

The Daily Bulletin: 2017-03-23

PUBLIC/HOUSE BILLS

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

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.
Enacted March 23, 2017. Effective with respect to primaries and elections held on or after January 1, 2018.

Intro. by Burr, Saine, Bumgardner, Henson.

[GS 18C, GS 163](#)

[View summary](#)

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

H 134 (2017-2018) [PISTOL PERMIT/MENTAL HEALTH RECORD TO SHERIFF](#). Filed Feb 16 2017, *AN ACT TO REPEAL THE REQUIREMENT THAT A SIGNED RELEASE FORM FOR MENTAL HEALTH RECORDS BE PROVIDED WITH AN APPLICATION FOR A PISTOL PERMIT AND TO PROVIDE THAT A SHERIFF MAY REQUEST DISCLOSURE OF ANY COURT ORDERS CONCERNING THE MENTAL HEALTH OF AN APPLICANT FOR A PISTOL PERMIT AND THAT THE HOLDER OF ANY OF THOSE COURT ORDERS SHALL RELEASE THOSE RECORDS TO THE SHERIFF UPON THE SHERIFF'S REQUEST.*

House amendments makes the following change to the 1st edition:

Amendment #1 clarifies that no additional documentation beyond the listed documentation at GS 14-404(e1) shall be required from an applicant for a pistol permit. Clarifies that the language authorizing the sheriff to request disclosure of mental health court orders does not increase documentation required from the applicant under subsection (e1) or to increase the time period set out in subsection (f).

Amendment #2 requires a permit application to contain a conspicuous warning disclosing that application for a pistol permit gives the sheriff the authority to obtain criminal and mental health court orders required by state and federal law to determine permit eligibility.

Intro. by McNeill.

[GS 14](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Health and Human Services, Mental Health](#)

H 138 (2017-2018) [REVISE GANG LAWS](#). Filed Feb 20 2017, *AN ACT TO STANDARDIZE CRITERIA FOR CLASSIFICATION OF CRIMINAL GANG MEMBERSHIP, CREATE A SENTENCING ENHANCEMENT FOR CERTAIN CRIMES PERPETRATED BY GANG MEMBERS, AND INCREASE THE PENALTIES FOR CERTAIN GANG-RELATED OFFENSES.*

House Amendment makes the following change to the 1st edition:

Deletes the language in subsection (e) of GS 15A-1340.16E requiring the State to prove the issues set out under subsection (a) or (b) during the same trial in which the defendant is tried for the felony, and accompanying exceptions. Requires that the issues

shall be proven and found in the same manner as provided for aggravating factors in GS 15A-1340.16(a1), (a2), or (a3) as applicable.

Intro. by McNeill, Faircloth, Hurley, R. Turner.

GS 15A

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections
(Sentencing/Probation), Criminal Law and Procedure**

H 455 (2017-2018) **INCREASE FUNERAL EXPENSE ALLOWANCE**. Filed Mar 23 2017, *AN ACT TO INCREASE THE ALLOWABLE FUNERAL EXPENSE AMOUNT IN SECOND CLASS PRIORITY CLAIMS FOR FUNERAL EXPENSES AGAINST THE ESTATE OF A DECEDENT.*

Amends GS 28A-19-6(a) to raise the limit on priority funeral claims against a decedent's estate from \$3,500 to \$6,000.

Effective October 1, 2017, and applies to estates of decedents dying on or after that date.

Intro. by B. Richardson, Alexander.

GS 28A

[View summary](#)

Courts/Judiciary, Civil, Civil Law

H 456 (2017-2018) **ESTABLISH MANDATORY DEMENTIA CARE TRAINING**. Filed Mar 23 2017, *AN ACT REQUIRING ADULT CARE HOMES, NURSING HOMES, AND COMBINATION HOMES THAT PROVIDE SPECIAL CARE FOR PERSONS WITH ALZHEIMER'S DISEASE OR OTHER DEMENTIAS TO PROVIDE DEMENTIA CARE TRAINING TO DIRECT CARE STAFF, ADMINISTRATIVE STAFF, AND NON-DIRECT CARE STAFF AND ESTABLISHING MINIMUM STANDARDS FOR SUCH TRAINING.*

Enacts new GS 131D-4.5D (Adult care home staff; dementia care training requirements). Directs the Division of Health Service Regulation (Division) to identify and designate standardized training programs for initial dementia care that meet several requirements, including instruction on the progression of dementia and how to address aspects of care and safety, and reflection of current standards and best practices in dementia treatment and care, and to establish a process to determine whether nonstandardized trainings meet the requirements of this statute. Requires adult care homes to provide, by December 1, 2017, and their staff to complete, initial dementia care training, within 60 days of their hire date, applicable to staff persons hired on or after October 1, 2017, and applicable to staff persons hired before October 1, 2017, who cannot demonstrate having completed, within the 24-month period preceding October 1, 2017, a training equivalent to that required in this act. Requires adult care homes to provide continuing dementia care education to their staff, in compliance with rules adopted by the Department of Health and Human Services (Department) regarding frequency and content of continuing education. Requires adult care home or training programs to issue certificates of completion, portable between settings, to staff who successfully complete a training. Provides that initial dementia care training does not need to be repeated so long as there is not a lapse in dementia-related direct care or administrative service or employment for 24 consecutive months or more. Requires in-person dementia care trainers to have at least two years of work experience related to dementia, or two years of work experience in health care, gerontology, or another related field, and to have completed training equivalent to those required in this statute and to have passed an evaluation that included a demonstration of skills and knowledge. Provides that adult care homes bear the entire cost of training required by this statute, and that staff persons shall not bear any of the cost of this training, and shall receive normal compensation when attending these trainings. Provides that if other state or federal laws require more stringent training requirements, those laws apply.

Amends GS 131D-2.11(a) to direct the Division to include compliance with new GS 131D-4.5D in its inspection of adult care homes, in addition to the already required review of compliance with GS 131D-4.4A(b) and safe practices for injections and other procedures when bleeding typically occurs. These requirements are effective January 1, 2018 (was, July 1, 2012).

Enacts new GS 131E-114.5 (Dementia care training requirements). Provides the identical requirements for nursing homes and combination homes licensed under GS Chapter 131E, Article 6, Part 1 (Nursing Home Licensure Act) as new GS 131D-4.5D does to adult care homes.

Amends GS 131E-105(a) to direct the Department to include compliance with GS 131E-114.5 as part of its inspections of nursing homes beginning January 1, 2018.

Effective October 1, 2017.

Intro. by Torbett.

GS 131D, GS 131E

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health

H 457 (2017-2018) [PERFORMANCE GUARANTEES/SUBDIVISION STREETS](#). Filed Mar 23 2017, *AN ACT TO MAKE CHANGES TO STATE LAW CONCERNING PERFORMANCE GUARANTEES ON COUNTY SUBDIVISION STREETS OFFERED FOR PUBLIC DEDICATION*.

Enacts new GS 153A-331.1 concerning performance guarantees on county subdivision streets, providing that these newly enacted provisions apply to all developments approved on or after August 1, 2017, and retroactively to all county residential subdivisions or development plans approved on or after October 1, 2010, that include an offer of dedication of roads and the roads have been constructed and opened for travel and are fully completed. Sets out four general requirements for all performance and residual performance guarantees, including (1) that a county ordinance can, but is not required to, provide for performance guarantees for new streets offered for dedication; (2) that the ordinance must provide for the performance guarantee pursuant to additional requirements found in subsections (g) through (j); (3) that developers may or may not provide a performance guarantee and can be permitted to record a plat and proceed to construct the street, but must provide the residual performance guarantee prior to the issuance of any building permit for construction in a subdivision or development; and (4) performance or residual performance guarantees for subdivision streets must be in a form as defined in GS 160A-372(g)(1), meaning a surety bond, letter of credit, or other acceptable means of guarantee, at the election of the developer. Provides in subsections (c) through (k1) specific requirements and limitations for performance and residual performance guarantees, including in (c) that the amount of a street performance guarantee (and an extension of the guarantee) cannot exceed 125% of the reasonably estimated cost of completion and that in (d) a performance guarantee can only be used for completion of required improvements and not for repairs or maintenance after completion. Further provides in (e) for the extension of a street performance guarantee if required improvements are not complete and the current performance guarantee is expiring. Provides for the release or incremental reduction of performance guarantees, establishing in (f) that any performance guarantee on a street must be released when it is confirmed by the Division of Highways that the street has been accepted for maintenance, but no later than 6 months following submission of a SR-2 form and upon presentation of any of four specified documents. Provides in (f1) for the release of performance guarantees on streets built with more stringent standards than those required by the Division of Highways standards of January 1, 2017, upon confirmation from the Division of Highways that the street has been accepted for maintenance, but no later than three months following submission of an SR-2 form and upon presentation of any of four specified documents. Provides in (g) that the principal amount of the performance guarantee can be incrementally reduced during the course of construction to reflect the level of completion of the road. Concerning residual performance guarantees, provides in (h) that on certification that the road has been fully constructed, the performance guarantee amount must be reduced to a residual amount, the greater of 15% of construction cost or 125% of the pavement cost, providing that this reduced guarantee is known as the residual performance guarantee. Further details in (i) the purpose and use of the residual performance guarantee, specifically that the purpose is to allow a reasonable period of time so that new roads offered for dedication can attain the density required for acceptance. Also provides in (j) that residual performance guarantees must remain in place either until the road is accepted or for a period of one year from the date of issuance, whichever is less. Further details in (k) requirements and time frame that must be met for the release of a residual performance guarantee, and in (k1) requirements and time frame that must be met for the release of a residual performance guarantee on a street that is built with more stringent standards than those required by the Division of Highways standards of January 1, 2017. Provides in subsections (l) through (n) the process, procedures, and timelines for Department of Transportation (DOT) acceptance, specifically that DOT must accept subdivision roads offered for public dedication within subdivisions or developments approved on or after October 1, 2010, that are fully completed or confirmed by a built to standards letter as soon as is possible after January 1, 2018, if specified metrics are met. Provides that any subdivision street completed prior to January 1, 2018, that has not yet been accepted by the Department, are subject to Division of Highway subdivision street construction standards of January 1, 2017, and shall be accepted by the Department in accordance with this

statute. Provides that roads that meet the requirements can be proposed for acceptance by either the county or another party to the Division of Highways and that acceptance by the Division of Highways must be issued as soon as the Division can review the streets and assure that they meet requirements, provided that the review occurs within 60 days of the request. Provides in subsection (p) that counties can finance the costs of improvements made under DOT supervision to bring streets up to standards for acceptance if necessary and recover costs in doing so. Provides specified applicability exceptions of the provisions in this section in subsection (q) and details terms for use in this statute as they apply to the components of the road construction in subsection (r). Sets out four conditions or actions in subsection (s) that cannot be a basis for denial or delay of acceptance by the DOT for streets or roads completed between October 1, 2010, and September 30, 2017. Directs the DOT in subsection (t) to work with each county to provide necessary information so that counties can compile a readily available "County Public Street Information Database," to be completed before January 1, 2019. Describes and specifies which roads are to be included. Directs the DOT to update its Subdivision Roads Minimum Construction Standards manual, and any related policies, by July 1, 2018, and regularly thereafter, to reflect current federal and state law, and to report all updates to the Joint Legislative Transportation Oversight Committee.

Effective July 1, 2017.

Intro. by Torbett, Iler, Hastings, Shepard.

GS 153A

[View summary](#)

Government, Local Government, Transportation

H 458 (2017-2018) [SCHOOL ANNUAL REPORT CARD](#). Filed Mar 23 2017, *AN ACT TO MODIFY SCHOOL PERFORMANCE GRADES TO PROVIDE THAT ALL SCHOOLS RECEIVE A SCHOOL PERFORMANCE GRADE FOR SCHOOL ACHIEVEMENT AND A SCHOOL PERFORMANCE GRADE FOR SCHOOL GROWTH AND TO REQUIRE THE STATE BOARD OF EDUCATION TO MODIFY THE ANNUAL SCHOOL REPORT CARD TO DESIGNATE AND WEIGH SCHOOL ACCOUNTABILITY INDICATORS CONSISTENT WITH THE EVERY STUDENT SUCCEEDS ACT.*

Amends GS 115C-12(9)c1. to require the State Board to award separate scores for school achievement and school growth (currently an overall score). Includes promotion rates and student progress in achieving English language proficiency in the school performance score. Makes conforming changes.

Amends GS 115C-83.15 to amend the calculation of the overall school achievement score. Applies current factors 1 through 3 only to schools serving students in kindergarten through eighth grade, and adds one point for each percent of students who progress in achieving English language proficiency on annual assessments in grades three through eight, one point for each percent of students who are promoted from the third grade to the fourth grade within four years of a student entering kindergarten, and one point for each percent of students who are promoted from the eighth grade to the ninth grade within three years of entering sixth grade. Applies current factors 4 through 10 only to schools serving any students in ninth through twelfth grade, and adds one point for each percent of students who progress in achieving English language proficiency. Deletes provisions related to using EVAAS to calculate the school performance score. Makes technical and conforming changes.

Enacts new GS 115C-83.16 (School performance indicators for the purpose of compliance with federal law). Directs the State Board of Education to use the school achievement score to satisfy the federal requirement under the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, to meaningfully differentiate the performance of schools on an annual basis. Specifies two sets of indicators, one for schools serving students in kindergarten through eighth grade, and one for schools serving students in ninth grade through twelfth grade, each related to academic achievement as measured by proficiency assessments, graduation and promotion rates, and performance on nationally normed tests of college and workplace readiness.

Makes conforming changes to GS 115C-105.37(a), GS 115C-218.65, GS 115C-238.66(11), and GS 116-239.8(14).

Provides that for school years 2017-18 and 2018-19, notwithstanding GS 115C-83.15(d), as amended by this act, the scores for school achievement and school growth shall be converted by the State Board of Education to a 100-point scale and used to determine two separate school performance grades, as specified.

Amends SL 2016-94, Section 8.19, to make a conforming change.

All sections of the act, except for the changes to GS 116-239.8(14), SL 2016-94, and the provision regarding scores for school achievement and growth for school years 2017-18 and 2018-19, apply beginning with the 2017-18 school year.

Intro. by Conrad, Riddell, Elmore.

[GS 115C, GS 116](#)

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, State Board of Education**

H 460 (2017-2018) [ECONOMIC & JOB GROWTH FOR NC DISTILLERIES](#). Filed Mar 23 2017, *AN ACT TO AMEND ALCOHOLIC BEVERAGE CONTROL PERMITS AND ALLOW RESTAURANTS TO SELL ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAYS, SUBJECT TO LOCAL GOVERNMENT APPROVAL.*

Identical to [S 155](#), filed 3/1/17.

Section 1

Amends GS 18B-1105(a), setting forth authorized acts by a holder of a distillery permit, to provide that a permitted distillery may sell spirituous liquor in closed containers at wholesale or retail for delivery outside the State, subject to the laws of other jurisdictions (previously, authorized to sell, deliver, and ship spirituous liquor in closed containers at wholesale or retail to private or public agencies or establishments of other states or nations subject to the laws of other jurisdictions). Increases the maximum amount of spirituous liquor a permitted selling distillery can sell to a consumer at a distillery within a 12-month period under the restrictions set out in subdivision (4) of subsection (a) from one to five bottles. Authorizes a permitted distillery to conduct consumer tastings in accordance with GS 18B-1114.7 (enacted by this act).

Amends GS 18B-804, setting forth a policy of uniform retail pricing for spirituous liquor sold in ABC stores and permitted distilleries, to establish that when a permitted distillery sells spirituous liquor for delivery outside the state pursuant to GS 18B-1105(a)(a2) (enacted above), the distiller sets the retail price for the liquor.

Amends GS 18B-800, providing that spirituous liquor can only be sold in ABC stores operated by local boards, except as provided in Articles 10 and 11 of GS 18B (was, only Article 10; Article 11 is amended by this act).

Directs the Alcoholic Beverage Control Commission to adopt temporary rules to amend its rules consistent with Section 1 of this act.

Effective July 1, 2017.

Section 2

Enacts GS 18B-1114.7 to authorize the holder of a distillery permit issued under GS 18B-1105 to obtain a spirituous liquor special event permit. Provides that the special event permit will allow the permittee to give free tastings of its spirituous liquor at ABC stores and various other public places including trade shows, conventions, shopping malls, street festivals and local fundraisers as approved by the Commission. Sets out 13 limitations for consumer tastings, including limiting the total amount of tasting samples a consumer can consume to 1.5 ounces per day and prohibiting the permit holder from offering tastings samples to or allowing consumption of tasting samples by someone who is visibly intoxicated. Prohibits a permit holder conducting a consumer tasting at an ABC store from providing any consideration to the local board, its members, or its employees for any purpose related to the tasting.

Amends GS 18B-301, concerning the lawful possession and consumption of fortified wine and spirituous liquor, to establish that is lawful to consume spirituous liquor at an ABC store if a consumer tasting is being conducted as authorized by GS 18B-1114.7. Makes conforming changes to the prohibitions set out in subsection (f) to allow any person to consume or offer to another person to consume liquor on the premises of an ABC store, upon property used or occupied by a local board, and on any public road, street, highway, or sidewalk where a consumer tasting authorized by GS 18B-1114.7 is being conducted.

Sets fees for an ABC permit application under GS 18B-902(d) to be \$200 for a spirituous liquor special event permit and \$750 for a special auction permit.

Section 3

Enacts GS 18B-1002.1 to allow a permit to be issued to an auction firm or auctioneer licensed by the North Carolina Auctioneers Commission (Commission) under GS Chapter 85B to allow the licensed auction firm or auctioneer to sell any quantity of malt beverages, unfortified and fortified wine, and spirituous liquors at auction. Allows an auction held under this statute to receive competing bids in person or by telephone, fax, or online. Limits the issuance of permits under this statute to jurisdictions that allow the sale of malt beverages, unfortified wine, or fortified wine, respectively, and jurisdictions that have approved the establishment of ABC stores. Provides an auction permit is only valid for the auction specified in the permit, and any sales under the permit are subject to the alcoholic beverage purchase amount restrictions of GS 18B-303. Clarifies that an applicant that is denied a permit or a permittee that has the permit revoked is not entitled to a hearing under GS Chapter 150B (APA).

Amends GS 18B-603 to allow the North Carolina Alcoholic Beverage Commission to issue special auction permits under GS 18B-1002.1 without approval at an election. Makes technical changes.

Effective October 1, 2017.

Section 4

Enacts GS 153A-145.7 and GS 160A-205.3 to allow a county or city to adopt an ordinance allowing licensed restaurants to sell alcoholic beverages for on-premises consumption beginning at 10:00AM on Sunday morning pursuant to the restaurant's on-premises malt beverage, unfortified wine or fortified wine permits, or mixed beverages permit. Makes conforming changes to GS 18B-1004, which sets out the hours for the sale and consumption of alcoholic beverages.

Intro. by Bradford, Davis, Hardister, Duane Hall.

[GS 18B, GS 153A, GS 160A](#)

[View summary](#)

[Alcoholic Beverage Control, Business and Commerce, Government, Local Government](#)

H 461 (2017-2018) [MH/SA CENTRAL ASSESSMENT & NAVIGATION PILOT](#). Filed Mar 23 2017, *AN ACT ESTABLISHING A CENTRAL ASSESSMENT AND NAVIGATION SYSTEM PILOT PROGRAM IN NEW HANOVER COUNTY TO REDUCE THE NUMBER OF INDIVIDUALS UTILIZING HOSPITAL EMERGENCY DEPARTMENTS FOR MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.*

Identical to [S 334](#), filed 3/21/17.

Directs the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (Division), and local management entities/managed care organizations (LME/MCOs) responsible for New Hanover County to establish a two-year pilot program in New Hanover County to focus on assessing and navigating individuals to appropriate community-based mental health or substance-abuse services and resources to reduce utilization of hospital emergency department services for those purposes.

Provides for the location of the pilot program, and creates a three-person centralized team to operate the program.

Directs the LME/MCO for New Hanover to report to the Division and the Fiscal Research Division on the effectiveness of the pilot program by July 1, 2018, and again by July 1, 2019. Directs the Division to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on the effectiveness of the program, along with recommendations for sustaining or expanding it, by October 1, 2019.

Appropriates \$250,000 each for 2017-18 and 2018-19 from the General Fund to the Division to fund the program described above.

Effective July 1, 2017.

Intro. by Grange, Murphy, Hardister.

[APPROP, STUDY, New Hanover](#)

[View summary](#)

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

H 462 (2017-2018) **BANKING LAW AMENDMENTS**. Filed Mar 23 2017, *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER AMENDMENTS TO PROVISIONS APPLICABLE TO COMMERCIAL BANKS, PROVISIONS APPLICABLE TO BANK HOLDING COMPANIES, AND PROVISIONS RELATING TO MORTGAGE NOTICE REQUIREMENTS.*

Part I. Commercial Banks

Makes technical changes to the statutory references in GS 53C-1-4(25), defining *deposit*. Makes organizational and clarifying changes to GS 53C-1-4-(46), defining *non-branch bank business office*.

Amends subsection (b) of GS 53C-2-7, listing the records in the custody of the Office of the Commissioner of Banks (OCOB) that are confidential and cannot be disclosed. Allows the OCOB to treat any response to an application for licensure as confidential. Makes confidential records containing information that was privileged prior to being obtained by the Commissioner of Banks (Commissioner) in preparation for or anticipation of or in the course of litigation, examination, audit, or investigation. Makes confidential records containing personal information about a person (currently, records containing nonpublic personal information about a customer) that is maintained by or on behalf of the financial institution, whether in paper, electronic or other form. Expands the provision making confidential records containing information furnished in connection with an application bearing on the character, competency, or experience, or other information about the personal finances of an existing or proposed organizer, officer, or director of a depository institution, federally chartered institution, holding company, or any other person subject to the Commissioner's jurisdiction, to also make confidential the same records of an existing or proposed employee. Expands the provision making confidential the records of NC financial institutions in dissolution that have liquidated, are under the Commissioner's supervisory control, or are in receivership, and that contain names or other person information of any person (currently, of any customer of the institutions). Replaces the existing language of subdivision (8) and replaces it with a provision making confidential the minutes or other records that have been obtained by the Commissioner and that are related to the meetings of, or have been prepared by, the board of directors, a compliance review committee of the board of directors, any other committee of the board of directors, a committee established at the direction of the board of directors, and a committee established at the direction of a committee of the board of directors (all bodies of an NC financial institution). Adds new provision making confidential records that are confidential under GS Chapter 132 (Public Records) or protected from disclosure under other applicable law. Makes other clarifying and technical changes.

Amends GS 53C-4-12(a)(1) to make technical and clarifying changes to the definition of a *compliance review committee*. Further, adds compliance with federal or State regulatory requirements and cybersecurity requirements to the list of standards or requirements a board, committee or person can be responsible for evaluating compliance with in order to constitute a compliance review committee under the statute. Expands the notwithstanding clause of GS 53C-4-12(b) to add that compliance review documents are confidential, not available for public inspection, and are not discoverable or admissible in evidence in a civil action as specified, regardless of any other provisions of the General Statutes in addition to GS Chapter 132.

Makes clarifying change to GS 53C-5-1(b) concerning the powers of banks. Authorizes a bank to engage in any activity other than as principal (currently, other than as principal permitted under the Federal Deposit Insurance Act, 12 USC 1831a).

Amends GS 53C-6-7, concerning payable on death accounts, to replace the language natural person with individual. Establishes that payment by the bank to, on the order of, or at the direction of any owner is a total discharge of the bank's obligation as to the paid amount unless the individual establishing the Payable on Death account has agreed with the bank that a withdrawal requires more than one signature (currently, any owner can withdraw funds by writing check or otherwise as set forth in the account contract, and receive payment in cash or check payable to the owner's personal order, with no provision allowing for the requirement of more than one signature). Adds a provision providing that that a pledge of a Payable on Death account by an owner, unless otherwise specifically agreed between the bank and all owners in writing, (1) is a valid pledge and transfer of the account or of the pledged amount, (2) is binding upon all owners and beneficiaries, (3) does not operate to sever or terminate the joint ownership of all or any part of the account, and (4) survives the death of any owner or any beneficiary. Makes other conforming and technical changes.

Amends GS 53C-6-8, concerning personal agency accounts, to similarly replace the language of a natural person with an individual. Makes technical changes.

Amends GS 53C-6-18 to clarify that the statute authorizes a bank to establish one or more non-branch bank business offices in this State or another state as defined in GS 53C-1-4(46) as amended by this act, subject to the specified requirements. Amends

the specified requirements to require: (1) where a proposed non-branch bank office will be used in connection with a new activity for which an application is required under GS 53-5-1(d) or an investment for which a notice is required under GS 53C-5-2(e), the bank's application or notice to include written notification (as specified in existing language) of the intent to open the office; and (2) where written notification is not required by the above provision (GS 53C-6-18(a)(1)), the bank to provide the Commissioner with a written notification of the location of the office and a description of the business to be conducted at the office.

Amends GS 53C-7-207 to rename the statute as Combination with a nonbank subsidiary (currently, Combination with a subsidiary). Makes conforming changes to refer to a nonbank subsidiary throughout the statute. Makes clarifying change, requiring a bank proposing to combine a nonbank subsidiary with another company that is not a depository institution (currently does not clarify the other company not being a depository institution), if the nonbank subsidiary is the resulting entity, to give prior written notice to the Commissioner that details the proposed combination. Further clarifies that this prior written notice requirement is not required for a combination of a nonbank subsidiary and another company that is not a depository institution so long as the nonbank subsidiary is not the resulting entity. Makes technical changes.

Repeals GS 53C-9-405 (Appointment of substitute trustee where no objection made) and GS 53C-9-406 (Hearing where objection made; appeal from order).

Part II. Bank Holding Companies

Amends GS 53C-10-101, requiring every holding company that directly or indirectly controls a bank or nonbank subsidiary that has an office located in this State to register with the Commissioner and maintain that registration on an annual basis in the form prescribed by the Commissioner. Makes technical change to the statute's title.

Recodifies GS 53-232 as GS 53C-10-303, and makes technical and clarifying changes.

Repeals Article 18 of GS Chapter 53 (Bank Holding Company Act of 1984).

Part III. Mortgage Notice Requirements

Current law GS 45-91 details five requirements a servicer to every home loan must comply with, regardless of whether the loan is in default or the borrower is or has been in bankruptcy.

Amends the requirements that must be satisfied for any fee incurred by a servicer under GS 45-91(1)b. Establishes that a servicer is not required to send the required statement for a fee if: (1) the fee is included in a periodic statement sent to the borrower that meets the requirements of 12 CFR 1026.41 (federal requirements for periodic statements of mortgage loans; this is an added requirement), and (2) the fee results from a service that is affirmatively requested by the borrower, the fee is paid for by the borrower at the time the service is provided, and the fee is not charged to the borrower's loan account (these are existing requirements). Makes technical changes.

Intro. by Howard, Setzer, Destin Hall, Conrad.

[GS 45, GS 53C](#)

[View summary](#)

[Banking and Finance](#)

H 463 (2017-2018) [STUDY/FAIR TREATMENT OF COLLEGE ATHLETES](#). Filed Mar 23 2017, *AN ACT TO CREATE THE LEGISLATIVE COMMISSION ON THE FAIR TREATMENT OF COLLEGE STUDENT-ATHLETES*.

Identical to [S 335](#), filed 3/21/17.

Contains whereas clauses.

Creates a twelve-member Legislative Commission on the Fair Treatment of College Student-Athletes (Commission), consisting of six members of the Senate appointed by the President Pro Tempore of the Senate, and six members of the House appointed by the Speaker of the House of Representatives, with representation in proportion to the party makeup of each chamber. The Lieutenant Governor is an ex officio voting member, and the chair of the Commission. States the Commission's purpose as examining the needs and concerns of college students participating in athletics on behalf of the UNC constituent institutions and to propose appropriate legislation. Directs the Commission to study issues related to the provision of health insurance, injuries,

unionization, and profit-sharing for student athletes, including twelve specified topics. Authorizes the Commission to exercise all powers under GS 120-19 and GS 120-19.1 through GS 120-19.4. Provides for the meeting space, support staff, and subsistence and travel expenses of the commission.

Directs the Commission to file an interim report of its results by December 1, 2017, and a final report by April 1, 2018, including any proposed legislation, to the members of the General Assembly by filing copies with the offices of the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Legislative Library. The Commission terminates upon the convening of the 2019 General Assembly or upon the filing of its final report, whichever occurs first.

Effective July 1, 2017.

Intro. by Collins, Bert Jones, Rogers, Millis.

STUDY

[View summary](#)

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

H 464 (2017-2018) **REVISE SCHEDULE OF CONTROLLED SUBSTANCES**. Filed Mar 23 2017, *AN ACT REVISING THE SCHEDULE OF CONTROLLED SUBSTANCES TO ADD SYNTHETIC FENTANYLS, DESIGNER HALLUCINOGENICS, SYNTHETIC CANNABINOIDS, SYSTEM DEPRESSANTS, AND OTHER SUBSTANCES*.

Identical to [S 347](#), filed 3/21/17.

Amends GS 90-89 to add a specified opiate, 10 Fentanyl derivatives, six hallucinogenic substances, two systemic depressants, and synthetic Cannabinoids, including 16 examples, to the list of Schedule I controlled substances, and to make technical changes.

Amends GS 90-90 to add any material, compound, mixture, or preparation containing any quantity of hydrocodone to the list of Schedule II controlled substances.

Amends GS 90-91 to add one narcotic and four anabolic steroids to the list of Schedule III controlled substances. Removes specified amounts of dihydrocodeinone.

Amends GS 90-92 to add four depressants to the list of Schedule IV controlled substances, and to make a conforming change.

Amends GS 90-93 to add to Schedule V controlled substances any material, compound, mixture, or preparation containing any quantity of two listed substances, having a stimulant effect on the central nervous system, unless specifically exempted or excluded or listed in another schedule.

Amends GS 90-94 to make a conforming change.

Effective December 1, 2017.

Intro. by Horn, Murphy, Malone.

GS 90

[View summary](#)

Health and Human Services, Health

H 465 (2017-2018) **MILITARY OPERATIONS PROTECTION ACT OF 2017**. Filed Mar 23 2017, *AN ACT TO IMPOSE A TEMPORARY MORATORIUM ON THE CONSIDERATION OF PERMIT APPLICATIONS AND ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF NEW ONSHORE AND OFFSHORE WIND ENERGY FACILITIES AND DIRECT A STUDY OF GEOSPATIAL, TEMPORAL, AND OTHER DATA TO UNDERSTAND THE EXTENT AND SCOPE OF MILITARY OPERATIONS IN THIS STATE WITH RESPECT TO ENERGY INFRASTRUCTURE*.

Identical to [S 331](#), filed 3/21/17.

Contains whereas clauses.

Establishes a statewide moratorium on consideration of applications for and on the issuance of permits for wind energy facilities and expansions, to allow the General Assembly time to study the extent and scope of military operations in the State and the impact of future wind energy facilities on military operations. Directs the Department of Environmental Quality and the Coastal Resources Commission to not consider applications for wind energy facilities from January 1, 2017, to December 31, 2020. Does not prohibit consideration of application or issuance of permit for wind energy facilities or expansions for facilities that have received a written "Determination of No Hazard to Air Navigation" by the Federal Aviation Administration on or before May 17, 2013, or if the applicant can show that a completed application was submitted on or before January 1, 2017.

Directs the General Assembly's funds to complete a study of the extent and scope of military operations in the state to create maps and other data and documentation to communicate the temporal and spatial use of land-, air-, and water-based military operations by June 30, 2019. Directs the Legislative Services Officer to issue a request for proposals related to the study by December 31, 2017, and to award contracts by June 30, 2018. Instructs the selected contractors to consult with specified military personnel.

Appropriates \$50,000 for 2016-17 from the General Assembly's funds for the purpose of funding the study described above, to be used through the 2017-18 fiscal year or until the money is spent, whichever is first.

Intro. by J. Bell, Dixon, Cleveland.

APPROP, STUDY

[View summary](#)

Government, Budget/Appropriations, General Assembly, State Agencies, Department of Military & Veterans Affairs

H 466 (2017-2018) **THE PHARMACY PATIENT FAIR PRACTICES ACT**. Filed Mar 23 2017, *AN ACT RELATING TO THE REGULATION OF PHARMACY BENEFIT MANAGERS*.

Identical to [S384](#), filed 3/23/17.

Amends GS 58-56A-1 to define insured and pharmacist.

Enacts new GS 58-56A-2 (Pharmacy of choice), directing a pharmacy benefits manager to comply with pharmacy of choice requirements under GS 58-51-37.

Enacts new GS 58-56A-3 (Consumer protections). Pharmacy benefits managers may not (1) prohibit pharmacists and pharmacies from providing an insured information regarding cost share and the clinical efficacy of lower-price alternative drugs, or to penalize the pharmacist or pharmacy for doing so, (2) prohibit a pharmacist or pharmacy from offering and providing store direct delivery services to an insured, or (3) charge, or attempt to collect from, an insured a co-payment exceeding the total submitted charges by the network pharmacy for which the pharmacy is paid. Violation is an unfair and deceptive trade practice and actionable under GS Chapter 75. Does not foreclose other remedies.

Enacts new GS 58-56A-4 (Pharmacy and pharmacist protections). Pharmacy benefits managers may not (1) charge a fee, or otherwise hold a pharmacist responsible for costs relating to the adjudication of a claim, or (2) recoup funds from a pharmacy in connection with claims for which the pharmacy has already been paid without first complying with GS Chapter 58, Article 4C, unless permitted by law, or (3) retaliate against a pharmacist or pharmacy for exercising rights under GS Chapter 58. Does not apply to licensed group health maintenance organizations with an exclusive medical group contract that operates its own pharmacies. Violation is unfair and deceptive trade practice actionable under GS Chapter 75. Does not foreclose other remedies.

Directs the Commissioner of Insurance to adopt rules to implement this act.

Effective October 1, 2017, and applies to all contracts entered into, renewed, or amended on or after that date.

Intro. by Brenden Jones.

GS 58

[View summary](#)

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

H 467 (2017-2018) [AGRICULTURE AND FORESTRY NUISANCE REMEDIES](#). Filed Mar 23 2017, *AN ACT TO CLARIFY THE REMEDIES AVAILABLE IN PRIVATE NUISANCE ACTIONS AGAINST AGRICULTURAL AND FORESTRY OPERATIONS*.

Enacts new GS 106-702. Designates compensatory damages for permanent private nuisance actions against agricultural and forestry operations to be measured by the reduction in the fair market value of the plaintiff's property, not to exceed the fair market value of the property. Designates compensatory damages for temporary private nuisance actions to be the diminution of the fair rental value of the plaintiff's property. Limits the total combined recovery in multiple private nuisance actions against agricultural or forestry operations by a plaintiff or plaintiff's successor to the fair market value of his or her property, regardless of whether the subsequent action or actions were brought against a different defendant. Applies to private nuisance claims brought against any party based on that party's contractual or business relationship with an agricultural or forestry operation.

Applies to actions filed, arising, or pending on or after the date when the bill becomes law. Provides a severability clause.

Intro. by Dixon, Davis, Lewis, J. Bell.

[GS 106](#)

[View summary](#)

[Agriculture](#)

H 468 (2017-2018) [DOT/FUNDING FOR PRELIMINARY ENGINEERING](#). Filed Mar 23 2017, *AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO AGREEMENTS WITH UNITS OF LOCAL GOVERNMENTS TO FUND PRELIMINARY ENGINEERING FOR CERTAIN TRANSPORTATION PROJECTS*.

Amends and makes organizational changes to GS 136-66.8 concerning agreements with local governments.

Current subsection (a) authorizes DOT to enter into agreements with units of local government for the purpose of expediting transportation projects currently programmed in the Transportation Improvement Program. Adds to subsection (a), authorizing the Department of Transportation (DOT) to also enter into agreements with units of local government for the purpose of funding preliminary engineering for projects not currently programmed in the Transportation Improvement Program but programmed in the immediately preceding Transportation Improvement Program. Adds new subsection (b1) requiring the authorized preliminary engineering agreements to be between the DOT and units of local government, and requiring the unit of local government to fund 100% of the preliminary engineering funding at current prices. Allows units of local government to be reimbursed for the amount expended in accordance with the agreement in a future year when the project is funded from State and federal sources.

Makes technical changes to subsection (b) to clarify the provisions of subsection (b) only apply to the existing authorization in subsection (a), now organized by this act to subdivision (1).

Makes technical changes throughout the statute to refer to the Transportation Improvement Program instead of the Transportation Improvement Plan.

Amends the reporting requirement by the DOT to require annual reporting (currently, one report to be submitted by December 1, 2006) to the Joint Legislative Oversight Committee on any agreements executed with units of local government pursuant to the statute.

Intro. by Shepard, Torbett.

[GS 136](#)

[View summary](#)

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

H 469 (2017-2018) [REGULATION OF FULLY AUTONOMOUS VEHICLES](#). Filed Mar 23 2017, *AN ACT TO REGULATE THE OPERATION OF FULLY AUTONOMOUS MOTOR VEHICLES ON THE PUBLIC HIGHWAYS OF THIS STATE*.

Identical to [S 337](#), filed 3/21/17.

Amends GS 20-4.01 to revise the definition of operator to include persons who cause fully autonomous vehicles to move or travel with the automated driving system engaged.

Amends GS 20-8 to exempt fully autonomous vehicles with the automatic driving system engaged and their operators from GS Chapter 20, Article 2 (Uniform Driver's License Act).

Amends GS 20-49 to provide that fully autonomous vehicles with an engaged automated driving system satisfy the requirement to exhibit a registration card if the card is in the vehicle, or available online, and readily available to be inspected by an officer or inspector. Makes conforming changes to GS 20-57.

Amends GS 20-57 to require a registration card for a fully autonomous vehicle to contain information required under new GS 20-400(a)(5).

Amends GS 20-135.2A to exempt fully autonomous vehicles with an automated driving system engaged from seat belt requirements.

Amends GS 20-135.2B and GS 20-137.1 to make the parent or guardian of a child responsible for compliance with the prohibition on transporting children under the age of 16 in the bed or cargo area of a fully autonomous vehicle with an automatic driving system engaged, and the requirement that a passenger less than 16 years old be properly secured with a child restraint system or seat belt. Exempts the parents or legal guardians of passengers who do not comply with the seat belt requirement from the penalty of two driver's license points.

Amends GS 20-163 to exempt fully autonomous vehicles with an automatic driving system engaged from the prohibition on unattended motor vehicles with an engine running.

Amends GS 20-166 and GS 20-166.1 to provide that fully autonomous vehicles with an automatic driving system engaged are considered compliant with the requirements to stop in the event of a crash if the vehicle remains on the scene of the crash, and the vehicle or the person responsible for the vehicle promptly contacts a law enforcement agency and communicates the required information. Holds the owner of the vehicle responsible for violations of this requirement.

Enacts new GS Chapter 20, Article 17 (Regulation of Fully Autonomous Vehicles). New GS 20-399 defines five terms, including fully autonomous vehicle and automated driving system. New GS 20-400 creates five requirements for the operation of a fully autonomous vehicle with an automated driving system engaged without a human driver present in the vehicle, including being covered by a motor vehicle liability policy. Provides that no local government may enact a law or ordinance regulating fully autonomous vehicles and their operation.

Makes technical and conforming changes.

Effective December 1, 2017.

Intro. by Shepard, Torbett.

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

H 470 (2017-2018) [RESPONSIBLE WIND ENERGY IMPLEMENTATION](#). Filed Mar 23 2017, *AN ACT TO MINIMIZE INTERFERENCE WITH MILITARY OPERATIONS, ENVIRONMENTAL DEGRADATION, REDUCTION OF PROPERTY RIGHTS, AND HARMS TO PUBLIC HEALTH, SAFETY, AND WELFARE RESULTING FROM THE SITING AND OPERATION OF INDUSTRIAL WIND ENERGY FACILITIES*.

Identical to [S 366](#), filed on 3/23/17.

Amends Article 21C of GS Chapter 143 as follows. Renames the Article as Permitting and Control of Industrial Wind Energy Facilities (currently Permitting of Wind Energy Facilities).

Adds the terms *site*, *infrasound*, and *major WEF stakeholders*. Also adds the term *WEF* and defines the term to mean a wind energy facility or a wind energy facility expansion. Makes conforming changes throughout the Article to replace wind energy facility and wind energy facility expansion with WEF. Amends the definitions for *major military installation*, *wind energy facility*, and *wind energy facility expansion*. Adds the Harvey Point Defense Testing Activity Facility to the definition of *major military installation*. Defines *wind energy facility* (WEF) to mean parcels of land containing one or more industrial-sized turbines rated at one megawatt or more, along with accessory buildings, transmission facilities, and any other equipment necessary for the

operation of the WEF. Clarifies that the Article only applies to a WEF located onshore, and that an expansion of an existing WEF is considered a WEF unless the expansion reduces the total footprint of the WEF and does not include any new land that was not previously a part of the WEF site. Defines *wind energy facility expansion* to mean any activity that adds additional turbines, modifies the size or rating of any existing turbines, or changes the footprint of the WEF over what was initially permitted.

Amends the requirements for a permit preapplication site evaluation meeting set out in GS 143-215.117. Requires the preapplication site evaluation meeting to be used by the participants for four specified purposes detailed in subsection (a) (currently, permitted but not required) along with the materials described in subsection (b). Amends the purposes set out in subsection (a) for the preapplication site evaluation meeting and adds a fourth purpose. Amends the first purpose, providing that in conducting a preliminary evaluation of the site, one purpose is determining if the proposed WEF can: (1) pose risk to civil air navigation, including aerial spraying or firefighting, or military navigation routes, air traffic control areas, military training routes, special-use air space, radar, or other military operations; (2) pose serious risk to natural resources and uses within five miles of the proposed WEF including risks to species, their habitats, decreased groundwater recharge, increased stormwater discharge, or increased turbidity and sedimentation in streams impacted by the WEF; or (3) pose serious risks to health, safety, and welfare of citizens residing within two miles of the proposed WEF. Amends the third purpose, providing that in conducting a preliminary evaluation of the site, one purpose is to identify areas where proposed construction or expansion activities pose minimal risk to natural resources and uses, including groundwater, and avian, bat, and endangered or threatened species. Adds a fourth purpose, providing that in conducting a preliminary evaluation of the site, one purpose is to identify areas where proposed construction or expansion activities pose minimal risk to the health, safety, and welfare of proximate residents.

Amends the requirements of the permit preapplication package set forth in subsection (b) of GS 143-215.117. Requires the preapplication package to include nine specifications in both printed and digital format. Provides that verifiable trade secrets are not subject to disclosure in the preapplication package. Amends the required contents of the package and now requires the preapplication to include: (1) a narrative description of the WEF including the type and maximum physical dimensions of wind turbines to be constructed, the total capacity of the WEF, and a description of any ancillary facilities; (2) a US Geological Survey topographic map showing the approximate location of the proposed WEF and the anticipated locations of the WEF's turbines; (3) a description of any known potential impacts of the proposed WEF on civil air navigation, including aerial spraying or firefighting, or military air navigation routes, air traffic control areas, military training routes, special-use air space, radar, or any other potentially affected military operations; (4) a description of any known potential adverse impacts of the proposed WEF on natural and agricultural resources, including groundwater, crop production, and animals; (5) a description of any known potentially adverse impacts of the proposed WEF on the health, safety, and welfare of proximate residents and visitors; (6) a list and status of the federal, State, and local agencies from which approvals will be obtained and the name of those approvals required to authorize the construction, operation, or expansion of the proposed WEF; (7) a schedule showing the anticipated dates for commencement of construction, testing, and commercial operation of the proposed WEF; (8) an operation and maintenance plan that includes routine emergency checks for structural integrity, repairs, and rust prevention; (9) the URL of a website created by the applicant with information about the WEF, providing the full text of all documents submitted to any agency that are considered public records, listing the titles or general description of all documents submitted to any agency that are considered proprietary and confidential, listing the name and address of all leaseholders, providing an opportunity for regional citizens to make publicly shown comments on the proposed WEF, and providing that the proposed WEF has been advertised in a locally circulated newspaper.

Makes changes to the requirement to provide written notice, including an invitation to participate in the permit preapplication evaluation meeting, to interested parties no less than 21 days prior to the date of the permit preapplication site evaluation meeting by referring to major WEF stakeholders instead of listing stakeholders, as the term is now defined in GS 143-215.115(6). *Major WEF stakeholders* is now defined to mean the NC Utilities Commission, the NC Department of Health and Human Services, the NC Department of Commerce, the NC Department of Transportation, the US Army Corps of Engineers, the US Fish and Wildlife Service, the US National Park Service, the NC Wildlife Resources Commission, the commanding officer, or the commanding officer's designee, of any potentially affected major military installation; the NC Military Affairs Commission; the county commission and governing body of each municipality in the county in which the WEF is proposed to be located, and any other stakeholders that the Department of Environmental Quality (DEQ) deems relevant.

Adds new requirement for DEQ to prepare detailed minuted or make an audio recording of the preapplication evaluation meeting. Establishes that the minutes or recording is an official part of the permit application package.

Amends the provisions concerning the scoping meeting between the applicant and DEQ set out in GS 143-215.118. Establishes that the location of the scoping meeting is in a county where the WEF is proposed to be located. Makes a conforming change

concerning the required written notice of the scoping meeting, including an invitation to participate, to interested parties to refer to major WEF stakeholders instead of listing the parties. Adds new requirement for the scoping meeting to be advertised in accordance with open meetings laws and for the meeting to be open to the public. Adds new requirement for DEQ to prepare detailed minutes or make an audio recording of the meeting. Establishes that the minutes or recording is an official part of the permit application package.

Amends the permit application requirements for an applicant applying for a WEF set out in GS 143-215.119. Requires the permit application to include 22 specified items in both printed and digital format. Amends and adds to the permit application requirements to now require: (1) a narrative description of the proposed WEF; (2) a map showing the location of the proposed WEF that identifies the specific location, height, and rating of each anticipated turbine, and other buildings, roads, and equipment that are a part of the WEF; (3) a copy of a deed, purchase agreement, or lease agreement demonstrating the applicant's right to construct, expand, or develop a WEF; (4) the name and address of all property owners within two miles of the perimeter of the WEF (adding that the applicant must notify each and include the information set out in subdivisions (1) and (2) described above); (5) the applicant's NC Utilities Commission Certificate of Public Convenience and Necessity; (6) a description of military air navigation routes, air traffic control areas, military training routes, special-use air space, aerial spraying activities, potential aerial firefighting activity, radar, or other civilian or military operations that can be affected by construction or operation of the proposed WEF; (7) a description of any potential adverse impact on military operations, military readiness, or the lives of military personnel and any rectifying actions agreed to by the applicant; (8) documentation that the applicant has completed a review by the Department of Defense Siting Clearinghouse of the proposed WEF, including an unredacted copy of the agreement and unredacted copies of all correspondences; (9) a list of documentation submitted by the applicant to the FAA and approvals or determinations issued by the FAA; (10) a study of the possible human health impacts of the proposed WEF conducted by independent experts if there are residential properties within two miles of the proposed WEF, as specified; (11) a study of the local and regional economic impacts of the proposed WEF conducted by independent experts, as specified; (12) a plan of action to be taken to deactivate the WEF and to protect the public from harm due to WEF component liberation, and during natural weather conditions and disasters; (13) an environmental assessment of the potential adverse impacts of the proposed WEF ecosystems conducted by independent experts, as specified; (14) a study of the proposed WEF's potential impact on views or other aspects of any State or national park, wilderness area, significant natural heritage area, or other public lands or private conservation lands that are in the viewshed of the proposed WEF, conducted by independent experts; (15) a study of the potential hydro-geological impacts of the proposed WEF on natural resources, water bodies, flowing water sources, wetlands, groundwater, aquifers, and private wells within two miles of the perimeter of the WEF, conducted by independent experts as specified; (16) documentation for the applicant's proposed property value guarantee for all residential properties within two miles of the perimeter of the WEF, as specified; (17) an incident response plan that ensures that local emergency responders have the necessary equipment and training to effectively handle emergencies as specified; (18) a plan regarding action to be taken to decommission the WEF consistent with GS 143-215.119B (enacted by this act); (19) the Power Purchase Agreement; (20) an explanation of how the proposed WEF would be consistent with the criteria in GS 143-215.122 (as amended by this act); (21) the application fee; and (22) other data or information DEQ may reasonably require.

Provides that verifiable trade secrets and verifiable confidential business information are not subject to disclosure. Sets the application fee to be \$100 per rated faceplate megawatt of the full proposed WEF (currently, \$3,500 flat application fee). Changes the notice requirements to now require DEQ to provide notice of receipt of a completed permit application to major WEF stakeholders within 15 business days of receipt (currently, within 10 business days). Amends and adds to the required contents of the notice of receipt to now include: (1) a copy of the map showing the location of the WEF as specified; (2) a written request to the commanding officers of all major military installations, or their designee, and the Military Affairs Commission for technical information related to adverse impact to the installation's operation, training or mission as specified; (3) a written request to the board of commissioners and governing body of each municipality within two miles of where the WEF will be located for information related to potential adverse impacts of the WEF on local governments, local business, local property values, and local ecosystems; and (4) a written request to the Department of Health and Human Services for information related to potential adverse human health impacts to citizens within two miles of the WEF. Further, directs DEQ to provide a copy of permit application material filed pursuant to the above described permit application requirements to the major WEF stakeholders and any other parties DEQ deems relevant within 10 days of receipt of the permit application material as well as any supplements, changes, or amendments. Amends the public hearing and comment requirements to require DEQ to give written notice to the NC Attorney General's Office and all major WEF stakeholders of a scheduled WEF public hearing within 30 days prior to the scheduled hearing. Adds new requirement for DEQ to create and maintain a record of comments made at any public hearings under this GS 143-215.117.

Enacts GS 143-215.119A, requiring all turbines in a WEF to maintain a setback from the property line of any residential or residentially zoned parcels outside the perimeter of the WEF. Establishes the setback to be the greater of one mile or 10 times the maximum height of the turbine's blade tip. Requires a turbine in a WEF to maintain a minimum setback of at least two and one-half the maximum height of the turbine's blade tip from any residential structure within the WEF. Requires a turbine in a WEF to maintain a minimum setback of at least two and one-half times the maximum height of the turbine's blade tip from the perimeter of the WEF and the right-of-way of any roadway maintained by the State or a municipality. Prohibits a turbine in an offshore WEF from being sited within 24 miles of the nearest shore. Includes setbacks specific to military operations, including prohibiting a turbine in a WEF from being sited within 30 miles of a major military installation as that term is defined in GS 143-215.115 as amended.

Enacts GS 143-215.119B, establishing that the permit applicant or permit holder for a WEF is responsible for proper decommissioning of any turbine following no electricity generation for six consecutive months, for any reason, unless DEQ grants a one-time three month extension. Requires the property to be returned to its original condition within one year following the six month period of no electricity generation of the one-time three month extension. Details what decommissioning includes. Establishes that the permit applicant or permit holder is responsible for properly disposing of each piece of equipment used in the WEF upon decommissioning. Provides that DEQ will hire experts to determine the cost for WEF decommissioning, setting the cost to be at least \$100,000 per turbine, without considering possible scrap values. Establishes that a permit holder must maintain financial assurance to continue to hold a permit under the Article, and must provide any documentation DEQ requests to establish the permit holder continues to maintain the required financial assurance, as well as notify DEQ of any significant changes, as specified. Details requirements for a permit applicant or permit holder to establish financial assurance, as specified, that will ensure sufficient funding is available even if the applicant or permit holder becomes insolvent or ceases to reside, be incorporated, do business, or maintain assets in the State. Makes confirming change to delete GS 143-215.121 (financial assurance requirements).

Amends GS 143-215.120, which provides criteria for permit approval by DEQ. Amends and adds to the criteria to direct DEQ to approve a permit application unless: (1) construction or operation of the WEF would be inconsistent with or violate rules adopted by DEQ or any other provision of law; (2) operation of the proposed WEF would likely create unacceptable interference with civilian air navigation, including aerial spraying or firefighting activities, or any type of civilian or military radar systems; (3) construction or operation of the proposed WEF would encroach upon or would have a significant impact on the mission, training, or operation of any major military installation, or put lives of military personnel in jeopardy, based on conclusion of Military Affairs Commission (MAC) or consulted military personnel; (4) operation of the proposed WEF would either create noise levels exceeding decibels (dba) Lmax for more than five consecutive minutes, as measured from the property line of any adjacent parcel, possibly cause serious health, safety, or welfare complications to citizens in the region, based upon the level determined by the Department of Health and Human Services to adequately protect proximate residents or visitors from infrasound; (5) operation of the proposed WEF would likely be a net economic liability to the host communities based upon the conclusions of the NC Department of Commerce; (6) construction or operation of the WEF would have a significant adverse impact on domestic animals, livestock, or wildlife; (7) construction or operation of the proposed WEF would result in significant adverse impacts to ecological systems, natural resources, wilderness areas, wildlife reserves, wildlife refuges, preserves, flyways, bodies of water, groundwater, wetlands, environmental management areas, national or State parks or forests, segments of the natural and scenic rivers system, and locations that provide habitat for threatened or endangered species; (8) construction or operation of the proposed WEF would result insignificant adverse impacts to recreation areas, cultural locations, historic venues of more than local significance, archaeological sites, or cemeteries; (9) operation of the proposed WEF would have a significant adverse impact on views or other aspects of any State or national park, wilderness area, significant natural heritage area, or other public lands or private conservation lands; (10) the applicant has not agreed to an adequate property value guarantee; (11) the applicant has not submitted an acceptable incident response plan; (12) the applicant has failed to establish an acceptable decommissioning plan in accordance with GS 143-215.119B as enacted; (13) the applicant has not submitted a bona fide power purchase agreement; (14) a permit would be denied under any criteria in GS 113A-119A (likely intends GS 113A-120, grant or denial of permits); (15) construction would be prohibited under GS Chapter 113A, Article 14 (the Mountain Ridge Protection Act); or (16) the applicant is not in full compliance with all applicable federal State, or local permit requirements, licenses, or approvals, including any local zoning laws.

Deletes the exception to the requirement that DEQ must make a final decision on a completed permit application within 90 days of its receipt, which allowed DEQ to not meet that deadline if it has not received a Determination of No Hazard to Air Navigation from the FAA. Provides that the applicant should (currently, may) treat failure of DEQ to act within the time period as a denial of the permit. Deletes the existing provisions concerning required and permitted conditions DEQ can include in permits to now

require DEQ to include as a condition of a permit for a proposed WEF a requirement that the applicant satisfactorily resolve all adverse impacts. Establishes that the permit is good for two years from the date of approval. Prohibits any extension. Requires one turbine to be erected and operating for the permit to stay in force. Clarifies that the permit is not authority to build. Provides that a conditional use permit or special use permit process under local zoning law cannot start until 15 days after the permit has been granted. Requires a permit holder to cease operation of all turbines in violation of any permit condition within one day of being notified by any governmental agency, and prohibits the turbines from resuming operation until the terms of the violation are fully corrected to the satisfaction of the notifying agency. Clarifies that the more stringent of any conflicts between the Article's provisions and any local regulations governs.

Enacts GS 143-215.120A, detailing the responsibilities of the owner of any permitted WEF concerning any construction related damage to all real or personal property, public or private.

Amends GS 143-215.122, setting out an applicant's monitoring and reporting requirements, to require the applicant to annually submit copies to DEQ of all post-construction monitoring, such as reports on ambient noise levels, groundwater testing, ground water levels in the surficial aquifer, hydraulic head measurements in lower confined aquifers, property value guarantee claims, the impacts on humans or wildlife within five miles of the WEF. Also requires the applicant to annually submit copies to DEQ of any post-construction monitoring or reports that are required by the major WEF stakeholders or any other government agency. Adds that the applicant must annually submit copies to DEQ of any post-construction monitoring or reports on any impacts on military operations.

Amends GS 143-215.123, requiring DEQ to consult with major military installation representatives and MAC (currently does not include consulting with MAC) to review information as previously specified. Clarifies that the information DEQ is required to provide to permit applications, upon request, only includes information DEQ is aware of. Requires DEQ to provide information on other potentially affected military or civilian operations to permit applicants as requested (currently, does not include potentially affected civilian operations).

Amends GS 143-215.126 to require (currently, permits) the DEQ Secretary to impose an administrative penalty on a person who constructs a WEF without obtaining a permit under this Article or who constructs or operates a WEF in violation of its permit terms and conditions. Establishes that the penalty to be no less than \$1,000 per day but not exceeding \$10,000 a day (currently, no minimum provided).

Enacts GS 143-215.127, requiring any person who owns, operates, or controls a WEF to maintain (1) commercial general liability insurance, covering personal injuries, death, and property damage of \$10 million per occurrence, with a total of \$20 million coverage aggregate, which must specifically include the affected counties and municipalities and their officers, councils, employees, committee members, attorneys, agents, and consultants as additional named insureds and (2) umbrella coverage of \$50 million. Requires the insurance policies to be issued by an agent or representative of an insurance company licensed to do business in this State, and to contain an endorsement obligating the insurance company to furnish DEQ with at least 30 days' prior written notice in advance of cancellation. Requires the permit holder to deliver a copy of each of the policies or certificates representing the insurance in the required amount no more than 15 days after the grant of the permit and before construction begins. Establishes strict liability for any person who owns, operates, or controls a WEF for damages to persons or property, public or private, caused by the construction, maintenance, operation, decommissioning, disassembly, or demolition of that WEF. Also establishes joint and several liability for an action to be filed against any one or more person having control over the WEF or the activity that caused or contributed to the damages. Establishes immunity from liability for damages proven by a preponderance of the evidence to have been caused as specified, including an act or omission by the federal government, or the State, or its political subdivisions. Clarifies that the statute does not deprive a claimant from electing to pursue any other cause of action for damages or injunctive relief under statutory or common law. Makes a conforming deletion of GS 143-215.121.

Enacts GS 143-215.128, requiring all permits issued under the Article to contain an indemnification provision applicable to the governing bodies for the WEF and requiring the permit applicant to indemnify the governing bodies as specified at all time. Requires reasonably attorneys' fees, consultants' fees, and expert witness fees to be included in the costs recoverable by a governing body under the indemnification required by the statute.

Makes other clarifying, technical, and organizational changes to the Article.

Applies to all wind energy facilities filing a permit application under Article 21C of GS Chapter 143, as amended by the act, on or after the date the act becomes law.

[View summary](#)

Environment, Energy, Military and Veteran's Affairs

H 471 (2017-2018) [FAIL TO OBTAIN DL/INCREASE PUNISHMENT](#). Filed Mar 23 2017, *AN ACT TO INCREASE THE PUNISHMENT FOR CERTAIN OFFENSES OF FAILING TO OBTAIN A DRIVERS LICENSE BEFORE DRIVING A MOTOR VEHICLE.*

Amends GS 20-35 to make failure to obtain a license before driving a motor vehicle in violation of GS 20-7(a) a Class 3 misdemeanor, with a fine of \$400 for second or subsequent offenses, and forfeiture of the vehicle driven by the offender for a third or subsequent offense, in addition to any other penalties authorized by law. Does not apply to persons driving with a revoked or suspended license. Makes a conforming change.

Amends GS 20-28.2 to expand the definition of *innocent owner* (to include persons who did not know that an offending driver did not have a license, or did not permit the offending driver to drive the vehicle and filed a police report), and to define *no drivers license acknowledgement* (written document regarding the offender's record, the vehicle's future potential for impoundment and forfeiture, and that lack of knowledge or consent is not a future defense without all reasonable precautions to prevent use of the vehicle by the offender). Authorizes a judge to determine whether a vehicle driven by a person without a license is subject to an order of forfeiture at the sentencing hearing, a separate hearing after conviction, or at a forfeiture hearing at least 60 days after a defendant's failure to appear at a scheduled trial, with forfeiture resulting from the greater weight of the evidence showing that the Defendant is guilty of violating GS 20-7(a), and has two or more prior convictions of the same offense. Authorizes release of a vehicle impounded for violations of GS 20-7(a) to an innocent owner upon payment of towing and storage charges, and the execution of a no drivers license acknowledgement. Makes conforming changes.

Amends GS 20-28.3 to provide for pretrial release of a motor vehicle to a defendant upon determination at a hearing, scheduled as specified, that a defendant does not have at least two prior convictions of failure to obtain a license before operating a motor vehicle, or upon consent by the district attorney to the release of the vehicle. Requires payment of all towing charges. Makes conforming changes.

Amends GS 20-28.8 to require the clerk of superior court to report no drivers license acknowledgements to the Division of Motor Vehicles (DMV).

Amends GS 20-54.1 to direct the DMV to revoke the registration of all motor vehicles registered to a person convicted of violation of GS 20-7(a) and punished as described above. Requires the convicted person to surrender any revoked registrations to the Division within 10 days of receiving notice of revocation. Makes conforming changes.

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

Intro. by Millis, Destin Hall, Cleveland, Burr.

[View summary](#)

H 472 (2017-2018) [MOTOR VEHICLE DEALER LAW REVISIONS](#). Filed Mar 23 2017, *AN ACT TO REPEAL THE CONTINUING EDUCATION REQUIREMENT FOR USED MOTOR VEHICLE DEALERS, TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO PROVIDE NOTICE OR RULE OR REGULATION CHANGES TO LICENSED MOTOR VEHICLE DEALERS, AND TO REQUIRE THE LICENSE AND THEFT BUREAU OF THE DIVISION OF MOTOR VEHICLES TO STUDY HOW TO IMPROVE ENFORCEMENT OF THE LAWS GOVERNING THE TRANSFER OF TITLE OR INTEREST IN A MOTOR VEHICLE.*

Amends GS 20-288 to eliminate the continuing education requirement for used motor vehicle dealers.

Requires the Division of Motor Vehicles to provide notice of adopted or amended rules or regulations to affected license holders within 30 days of adoption or amendment, effective July 1, 2017.

Directs the DMV, License and Theft Bureau to study how to improve enforcement of Part 4 (Transfer of Title or Interest) of the Motor Vehicle Act of 1937 against auctioneers and licensed motor vehicle dealers, and to submit its findings and legislative

recommendations to the Joint Legislative Transportation Oversight Committee by December 15, 2017.

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

Intro. by Setzer.

STUDY, GS 20

[View summary](#)

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

H 473 (2017-2018) **FILM & ENTERTAINMENT GRANT FUND APPROPRIATION**. Filed Mar 23 2017, *AN ACT TO PROVIDE ADDITIONAL MONEYS FOR THE FILM AND ENTERTAINMENT GRANT FUND*.

Identical to [S 358](#) filed on 3/22/17.

Appropriates \$55 million in recurring funds for 2017-18 from the General fund to the Department of Commerce to be allocated to the Film and Entertainment Grant Fund, effective July 1, 2017.

Intro. by Grange, Dulin.

APPROP

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Commerce**

H 474 (2017-2018) **UP MINIMUM WAGE/SET RATES/COLA**. Filed Mar 23 2017, *AN ACT TO INCREASE THE STATE MINIMUM WAGE, TO SET WAGE RATES BASED UPON THE SIZE OF THE EMPLOYER, AND TO PROVIDE FOR AUTOMATIC ADJUSTMENTS TO REFLECT INCREASES IN THE COST OF LIVING*.

Amends GS 95-25.3 to raise the state minimum wage to \$10.75 per hour for large employers (defined by a gross volume of sales made or business done equalling or exceeding \$500,000, excluding excise taxes at the retail level), and to \$7.75 per hour for small employers (defined by a gross volume of sales made or business done of less than \$500,000, excluding excise tax at the retail level) effective January 1, 2018. Annually increases the minimum wage from the amount stated above on January 1 of each year, beginning in 2019, by the increase in the cost of living, as measured by the percentage increase of the Consumer Price Index or its successor index, as calculated by the US Department. Directs the Commissioner to calculate the indexed minimum wage rate to the nearest cent.

Intro. by Cunningham, Earle, W. Richardson.

GS 95

[View summary](#)

Employment and Retirement

H 475 (2017-2018) **SE NC AG EVENTS CENTER/FUNDS**. Filed Mar 23 2017, *AN ACT TO APPROPRIATE FUNDS TO INSTALL SEATING AND A SOUND SYSTEM AT THE SOUTHEASTERN NORTH CAROLINA AGRICULTURAL EVENTS CENTER*.

Appropriates \$750,000 for 2017-18 from the General Fund to the Department of Agriculture and Consumer Services to install seating and a sound system at the Southeastern North Carolina Agricultural Events Center. Effective July 1, 2017.

Intro. by C. Graham, Pierce, Goodman, Brenden Jones.

APPROP

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Agriculture and Consumer Services**

H 476 (2017-2018) [REQUIRED TRAINING POLICE TELECOMMUNICATORS](#). Filed Mar 23 2017, *AN ACT TO REQUIRE TRAINING AND CERTIFICATION OF POLICE TELECOMMUNICATORS*.

Amends GS 17E-7 by adding the requirement, effective July 1, 2019, that any person employed as a telecommunicator by a municipal police agency meet all of the requirements of GS Chapter 17E. Requires entry level telecommunicators to successfully complete the course of instruction provided under GS Chapter 17E or by the Association of Public Safety Communications Officials Institute.

Intro. by Faircloth, Burr, Davis, McNeill.

[GS 17E](#)

[View summary](#)

[Government, Public Safety](#)

H 477 (2017-2018) [BEHAV. HEALTH CRISIS EMS TRANSPORTS/MEDICAID](#). Filed Mar 23 2017, *AN ACT TO ESTABLISH MEDICAID REIMBURSEMENT FOR AMBULANCE TRANSPORTS OF MEDICAID RECIPIENTS IN BEHAVIORAL HEALTH CRISIS TO BEHAVIORAL HEALTH CLINICS OR ALTERNATIVE APPROPRIATE CARE LOCATIONS*.

Identical to [S 383](#) filed on 3/23/17.

Directs the Department of Health and Human Services (DHHS) to evaluate the financial impact of establishing Medicaid reimbursement for ambulance transports of Medicaid recipients in behavioral health crisis to alternative appropriate care locations, contingent upon an Emergency Medical Services (EMS) System's ability to demonstrate its appropriate education and partnership requirements. Directs DHHS, Division of Health Regulation, Office of Emergency Medical Services to adopt rules regarding EMS System Plan Requirements.

Directs DHHS, Division of Medical Assistance (Division) to report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice by December 1, 2017, on the evaluation of the financial impact described above, including a plan of implementation and a timeline for submission of State Plan amendments or waivers necessary for implementation.

Directs the Division to submit any State Plan amendments or waivers necessary to establish the Medicaid reimbursements described above to the Centers for Medicare and Medicaid Services (CMS). New Medicaid reimbursement is not to be implemented until CMS approves any submitted State Plan amendments or waivers.

Describes the intent of the General Assembly to appropriate any necessary funds.

Intro. by Dobson, Malone, Potts, Carney.

[UNCODIFIED](#)

[View summary](#)

[Government, Public Safety, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Social Services, Public Assistance](#)

H 478 (2017-2018) [REQUIRED EXPERIENCE FOR MH/DD/SA QPS](#). Filed Mar 23 2017, *AN ACT TO ALLOW ALL YEARS OF FULL-TIME MENTAL HEALTH, DEVELOPMENTAL DISABILITY, AND SUBSTANCE ABUSE SERVICE TO APPLY TO THE QUALIFICATIONS REQUIRED BY THE MEDICAID PROGRAM FOR QUALIFIED PROFESSIONALS*.

Directs the Department of Health and Human Services to amend the qualifications for Qualified Professionals within the mental health, developmental disability, and substance abuse (MH/DD/SA) system of care to allow for all years of full-time MH/DD/SA service experience to qualify as years of service, and not just those obtained post-graduate degree. Requires all Medicare State Plan changes to be submitted to the Centers for Medicare and Medicaid by October 1, 2017. Changes do not become effective until approval by the Centers for Medicare and Medicaid of the State Plan amendments submitted by DHHS to effect the change has been received.

Intro. by Dobson, S. Martin, K. Hall, Brisson.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health, Social Services, Public Assistance

H 479 (2017-2018) [APPROPRIATE FUNDS FOR FUTURE HEALTH CARE JOBS](#). Filed Mar 23 2017, *AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGE SYSTEM TO TRAIN FUTURE HEALTH CARE PROFESSIONALS TO MEET NORTH CAROLINA'S HEALTH CARE NEEDS*.

Appropriates \$20 million for 2017-18 and \$27 million for 2018-19 from the General Fund to the Community Colleges System Office to be used to increase the number of students entering into and graduating from health care certificate and health care degree programs. Effective July 1, 2017.

Intro. by Farmer-Butterfield, Cunningham, Howard, Adcock. [APPROP](#)

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, State Agencies, Community Colleges System Office, Health and Human Services, Health, Health Care Facilities and Providers

H 480 (2017-2018) [ABC PERMITS/TAX COMPLIANCE & REPORTS](#). Filed Mar 23 2017, *AN ACT TO REQUIRE THE ABC COMMISSION AND THE DEPARTMENT OF REVENUE TO CERTIFY ON AN ANNUAL BASIS THAT BREWERY AND DISTILLERY PERMIT HOLDERS ARE COMPLIANT WITH STATE TAX REQUIREMENTS AND TO REQUIRE CERTAIN BREWERY PERMIT HOLDERS TO SUBMIT AN ANNUAL REPORT TO THE ABC COMMISSION*.

Amends GS 18B-1104 to direct the Alcoholic Beverage Control Commission (Commission) to confirm by October 1 of each year that the holder of a brewery permit complies with GS 18B-900(a)(8). Authorizes the Commission to suspend a person's brewery permit until the Commission receives notice from the Department of Revenue that the person is in compliance. Directs brewery permit holders who obtain a malt beverage wholesaler permit to report to the Commission by October 1 of each year, six specified pieces of information regarding the amount of malt beverages sold. Makes technical and organizational changes.

Amends GS 18B-1105 to direct the Commission to confirm by October 1 of each year that the holder of a distillery permit complies with GS 18B-900(a)(8). Authorizes the Commission to suspend a person's distillery permit until the Commission receives notice from the Department of Revenue that the person is in compliance.

Makes conforming changes to GS 18B-903(c1), GS 18B-1001(l), GS 18B-1114.5(a), GS 18B-1116(a), and GS 18B-1305(a1).

Intro. by Boles, J. Bell, Willingham.

[GS 18B](#)

[View summary](#)

Alcoholic Beverage Control

H 481 (2017-2018) [RESTORE LOTTERY REVENUE DISTRIB. STRUCTURE](#). Filed Mar 23 2017, *AN ACT TO RESTORE THE ORIGINAL REVENUE DISTRIBUTION STRUCTURE OF THE NORTH CAROLINA EDUCATION LOTTERY*.

Amends GS Chapter 18C, Article 7 (North Carolina State Lottery Fund). Revises the guideline for revenue allocation in GS 18C-162 subsection (a)(4) allocate up to 7% of total annual revenues (currently, of face value of tickets or shares) for compensation paid to lottery game retailers.

Requires the net revenues of the North Carolina State Lottery Fund to be transferred periodically (currently, at least four times a year) to the Education Lottery Fund.

Deletes the provision directing the General Assembly to appropriate remaining funds from the Education Lottery Fund for education purposes. Directs the NC State Lottery Commission to distribute the remaining net revenue of the Education Lottery Fund as follows: 50% to support reduction of class size in early grades to class size allotment not to exceed 1:18, 40% to the Public School Building Capital Fund, and 10% to the State Educational Assistance Authority for college and university scholarships. Directs the General Assembly to appropriate the funds annually based upon estimates of lottery net revenue to the Education Lottery Fund provided by the Office of State Budget and Management and the Fiscal Research Division.

Provides that if the Education Lottery Reserve Fund is insufficient to cover the difference between the actual net revenues of the Education Lottery Fund and the General Assembly's appropriation, the Governor shall transfer monies from the Education Lottery Reserve Fund in order of priority to (1) support academic pre-kindergarten programs for at-risk four-year-olds, (2) reduce class size, (3) provide financial aid for needy students to attend college, and (4) to the Public School Building Capital Fund. Provides that if the net revenues exceed the amounts appropriated, the excess net revenues are split between the Public School Building Capital Fund and the State Educational Assistance Authority.

Effective July 1, 2017.

Intro. by Boles, McNeill.

[GS 18C](#)

[View summary](#)

[Lottery and Gaming](#)

PUBLIC/SENATE BILLS

S 131 (2017-2018) [REGULATORY REFORM ACT OF 2016](#). Filed Feb 23 2017, *AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA*.

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

Changes the long title and makes organizational changes.

Part I, previously titled State and Local Government Regulation, includes new provisions in addition to the provisions of the previous edition and is now entitled Business Regulation.

Deletes proposed amendments to GS 132-6.2 concerning the provision of public records required by public agencies under GS 132-9, enacting new subsection (a1), which established that public agencies can satisfy public record access requirements by making its public records and computer databases available online in a format that allows a person to download a copy of the records and databases. Deletes directive for the State Chief Information Officer, working with specified entities, to report on the development and use of computer databases by State and local agencies and the need for public access to these public records to the General Assembly by February 1, 2018.

Enacts new GS 95-25.24A concerning the Wage and Hour Act, providing that a franchisor is not the employer of a franchisee or the franchisee's employees for any purpose but specifically for employment law claims under state statute. Provides that franchisee and franchisor are understood to have the same definition as in federal law set out in 16 CFR 436.1.

Amends GS 45-91, concerning the assessment of fees, processing of payments, and publication of statements in mortgage debt collection and servicing, providing that the servicer is not required to send the specified statement for a fee and that the statement mailing requirements and borrower notification requirements of the statute are deemed satisfied by compliance with the disclosure requirements contained in Regulation Z, 12 CFR 1026.41, which is a federal regulation titled Truth In Lending, and statutory provisions for periodic statements for residential mortgage loans.

Amends the North Carolina State Building Code (Building Code) in GS 143-138 by enacting a new subsection (b16) to direct the Building Code Council to provide for an exemption from any requirements in the energy efficiency standards pursuant to Chapter 13 of the 2012 Building Code and the 2012 Energy Conservation Code, and subsequent amendments to the Building Code and the Energy Conservation Code, for the specified use and occupancy classifications under Chapter 3 of the 2012 Building Code.

Specifies the following: Section 306, Factory Group F; Section 311, Storage Group S; and Section 312, Utility and Miscellaneous Group U.

Part II, State and Local Government Regulation, includes new provisions in addition to provisions from the previous edition.

Amends GS 42-42.1 and GS 62-110(g) concerning charging tenants for water and sewer services, deleting language which previously only allowed such billing to tenants located in the same contiguous premises, now providing that all tenants of leased single-family rental units can be charged for sewer and water services even if premises are not contiguous. Deletes language that previously required the Utilities Commission to adopt rules to define contiguous premises. Further amends the provisions authorizing the Utilities Commission to charge for water and sewer services to tenants, enacting new subdivisions GS 62-110(g) (4a), requiring the Utilities Commission to develop an application that lessors are required to submit to receive authority to charge tenants for water and sewer service in such situations. Provides that the application gives authority to charge for such services for multiple homes in North Carolina. Sets out required aspects of the form, including a description of the proposed billing method and billing statements as well as the proposed administrative fee to be charged by the applicant. Makes conforming and clarifying changes.

Amends GS 115C-47(41), which sets out the duty of local boards of education to encourage recycling in public schools, by clarifying that the local boards of education must comply with GS 160A-327 (displacement of private solid waste collection services by public enterprises).

Amends GS 153A-341, concerning the purposes in view of zoning regulations of counties, by moving, and amending, the existing language into five subsections, (a) through (e). Requires the governing board to adopt one of the three statements provided prior to adopting or rejecting any zoning amendment, which is not subject to judicial review (currently only sets out one statement for a governing board to adopt). Amends the existing option to allow a board to adopt a statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest. Adds a second option for the board to adopt a statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest. Adds a third option for the board to adopt a statement approving the zoning amendment and containing a declaration that the approval is also deemed an amendment to the comprehensive plan, an explanation of the change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community, and why the action was reasonable and in the public interest. Requires the planning board to advise and comment on whether the proposed amendment is consistent with any comprehensive plan prior to consideration by the governed board of the proposed amendment. Defines *comprehensive plan* to include a unified development ordinance and any other officially adopted plan that is applicable. Makes organizational and technical changes. Makes conforming changes to GS 153A-349.13. Amends GS 160A-383, concerning the purposes in view of zoning regulations of cities and towns, by moving, and amending, the existing language into five subsections, (a) through (e), to make the language identical to that of GS 153A-341, as amended by the act and described above. Makes conforming changes to GS 160A-400.32. Clarifies that nothing in the above provisions repeal, modify, or amend any prior or subsequent local act giving authority to a governing board to delegate zoning decisions to a planning board, planning agency or planning commission. Effective October 1, 2017, and applies to proposed zoning amendment applications filed on or after that date.

Amends GS 153A-335 (Counties) and GS 160A-376 (Municipalities), concerning the subdivision of land within respective jurisdictions, exempting the subdivision of tracts of land as provided for in a will or intestate succession from subdivision regulations or from even being considered subdivision as that term is defined. Adds new subsection (c) to both GS 153A-335 (Counties) and GS 160A-376 (Municipalities), establishing that the county or a city may require only a plat for recordation for the division of a tract or parcel of land in single ownership if five criteria are met: (1) the tract or parcel to be divided is not exempted under subdivision (a)(2) of the statute; (2) no part of the tract or parcel to be divided has been divided under subsection (c) in the 10 years prior to the division; (3) the entire area of the tract or parcel to be divided is greater than five acres; (4) after division, no more than three lots result; and (5) after division, all resultant lots comply with any lot dimension size requirements of applicable land use regulations (if any), the use of the lots is in conformity with the applicable zoning requirements (if any), and a permanent means of ingress and egress is recorded for each lot. Effective July 1, 2017.

Authorizes the Joint Legislative Program Evaluation Oversight Committee to amend the 2016-17 Program Evaluation Division (Division) work plan to direct the Division to study State law and internal agency policies and procedures for the delivery of public services through State grants and contracts to non-profits. Sets out procedures for collecting and requesting data for the study. Provides that if the study is conducted, the Division must submit a report detailing the results of the study as specified to

the Joint Legislative Program Evaluation Oversight Committee and the Joint Legislative Commission on Governmental Operations no later than September 1, 2018. Effective September 1, 2017.

Amends Article 5 of GS Chapter 87 (Refrigeration Contractors) as follows. Renames the State Board of Refrigeration Examiners as the State Board of Refrigeration Contractors (Board) and modifies the Board's membership.

Defines the terms *commercial refrigeration contractor*, *industrial refrigeration contractor*, *refrigeration service contractor* and *transport refrigeration contractor*.

Requires the Board to issue the following licenses: (1) a Class I license for any person engaged in the business of commercial refrigeration contracting; (2) a Class II license for any person engaged in the business of industrial refrigeration contracting; (3) a Class III license for any person engaged in the business of refrigeration service contracting; and (4) a Class IV license for any person engaged in the business of transport refrigeration contracting. Requires issuance of a license to any licensee whose business activities required a Class I or II license if that licensee had an established place of business and was licensed before January 1, 2018.

Increases the caps on the application, renewal, and reinstatement fees. Makes clarifying, conforming and organizational changes. Effective January 1, 2018, and applies to applications submitted and Board membership appointments on or after that date.

Amends GS 105-330.9 concerning the definition of the term *antique automobile* for the purposes of tax assessment, expanding the ownership requirements of the definition to provide that an antique automobile can be owned by an individual, either directly or indirectly, through one or more pass through entities (previously, current law required an antique automobile to be owned by an individual).

