State and Local Government I

S 264: 38TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 265: CREEDMOOR CHARTER REVISED & CONSOLIDATED.

Senate: Passed 1st Reading

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

S 266: DURHAM DONUT ANNEXATIONS.

Senate: Passed 1st Reading

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

S 267: 20TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 269: DURHAM SPEED DEVICE PILOT/SCHOOL ZONES.

Senate: Passed 1st Reading

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

S 277: ROBESON COUNTY/LOCAL BUSINESS PREFERENCE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 281: CURRITUCK-DEVELOPER FUNDS FOR ROAD CONSTR.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 282: HATTERAS VILLAGE COMMUNITY CENTER DISTRICT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 283: MODIFY JACKSONVILLE OCCUPANCY TAX.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 285: REQUIRE ELECTORAL DISTRICTS/CITY OF ASHEVILLE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 286: AMEND LEO RECORDINGS: DECISION AUTHORITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 287: 16TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 288: 39TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 289: TOWN OF SUNSET BEACH/DEANNEXATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 300: INCLUSIONARY ZONING - DURHAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate