

**The Daily Bulletin: 2017-03-28****PUBLIC/HOUSE BILLS**

H 2 (2017-2018) [PROVIDE CERTAIN PROPERTY TAX RELIEF](#). Filed Jan 25 2017, *AN ACT TO INCREASE THE DISABLED VETERAN PROPERTY TAX HOMESTEAD EXCLUSION, TO REIMBURSE LOCAL GOVERNMENTS FOR THEIR RESULTING REVENUE LOSS, AND TO PROVIDE A PROPERTY TAX HOMESTEAD EXCLUSION FOR THE SURVIVING SPOUSE OF QUALIFYING EMERGENCY PERSONNEL.*

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

Amends GS 105-277 to apply the tax exemption for permanent residences owned by disabled veterans to the first \$100,000 of appraised value of the residence (current law exempts the first \$45,000, the 2nd edition exempted the entire value of the residence). Makes a conforming change to GS 105-282.1(a)(2).

**Intro. by Dollar, Saine, Hardister, R. Turner.**

[GS 105](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Public Safety, Tax, Military and Veteran's Affairs](#)

H 28 (2017-2018) [DOT/ACCESS OF MOTORCYCLISTS](#). Filed Jan 31 2017, *AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION FROM TAKING CERTAIN ACTIONS WITH THE PURPOSE OF RESTRICTING THE ACCESS OF MOTORCYCLISTS TO HIGHWAYS, BRIDGES, TUNNELS, AND PARKING DECKS.*

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

Amends the long title. Clarifies terminology so that the statutory requirements for motorcyclist access to transportation facilities or parking structures concern access to highways, bridges, tunnels, or parking decks (was, or other transportation facility). Clarifies that the requirements for reasonable parking accommodation for motorcyclists specifically apply to parking decks. Clarifies that the statute does not alter or supercede enactments of the General Assembly (currently, any State law).

**Intro. by Torbett.**

[GS 136](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation](#)

H 140 (2017-2018) [DENTAL PLANS PROVIDER CONTRACTS/TRANSPARENCY](#). Filed Feb 21 2017, *AN ACT TO APPLY DISCLOSURE AND NOTIFICATION REQUIREMENTS RELATED TO INSURER FEE SCHEDULES, CLAIMS SUBMISSION, AND REIMBURSEMENT POLICIES TO STAND ALONE DENTAL INSURANCE.*

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

Changes the act's effective date from July 1, 2017, to October 1, 2017.

**Intro. by Bert Jones.**

[GS 58](#)

[View summary](#)

[Health and Human Services, Health, Health Insurance](#)

H 216 (2017-2018) [DOC AND JJ COMBINED RECORDS](#). Filed Feb 28 2017, *AN ACT TO MANDATE THAT THE CLERK OF SUPERIOR COURT SEND A CERTIFIED COPY OF ORDERS GRANTING EXPUNCTIONS TO THE COMBINED RECORDS SECTION OF THE DEPARTMENT OF PUBLIC SAFETY AND TO THE STATE BUREAU OF INVESTIGATION.*

House committee substitute to the 1st edition makes the following changes. Amends GS 15A-150(b) to require that the clerk of superior court send a certified copy of orders granting expunctions to the Department of Public Safety's Combined Records Section (was, to the Department of Public Safety, Division of Adult Correction and Juvenile Justice, Combined Records Section), in addition to the State Bureau of Investigation. Makes a conforming change to the act's long title.

**Intro. by Rogers, Duane Hall, Destin Hall.**

[GS 15A](#)

[View summary](#)

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

H 225 (2017-2018) [ATTEMPTED ROBBERY IS LESSER INCLUDED](#). Filed Mar 1 2017, *AN ACT TO CLARIFY THAT ATTEMPTED ROBBERY WITH A DANGEROUS WEAPON IS A LESSER INCLUDED OFFENSE OF ROBBERY WITH A DANGEROUS WEAPON.*

House committee substitute to the 1st edition makes the following changes. Deletes proposed GS 14-87(a1) and instead makes attempted robbery with a dangerous weapon a lesser included offense of robbery with a dangerous weapons and provides that evidence sufficient to prove robbery with a dangerous weapon is sufficient to support a conviction of attempted robbery with a dangerous weapon. Makes conforming changes to the act's titles.

**Intro. by Rogers, Duane Hall, Destin Hall, John.**

[GS 14](#)

[View summary](#)

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

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

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

Makes clarifying and technical changes to the proposed changes to GS 153A-352(b) and GS 160A-412(b), providing that counties and cities may not adopt or enforce a local ordinance or resolution or any other policy (previously, prohibited the adoption of a new local ordinance or resolution or policy and the enforcement of 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.

Makes technical corrections to the proposed clarifying changes in GS 153A-352(c) and GS 160A-412(c).

Amends proposed GS 153A-352(f) and proposed GS 160A-412(f) to require inspection departments to implement a process (previously, 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. Removes the proposed December 1, 2017, deadline for inspection departments to implement a process for an informal internal review of inspection decisions by the department's inspectors. Adds an effective date of December 1, 2017, to these provisions.

Makes technical and organizational changes concerning the directive requiring inspection departments to annually submit reports by January 15 of each year, with the initial report to be submitted by January 15, 2018. Adds that these reporting provisions are

effective January 1, 2018 and as previously provided, expire June 30, 2022.

Amends the proposed changes to subsections (c) and (d) of GS 143-136, authorizing a committee within the Building Code Council to review any proposal for revision or amendment to any other code applicable to residential construction, or commercial or multi-family construction (previously, any other current or future code applicable to residential construction, or commercial or multi-family construction; currently authorized to review an enumerated list of codes).

Amends proposed subsection (b) of GS 143-140, providing that if an interpretation under the statute or under GS 143-141(b) changes after a building permit is issued, the permit applicant can choose which version of the interpretation will apply to the permit unless the choice would cause harm to life or property (previously, prohibited the enforcement agency from applying interpretations issued under the statute or under GS 143-141(b) to construction begun under a validly issued permit at the time the agency provides the interpretation).

Amends the proposed added provisions to GS 143-355.4(a), to more specifically exempt from the requirement of separate meters for new in-ground irrigation system lots with privately-owned septic tanks systems or other types of privately-owned innovative on-site wastewater systems if a lockable cutoff valve approved by the water system and a testable backflow prevention device approved by the water system for the appropriate level of risk associated with the irrigation system or other identified risk are installed on the water supply line for the irrigation system (previously, 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). Requires the lockable cutoff valve to be installed on the water supply line for the irrigation system within 24 inches of the water meter and the testable backflow device to be installed on the water supply line for the irrigation system.

Makes organizational changes to the act's provisions.

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

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

[View summary](#)

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

H 336 (2017-2018) [LTD. LICENSE/DRIVE TO SCHOOL EVENT PAST 9:00](#). Filed Mar 14 2017, *AN ACT TO AUTHORIZE A HOLDER OF A LIMITED PROVISIONAL LICENSE TO DRIVE PAST 9:00 P.M. WHEN DRIVING TO OR FROM AN EXTRACURRICULAR OR ATHLETIC ACTIVITY THAT THE HOLDER'S HIGH SCHOOL OR POSTSECONDARY SCHOOL IS SPONSORING OR PARTICIPATING IN OR WHEN DRIVING TO OR FROM A CLASS THE HOLDER IS ENROLLED IN THAT IS HELD AT A HIGH SCHOOL OR POSTSECONDARY SCHOOL.*

House committee substitute makes the following changes to the 1st edition. Amends GS 20-11(e)(2) to additionally allow a holder of a limited provisional license to drive past 9:00 PM when driving to or from a class held at a high school or postsecondary school provided that the driver is enrolled in the class. Makes conforming changes to the act's long title.

**Intro. by Butler, Iler, Reives, Torbett.**

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

H 379 (2017-2018) [TASK FORCE ON REGULATORY REFORM](#). Filed Mar 15 2017, *AN ACT TO ESTABLISH THE NORTH CAROLINA JOINT LEGISLATIVE TASK FORCE ON REGULATORY REFORM.*

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

Provides that the member of the House of Representatives and the member of the Senate appointed to the Task Force shall serve as cochair of the Task Force. (was, one cochair designated by the Speaker and one designated by the President Pro Tempore).

**Intro. by Riddell, Millis, Bradford, Brenden Jones.**

H 497 (2017-2018) **RETIREMENT SYSTEMS 2% COLAS/FUNDS**. Filed Mar 28 2017, *AN ACT TO PROVIDE TWO PERCENT COST-OF-LIVING INCREASES FOR MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, AND THE LEGISLATIVE RETIREMENT SYSTEM.*

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

Amends GS 128-27, concerning retirement benefits for county, city, and town employees, adding new subsections (hhh), (iii), (jjj), (kkk), and (lll), providing for cost-of-living increases of 2.8%, 2.2%, 2.15%, 0.1% and 2% respectively, depending on the employee's date of retirement as specified. Clarifies that the cost-of-living increases provided for in GS 128-27(hhh) through (kkk) represent increases already provided by the Board of Trustees to members of the Local Governmental Employees' Retirement System.

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

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

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

Effective July 1, 2017.

**Intro. by Jordan, Hurley, Strickland, Malone.**

[APPROP, GS 120, GS 128, GS 135](#)

[View summary](#)

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

H 499 (2017-2018) **FUNDS FOR DOWN SYNDROME PROGRAMS**. Filed Mar 28 2017, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR DOWN SYNDROME PROGRAMS.*

Appropriates \$1 million each for 2017-18 and 2018-19 from the General Fund to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to support programs for individuals with Down Syndrome and their families, as specified. Effective July 1, 2017.

**Intro. by Bradford.**

[APPROP](#)

[View summary](#)

**Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Mental Health**

H 500 (2017-2018) **ABC OMNIBUS LEGISLATION**. Filed Mar 28 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE ALCOHOLIC BEVERAGE CONTROL COMMISSION LAWS.*

Amends GS 18B-1001 to permit holders of specified alcoholic beverage sale permits to engage in the retail sale of malt beverages and unfortified wine, respectively, for off-premises consumption in a cleaned and sanitized container (currently requires the

container to be cleaned, sanitized, and resealable). Does not affect the current authorization for retail sale of beverages for consumption on the premises, or of beverages in the manufacturer's original container. Makes technical changes. Requires the Alcoholic Beverage Control (ABC) Commission to adopt rules to implement these changes no later than 60 days after the act becomes law; allows for the adoption of temporary rules.

Enacts new GS 18B-1120, authorizing breweries, wineries, and distilleries to store their beverages at a noncontiguous storage location approved by the Alcohol and Tobacco Tax and Trade Bureau.

Amends GS 18B-1001(3), as amended by this Act, to authorize the issuance of an on-premises unfortified wine permit to retail businesses.

Amends GS 18B-1104 to authorize the holder of a brewery to give its products to customers, visitors, and employees (currently employees and guests), for consumption on its premises, and clarifies that this provision does not exclude customers and visitors at the brewery as part of a paid or complimentary brewery tour.

Enacts new GS 18B-1121 (Authority to sample for sensory analysis, quality control, or educational purposes), authorizing commercial permittees under GS Chapter 18B, Article 11 to consume samples of alcoholic beverages it is licensed to sell, free of charge, for purposes of sensory analysis, quality control, or education.

Amends GS 18B-306 (Making wines and malt beverages for private use) to further authorize individuals to make, possess, and transport wines and malt beverages for organized affairs, exhibits, and competitions. Eliminates references to *native wine*, and deletes the provisions specifying what methods of making wines and malt beverages are allowed for private use. Prohibits the sale of wine and malt beverages made under this statute. Authorizes the production of wine or malt beverages (currently, beverages) under this statute without an Alcoholic Beverage Control permit. Makes additional technical and organizational changes.

Amends GS 18B-1116 to extend the exemption to the prohibitions concerning financial interest in and lending things of value to wholesalers or retailers, for breweries qualifying under GS 18B-1104(8), to those qualifying under GS 18B-1104(7), with respect to transactions with retail business on their premises or other retail locations allowed under GS 18B-1104(8), as described below.

Amends GS 18B-1104(7) to require holders of brewery permits to receive the appropriate permit under GS 18B-1001 prior to sale at the brewery or any additional retail location authorized, to require any beverages sold by the brewery to be approved by the ABC Commission for sale in North Carolina, and to authorize the breweries to sell any alcoholic beverages approved for sale in North Carolina by the ABC Commission. Authorizes holders of brewery permits to further receive malt beverages manufactured by the permittee in some other state for transshipment to wholesalers licensed under GS Chapter 18B. Authorizes holders of brewery permits that produce agricultural products used by the brewery in the manufacture of malt beverages to sell the malt beverages owned by the brewery and approved by the ABC Commission for sale in North Carolina at the brewery for on- or off-premise consumption, in accordance with an obtained permit, regardless of the results of any local malt beverage election. Authorizes holders of brewery permits to obtain a malt beverage wholesaler permit to sell, deliver and ship up to 200,000 (currently, 25,000) barrels of their malt beverages per year, with certain specified sales not counting toward the sales quantity limitation. Authorizes the brewery to further sell malt beverages produced under GS 18B-1104(6) at three other locations. Authorizes the brewery to restrict the sale of malt beverages at off-premises retail locations using the same business name of the brewery to malt beverages produced by the brewery.

Amends GS 105-113.68 to eliminate the 25,000 barrel restriction on breweries in the definition of *wholesaler or importer*.

Amends GS 18B-1305 to authorize a small brewery to terminate a franchise agreement without good cause at any time. Provides for the distribution authorization to revert back to the small brewery upon notice of termination. Provides for the fair compensation by the small brewery to the wholesaler, as negotiated between them, and provides for arbitration in the event the parties cannot agree upon fair compensation. Defines *small brewery* as a brewery that produces fewer than 200,000 barrels per year.

Amends GS 18B-1309 to exempt determination of fair compensation from the mediation provisions in that statute.

Directs the Legislative Research Commission to study whether it is necessary to rewrite GS Chapter 18B to reflect the changing alcoholic beverage industry, and to report its findings to the 2018 Regular Session of the 2017 General Assembly.

Directs the ABC Commission to adopt temporary rules to implement the provisions of this section (likely means Act).

Makes technical changes.

**Intro. by McGrady, Brawley, Hardister, Harrison.**

STUDY, GS 18B, GS 105

[View summary](#)

**Alcoholic Beverage Control, Government, General Assembly, Tax**

H 501 (2017-2018) [DOT/SURVEYING INFORMATION IN PLANS](#). Filed Mar 28 2017, *AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO INCLUDE SURVEYING INFORMATION IN ANY PLANS PREPARED FOR THE PURPOSE OF ACQUIRING CERTAIN PROPERTY RIGHTS.*

Enacts GS 136-19.4A, directing the Department of Transportation (DOT) to include in any plan prepared for the purpose of acquiring property rights for a right-of-way, a permanent easement, or both, which depict property lines, right-of-way lines, or permanent easements, a set of drawings that clearly identify (1) design alignments, (2) baseline control points, (3) found property-related corner markers, and (4) new right-of-way and permanent easement corner markers.

Requires plans subject to the requirements of this statute to document the localized coordinates for each major control point along the design alignments. Requires the coordinates and associated localization metadata to be based upon and tied to the NC State Plane Coordinate system, and to be clearly identified within the plans. Requires all property and corner markers found and surveyed to be clearly identified within the plans in accordance with general surveying standards and procedures. Further requires each property corner marker to be accurately tied to the design alignment or the NC State Plane Coordinate system by either a system of bearings and distances or by station and offset.

Effective July 1, 2017, and applies to plans prepared for acquisitions on or after that date.

**Intro. by Brody.**

GS 136

[View summary](#)

**Government, State Agencies, Department of Transportation, Transportation**

H 502 (2017-2018) [DEFINE "CONSUMER" - AUTO RENEWAL CONTRACTS](#). Filed Mar 28 2017, *AN ACT TO DEFINE THE TERM "CONSUMER" FOR PURPOSES OF THE LAW RELATED TO CONTRACTS WITH AUTOMATIC RENEWAL CLAUSES.*

Amends GS 75-41, which regulates contracts with automatic renewal clauses, to add a definition of the term consumer for use in the statute. Defines *consumer* to mean any natural person who purchases or leases any products or services under a contract containing an automatic renewal clause for personal, family, household, or agricultural purposes. Applies to contracts entered into on or after October 1, 2017.

**Intro. by Bradford.**

GS 75

[View summary](#)

**Business and Commerce**

H 503 (2017-2018) [LOCAL BUDGETS/PUBLIC ENTERPRISE FUNDS](#). Filed Mar 28 2017, *AN ACT PROVIDING THAT LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES SHALL NOT APPROPRIATE FUNDS FROM A UTILITY OR ENTERPRISE FUND TO ANY OTHER FUND OTHER THAN THE APPROPRIATE DEBT SERVICE FUND.*

As title indicates.

Effective July 1, 2017.

**Intro. by Ford.**

GS 159

[View summary](#)

**Government, Budget/Appropriations, Local Government,  
Public Enterprises and Utilities**

H 505 (2017-2018) **EXPAND GRANDPARENT VISITATION RIGHTS**. Filed Mar 28 2017, *AN ACT TO PROVIDE FOR AN EXPANSION OF RIGHTS UNDER EXISTING LAW PERTAINING TO GRANDPARENT VISITATION*.

Amends GS 50-13.2(b1), concerning visitation rights of grandparents under custody orders, providing that if there is no pending action regarding the custody of the child, a grandparent can institute an action or proceeding for visitation rights with the child. Allows a court to award visitation rights to a grandparent if by clear and convincing evidence the court determines the following: (1) there are compelling circumstances to overcome the presumption of the parent's right to determine the child's best interest; (2) a parent of the child is deceased, incapacitated due to a physical or mental disability, or incarcerated; and (3) visitation is in the best interest of the child. Sets out five factors for consideration the court can consider when determining if visitation is in the best interest of a child.

Effective October 1, 2017, applying to actions for visitation rights commenced on or after that date.

**Intro. by Lambeth, Brisson, Dobson, Hurley.**

**GS 50**

[View summary](#)

**Courts/Judiciary, Civil, Family Law**

H 506 (2017-2018) **CHEMICAL ENDANGERMENT OF A CHILD**. Filed Mar 28 2017, *AN ACT TO CREATE THE FELONY OFFENSE OF CHEMICAL ENDANGERMENT OF A CHILD*.

Enacts new GS 14-318.6 to create a new Class D felony, called Intentional Chemical Endangerment of a Child, for any person who intentionally causes or permits a child less than 16 years of age to ingest, inhale, or have any contact with any controlled substance under GS Chapter 90, Article 5.

Creates a new Class G felony, called Negligent Chemical Endangerment of a Child, for any person who, in reckless disregard of the consequences of the action, causes or permits a child less than 16 years of age to ingest, inhale, or have contact with any controlled substance under GS Chapter 90, Article 5.

Creates a new Class B1 felony for persons who commit Negligent Chemical Endangerment of a Child and unintentionally, proximately cause the death of the child less than 16 years of age.

Provides an affirmative defense to any of these felonies that the controlled substance was provided by lawful prescription for the child, and administered in accordance with the prescription instructions.

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

**Intro. by Dobson.**

**GS 14**

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and  
Procedure**

H 507 (2017-2018) **LAND-USE REGULATORY CHANGES**. Filed Mar 28 2017, *AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE*.

Amends GS 143-755 (concerning choice between versions of changing state agency rules and ordinances for permit applicants) to clarify that the rule or ordinance changes discussed in that statute include amendments to zoning maps or text of applicable land development regulations, or changes to state agency regulations affecting the development of property. Provides that the applicant does not have to wait for a pending rule or ordinance to be adopted in order to choose which version of the rule or ordinance applies to the permit. Clarifies that definitions in GS 160A-400.21 (concerning development agreements with local governments)

apply to this statute for development permits issued by local governments. Provides for persons aggrieved by the failure of a State agency or local government to comply with this statute or GS 160A-360.1 or GS 153A-320.1 to apply with a court for an order compelling compliance. Entitles an applicant to demonstrated damages.

Amends GS 160A-360.1 (concerning choice between versions of changing city rules and ordinances for permit applicants) and GS 153A-320.1 (concerning the same subject with counties) to apply GS 143-755 specifically to development permit applications, and to clarify that amendments to zoning maps and applicable land development regulations are included in the cities' rule and ordinance changes discussed in that statute.

Amends GS 160A-400.21 to include site plans in the definition of development permit.

Amends GS 160A-385 to clarify that amendments, modifications, or repeals of zoning maps or texts are included in the amendments modifications or repeals that may be the subject of citizen comments. Directs the clerk to provide the names and addresses of individuals providing written comments to the city council for any changes that are the subject of a quasi-judicial proceeding (currently only required for specified quasi-judicial proceedings).

Further amends GS 160A-385 (cities), and amends GS 153A-344 (counties), to provide that amendments to land development regulations are not applicable or enforceable without the written consent of the owner with regard to uses of buildings or land, or subdivisions of land, for which a development permit has been issued under this Chapter that authorizes the use or subdivision of land, or for which a building permit has been issued under GS Chapters 160A or 153A, or if a vested right has been established pursuant to GS 160A-385, GS Chapter 160A, Article 19, Part 3D, GS 153A-344.1, or GS Chapter 153A, Article 18, Part 3A. Provides for the expiration of local development permits in one year unless work has substantially commenced. Provides for vesting of rights under multiple statutes, as well as common law. Provides that vested rights preclude actions by a city or county that would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property as set forth in the application, except where a subsequent change in the law has a fundamental and retroactive effect on the development or use. Provides that amendments in land development regulations (currently, specified land development regulations) are not applicable or enforceable without the written consent of the owner of a multi-phased development, and provides that multi-phased developments are vested for the entire development with the land development regulations in place when the applicable application for a development permit is submitted, so long as the permit remains valid and unexpired. Transfers the definitions of *multi-phase development* from GS 160A-385.1 and GS 153A-344.1 to these statutes, and amends the definition to include developments containing 25 acres or more (currently, 100 acres or more), in addition to the other requirements.

Amends GS 160A-384 (cities) and GS 153A-343 (counties) to provide that zoning map amendments may not be initiated or enforced without the written consent of all property owners whose property is the subject of the zoning map amendment, unless the amendment was initiated by the city or county respectively. Deletes the provision authorizing notice in accordance with GS 1A-1, Rule 4(j) and (j1).

Enacts new GS 160A-393.1 (Civil action for declaratory relief, injunctive relief, or other remedies). Provides for landowners, permit applicants, or tenants aggrieved by final and binding decisions of administrative officials involving application or enforcement of an ordinance regulating land use or development to file an action in superior court for relief, where the aggrieved party makes any of a list of specified claims or defenses, so long as the party has not already presented the claims or defenses to the board of adjustment. Provides for the burden of proof, statute of limitations, and required notice to the owners of land parcels abutting the parcel that is the subject of the complaint.

Amends GS 160A-364.1 to authorize parties in any action involving the enforcement of a zoning or unified development ordinance to raise a claim or defense of the invalidity of the ordinance in the action (currently only authorizes a defense), and to make conforming changes.

Amends GS 160A-393, regarding writ of certiorari appeals of decision-making board quasi-judicial permit decisions to superior court, to direct the court to allow the record to be supplemented (currently, at the court's discretion) when the petition raises any of the currently listed issues (currently, when the record is inadequate to determine the issues). Applies the North Carolina Rules of Civil Procedure to the supplementation of the record. Revises the scope of review of the decision-making board, and the evidentiary standards. Authorizes the petitioner to assert that the ordinance violates either the federal or state Constitution, that the ordinance is in excess of authority, or that it violates the vested rights of the petitioner, but requires the petitioner to have made the claim known to the decision-making board at the hearing in order to raise it to the court. Directs the Court to remand, upon determination that a permit was wrongfully denied because the denial was not based on substantial competent evidence, with instructions that the permit be issued subject to any conditions expressly consented to by the permit applicant as part of the



application or during the board of adjustment appeal or writ of certiorari appeal. Directs the court to reverse a zoning board's decision, upon determination that the decision upholding a zoning enforcement action was not supported by substantial competent evidence or was otherwise based on error of law. Makes technical and conforming changes.

Enacts new GS 160A-393.2 (No estoppel effect when challenging unlawful conditions). Provides that a city or county may not assert estoppel, waiver, release, acceptance, or other similar grounds, before a board of adjustment or in any civil action, as a result of actions by the landowner or permit applicant to proceed with development authorized by a rezoning or a development permit while the landowner or permit applicant challenges conditions imposed on the development.

Amends GS 6-21.7 (Attorneys' fees; cities or counties acting outside the scope of their authority) to provide that the attorneys' fees in that statute shall be (currently, may be) awarded when the court finds that the city or county violated a statute or case law setting forth unambiguous limits on its authority. Directs the court to award reasonable attorneys' fees and costs to a party that successfully challenged a local government's failure to comply with GS 160A-360.1, GS 153A-320.1, or GS 143-755. Authorizes the court to award reasonable attorney's fees in all other matters, at its discretion.

Amends GS 160A-372 (cities) and GS 153A-331 (counties) to authorize subdivision control ordinances to provide for performance guarantees either at the time the plat is recorded, or at a time subsequent to recording to assure successful completion of required improvements. If the city or county does not adopt an ordinance setting forth performance guarantees, the city or county is not authorized to require the successful completion of required improvements prior to a plat being recorded. Makes the term of the performance guarantee, and any extension, at the election of the developer. Authorizes the developer to reduce the amount of the performance guarantee to reflect only the remaining incomplete items.

Further amends GS 160A-372 to authorize developers to conclusively determine 125% of the reasonably estimated the cost of completion by a report provided under seal by a licensed architect or engineer, including inflation, administration, and enforcement. Authorizes the developer to submit a single form of performance guarantee for all development matters related to the same project requiring performance guarantees. Provides that no person has any rights to a performance guarantee except the local government, developer, and person or entity issuing or providing the performance guarantee.

Amends GS 160A-381 (cities) and GS 153A-340 (counties) to clarify that the current prohibition on conditions and safeguards for special use permits or conditional use permits in excess of the city or county's authority includes several listed things, including taxes and impact fees. Provides that development permits authorized under GS 160A-381(c) or GS 153A-340 (c1) may not be denied on the basis that existing public facilities are inadequate to serve the property described in the permit application.

Amends GS 153A-352 (counties) and GS 160A-412 (cities) to further prohibit counties and cities from adopting or enforcing local ordinances, resolutions, or policies requiring inspections of buildings constructed in compliance with the North Carolina Residential Code for One- and Two-Family Dwellings in addition to those required the North Carolina Building Code without approval from the Building Code Council.

Amends GS 160A-307 to provide that a city may not require an applicant to acquire right-of-way from property not owned by the applicant. Deletes the provision providing that between city and Department of Transportation regulations regarding street or alleys, the more stringent requirement applies.

The amended regulations regarding multi-phased developments are effective with respect to phased development approvals that are valid and unexpired on the effective date of this act. The remainder of the act is effective when it becomes law, and applies to permits previously issued that remain valid and unexpired on the date this act becomes law, and to permit actions filed, actions filed in court, and claims and defenses asserted on or after that date.

**Intro. by Jordan, J. Bell, Conrad, W. Richardson.**

**GS 6, GS 143, GS 153A, GS 160A**

[View summary](#)

**Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Local Government**

H 511 (2017-2018) **GAME NIGHTS/NONPROFIT FUND-RAISER**. Filed Mar 28 2017, *AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "GAME NIGHTS," TO PROVIDE FOR THE REGULATION OF NONPROFIT ORGANIZATIONS HOLDING "GAME NIGHTS," AND TO ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT "GAME NIGHTS."*

Enacts Part 4 in Article 37 of GS Chapter 14 authorizing and regulating "game nights" held by nonprofit organizations. A nonprofit organization operating a game night must first obtain a permit by submitting an application with complete information including a \$250 fee to either the central office or district office of the Alcohol Law Enforcement Section of the Department of Public Safety. Nonprofit organizations are prohibited from operating more than four game night events per year and each event must not exceed 5 hours. Regulates the timing of the events and sets out other limitations on the games. Limits the costs of prizes and expenses to 50% of the event proceeds. Cash prizes are prohibited and prizes are required to be awarded by raffles. Games are limited to roulette, blackjack, poker, craps, simulated horse racing, and merchandise wheel of fortune. Violations of game night regulations constitute gambling. Limits the applicability of the Part to areas of the state located east of I-26 as it was located on November 28, 2011. Does not prohibit an employer from holding an annual game night event for employees and guests or a trade association from holding an annual game night for its members and guests, so long as there is no charge to the attendees. Makes conforming changes.

Effective October 1, 2017. If any portion of new Part 4 is held unconstitutional, or if the passage of new Part 4 would cause the State to forfeit payments due under a compact entered into between the State and a federally recognized Indian tribe, then new Part 4 is void.

**Intro. by Boles, Lucas, Saine, Floyd.**

[GS 14, GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control, Lottery and Gaming, Nonprofits](#)

H 512 (2017-2018) [MONITOR IMPLEMENTATION OF TBI WAIVER](#). Filed Mar 28 2017, *AN ACT REGARDING IMPLEMENTATION OF THE 1915(C) MEDICAID WAIVER FOR INDIVIDUALS WITH TRAUMATIC BRAIN INJURY*.

Requires the Department of Health and Human Services (DHHS), beginning October 1, 2017, to report quarterly to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice, the Joint Legislative Oversight Committee on Health and Human Services, the chairs of the Senate Appropriations on Health and Human Services, the chairs of the House of Representatives Committee on Appropriations, Health and Human Services, and the Fiscal Research Division on the status and implementation of the 1915(c) waiver for individuals with traumatic brain injury (TBI) that has been submitted to the Centers for Medicare and Medicaid.

Requires DHHS to adopt rules or medical coverage policies relating to service programs for individuals with TBI. Also requires DHHS to develop a best practice model system that includes a comprehensive continuum of care and an array of short-term and long-term treatments, rehabilitation options, and home and community support services as part of the TBI waiver. Requires DHHS to strive to maintain adequate reimbursement rates for residential and community-based care programs that serve individuals with traumatic brain injury.

**Intro. by Torbett.**

[UNCODIFIED](#)

[View summary](#)

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

H 513 (2017-2018) [SET STATE-COUNTY SPECIAL ASSISTANCE RATES](#). Filed Mar 28 2017, *AN ACT ESTABLISHING THE MAXIMUM MONTHLY STATE-COUNTY SPECIAL ASSISTANCE RATES FOR ADULT CARE HOME RESIDENTS AND RESIDENTS OF ALZHEIMER'S/DEMENTIA SPECIAL CARE UNITS*.

Sets the maximum month rate for resident in adult care home facilities, for each year of the 2017-19 fiscal biennium, at \$1,347 per month per resident. Sets the maximum monthly rate for residents in Alzheimer's/Dementia special care units, for each year of the 2017-19 fiscal biennium, at \$1,515 per month per resident. Effective July 1, 2017.

**Intro. by Dobson, Dollar, Lambeth.**

[UNCODIFIED](#)

H 515 (2017-2018) [ADAPTIVE EQUIPMENT TAX BENEFIT](#). Filed Mar 28 2017, *AN ACT TO PROVIDE A SALES AND USE TAX EXEMPTION FOR ADAPTIVE VEHICULAR EQUIPMENT FOR DISABLED PERSONS.*

Amends GS 105-164.13(12) to provide a sales and use tax exemption for sales that are (1) for equipment to assist disabled persons into or out of, or in operating, motor vehicles, and (2) sold on a prescription, or to a disabled veteran who receives financial assistance under 38 USC Section 3901.

Effective July 1, 2017.

**Intro. by Brody, Szoka, White, G. Graham.**

[GS 105](#)

[View summary](#)

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

H 516 (2017-2018) [RESULTS FIRST FRAMEWORK](#). Filed Mar 28 2017, *AN ACT TO AUTHORIZE THE OFFICE OF STATE BUDGET AND MANAGEMENT TO PARTICIPATE IN THE PEW-MACARTHUR RESULTS FIRST INITIATIVE AND TO REQUIRE STATE AGENCIES AND CERTAIN NON-STATE ENTITIES TO DEVELOP, IMPLEMENT, AND MAINTAIN INFORMATION SYSTEMS THAT PROVIDE UNIFORM, PROGRAM-LEVEL ACCOUNTABILITY INFORMATION REGARDING THE PROGRAMS OPERATED BY THOSE AGENCIES.*

#### Part I

Provides that the General Assembly finds and declares that a nationally recognized cost-benefit analysis model will allow the General Assembly to direct public resources to cost-effective programs that deliver the best outcomes for residents. Directs the Office of State Budget and Management (OSBM) to receive periodic updates that incorporate new research and enhancements identified through work in participating states and practical technical assistance to implement the cutting-edge approach for identifying policy and budget options. Provides that it is the General Assembly's intent to provide necessary assistance for State agencies to align their individual efforts and resources to achieve statewide priority outcomes.

Authorizes OSBM to consult and work with staff from the Pew-MacArthur Results First Initiative to implement a cost-benefit analysis model for use in crafting policy and budget decisions. Establishes that the goal of the project is to obtain a model that will help the State invest in policies and programs that can be shown to work. Directs OSBM to take the model into account in developing the framework required by GS 143-47.32, enacted by this act, to the extent the model has relevance to that framework.

Directs OSBM to file an interim report with the Joint Legislative Commission on Governmental Operations, the Joint Legislative Oversight Committee on General Government, and the Joint Legislative Program Evaluation Oversight Committee by April 8, 2018, on the progress in implementing the cost-benefit analysis model. Requires OSBM to submit a final report by October 1, 2018, which can include recommendations for legislation.

Appropriates \$100,000 from the General Fund to OSBM for the 2017-18 fiscal year to implement the provisions of Part I.

#### Part II

Enacts new Article 2E, Results First Framework, to GS Chapter 143 to require uniform, program-level accountability information in state government that is readily accessible to the citizens of NC. Article 2E applies to any state agency in the executive branch and to any non-state entity that receives state funds. Sets out definitions for the Article, including the term *non-state entity*, defining it as any of the following non-state agencies discretely presented as a component unit in the State Comprehensive Annual Financial Report by the Governmental Accounting Standards Board: an individual, firm, partnership, association, corporation, or any other organization or group acting as a unit.

Directs OSBM to design and establish a framework for providing NC citizens uniform, program-level accountability information in State government. Directs OSBM to adopt comprehensive standards, policies, and procedures to implement the framework's use. Requires OSBM to consult and coordinate with the State Auditor, the State Controller, the State Chief Information Officer, and the Office of State Human Resources in designing in establishing the framework. Requires the framework to provide a way for each State agency and each non-State entity to provide nine specified classes of information in a uniform manner on a Web site. Details what must be included in the standards, policies, and procedures adopted by OSBM. Requires OSBM to design the framework to ensure that the specified required information is accessible through the main State government website and that each State agency and non-State entity includes in its information system a web-based dashboard that uses a uniform format and reports all required performance information in a graphical format that is sufficient to inform a citizen of how the State is investing money consistent with the purposes described in the statute. Directs OSBM to provide an explanation in clear, simple language of key terms to be used by State agencies.

Establishes procedures for a state agency or non-state entity to provide comment on the proposed initial framework design and implementing standards, policies, and procedures. Includes notice requirements for OSBM and at least a 30-day window after notice for comment.

Requires an annual report by January 1 of each year setting out the standards, policies, and procedures to be used in providing and maintaining the information required by the Article.

Directs OSBM to finalize the framework and associated standards, policies, and procedures required under GS 143-47.32, as enacted, no later than April 8, 2018 and requires OSBM to file the initial report required by GS 143-47.34, as enacted, by January 1, 2019.

Directs each state agency and each non-state entity receiving state funds to establish, implement, and maintain a system to provide uniform, program-level accountability information that accurately conveys the mission, responsibilities, and activities of the state agency or entity and any other information required by OSBM. Requires the system to comply with OSBM guidelines, be updated on a timely basis, and be accessible to NC citizens. Effective with respect to all State agencies and non-State entities subject to this act on January 1, 2019.

Directs the Office of State Human Resources to adopt rules for the organization charts and manager-to-employee ratios and to provide templates and technical assistance. Also directs OSBM, the Office of State Human Resources, and the Office of Information Technology to provide technical assistance and software as required.

Makes a conforming change to GS 150B-1(c), exempting OSBM from the Administrative Procedure Act.

Directs each state agency or non-state entity subject to proposed Article 2E to bring its current information system into compliance and to use existing resources to do so.

**Intro. by Riddell, Blackwell, S. Martin, White.**

[APPROP, UNCODIFIED, GS 143, GS 150B](#)

[View summary](#)

**[Government, Budget/Appropriations, General Assembly, State Agencies, Office of State Budget and Management, State Government](#)**

H 517 (2017-2018) [MANDATE WHEELCHAIRS AT OUTPATIENT FACILITIES](#). Filed Mar 28 2017, *AN ACT REQUIRING AMBULATORY SURGICAL CENTERS AND OTHER OUTPATIENT FACILITIES TO MAINTAIN AT LEAST ONE WHEELCHAIR ON THE PREMISES FOR PATIENT USE.*

Enacts GS 131E-147.5 to require each ambulatory surgical center licensed under Article 6 of GS Chapter 131E to maintain at least one wheelchair on the premises for patient use.

Enacts GS 131E-266.5 to require outpatient departments, oncology clinics, and kidney disease treatment centers to maintain at least one wheelchair on the premises for patient use. Specifies that outpatient departments includes a portion of a hospital operated as an outpatient department.

Effective October 1, 2017.

**Intro. by Farmer-Butterfield, Setzer, Earle, Howard.**

GS 131E

[View summary](#)

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

H 518 (2017-2018) [SAFE ACT CHANGES](#). Filed Mar 28 2017, *AN ACT TO ALLOW FOR INDIVIDUALS TO OFFER AND NEGOTIATE RESIDENTIAL MORTGAGE LOANS WITH MEMBERS OF THEIR EXTENDED FAMILY WITHOUT VIOLATING THE SECURE AND FAIR ENFORCEMENT MORTGAGE LICENSING ACT.*

Amends GS 53-244.040, pertaining to license and registration requirements under the Secure and Fair Enforcement Mortgage Licensing Act, to amend the second exemption set out in subsection (d). Exempts from the provisions of Article 19B, except the prohibited act provisions of GS 53-244.111, any individual who offers or negotiates terms of a residential mortgage loan with or on behalf of a family member of the individual that is related within the third degree of kinship, including relation by adoption, when making the family member a residential mortgage loan (currently, the exemption refers to an immediate family member of the individual).