Amends GS 132-6.1 to require databases purchased, leased, created or otherwise acquired by every public agency containing public records to be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records, and provides a means of obtaining copies of the records. Adds new subsection to allow a public agency to satisfy the requirement of GS 132-6 to provide access to public records in computer databases by making public records in computer databases individually available online in a format that allows a person to view the public record and print or save the public record to obtain a copy. Exempts an agency that provides access to public records under this new subsection from being required to provide access to the public records in the computer database in any other way so long as a public agency that provides access to public records in computer databases also allows inspection of any of those public records that the agency also maintains in a non-digital medium. Deletes existing subsection (b) that requires every public agency to create an index of computer databases compiled or created by a public agency on the provided schedule. Defines the term *media* or *medium* to mean the physical medium on which information is stored in recoverable form. Makes conforming changes to GS 132-6. Effective July 1, 2017.

Amends GS 143A-5 to specify that the Lieutenant Governor's office is in the Hawkins-Hartness House located at 310 North Blount Street (previous law only specified it was located in Raleigh).

Enacts GS 136-28.6B providing that construction conducted by a private party pursuant to specified statutes is deemed to have been conducted by the Department of Transportation, thus making any stormwater rules and laws applicable to the Department of Transportation also applicable to the private party.

Requires the DOT, for each type of permit issued by the Highway Divisions under GS Chapter 136, to make uniform all processes and procedures followed by the Highway Divisions when issuing that type of permit. Requires DOT to report no later than February 1, 2017, on the implementation of this subsection, including information concerning the processes and procedures as specified. Requires the report to be submitted to different committees depending on whether the General Assembly is in session at the time of the report: if in session, report goes to the House of Representatives Committee on Transportation Appropriations and the Senate Appropriations Committee on Department of Transportation; if not in session, the report goes to the Joint Legislative Transportation Oversight Committee.

Enacts new GS 136-93.01 to allow an application submitted for a permit issued by DOT or its agents under GS Chapter 136 (Transportation) to be submitted electronically. Effective July 1, 2017.

Amends GS 136-19.5 to now require DOT to also reimburse the utility owner for the cost of moving cable service when DOT requires the relocation of the cable service and it is located in a right of way for which the utility owner contributed to the cost of acquisition.

Allows DOT to adopt temporary rules to implement the above provisions concerning moving utilities.

Amends the process for becoming a licensed general contractor as found in GS 87-10, requiring first that an applicant submit an application before being entitled to an examination. Further requires any applicant to (1) be at least 18 years old, (2) possess good moral character, (3) provide evidence of financial responsibility, and (4) submit the appropriate application fee (previously, applicant only had to file an application for the examination on the correct form, at least 30 days before any regular or special meeting of the Board). Also provides that the State Licensing Board for General Contractors (Board) must require an applicant to pay an examination fee not to exceed \$100 (previously, the Board was permitted to charge the fee but not required). Makes organizational changes and deletes provisions concerning proof of good character. Further provides that an applicant must identify an individual that has successfully passed an examination approved by the Board; provides that for the purposes of this section this individual is known as the qualifier or qualifying party. Sets out requirements for the examination if a qualifier or qualifying party wants to take an examination. Provides that if the qualifier or qualifying party passes the examination, and after review of the application and all relevant information, then the Board must issue a license to the applicant to engage in general contracting in North Carolina, which can be limited as specified (previously, the Board would conduct an examination, either oral or written, of all applicants for license for the classification of license for which an applicant has applied). Further amends the process for taking the examination, making conforming and organizational changes, creating a new subsection (c1) concerning the disconnection of a qualifier or qualifying party from the licensee, providing that the license will remain in full force and effect for 90 days. After 90 days the license is invalidated, but the licensee is entitled to a return to active status pursuant to all relevant statutes and rules from the Board. Provides that during the 90-day period, no licensee can bid on or undertake contracts from the time the qualifier or qualifying party ceased to be connected to the licensee until the license is reinstated (previously, in times where the examined person was disconnected from the applicant, the license was in effect for 90 days but then was canceled, with the applicant being entitled to a reexamination). Deletes provision which provided for reexamination for those failing to pass. Enacts new subsection (d1) providing that the Board can require a new application if a qualifier or qualifying party requests to take an examination a third or subsequent time. Amends provisions concerning the validity and expiration of a license, providing that licenses expire the first day of January following their issuance or renewal (was, a certificate of license expired on the 31st day of December following its issuance or renewal). Deletes provision providing that renewals could be effected any time during the month of January without reexamination by payment of a fee to the Board. Adds language requiring all renewal applications to be submitted with a fee as specified. Deletes language requiring the Board to mail written notice of the amount of the renewal fees for the upcoming year by November 30. Adds language assessing a late fee for late renewal of applications received on or after January 1st (previously, late fee was assessed if received after January). Requires a licensee to fulfill all requirements of a new applicant as provided if desiring to be relicensed subsequent to the archival of license. Provides that archived license numbers are not reissued. Deletes language that provided that no renewal of a license can be effected after a lapse of four years. Effective October 1, 2017, and applies to applications for licensure submitted on or after that date.

Amends GS 115C-174.12(c) to eliminate the provision encouraging local school administrative units to continue to develop local testing programs.

Amends GS 1-52, concerning the statute of limitations to commence an action, adding new subdivision (21) providing for a three-year statute of limitations for a unit of local government to begin an action against the owner for a violation of a land use statute, ordinance, permit, or other official action in regards to land use. The action accrues upon the earlier of (1) the facts constituting the violation are known to the governing body, or (2) the violation can be determined from the public record of the unit of local government. Effective October 1, 2018, applying to actions commenced on or after that date.

Amends GS 1-50(a) to add a new subdivision (8) to establish a six-year statute of limitation for an action against the owner of an interest in real property by a unit of local government for a violation of a land use statute, ordinance, or permit or any other official action concerning land use carrying the effect of law. Provides that subdivision (8) does not limit the remedy of injunction for conditions that are actually injurious or dangerous to the public health or safety, but does prescribe an outside limitation of six years from the earlier of the occurrence of any of the following: (1) the violation is apparent from a public right-of-way or (2) the violation is in plain view from a place to which the public is invited. Effective October 1, 2018, applying to actions commenced on or after that date.

Part III, Agriculture, Energy, Environment, and Natural Resources Regulation, includes new provisions in addition to the previous provisions.

Amends the introductory clauses to SL 2015-286, Sections 4.9(a) through 4.9(d). Amends SL 2015-241, Section 14.20(e) to replace references to GS 130A-295.8A (not an existing statute) with GS 130A-295.8.

Amends SL 2015-241, Section 14.20(f), as amended and provides that GS 130A-294(b1)(2), which requires a person to franchise the operation of the sanitary landfill from each local government that has jurisdiction prior to applying for a permit for a sanitary landfill, as amended, applies to franchise agreements that (1) are executed on or after October 1, 2015, and (2) are executed on or before October 1, 2015, if all parties to a valid and operative franchise agreement consent to modify the agreement for the purpose of extending the agreement's duration to the life-of-site of the landfill for which the agreement was executed, and public notice and hearing is provided for the modification in compliance with the requirements of GS 130A-294(b1)(3). Applies to franchise agreements executed on or after October 1, 2015, and executed on or before October 1, 2015, if all parties to a valid and operative agreement consent to modify the agreement for the purpose of extending the agreement's duration of the life-of-site of the landfill for which the agreement was executed. Amends GS 130A-294(b1)(2) to limit the franchise granted to a sanitary landfill for the life-of-site of the landfill to a period of 60 years. Makes conforming changes.

Amends GS 160A-319 to clarify that the prohibition against a franchise being granted for a period of more than 60 years includes a franchise granted to a sanitary landfill for the life-of-site of the landfill under GS 130A-294(b1), provided that a franchise for solid waste collection or disposal systems and facilities, other than sanitary landfills (was, a franchise for solid waste collection or disposal systems and facilities), cannot be granted for a period of more than 30 years.

Amends GS 153A-136(a)(3) to provide that a county may regulate the storage, collection, use, disposal, and other disposition of solid waste by an ordinance that grants a franchise the exclusive right to commercially collect or dispose of solid waste within a defined portion or all of the county and set terms of any franchise, provided no franchise is granted for a period of more than 30 years unless a franchise granted to a sanitary landfill for the life-of-site of the landfill under GS 130A-294(b1) cannot exceed 60 years (was, may set the terms of any franchise, except no franchise may be granted for a period of 30 years).

The above provisions in Part III are effective retroactively to July 1, 2015.

Directs the Department of Environmental Quality, Division of Waste Management (Department) to examine whether solid waste management activities are being conducted in a manner most beneficial to State citizens in terms of efficiency and cost-effectiveness, as specified. Directs the Department to submit a report, including legislative recommendations, to the Environmental Review commission by May 1, 2017.

Amends GS 143-215.107A, Counties covered by the motor vehicle emissions testing and maintenance program, by removing Brunswick, Burke, Caldwell, Carteret, Catawba, Chatham, Cleveland, Craven, Edgecombe, Granville, Harnett, Henderson, Lenoir, Moore, Nash, Orange, Pitt, Robeson, Rutherford, Stanly, Stokes, Surry, Wayne, Wilkes and Wilson counties from the counties covered by the statute. Amends a requirement in GS 20-183.2(b) concerning vehicles that are subject to an emissions inspection, providing that if it is a vehicle with a model year within 20 years of the current year and older than the three most recent model years or it is a vehicle with a model year within 20 years of the current year and has 70,000 or more miles than, and meets the two other requirements specified in the statute, then it is subject to an emissions inspection (previously, requirement was if it was a 1996 or later model and older than the three most recent model years or a 1996 or later model with 70,000 miles or more). Effective on the later of the following dates and applies to motor vehicles inspected, or due to be inspected, on or after the effective date of the act: (1) October 1, 2017, or (2) the first day of a month that is 60 days after the DEQ certifies to the Revisor of Statutes that the EPA has approved an amendment to the SIP submitted as required. Requires the DEQ to provide notice along with the effective date of the act on its website and by written or electronic notice to emissions inspection mechanic license holders, emissions inspection station licensees, and self-inspector licensees in the counties where motor vehicle emissions inspection requirements are removed by the act. Directs DEQ to prepare and submit to the US EPA for approval by that agency a proposed NC State Implementation Plan (SIP) amendment based on the change to the motor vehicle emissions testing program provided in these provisions by September 30, 2017.

Amends GS 90-187.10, concerning licenses for certain veterinary practices, providing that a license is not needed for a farrier or any person engaged in the activity or profession of shoeing hooved animals, provided that the person's actions are limited to shoeing hooved animals or trimming, clipping, or maintaining hooves.

Adds the requirement that the Department of Environmental Quality (DEQ) study whether the size of riparian buffers for intermittent streams should be adjusted and whether the allowable activities should be modified. Also requires a study of under what circumstances local governments should be allowed to exceed riparian buffer requirements mandated by the State and federal government. Require DEQ to also consider measures to ensure that local governments do not exceed their statutory authority for establishing riparian buffer requirements. Requires DEQ to consult with property owners and others entities impacted by riparian buffer requirements as well as local governments. Requires that for any recommendations made pursuant to this study or the DEQ study on whether to adjust the size of riparian buffers and activities allowed within the buffers to be

submitted in a report to the Environmental Review Commission no later than December 1, 2017. DEQ must also include specific draft language for any rule or statutory changes necessary to implement the recommendations.

Repeals GS 106-261 to eliminate the required reports to the Commissioner of Agriculture concerning milk purchased or sold.

Makes clarifying change to the proposed changes to GS 143-214.7 to exclude from the definition for *built-upon area* for purposes of implementing stormwater programs landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of the vehicle, such as the area between sections of pavement that support the weight of the vehicle (currently, will not receive the full weight of vehicular traffic).

Deletes the proposed change to GS 134-214.7C (Prohibit the requirement of mitigation for impacts to intermittent streams and establishing a threshold for mitigation of impacts to streams), that added new subsection (c) providing that for losses of 300 linear feet or more of stream bed, mitigation was not required for 300 linear feet of those losses.

Part IV, Eliminate, Consolidate, and Amend Reports to the Environmental Review Commission, includes a new provision as well as previous provisions.

Repeals GS 143-215.107 to eliminate the annual report on emissions from state employee and private sector vehicles by the Department of Environmental Quality. Makes technical and conforming changes to the Section's introductory descriptive language in the act.

Intro. by Wells, Cook, Sanderson.

[STUDY, GS 1, GS 14, GS 20, GS 42, GS 45, GS 62, GS 74, GS 87, GS 90, GS 95, GS 105, GS 106, GS 113A, GS 115C, GS 130A, GS 132, GS 136, GS 139, GS 143, GS 143A, GS 143B, GS 153A, GS 159G, GS 160A](#)

[View summary](#)

[Business and Commerce, Development, Land Use and Housing, Building and Construction, Land Use, Planning and Zoning, Environment, Aquaculture and Fisheries, Energy, Environment/Natural Resources, Government, General Assembly, Public Records and Open Meetings, State Agencies, Department of Environmental Quality \(formerly DENR\), Department of Health and Human Services, Department of Transportation, Health and Human Services, Health, Public Health, Military and Veteran's Affairs, Nonprofits, Public Enterprises and Utilities, Transportation](#)

S 223 (2017-2018) [HABITUAL FELONS/CLARIFY PREVIOUS CONVICTIONS](#). Filed Mar 8 2017, *AN ACT TO CLARIFY THE DEFINITION OF "FELONY OFFENSE" FOR PURPOSES OF THE HABITUAL FELON LAW*.

Senate committee substitute makes the following change to the 1st edition:

Requires felony offenses in other states, or offenses that are crimes in states that do not classify any crimes as felonies, to be substantially similar to felony offenses in North Carolina to be considered a felony offense under GS 14-7.1, in addition to the other current and proposed requirements.

Intro. by J. Jackson, Britt, Newton.

[GS 14](#)

[View summary](#)

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

S 364 (2017-2018) [BRIAN GARLOCK ACT](#). Filed Mar 23 2017, *AN ACT TO MAKE USING A MOBILE TELEPHONE OR ELECTRONIC COMMUNICATION DEVICE UNLAWFUL WHILE OPERATING A MOTOR VEHICLE ON A PUBLIC STREET, HIGHWAY, OR PUBLIC VEHICULAR AREA UNLESS HANDS-FREE EQUIPMENT IS USED BY THE OPERATOR.*

Repeals the following statutes: (1) GS 20-137.3 (Unlawful use of a mobile phone by persons under 18 years of age), (2) GS 20-137.4 (Unlawful use of a mobile phone), and (3) GS 20-137.4A (Unlawful use of mobile telephone for text messaging or electronic mail).

Enacts new GS 20-137.3A to prohibit driving while using a mobile telephone or electronic communication device unless it is done using hands free equipment; violations are an infraction with a \$200 fine and no court costs. Prohibits a person under age 18 from driving while using a mobile phone or electronic communication device except when communicating an emergency to a specified entity; violations are an infraction with a \$50 fine, with no court costs. Prohibits driving a school bus while using a mobile phone or electronic communication device except when communicating an emergency to a specified entity; violations are a Class 2 misdemeanor, including a fine of not less than \$200 and court costs. Prohibits operating a commercial motor vehicle while using a mobile telephone or electronic communication device; however, does not (1) prohibit the use of hands-free equipment or (2) supersede any more restrictive provisions for operators of commercial motor vehicles prescribed by federal law or regulation. Violations while operating a commercial motor vehicle are an infraction with a \$200 fine and no court costs. Specifies exceptions to these prohibitions, including using a global positioning system, navigation system, or portable music player affixed, mounted, or installed in a motor vehicle (although does not authorize a person to manually type or enter text, numbers, or symbols into a global positioning system, navigation system, or portable music player while driving) and use of a mobile telephone or electronic communication device by specified public safety officers while in the performance of, and for a purpose related to, their official duties. Creates a rebuttable presumption that a person holding a mobile telephone or electronic communication device in his or her hand or hands while driving is using a mobile telephone or electronic communication device. Prohibits an insurance premium surcharge or assessment of driver's license points for a violation of the statute. Prohibits local governments from passing any ordinance regulating the use of mobile telephones or electronic communication devices while operating a motor vehicle, commercial motor vehicle, or school bus.

Effective December 1, 2017, and applies to offenses committed on or after that date. Does not affect prosecutions for offenses committed before that date, and statutes applicable but for this act remain applicable to those prosecutions.

Intro. by Tarte, Lee, Ballard.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, Public Safety](#)

S 365 (2017-2018) [SCHOOL BUSES/ALLOW USE OF BLUE LIGHTS](#). Filed Mar 23 2017, *AN ACT TO AUTHORIZE SCHOOL BUSES TO OPERATE A BLUE LIGHT FOR CERTAIN PURPOSES.*

Amends GS 20-130.1(c) to authorize a school bus to operate a blue light. Limits operation of a blue light by a school bus to when the school bus is transporting school students over an established route to and from school for the regularly scheduled school day. Makes conforming changes to GS 20-130.1(c) and GS 20-4.01(27)d4.

Intro. by Wade, Ford.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Education, Elementary and Secondary Education](#)

S 366 (2017-2018) [RESPONSIBLE WIND ENERGY IMPLEMENTATION](#). Filed Mar 23 2017, *AN ACT TO MINIMIZE INTERFERENCE WITH MILITARY OPERATIONS, ENVIRONMENTAL DEGRADATION, REDUCTION OF PROPERTY RIGHTS, AND HARMS TO PUBLIC HEALTH, SAFETY, AND WELFARE RESULTING FROM THE SITING AND OPERATION OF INDUSTRIAL WIND ENERGY FACILITIES.*

Amends Article 21C of GS Chapter 143 as follows. Renames the Article as Permitting and Control of Industrial Wind Energy Facilities (currently Permitting of Wind Energy Facilities).

Adds the terms *site*, *infrasound*, and *major WEF stakeholders*. Also adds the term *WEF* and defines the term to mean a wind energy facility or a wind energy facility expansion. Makes conforming changes throughout the Article to replace wind energy facility and wind energy facility expansion with WEF. Amends the definitions for *major military installation*, *wind energy facility*, and *wind energy facility expansion*. Adds the Harvey Point Defense Testing Activity Facility to the definition of *major military installation*. Defines *wind energy facility* (WEF) to mean parcels of land containing one or more industrial-sized turbines rated at one megawatt or more, along with accessory buildings, transmission facilities, and any other equipment necessary for the operation of the WEF. Clarifies that the Article only applies to a WEF located onshore, and that an expansion of an existing WEF is considered a WEF unless the expansion reduces the total footprint of the WEF and does not include any new land that was not previously a part of the WEF site. Defines *wind energy facility expansion* to mean any activity that adds additional turbines, modifies the size or rating of any existing turbines, or changes the footprint of the WEF over what was initially permitted.

Amends the requirements for a permit preapplication site evaluation meeting set out in GS 143-215.117. Requires the preapplication site evaluation meeting to be used by the participants for four specified purposes detailed in subsection (a) (currently, permitted but not required) along with the materials described in subsection (b). Amends the purposes set out in subsection (a) for the preapplication site evaluation meeting and adds a fourth purpose. Amends the first purpose, providing that in conducting a preliminary evaluation of the site, one purpose is determining if the proposed WEF can: (1) pose risk to civil air navigation, including aerial spraying or firefighting, or military navigation routes, air traffic control areas, military training routes, special-use air space, radar, or other military operations; (2) pose serious risk to natural resources and uses within five miles of the proposed WEF including risks to species, their habitats, decreased groundwater recharge, increased stormwater discharge, or increased turbidity and sedimentation in streams impacted by the WEF; or (3) pose serious risks to health, safety, and welfare of citizens residing within two miles of the proposed WEF. Amends the third purpose, providing that in conducting a preliminary evaluation of the site, one purpose is to identify areas where proposed construction or expansion activities pose minimal risk to natural resources and uses, including groundwater, and avian, bat, and endangered or threatened species. Adds a fourth purpose, providing that in conducting a preliminary evaluation of the site, one purpose is to identify areas where proposed construction or expansion activities pose minimal risk to the health, safety, and welfare of proximate residents.

Amends the requirements of the permit preapplication package set forth in subsection (b) of GS 143-215.117. Requires the preapplication package to include nine specifications in both printed and digital format. Provides that verifiable trade secrets are not subject to disclosure in the preapplication package. Amends the required contents of the package and now requires the preapplication to include: (1) a narrative description of the WEF including the type and maximum physical dimensions of wind turbines to be constructed, the total capacity of the WEF, and a description of any ancillary facilities; (2) a US Geological Survey topographic map showing the approximate location of the proposed WEF and the anticipated locations of the WEF's turbines; (3) a description of any known potential impacts of the proposed WEF on civil air navigation, including aerial spraying or firefighting, or military air navigation routes, air traffic control areas, military training routes, special-use air space, radar, or any other potentially affected military operations; (4) a description of any known potential adverse impacts of the proposed WEF on natural and agricultural resources, including groundwater, crop production, and animals; (5) a description of any known potentially adverse impacts of the proposed WEF on the health, safety, and welfare of proximate residents and visitors; (6) a list and status of the federal, State, and local agencies from which approvals will be obtained and the name of those approvals required to authorize the construction, operation, or expansion of the proposed WEF; (7) a schedule showing the anticipated dates for commencement of construction, testing, and commercial operation of the proposed WEF; (8) an operation and maintenance plan that includes routine emergency checks for structural integrity, repairs, and rust prevention; (9) the URL of a website created by the applicant with information about the WEF, providing the full text of all documents submitted to any agency that are considered public records, listing the titles or general description of all documents submitted to any agency that are considered proprietary and confidential, listing the name and address of all leaseholders, providing an opportunity for regional citizens to make publicly shown comments on the proposed WEF, and providing that the proposed WEF has been advertised in a locally circulated newspaper.

Makes changes to the requirement to provide written notice, including an invitation to participate in the permit preapplication evaluation meeting, to interested parties no less than 21 days prior to the date of the permit preapplication site evaluation meeting by referring to major WEF stakeholders instead of listing stakeholders, as the term is now defined in GS 143-215.115(6). *Major WEF stakeholders* is now defined to mean the NC Utilities Commission, the NC Department of Health and Human Services, the NC Department of Commerce, the NC Department of Transportation, the US Army Corps of Engineers, the US Fish and

Wildlife Service, the US National Park Service, the NC Wildlife Resources Commission, the commanding officer, or the commanding officer's designee, of any potentially affected major military installation; the NC Military Affairs Commission; the county commission and governing body of each municipality in the county in which the WEF is proposed to be located, and any other stakeholders that the Department of Environmental Quality (DEQ) deems relevant.

Adds new requirement for DEQ to prepare detailed minutes or make an audio recording of the preapplication evaluation meeting. Establishes that the minutes or recording is an official part of the permit application package.

Amends the provisions concerning the scoping meeting between the applicant and DEQ set out in GS 143-215.118. Establishes that the location of the scoping meeting is in a county where the WEF is proposed to be located. Makes a conforming change concerning the required written notice of the scoping meeting, including an invitation to participate, to interested parties to refer to major WEF stakeholders instead of listing the parties. Adds new requirement for the scoping meeting to be advertised in accordance with open meetings laws and for the meeting to be open to the public. Adds new requirement for DEQ to prepare detailed minutes or make an audio recording of the meeting. Establishes that the minutes or recording is an official part of the permit application package.

Amends the permit application requirements for an applicant applying for a WEF set out in GS 143-215.119. Requires the permit application to include 22 specified items in both printed and digital format. Amends and adds to the permit application requirements to now require: (1) a narrative description of the proposed WEF; (2) a map showing the location of the proposed WEF that identifies the specific location, height, and rating of each anticipated turbine, and other buildings, roads, and equipment that are a part of the WEF; (3) a copy of a deed, purchase agreement, or lease agreement demonstrating the applicant's right to construct, expand, or develop a WEF; (4) the name and address of all property owners within two miles of the perimeter of the WEF (adding that the applicant must notify each and include the information set out in subdivisions (1) and (2) described above); (5) the applicant's NC Utilities Commission Certificate of Public Convenience and Necessity; (6) a description of military air navigation routes, air traffic control areas, military training routes, special-use air space, aerial spraying activities, potential aerial firefighting activity, radar, or other civilian or military operations that can be affected by construction or operation of the proposed WEF; (7) a description of any potential adverse impact on military operations, military readiness, or the lives of military personnel and any rectifying actions agreed to by the applicant; (8) documentation that the applicant has completed a review by the Department of Defense Siting Clearinghouse of the proposed WEF, including an unredacted copy of the agreement and unredacted copies of all correspondences; (9) a list of documentation submitted by the applicant to the FAA and approvals or determinations issued by the FAA; (10) a study of the possible human health impacts of the proposed WEF conducted by independent experts if there are residential properties within two miles of the proposed WEF, as specified; (11) a study of the local and regional economic impacts of the proposed WEF conducted by independent experts, as specified; (12) a plan of action to be taken to deactivate the WEF and to protect the public from harm due to WEF component liberation, and during natural weather conditions and disasters; (13) an environmental assessment of the potential adverse impacts of the proposed WEF ecosystems conducted by independent experts, as specified; (14) a study of the proposed WEF's potential impact on views or other aspects of any State or national park, wilderness area, significant natural heritage area, or other public lands or private conservation lands that are in the viewshed of the proposed WEF, conducted by independent experts; (15) a study of the potential hydro-geological impacts of the proposed WEF on natural resources, water bodies, flowing water sources, wetlands, groundwater, aquifers, and private wells within two miles of the perimeter of the WEF, conducted by independent experts as specified; (16) documentation for the applicant's proposed property value guarantee for all residential properties within two miles of the perimeter of the WEF, as specified; (17) an incident response plan that ensures that local emergency responders have the necessary equipment and training to effectively handle emergencies as specified; (18) a plan regarding action to be taken to decommission the WEF consistent with GS 143-215.119B (enacted by this act); (19) the Power Purchase Agreement; (20) an explanation of how the proposed WEF would be consistent with the criteria in GS 143-215.122 (as amended by this act); (21) the application fee; and (22) other data or information DEQ may reasonably require.

Provides that verifiable trade secrets and verifiable confidential business information are not subject to disclosure. Sets the application fee to be \$100 per rated faceplate megawatt of the full proposed WEF (currently, \$3,500 flat application fee). Changes the notice requirements to now require DEQ to provide notice of receipt of a completed permit application to major WEF stakeholders within 15 business days of receipt (currently, within 10 business days). Amends and adds to the required contents of the notice of receipt to now include: (1) a copy of the map showing the location of the WEF as specified; (2) a written request to the commanding officers of all major military installations, or their designee, and the Military Affairs Commission for technical information related to adverse impact to the installation's operation, training or mission as specified; (3) a written request to the board of commissioners and governing body of each municipality within two miles of where the WEF will be located for

information related to potential adverse impacts of the WEF on local governments, local business, local property values, and local ecosystems; and (4) a written request to the Department of Health and Human Services for information related to potential adverse human health impacts to citizens within two miles of the WEF. Further, directs DEQ to provide a copy of permit application material filed pursuant to the above described permit application requirements to the major WEF stakeholders and any other parties DEQ deems relevant within 10 days of receipt of the permit application material as well as any supplements, changes, or amendments. Amends the public hearing and comment requirements to require DEQ to give written notice to the NC Attorney General's Office and all major WEF stakeholders of a scheduled WEF public hearing within 30 days prior to the scheduled hearing. Adds new requirement for DEQ to create and maintain a record of comments made at any public hearings under this GS 143-215.117.

Enacts GS 143-215.119A, requiring all turbines in a WEF to maintain a setback from the property line of any residential or residentially zoned parcels outside the perimeter of the WEF. Establishes the setback to be the greater of one mile or 10 times the maximum height of the turbine's blade tip. Requires a turbine in a WEF to maintain a minimum setback of at least two and one-half the maximum height of the turbine's blade tip from any residential structure within the WEF. Requires a turbine in a WEF to maintain a minimum setback of at least two and one-half times the maximum height of the turbine's blade tip from the perimeter of the WEF and the right-of-way of any roadway maintained by the State or a municipality. Prohibits a turbine in an offshore WEF from being sited within 24 miles of the nearest shore. Includes setbacks specific to military operations, including prohibiting a turbine in a WEF from being sited within 30 miles of a major military installation as that term is defined in GS 143-215.115 as amended.

Enacts GS 143-215.119B, establishing that the permit applicant or permit holder for a WEF is responsible for proper decommissioning of any turbine following no electricity generation for six consecutive months, for any reason, unless DEQ grants a one-time three month extension. Requires the property to be returned to its original condition within one year following the six month period of no electricity generation of the one-time three month extension. Details what decommissioning includes. Establishes that the permit applicant or permit holder is responsible for properly disposing of each piece of equipment used in the WEF upon decommissioning. Provides that DEQ will hire experts to determine the cost for WEF decommissioning, setting the cost to be at least \$100,000 per turbine, without considering possible scrap values. Establishes that a permit holder must maintain financial assurance to continue to hold a permit under the Article, and must provide any documentation DEQ requests to establish the permit holder continues to maintain the required financial assurance, as well as notify DEQ of any significant changes, as specified. Details requirements for a permit applicant or permit holder to establish financial assurance, as specified, that will ensure sufficient funding is available even if the applicant or permit holder becomes insolvent or ceases to reside, be incorporated, do business, or maintain assets in the State. Makes confirming change to delete GS 143-215.121 (financial assurance requirements).

Amends GS 143-215.120, which provides criteria for permit approval by DEQ. Amends and adds to the criteria to direct DEQ to approve a permit application unless: (1) construction or operation of the WEF would be inconsistent with or violate rules adopted by DEQ or any other provision of law; (2) operation of the proposed WEF would likely create unacceptable interference with civilian air navigation, including aerial spraying or firefighting activities, or any type of civilian or military radar systems; (3) construction or operation of the proposed WEF would encroach upon or would have a significant impact on the mission, training, or operation of any major military installation, or put lives of military personnel in jeopardy, based on conclusion of Military Affairs Commission (MAC) or consulted military personnel; (4) operation of the proposed WEF would either create noise levels exceeding decibels (dbA) Lmax for more than five consecutive minutes, as measured from the property line of any adjacent parcel, possibly cause serious health, safety, or welfare complications to citizens in the region, based upon the level determined by the Department of Health and Human Services to adequately protect proximate residents or visitors from infrasound; (5) operation of the proposed WEF would likely be a net economic liability to the host communities based upon the conclusions of the NC Department of Commerce; (6) construction or operation of the WEF would have a significant adverse impact on domestic animals, livestock, or wildlife; (7) construction or operation of the proposed WEF would result in significant adverse impacts to ecological systems, natural resources, wilderness areas, wildlife reserves, wildlife refuges, preserves, flyways, bodies of water, groundwater, wetlands, environmental management areas, national or State parks or forests, segments of the natural and scenic rivers system, and locations that provide habitat for threatened or endangered species; (8) construction or operation of the proposed WEF would result in significant adverse impacts to recreation areas, cultural locations, historic venues of more than local significance, archaeological sites, or cemeteries; (9) operation of the proposed WEF would have a significant adverse impact on views or other aspects of any State or national park, wilderness area, significant natural heritage area, or other public lands or private conservation lands; (10) the applicant has not agreed to an adequate property value guarantee; (11) the applicant has not submitted an acceptable incident response plan; (12) the applicant has failed to establish an acceptable decommissioning plan in

accordance with GS 143-215.119B as enacted; (13) the applicant has not submitted a bona fide power purchase agreement; (14) a permit would be denied under any criteria in GS 113A-119A (likely intends GS 113A-120, grant or denial of permits); (15) construction would be prohibited under GS Chapter 113A, Article 14 (the Mountain Ridge Protection Act); or (16) the applicant is not in full compliance with all applicable federal State, or local permit requirements, licenses, or approvals, including any local zoning laws.

Deletes the exception to the requirement that DEQ must make a final decision on a completed permit application within 90 days of its receipt, which allowed DEQ to not meet that deadline if it has not received a Determination of No Hazard to Air Navigation from the FAA. Provides that the applicant should (currently, may) treat failure of DEQ to act within the time period as a denial of the permit. Deletes the existing provisions concerning required and permitted conditions DEQ can include in permits to now require DEQ to include as a condition of a permit for a proposed WEF a requirement that the applicant satisfactorily resolve all adverse impacts. Establishes that the permit is good for two years from the date of approval. Prohibits any extension. Requires one turbine to be erected and operating for the permit to stay in force. Clarifies that the permit is not authority to build. Provides that a conditional use permit or special use permit process under local zoning law cannot start until 15 days after the permit has been granted. Requires a permit holder to cease operation of all turbines in violation of any permit condition within one day of being notified by any governmental agency, and prohibits the turbines from resuming operation until the terms of the violation are fully corrected to the satisfaction of the notifying agency. Clarifies that the more stringent of any conflicts between the Article's provisions and any local regulations governs.

Enacts GS 143-215.120A, detailing the responsibilities of the owner of any permitted WEF concerning any construction related damage to all real or personal property, public or private.

Amends GS 143-215.122, setting out an applicant's monitoring and reporting requirements, to require the applicant to annually submit copies to DEQ of all post-construction monitoring, such as reports on ambient noise levels, groundwater testing, ground water levels in the surficial aquifer, hydraulic head measurements in lower confined aquifers, property value guarantee claims, the impacts on humans or wildlife within five miles of the WEF. Also requires the applicant to annually submit copies to DEQ of any post-construction monitoring or reports that are required by the major WEF stakeholders or any other government agency. Adds that the applicant must annually submit copies to DEQ of any post-construction monitoring or reports on any impacts on military operations.

Amends GS 143-215.123, requiring DEQ to consult with major military installation representatives and MAC (currently does not include consulting with MAC) to review information as previously specified. Clarifies that the information DEQ is required to provide to permit applications, upon request, only includes information DEQ is aware of. Requires DEQ to provide information on other potentially affected military or civilian operations to permit applicants as requested (currently, does not include potentially affected civilian operations).

Amends GS 143-215.126 to require (currently, permits) the DEQ Secretary to impose an administrative penalty on a person who constructs a WEF without obtaining a permit under this Article or who constructs or operates a WEF in violation of its permit terms and conditions. Establishes that the penalty to be no less than \$1,000 per day but not exceeding \$10,000 a day (currently, no minimum provided).

Enacts GS 143-215.127, requiring any person who owns, operates, or controls a WEF to maintain (1) commercial general liability insurance, covering personal injuries, death, and property damage of \$10 million per occurrence, with a total of \$20 million coverage aggregate, which must specifically include the affected counties and municipalities and their officers, councils, employees, committee members, attorneys, agents, and consultants as additional named insureds and (2) umbrella coverage of \$50 million. Requires the insurance policies to be issued by an agent or representative of an insurance company licensed to do business in this State, and to contain an endorsement obligating the insurance company to furnish DEQ with at least 30 days' prior written notice in advance of cancellation. Requires the permit holder to delivery a copy of each of the policies or certificates representing the insurance in the required amount no more than 15 days after the grant of the permit and before construction begins. Establishes strict liability for any person who owns, operates, or controls a WEF for damages to persons or property, public or private, caused by the construction, maintenance, operation, decommissioning, disassembly, or demolition of that WEF. Also establishes joint and several liability for an action to be filed against any one or more person having control over the WEF or the activity that caused or contributed to the damages. Establishes immunity from liability for damages proven by a preponderance of the evidence to have been caused as specified, including an act or omission by the federal government, or the State, or its political subdivisions. Clarifies that the statute does not deprive a claimant from electing to pursue any other cause of action for damages or injunctive relief under statutory or common law. Makes a conforming deletion of GS 143-215.121.

Enacts GS 143-215.128, requiring all permits issued under the Article to contain an indemnification provision applicable to the governing bodies for the WEF and requiring the permit applicant to indemnify the governing bodies as specified at all time. Requires reasonably attorneys' fees, consultants' fees, and expert witness fees to be included in the costs recoverable by a governing body under the indemnification required by the statute.

Makes other clarifying, technical, and organizational changes to the Article.

Applies to all wind energy facilities filing a permit application under Article 21C of GS Chapter 143, as amended by the act, on or after the date the act becomes law.

Intro. by Cook, Sanderson, Brock.

[GS 143](#)

[View summary](#)

[Environment, Energy, Military and Veteran's Affairs](#)

S 367 (2017-2018) [ACCOUNT FOR IMPACT FUTURE BENEFITS/TSERS](#). Filed Mar 23 2017, *AN ACT TO MAKE TRANSPARENT THE LIABILITY ACCRUED BY THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM RELATED TO COST-OF-LIVING ADJUSTMENTS AND GRANTS OF SPECIAL ANNUAL LEAVE BONUSES*.

Amends GS 135-8 to make contributions to the Pension Accumulation Fund include a rate percentum of the total annual compensation of all members of the Teachers' and State Employees' Retirement System (System) equal to the additional present value of future benefits related to cost-of-living adjustments or special annual leave bonuses granted in the current fiscal year divided by expected current fiscal year compensation. Provides for the interest assumption rate.

States the General Assembly's intent to create a reserve and to appropriate funds to that reserve each time a cost-of-living adjustment is made or special leave is granted. Requires the reserve to be used to fund additional liability accrued by the System based on the present value of future benefits related to the cost-of-living adjustment or the special annual bonus leave granted.

Intro. by Hise.

[GS 135](#)

[View summary](#)

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

S 368 (2017-2018) [NOTICE OF MEDICAID SPA SUBMISSIONS](#). Filed Mar 23 2017, *AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE NOTIFICATION TO THE GENERAL ASSEMBLY UPON THE SUBMISSION OR NON-SUBMISSION OF A MEDICAID STATE PLAN AMENDMENT*.

Amends GS 108A-54.1A to require the Department of Health and Human Services, upon submitting an amendment to the Medicaid State Plan to the federal government, or upon determining that an amendment posted to its website will not be submitted to the federal government, to notify the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Fiscal Research Division that the amendment has been submitted or that it has determined the amendment on the website will not be submitted.

Intro. by Hise, Pate, Krawiec.

[GS 108A](#)

[View summary](#)

[Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Insurance, Social Services, Public Assistance](#)

S 369 (2017-2018) [SUPPORT COMMUNITY REHABILITATION PROGRAMS](#). Filed Mar 23 2017, *A SENATE RESOLUTION EXPRESSING CONTINUED SUPPORT FOR COMMUNITY REHABILITATION PROGRAMS IN NORTH CAROLINA*.

As title indicates. Also requests the North Carolina congressional delegation to review the Workforce Innovation and Opportunity Act rules and definitions promulgated by the Department of Education to assess for negative impact on North Carolinians.

Intro. by His.

[SENATE RES](#)

[View summary](#)

[Employment and Retirement](#)

S 370 (2017-2018) [SOUTH ATLANTIC FEDERAL FISHERIES RESOURCES](#). Filed Mar 23 2017, *A SENATE RESOLUTION OPPOSING THE PRIVATIZATION OF SOUTH ATLANTIC FEDERAL FISHERY RESOURCES THROUGH CATCH SHARE MANAGEMENT AND EFFORTS THROUGH EXEMPTED FISHING PERMITS OR OTHER MEANS TO CONDUCT PILOT CATCH SHARE PROGRAMS OR STUDIES.*

As title indicates.

Intro. by Rabon.

[SENATE RES](#)

[View summary](#)

[Environment, Aquaculture and Fisheries](#)

S 371 (2017-2018) [BUILDING CODE REGULATORY REFORM](#). Filed Mar 23 2017, *AN ACT TO MAKE VARIOUS CHANGES AND CLARIFICATIONS TO THE STATUTES GOVERNING THE CREATION AND ENFORCEMENT OF BUILDING CODES.*

Identical to [H 252](#) filed on 3/2/17.

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

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

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

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

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

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

list of codes). Makes conforming changes.

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

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

Effective October 1, 2017.

Intro. by Brock, McInnis, Clark.

GS 143, GS 153A, GS 160A

[View summary](#)

Development, Land Use and Housing, Building and Construction, Government, Local Government

S 372 (2017-2018) **SURVEYING AND PLAT RECORDING CHANGES**. Filed Mar 23 2017, *AN ACT TO MODERNIZE AND MAKE CHANGES TO THE RECORDING REQUIREMENTS FOR PLATS AND SUBDIVISIONS AND TO ELIMINATE THE USE OF CONTROL CORNERS IN FAVOR OF GRID CONTROL IN THE PREPARATION OF PLATS AND SUBDIVISIONS*.

Identical to [H 454](#), filed 3/22/17.

Amends GS 47-30 to specify the placement of a border on landscape-format and portrait-format plats. Authorizes submitting plats in the form of black line on white paper instead of transparent and archival, in counties in which the register has made a security copy of the plat.

Revises the information that must be contained in the title of the plat to include the surveyor firm and license number, if applicable, and the dates and descriptions of revisions made after original signing. Requires all information to be listed prominently on the plat. Information in the notes does not satisfy requirements for information that must be included in the title of the plat.

Requires certificates from the surveyor to state the reference source for the boundary information for the surveyed property shown (currently, the origin of the information shown), the ratio of precision or positional accuracy (currently just ratio of precision), a required seal and signature, as well as the currently required information. Requires multiple sheet plats to be identified as a map set. Makes conforming changes. Adjusts the text of the certificate. Provides that the presence of the personal signature and seal of a professional land surveyor constitutes certification that the map conforms to the standards of practice for land surveying.

Requires an accurate method of computation to determine the ratio of precision or the positional accuracy (currently just ratio of precision) on the plat.

Revises nine of the items on the list at GS 47-50(f) of specific information that plats must contain. Amongst the revisions are a provision that nonverified tax map information is not sufficient to show the required names of adjacent landowners, or lot, block, parcel, subdivision designations or other legal references, and an elimination of a provision referring to control corners established under GS Chapter 39, Article 5A (Control Corners in Real Estate Development), repealed as mentioned below.

Replaces references to registered land surveyors with professional land surveyors.

This statute does not apply to boundary plats of State lines, county lines, in addition to the plats currently exempted.

Provides that maps attached to deeds or other instruments and submitted for recording in that form must either be (1) an original map that meets the requirements of subsections (c) through (f) of this statute and bears the signature of a professional land surveyor and the surveyor's seal, or (2) a certified copy of a previously recorded map. Deletes all requirements currently in GS 47-50(m), except that the map must be no larger than 8.5 by 14 inches and compliant with either that subsection or subsection (n).

Revises the text of the label on maps required by subsection (n).

Repeals GS Chapter 39, Article 5A (Control Corners in Real Estate Developments).

[View summary](#)**Development, Land Use and Housing, Building and Construction**

S 373 (2017-2018) **PERFORMANCE GUARANTEES/SUBDIVISION STREETS**. Filed Mar 23 2017, *AN ACT TO MAKE CHANGES TO STATE LAW CONCERNING PERFORMANCE GUARANTEES ON COUNTY SUBDIVISION STREETS OFFERED FOR PUBLIC DEDICATION*.

Identical to [H 457](#), filed 3/23/17.

Enacts new GS 153A-331.1 concerning performance guarantees on county subdivision streets, providing that these newly enacted provisions apply to all developments approved on or after August 1, 2017, and retroactively to all county residential subdivisions or development plans approved on or after October 1, 2010, that include an offer of dedication of roads and the roads have been constructed and opened for travel and are fully completed. Sets out four general requirements for all performance and residual performance guarantees, including (1) that a county ordinance can, but is not required to, provide for performance guarantees for new streets offered for dedication; (2) that the ordinance must provide for the performance guarantee pursuant to additional requirements found in subsections (g) through (j); (3) that developers may or may not provide a performance guarantee and can be permitted to record a plat and proceed to construct the street, but must provide the residual performance guarantee prior to the issuance of any building permit for construction in a subdivision or development; and (4) performance or residual performance guarantees for subdivision streets must be in a form as defined in GS 160A-372(g)(1), meaning a surety bond, letter of credit, or other acceptable means of guarantee, at the election of the developer. Provides in subsections (c) through (k1) specific requirements and limitations for performance and residual performance guarantees, including in (c) that the amount of a street performance guarantee (and an extension of the guarantee) cannot exceed 125% of the reasonably estimated cost of completion and that in (d) a performance guarantee can only be used for completion of required improvements and not for repairs or maintenance after completion. Further provides in (e) for the extension of a street performance guarantee if required improvements are not complete and the current performance guarantee is expiring. Provides for the release or incremental reduction of performance guarantees, establishing in (f) that any performance guarantee on a street must be released when it is confirmed by the Division of Highways that the street has been accepted for maintenance, but no later than 6 months following submission of a SR-2 form and upon presentation of any of four specified documents. Provides in (f1) for the release of performance guarantees on streets built with more stringent standards than those required by the Division of Highways standards of January 1, 2017, upon confirmation from the Division of Highways that the street has been accepted for maintenance, but no later than three months following submission of an SR-2 form and upon presentation of any of four specified documents. Provides in (g) that the principal amount of the performance guarantee can be incrementally reduced during the course of construction to reflect the level of completion of the road. Concerning residual performance guarantees, provides in (h) that on certification that the road has been fully constructed, the performance guarantee amount must be reduced to a residual amount, the greater of 15% of construction cost or 125% of the pavement cost, providing that this reduced guarantee is known as the residual performance guarantee. Further details in (i) the purpose and use of the residual performance guarantee, specifically that the purpose is to allow a reasonable period of time so that new roads offered for dedication can attain the density required for acceptance. Also provides in (j) that residual performance guarantees must remain in place either until the road is accepted or for a period of one year from the date of issuance, whichever is less. Further details in (k) requirements and time frame that must be met for the release of a residual performance guarantee, and in (k1) requirements and time frame that must be met for the release of a residual performance guarantee on a street that is built with more stringent standards than those required by the Division of Highways standards of January 1, 2017. Provides in subsections (l) through (n) the process, procedures, and timelines for Department of Transportation (DOT) acceptance, specifically that DOT must accept subdivision roads offered for public dedication within subdivisions or developments approved on or after October 1, 2010, that are fully completed or confirmed by a built to standards letter as soon as is possible after January 1, 2018, if specified metrics are met. Provides that any subdivision street completed prior to January 1, 2018, that has not yet been accepted by the Department, are subject to Division of Highway subdivision street construction standards of January 1, 2017, and shall be accepted by the Department in accordance with this statute. Provides that roads that meet the requirements can be proposed for acceptance by either the county or another party to the Division of Highways and that acceptance by the Division of Highways must be issued as soon as the Division can review the streets and assure that they meet requirements, provided that the review occurs within 60 days of the request. Provides in

subsection (p) that counties can finance the costs of improvements made under DOT supervision to bring streets up to standards for acceptance if necessary and recover costs in doing so. Provides specified applicability exceptions of the provisions in this section in subsection (q) and details terms for use in this statute as they apply to the components of the road construction in subsection (r). Sets out four conditions or actions in subsection (s) that cannot be a basis for denial or delay of acceptance by the DOT for streets or roads completed between October 1, 2010, and September 30, 2017. Directs the DOT in subsection (t) to work with each county to provide necessary information so that counties can compile a readily available "County Public Street Information Database," to be completed before January 1, 2019. Describes and specifies which roads are to be included. Directs the DOT to update its Subdivision Roads Minimum Construction Standards manual, and any related policies, by July 1, 2018, and regularly thereafter, to reflect current federal and state law, and to report all updates to the Joint Legislative Transportation Oversight Committee.

Effective July 1, 2017.

Intro. by Meredith.

[GS 153A](#)

[View summary](#)

[Government, Local Government, Transportation](#)

S 374 (2017-2018) [STATE AUDITOR/VERIFICATIONS & ACCESS](#). Filed Mar 23 2017, *AN ACT RELATING TO VERIFICATION BY THE STATE AUDITOR OF STATUTORY REQUIREMENTS SUCH AS CONDITIONS PRECEDENT, CLASSIFICATIONS, AND SIMILAR ELIGIBILITY OR QUALIFYING STANDARDS AND PROVIDING THE AUDITOR ACCESS TO INFORMATION NECESSARY FOR VERIFICATION*.

Amends GS 147-64.6, regarding the duties of the State Auditor, to require the Auditor to independently examine whether State agencies are adhering to statutory requirements that include conditions precedent, classifications, and similar eligibility or qualifying standards to assure that statutory intent is carried out while such provisions are in effect. Makes the Auditor responsible for verifying audits for compliance with statutory requirements, with or without advance notice to the organization or State agency being audited. Authorizes the Auditor to examine the accounts and records of any organization or State agency relating to a verification audit for compliance with a statutory condition precedent, classification, or other standards.

Intro. by Hise.

[GS 147](#)

[View summary](#)

[Government, State Agencies, Office of State Auditor](#)

S 375 (2017-2018) [STATE EMPS./NO PAYROLL DUES DEDUCTIONS](#). Filed Mar 23 2017, *AN ACT REPEALING PUBLIC EMPLOYEE PAYROLL DEDUCTION FOR PAYMENTS TO EMPLOYEES' ASSOCIATIONS*.

Deletes GS 143B-426.40A(g), as the title indicates.

Intro. by Hise.

[GS 143B](#)

[View summary](#)

[Government, State Government, State Personnel](#)

S 376 (2017-2018) [LIMIT REVOLVING DOOR EMPLOYMENT](#). Filed Mar 23 2017, *AN ACT TO PROHIBIT THE STATE FROM CONTRACTING WITH CONTRACTORS WHO USE FORMER STATE EMPLOYEES IN THE ADMINISTRATION OF STATE CONTRACTS WITHIN SIX MONTHS AFTER THE STATE EMPLOYEE TERMINATED EMPLOYMENT WITH THE STATE*.

Enacts new GS 143-59.5 prohibiting the Secretary of Administration (Secretary) and other entities subject to Article 3 (purchases and contracts) from contracting with a vendor that employs or contracts with a person who is a former state employee and uses that person in the administration of a contract with the state. Requires the Secretary to require each vendor submitting a bid or contract to certify that they will not use a former state employee in administering a contract with the state. Makes it a Class I

felony to knowingly submit a false certification. Violations of the statute void the contract. Defines *administration of a contract* and *former state employee*.

Applies to contracts entered into on or after October 1, 2017.

Intro. by Hise.

GS 143

[View summary](#)

Employment and Retirement, Government, State Government, State Personnel

S 377 (2017-2018) [WIRELESS COMMUNICATIONS INFRASTRUCTURE SITING](#). Filed Mar 23 2017, *AN ACT TO REFORM WIRELESS COMMUNICATIONS INFRASTRUCTURE LICENSING AND PERMITTING TO AID IN DEPLOYMENT OF NEW TECHNOLOGIES*.

Identical to [H 310](#), filed 3/9/17.

Section 1 sets forth seven findings by the General Assembly.

Section 2

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

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

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

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

Enacts GS 160A-400.54, providing that a city cannot prohibit, regulate, or charge for the collocation of small wireless facilities except as expressly provided in Part 3E. Defines a small wireless facility as a wireless facility that meets both of the following: (1) each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than six cubic feet; and (2) all other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. Prohibits a city from instituting, either expressly or in practice, a moratorium on filing, receiving, or processing applications, or issuing permits or any other approvals for the collocation of small wireless facilities. Requires small wireless facilities to be classified as permitted uses and not subject to zoning review or approval authorized by Article 19 of GS Chapter 160A (Planning and Regulation of Development) if they are collocated in a city right-of-way within any zoning district or outside of rights-of-way on any property other than property zoned exclusively for single-family residential use. Authorizes a city to require an applicant to obtain a building permit to collocate a small wireless facility so long as the permit is of general applicability and does not apply exclusively to wireless facilities. Details seven requirements a city must comply with in receiving applications for, processing, and issuing building permits to collocate a small wireless facility. Authorizes the city to charge a fee to offset the cost of reviewing and processing applications subject to specified limitations. Prohibits a city from requiring an application for routine maintenance or the replacement of wireless facilities with wireless facilities substantially similar or the same size or smaller. Allows a city to require a permit, subject to the requirements provided by subsections (d) and (e) of the statute (as discussed above), to work within a city right-of-way for the activities of routine maintenance or the replacement of wireless facilities with wireless facilities that are substantially similar or the same size or smaller.

Enacts GS 160A-400.55 prohibiting a city from entering into an exclusive arrangement with any person for use of the city rights-of-way for the construction, operation, marketing, or maintenance of wireless facilities or wireless support structures or the collocations of small wireless facilities. Clarifies that this statute applies to activities of a wireless provider within any city right-of-way. Sets forth qualifications for exemption from zoning review or approval authorized by Article 19 of GS Chapter 160A

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

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

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

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

Section 3

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

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

Intro. by Hise.

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

[View summary](#)

[Government, State Agencies, Department of Transportation, Local Government, Public Enterprises and Utilities](#)

S 378 (2017-2018) [UPDATE NC FALSE CLAIMS ACT-AB](#) Filed Mar 23 2017, *AN ACT TO ALIGN THE NORTH CAROLINA FALSE CLAIMS ACT WITH THE FEDERAL FALSE CLAIMS ACT.*

Amends GS 1-606(7) to delete the definition of *public employee*, *public official*, and *public employment*.

Amends GS 1-607 to allow the upper limit for the civil penalty for violations of the NC False Claims Act, currently \$11,000, to be adjusted by Section 5 of the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended. Provides in GS 1-608 that actions filed under the NC False Claims Act may only be dismissed if the court and the Attorney General have given written consent to the dismissal and the reasons for consenting (currently, only required when the qui tam plaintiff tries to dismiss, and only requires written consent, and not the reasons for consent). Revises the provision prohibiting any person other than the State from intervening under false claims actions to only apply to actions under the NC False Claims Act (currently includes the federal False Claims Act, or any similar provision in any other state).

Amends GS 1-610(b), concerning awards to qui tam plaintiffs in false claims actions based primarily on information other than that provided by the qui tam plaintiff, to only consider allegations or transactions in specified state governmental proceedings and news media reports (currently, state and federal governmental proceedings, and news media reports).

Amends GS 1-611 to eliminate the provision prohibiting public employees, etc, from bringing false claims actions. Revises the prohibition in GS 1-611 based on public disclosure of allegations or transactions to only include specified state governmental proceedings, and media reports (currently, state and federal governmental proceedings, and news media reports). Directs the court to dismiss an action as described in that prohibition (currently provides that the court has no jurisdiction over such actions). Revises the definition of an "original source" allowed to still bring such an action to require the individual to have voluntarily disclosed to the State the information on which allegations or transactions are based, or the individual has knowledge that is independent of, and materially adds to, the publicly disclosed allegations or transactions and has voluntarily provided the information to the State before filing the action.

Amends GS 1-613 to clarify that the relief includes relief necessary to make employees, contractors, or agents whole (currently just employees). Provides a three year statute of limitations for claims based on retaliation under this statute. Makes technical changes.

Applies to actions brought on or after the date on which the bill becomes law.

Intro. by Hise, Pate, Krawiec.

GS 1

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Civil Procedure

S 379 (2017-2018) [UNC FUNDING MODEL STUDY](#). Filed Mar 23 2017, *AN ACT TO DIRECT THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS TO DEVELOP A PERFORMANCE-BASED FUNDING MODEL.*

Contains legislative findings.

Directs the University of North Carolina Board of Governors to study performance funding models and campus-level spending flexibility, and to report its findings by January 1, 2018, to the chairs of the Senate Appropriations Committee on Education/Higher Education and House Education/Higher Education Appropriations Committee, including detailed recommendations for a new funding model which addresses the legislative findings.

Intro. by Curtis, McInnis, Tillman.

STUDY, UNCODIFIED

[View summary](#)

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

S 380 (2017-2018) [ENCOURAGE HIGH SCHOOLERS TO ATTEND CCS](#). Filed Mar 23 2017, *AN ACT TO ENCOURAGE HIGH SCHOOL STUDENTS TO ATTEND THEIR LOCAL COMMUNITY COLLEGES FOR ACADEMIC OR VOCATIONAL CLASSES*.

As title indicates. Applies beginning with the 2017-18 school year.

Intro. by McInnis, Tillman, Lee.

UNCODIFIED

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education](#)

S 381 (2017-2018) [RTPO/ESTABLISH ATTENDANCE POLICY](#). Filed Mar 23 2017, *AN ACT TO REQUIRE RURAL TRANSPORTATION PLANNING ORGANIZATIONS TO DEVELOP AND IMPLEMENT ATTENDANCE POLICIES*.

Amends GS 136-211 to direct Rural Transportation Planning Organizations (RTPO) to develop and implement an attendance policy requiring attendance by members, or their designees, to at least half of the meetings held per calendar year. Directs each RTPO to maintain a record of attendance, and to post the record on its website, or to submit it to the Department of Transportation to post on the Department's website. Suspends areas or entities represented by members that fail to meet the minimum attendance requirement for the calendar year immediately subsequent to the year in which the member failed to meet the requirement. Effective January 1, 2018.

Intro. by McInnis, J. Davis.

GS 136

[View summary](#)

[Transportation](#)

S 382 (2017-2018) [MOBILE BEAUTY SALONS](#). Filed Mar 23 2017, *AN ACT TO PROVIDE FOR LICENSURE OF MOBILE BEAUTY SALONS AND TO ENSURE THE SAFE AND HYGIENIC OPERATION THEREOF*.

Amends GS Chapter 88B as follows. Allows a motor home to be used as a mobile salon for the practice of cosmetic art. Requires mobile salons to be licensed under the same provisions as cosmetic art shops. Defines mobile salon as a self-contained, enclosed mobile unit licensed for the practice of cosmetic art. Requires the NC Board of Cosmetic Art Examiners (Board) to issue a license to operate a mobile salon to applicants who submit the application, pay the fee, and are determined to be in compliance with the Chapter and the Board's rules. Requires the Board to adopt rules for the operation, licensure, and inspection of mobile salons. Specifies additional requirements that the salon must meet, and prohibits providing services while the salon is moving. Effective July 1, 2017.

Intro. by Krawiec, Gunn, Dunn.

GS 88B

[View summary](#)

[Business and Commerce, Occupational Licensing](#)

S 383 (2017-2018) [BEHAV. HEALTH CRISIS EMS TRANSPORTS/MEDICAID](#). Filed Mar 23 2017, *AN ACT TO ESTABLISH MEDICAID REIMBURSEMENT FOR AMBULANCE TRANSPORTS OF MEDICAID RECIPIENTS IN BEHAVIORAL HEALTH CRISIS TO BEHAVIORAL HEALTH CLINICS OR ALTERNATIVE APPROPRIATE CARE LOCATIONS*.

Directs the Department of Health and Human Services (DHHS) to evaluate the financial impact of establishing Medicaid reimbursement for ambulance transports of Medicaid recipients in behavioral health crisis to alternative appropriate care locations, contingent upon an Emergency Medical Services (EMS) System's ability to demonstrate its appropriate education and partnership requirements. Directs DHHS, Division of Health Regulation, Office of Emergency Medical Services to adopt rules regarding EMS System Plan Requirements.

Directs DHHS, Division of Medical Assistance (Division) to report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice by December 1, 2017, on the evaluation of the financial impact described above, including a plan of

implementation and a timeline for submission of State Plan amendments or waivers necessary for implementation.

Directs the Division to submit any State Plan amendments or waivers necessary to establish the Medicaid reimbursements described above to the Centers for Medicare and Medicaid Services (CMS). New Medicaid reimbursement is not to be implemented until CMS approves any submitted State Plan amendments or waivers.

Describes the intent of the General Assembly to appropriate any necessary funds.

Intro. by Krawiec, Pate, Hise.

UNCODIFIED

[View summary](#)

Government, Public Safety, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Social Services, Public Assistance

S 384 (2017-2018) **THE PHARMACY PATIENT FAIR PRACTICES ACT**. Filed Mar 23 2017, *AN ACT RELATING TO THE REGULATION OF PHARMACY BENEFIT MANAGERS*.

Amends GS 58-56A-1 to define *insured* and *pharmacist*.

Enacts new GS 58-56A-2 (Pharmacy of choice), directing a pharmacy benefits manager to comply with pharmacy of choice requirements under GS 58-51-37.

Enacts new GS 58-56A-3 (Consumer protections). Pharmacy benefits managers may not (1) prohibit pharmacists and pharmacies from providing an insured information regarding cost share and the clinical efficacy of lower-price alternative drugs, or to penalize the pharmacist or pharmacy for doing so, (2) prohibit a pharmacist or pharmacy from offering and providing store direct delivery services to an insured, or (3) charge, or attempt to collect from, an insured a co-payment exceeding the total submitted charges by the network pharmacy for which the pharmacy is paid. Violation is an unfair and deceptive trade practice and actionable under GS Chapter 75. Does not foreclose other remedies.

Enacts new GS 58-56A-4 (Pharmacy and pharmacist protections). Pharmacy benefits managers may not (1) charge a fee, or otherwise hold a pharmacist responsible for costs relating to the adjudication of a claim, or (2) recoup funds from a pharmacy in connection with claims for which the pharmacy has already been paid without first complying with GS Chapter 58, Article 4C, unless permitted by law, or (3) retaliate against a pharmacist or pharmacy for exercising rights under GS Chapter 58. Does not apply to licensed group health maintenance organizations with an exclusive medical group contract that operates its own pharmacies. Violation is unfair and deceptive trade practice actionable under GS Chapter 75. Does not foreclose other remedies.

Directs the Commissioner of Insurance to adopt rules to implement this act.

Effective October 1, 2017, and applies to all contracts entered into, renewed, or amended on or after that date.

Intro. by Britt, Rabon, Meredith.

GS 58

[View summary](#)

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

S 385 (2017-2018) **RESTORATION OF FIREARMS RIGHTS**. Filed Mar 23 2017, *AN ACT PROVIDING THAT A PERSON WHO WAS CONVICTED OF A NONVIOLENT FELONY BUT WHOSE CIVIL RIGHTS HAVE BEEN RESTORED PURSUANT TO THE LAWS OF THIS STATE OR ANOTHER JURISDICTION FOR A PERIOD OF AT LEAST TEN YEARS MAY PETITION THE DISTRICT COURT IN THE DISTRICT WHERE THE PERSON RESIDES TO RESTORE THE PERSON'S FIREARMS RIGHTS*.

Amends GS 14-415.4 (restoration of firearms rights) to allow persons convicted of nonviolent felonies but whose civil rights have been restored for at least 10 years (currently, 20 years) to petition for the restoration of their firearms rights.

Intro. by Britt, Tarte.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 386 (2017-2018) **INNOVATE NC INITIATIVE**. Filed Mar 23 2017, *AN ACT TO PROVIDE FUNDING FOR THE INNOVATE NC PROGRAM TO ASSIST THE ECONOMIC DEVELOPMENT EFFORTS OF THE TOWN OF PEMBROKE*.

Directs the Department of Commerce to provide grants-in-aid to the Town of Pembroke to assist in the implementation of the Innovate NC initiative, which may be used for eight listed purposes, including assisting residents in repair and retrofitting of housing damaged by Hurricane Matthew flooding.

Appropriates \$195,000 in nonrecurring funds for 2017-18 and \$160,000 in recurring funds for 2018-19 from the General Fund to the Department of Commerce to be allocated to the Town of Pembroke as described above.

Directs the Department of Commerce and the Town of Pembroke to report on the Innovate NC initiative on or before April 1 of each year, including use of funds, number of residents assisted, and recommendations on improving the initiative.

Effective July 1, 2017.

Intro. by Britt.

APPROP

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations, State Agencies, Department of Commerce

S 387 (2017-2018) **LIMIT SESSION LENGTH**. Filed Mar 23 2017, *AN ACT TO LIMIT THE LENGTH OF LEGISLATIVE SESSIONS*.

Amends GS 120-11.1 to restrict the number of days that the General Assembly may meet to (1) 135 calendar days in odd-numbered years, with one allowable extension of 10 calendar days by joint resolution, and (2) 60 calendar days in even-numbered years, with one allowable extension of 10 calendar days by joint resolution. Excludes reconvened sessions under Article III, Section 5 of the North Carolina Constitution from the time calculation. Prohibits actions other than adjournment after these time limits have expired.

Intro. by Chaudhuri, Tillman.

GS 120

[View summary](#)

Government, General Assembly

S 388 (2017-2018) **INCAPACITY TO PROCEED**. Filed Mar 23 2017, *AN ACT TO ALLOW REPORTS RECEIVED BY THE COURT ON INCAPACITY TO PROCEED TO BE SHARED WITH TREATMENT PROVIDERS*.

Amends GS 15A-1002 to direct that reports on a defendant's incapacity to proceed with criminal proceedings and relevant confidential information previously ordered to be released under subdivision (b)(4) of this statute be released to the clinicians at the defendant's capacity restoration program, to clinicians designated by the Secretary of Health and Human Services, and as directed by the court.

Intro. by Randleman.

GS 15A

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 389 (2017-2018) [OPEN ENROLLMENT/CONTRIBUTORY DEATH BENEFIT](#). Filed Mar 23 2017, *AN ACT TO PROVIDE FOR AN OPEN ENROLLMENT PERIOD IN THE CONTRIBUTORY DEATH BENEFIT FOR RETIRED MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE LEGISLATIVE RETIREMENT SYSTEM, AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.*

Directs the Department of State Treasurer, Retirement Systems Division (Division) to allow open enrollment in the Contributory Death Benefit for Retired members of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, the Legislative Retirement System, and the Local Governmental Employees' Retirement System, beginning September 1, 2017, and ending December 1, 2017.

Directs the Division to send notice, by September 1, 2017, by US mail of the open enrollment period to all retirees who elected not to be covered, or did not make an election at the time of their retirement, and to send a second notice by US mail, within 60 days of the first mailing, to any retiree who fails to make an election within that time. Specifies notice requirements.

Provides the rate of contribution for retirees electing coverage in this period to be the rate established at the time of their retirement, increased by 12%, effective the first day of the month following receipt of election by the Division.

Intro. by Randleman.

[View summary](#)

Courts/Judiciary, Court System, Education, Elementary and Secondary Education, Employment and Retirement, Government, General Assembly, State Government, State Personnel, Local Government

LOCAL/HOUSE BILLS

H 459 (2017-2018) [CARTERET LOCAL OPTION SALES TAX FOR DREDGING](#). Filed Mar 23 2017, *AN ACT TO TEMPORARILY MODIFY THE PURPOSES FOR WHICH CARTERET COUNTY MAY USE THE PROCEEDS OF THE ONE-QUARTER CENT LOCAL SALES AND USE TAX AUTHORIZED BY ARTICLE 46 OF CHAPTER 105 OF THE GENERAL STATUTES.*

Applies only to Carteret County.

Amends GS Chapter 105, Article 46 (One-Quarter Cent County Sales and Use Tax) to require a tax levied under this Article to be approved in a referendum. Restricts use of the tax for dredging and waterway maintenance. Provides that the tax expires on the first day of the calendar quarter that is at least 90 days after the month in which the total net proceeds of the tax reach \$20 million. Provides that the tax may not be re-approved by referendum until a year has passed since the date on which the tax expires.

Intro. by McElraft.

Carteret

[View summary](#)

Government, Tax

ACTIONS ON BILLS

PUBLIC BILLS

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

Senate: Reptd Fav

H 33: AMEND FIREARM RESTORATION LAW.

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 90: ELIMINATE NC FINAL EXAM.

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.

Senate: Veto Overridden

Became Law W/o Signature

Ch. SL 2017-3

H 128: PROHIBIT DRONE USE OVER PRISON/JAIL.

House: Withdrawn From Cal

House: Placed On Cal For 03/28/2017

H 134: PISTOL PERMIT/MENTAL HEALTH RECORD TO SHERIFF.

House: Amend Adopted A1

House: Amend Adopted A2

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 138: REVISE GANG LAWS.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 155: MODIFY EDUCATOR LICENSURE REQUIREMENTS.

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 159: CHARTER SCHOOL TSERS ELECTION.

House: Withdrawn From Cal

House: Placed On Cal For 03/27/2017

H 161: DIVESTMENT FROM COMPANIES THAT BOYCOTT ISRAEL.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 164: CHECK-OFF DONATION: CANCER SCREENING.

House: Withdrawn From Cal

House: Placed On Cal For 03/27/2017

H 174: CONCEALED CARRY/CHURCH SCHOOL PROP.

House: Withdrawn From Cal

House: Placed On Cal For 03/27/2017

H 214: AUTOCYCLES/NO HELMET REQUIRED.

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 222: STATE AUDITOR/SHARING RECORDS.-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 277: EXPAND RX DRUG ABUSE ADVISORY COMMITTEE.

House: Withdrawn From Cal

House: Placed On Cal For 03/27/2017

H 315: KELSEY SMITH ACT.

House: Withdrawn From Cal

House: Cal Pursuant Rule 36(b)

H 362: CHANGES TO THE JUVENILE CODE.-AB

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/27/2017

H 363: THE POLLINATOR PROTECTION ACT.

House: Serial Referral To Agriculture Stricken

House: Withdrawn From Com

House: Re-ref Com On Rules, Calendar, and Operations of the House

H 428: PROBATION/PAROLE OFFICERS RETIREMENT.

House: Passed 1st Reading

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

H 431: REAL ESTATE APPRAISAL CLARIFICATIONS.

House: Passed 1st Reading

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

H 432: INCREASE TEACHER SUPPLEMENT/ELECTRONIC NOTICE.

House: Passed 1st Reading

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

H 433: AGRICULTURE/SCIENCE EARLY COLLEGE FUNDS.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 434: COINS/CURRENCY/BULLION SALES TAX EXEMPTION.

House: Passed 1st Reading

House: RefTo Com On Finance

H 435: RAISE MINIMUM AGE TO ACCESS TOBACCO PRODUCTS.

House: Passed 1st Reading

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

H 436: LOCAL GOVERNMENT/REGULATORY FEES.

House: Passed 1st Reading

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

H 437: EXPAND LOCAL OPTION SALES TAX FOR EDUCATION.

House: Passed 1st Reading

House: Ref To Com On Finance

H 438: CONCEALED HANDGUN STANDARDIZATION ACT.

House: Passed 1st Reading

House: Ref To Com On Judiciary I

H 439: PERSON/CASWELL SUP/DST/DA CHANGES.

House: Passed 1st Reading

House: Ref To Com On Judiciary III

H 440: FEDERAL HOME LOAN BANK/INSURER RECEIVERSHIP.

House: Passed 1st Reading

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

H 441: CAREGIVER ADVISE, RECORD, & ENABLE (CARE) ACT.

House: Passed 1st Reading

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

H 442: JUSTICE FOR RURAL CITIZENS ACT.

House: Passed 1st Reading

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

H 443: AUTO DEALERS/CONTINUING EDUCATION.

House: Passed 1st Reading

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

H 448: MV REGISTRATION LATE FEE/ACCRUAL DATE.

House: Passed 1st Reading

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

H 450: FUTURE READY STUDENT ACT OF 2017.

House: Passed 1st Reading

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

H 451: REGULATE MASSAGE & BODYWORK THERAPY ESTMTS.

House: Passed 1st Reading

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

H 455: INCREASE FUNERAL EXPENSE ALLOWANCE.

House: Filed

H 456: ESTABLISH MANDATORY DEMENTIA CARE TRAINING.

House: Filed

H 457: PERFORMANCE GUARANTEES/SUBDIVISION STREETS.

House: Filed

H 458: SCHOOL ANNUAL REPORT CARD.

House: Filed

H 460: ECONOMIC & JOB GROWTH FOR NC DISTILLERIES.

House: Filed

H 461: MH/SA CENTRAL ASSESSMENT & NAVIGATION PILOT.

House: Filed

H 462: BANKING LAW AMENDMENTS.

House: Filed

H 463: STUDY/FAIR TREATMENT OF COLLEGE ATHLETES.

House: Filed

H 464: REVISE SCHEDULE OF CONTROLLED SUBSTANCES.

House: Filed

H 465: MILITARY OPERATIONS PROTECTION ACT OF 2017.

House: Filed

H 466: THE PHARMACY PATIENT FAIR PRACTICES ACT.

House: Filed

H 467: AGRICULTURE AND FORESTRY NUISANCE REMEDIES.

House: Filed

H 468: DOT/FUNDING FOR PRELIMINARY ENGINEERING.

House: Filed

H 469: REGULATION OF FULLY AUTONOMOUS VEHICLES.

House: Filed

H 470: RESPONSIBLE WIND ENERGY IMPLEMENTATION.

House: Filed

H 471: FAIL TO OBTAIN DL/INCREASE PUNISHMENT.

House: Filed

H 472: MOTOR VEHICLE DEALER LAW REVISIONS.

House: Filed

H 473: FILM & ENTERTAINMENT GRANT FUND APPROPRIATION.

House: Filed

H 474: UP MINIMUM WAGE/SET RATES/COLA.

House: Filed

H 475: SE NC AG EVENTS CENTER/FUNDS.

House: Filed

H 476: REQUIRED TRAINING POLICE TELECOMMUNICATORS.

House: Filed

H 477: BEHAV. HEALTH CRISIS EMS TRANSPORTS/MEDICAID.

House: Filed

House: Filed

H 478: REQUIRED EXPERIENCE FOR MH/DD/SA QPS.

House: Filed

House: Filed

H 479: APPROPRIATE FUNDS FOR FUTURE HEALTH CARE JOBS.

House: Filed

House: Filed

H 480: ABC PERMITS/TAX COMPLIANCE & REPORTS.

House: Filed

House: Filed

H 481: RESTORE LOTTERY REVENUE DISTRIB. STRUCTURE.

House: Filed

House: Filed

S 55: SCHOOL BUS CAMERAS/CIVIL PENALTIES.

House: Passed 1st Reading

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

S 64: VETERANS' HISTORY AWARENESS MONTH.

House: Passed 1st Reading

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

S 68: STUDENT ATTENDANCE/PAGE PROGRAM RECOGNITION.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, Rules, Calendar, and Operations of the House

S 125: CHILDREN OF WARTIME VETERANS MODIFICATIONS.

House: Passed 1st Reading

House: Ref to the Com on Education - Universities, if favorable, Rules, Calendar, and Operations of the House

S 131: REGULATORY REFORM ACT OF 2016.

House: Reptd Fav Com Substitute

House: Ruled Material

House: Re-ref Com On Finance

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

House: Passed 1st Reading

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

S 169: TEACHING EXCELLENCE BONUS EXPANSION.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 223: HABITUAL FELONS/CLARIFY PREVIOUS CONVICTIONS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 303: USE OF PASSING LANE/INCREASED PENALTY.

Senate: Withdrawn From Com

Senate: Re-ref to Transportation. If fav, re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

S 308: AMEND VARIOUS DWI STATUTES.

Senate: Withdrawn From Com

Senate: Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

S 310: ADVISORY COUNCIL REVIEW OF RARE DISEASE BILLS.

Senate: Withdrawn From Com

S 312: SURPLUS COMPUTERS FOR LOW-INCOME STUDENTS.

Senate: Withdrawn From Com

Senate: Re-ref to Finance. If fav, re-ref to Rules and Operations of the Senate

S 317: HYPERTENSION AWARENESS DAY.

Senate: Withdrawn From Com

Senate: Re-ref to State and Local Government. If fav, re-ref to Health Care. If fav, re-ref to Rules and Operations of the Senate

S 349: EXEMPT CERTAIN OCULAR SURGERIES FROM CON LAWS.

Senate: Passed 1st Reading

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

S 350: AMEND DRUG LAWS/ELLISON V. TREADWAY.

Senate: Passed 1st Reading

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

S 351: SHORT-TERM LEASE TAX/HIGHWAY FUND.

Senate: Passed 1st Reading

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

S 352: NC PROMISE TUITION PLAN MODIFICATIONS.

Senate: Passed 1st Reading

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

S 353: AUDIENCE FACTOR FOR APPORTIONMENT.

Senate: Passed 1st Reading

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

S 354: "WE THE PEOPLE" ACT/REFERENDUM.

Senate: Passed 1st Reading

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

S 355: SPECIAL SEPARATION ALLOWANCE FOR FIREFIGHTERS.

Senate: Passed 1st Reading

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

S 356: FIREFIGHTERS' DEATH BENEFITS/CANCERS.

Senate: Passed 1st Reading

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

S 357: FUNDS/FORT DOBBS REPLICA.

Senate: Passed 1st Reading

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

S 358: FILM & ENTERTAINMENT GRANT FUND APPROPRIATION.

Senate: Passed 1st Reading

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

S 359: COMMUNITY HEALTH CENTERS GRANT PROGRAM/FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 360: MUNICIPAL BROADBAND SERVICE AREA.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 361: HANDICAPPED LICENSE PLATES/ORGANIZATIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 362: ESTABLISH NEW NURSE LICENSURE COMPACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 363: MACHINERY ACT UPDATE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 364: BRIAN GARLOCK ACT.

Senate: Filed

S 365: SCHOOL BUSES/ALLOW USE OF BLUE LIGHTS.

Senate: Filed

S 366: RESPONSIBLE WIND ENERGY IMPLEMENTATION.

Senate: Filed

S 367: ACCOUNT FOR IMPACT FUTURE BENEFITS/TSEERS.

Senate: Filed

S 368: NOTICE OF MEDICAID SPA SUBMISSIONS.

Senate: Filed

S 369: SUPPORT COMMUNITY REHABILITATION PROGRAMS.

Senate: Filed

S 370: SOUTH ATLANTIC FEDERAL FISHERIES RESOURCES.

Senate: Filed

S 371: BUILDING CODE REGULATORY REFORM.

Senate: Filed

S 372: SURVEYING AND PLAT RECORDING CHANGES.

Senate: Filed

S 373: PERFORMANCE GUARANTEES/SUBDIVISION STREETS.

Senate: Filed

S 374: STATE AUDITOR/VERIFICATIONS & ACCESS.

Senate: Filed

S 375: STATE EMPS./NO PAYROLL DUES DEDUCTIONS.

Senate: Filed

S 376: LIMIT REVOLVING DOOR EMPLOYMENT.

Senate: Filed

S 377: WIRELESS COMMUNICATIONS INFRASTRUCTURE SITING.

Senate: Filed

S 378: UPDATE NC FALSE CLAIMS ACT.-AB

Senate: Filed

S 379: UNC FUNDING MODEL STUDY.

Senate: Filed

S 380: ENCOURAGE HIGH SCHOOLERS TO ATTEND CCS.

Senate: Filed

S 381: RTPO/ESTABLISH ATTENDANCE POLICY.

Senate: Filed

S 382: MOBILE BEAUTY SALONS.

Senate: Filed

S 383: BEHAV. HEALTH CRISIS EMS TRANSPORTS/MEDICAID.

Senate: Filed

S 384: THE PHARMACY PATIENT FAIR PRACTICES ACT.

Senate: Filed

S 385: RESTORATION OF FIREARMS RIGHTS.

Senate: Filed

S 386: INNOVATE NC INITIATIVE.

Senate: Filed

S 387: LIMIT SESSION LENGTH.

Senate: Filed

S 388: INCAPACITY TO PROCEED.

Senate: Filed

Senate: Filed

S 389: OPEN ENROLLMENT/CONTRIBUTORY DEATH BENEFIT.

Senate: Filed

Senate: Filed

LOCAL BILLS

H 429: CITY OF SALUDA OCCUPANCY TAX.

House: Passed 1st Reading

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

H 430: SCHOOL CALENDAR FLEX./CERTAIN SYSTEMS.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 444: ROWAN COUNTY MUNICIP. OCCUPANCY TAX AUTH.

House: Passed 1st Reading

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

H 445: BRUNSWICK FIRE PROTECTION FEES.

House: Passed 1st Reading

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

H 446: ABC STORE ELECTION/TOWN OF LELAND.

House: Passed 1st Reading

House: Ref to the Com on Alcoholic Beverage Control, if favorable, State and Local Government I

H 447: LEXINGTON CITY BD. OF ED./CHANGE TO ELECTION.

House: Passed 1st Reading

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

H 449: HENDERSON CTY/LAW ENFORCEMENT TRAINING CENTER.

House: Passed 1st Reading

House: Ref to the Com on State and Local Government I, if favorable, Education - Community Colleges

H 459: CARTERET LOCAL OPTION SALES TAX FOR DREDGING.

House: Filed

S 6: CORNELIUS ANNEXATION.

Senate: Reptd Fav

S 37: ROANOKE ISLAND FIRE DISTRICT CHANGES.

Senate: Reptd Fav

[Print Version](#)