**Intro. by Brenden Jones.**

GS 53

[View summary](#)

**Courts/Judiciary, Civil, Civil Law, Development, Land Use  
and Housing, Property and Housing**

## **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 3rd edition.

Amends proposed GS 95-25.24A, 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 Article 2A of GS Chapter 95 (Wage and Hour Act), GS Chapter 96 (Employment Security), GS Chapter 97 (Workers' Compensation Act), and GS Chapter 105 (Taxation; GS Chapter 105 not previously specified).

Extends the date by which the Department of Transportation must report on the implementation of making uniform all processes and procedures followed by the Highway Divisions when issuing each permit under GS Chapter 136 to June 30, 2017 (currently, February 1, 2017).

Makes technical and conforming change to delete the proposed language amending GS 130A-294(b1)(3), which exempted from the public hearing requirement franchises amended by agreement of the parties to extend the duration of the franchise to the life-of-site of the landfill not to exceed 60 years, due to the addition of notice and hearing requirements in accordance with GS 130A-294(b1)(3) in the 3rd edition to SL 2015-241, Section 14.20(f), for modification of operative landfill franchise agreements in order to extend the agreements to a 60 year duration. Makes conforming change to Section 3.2(e) of the act, concerning the application of SL 2015-241, Section 14.20(f) as amended by the act, applying the Section to franchise agreements executed on or after October 1, 2015, and executed on or before October 1, 2015, only 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, and public notice and hearing is provided for the modification in compliance with the requirements of GS 130A-294(b1)(3).

**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

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

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

Amends proposed GS 147-64.6E to also require nonprofit corporations that receive funds from a county or municipality, in addition to those receiving state funds, to be subject to an audit, and requires that the audit required of the specified nonprofit corporations be administered quadrennially. Provides for an alternative quadrennially financial review for nonprofit corporations with annual total revenues of \$999,999 or less. Authorizes the nonprofit corporation to select the certified public accounting firm to perform the required audit or review. Exempts nonprofit corporations that have performed an independent financial audit or financial review in compliance with federal law, nonprofit corporations that have submitted an audit or review prepared by a certified public accountant in the ordinary course of business, and nonprofit corporations that have dissolved or ceased operations at the time an audit is required. Provides for public authorities subject to GS 159-34 to comply by submitting the audit required by the Local Government Commission. Authorizes, but does not direct, the State Auditor to select independent certified public accountants to perform the required audits for state agencies (currently, directs the Auditor to select the independent certified public accountants for state agencies and nonprofit corporations receiving public funds). Provides that the State Auditor and the State are not responsible for the actual costs of audits and financial reviews for nonprofit corporations. Makes conforming changes.

**Intro. by Tarte, Hise, B. Jackson.**

**GS 147**

[View summary](#)

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

S 406 (2017-2018) **SWEEPSTAKES CONTROL ACT**. Filed Mar 28 2017, *AN ACT TO LIMIT SWEEPSTAKES MACHINES OR DEVICES TO NO MORE THAN FOUR MACHINES PER LOCATION.*

Enacts GS 14-306.5, authorizing a person to possess and place into operation up to four electronic machines or devices under a single roofline so long as four conditions are satisfied and the machines or devices are not prohibited by Article 37 of GS Chapter 14. Defines *electronic machine or device* as defined in GS 14-306.4, which defines the term to mean a mechanically, electrically or electronically operated machine or device that is owned, leased, or otherwise possessed by a sweepstakes sponsor or promoter, or any of the sweepstakes sponsor's or promoter's partners, affiliates, subsidiaries or contractors, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying information on a screen or other mechanism.

Requires (1) the person to otherwise comply with all of the provisions of Article 37; (2) the person to comply with all applicable land-use laws; (3) the person to have not been convicted of any violations of Article 37 or any federal or State gaming laws; and

(4) the electronic machines or devices not be located within 100 feet of any other electronic machines or devices possessed or operated under this statute.

Establishes that the use of an electronic machine or device possessed and operated in compliance with this statute is not a violation of Part 1 of Article 37 by a user.

Grants alcohol law enforcement (ALE) agents or any other law enforcement officer the authority and right to inspect any and all premises and electronic machines or devices for compliance with the statute.

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

**Intro. by Wells.**

GS 14

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Lottery and Gaming**

S 407 (2017-2018) **EMPLOYEE MISCLASSIFICATION REFORM**. Filed Mar 28 2017, *AN ACT TO ENACT THE EMPLOYEE FAIR CLASSIFICATION ACT*.

Enacts new Article 82 in GS Chapter 143, Employer Fair Classification Act. Clarifies that nothing in new Article 82 is to be construed or intended to change the definition of *employer* or *employee* under any other provisions of law.

Establishes the Employee Classification Section within the Industrial Commission. Directs the Chairman of the Industrial Commission to appoint a director of the Employee Classification Section (Section) to serve at the Chairman's pleasure with the authority as the Chairman deems necessary to direct and oversee the Section in carrying out the purposes of new Article 82. Authorizes the Chairman to employ necessary clerical staff, investigators, and other staff within the Section. Directs the Office of the State Chief Information Officer to ensure that the Section is provided with all necessary access to the Government Data Analytics Center and all other information technology services. Directs the Secretary of Revenue, the Commissioner of Labor, the Chairman, and the Assistant Secretary of Commerce for the Division of Employment Security to each designate an employee of their respective agencies to serve as liaisons to the Section.

Details seven powers and duties of the Employee Classification Section, including (1) investigating reports of employee misclassification and coordinating with and assisting State agencies in recovering any back taxes, wages, benefits, penalties, or other monies owed as a result of an employer engaging in employee misclassification; (2) providing all relevant information pertaining to each instance of reported employee misclassification to the NC Department of Labor, the Division of Employment Security within the NC Department of Commerce, the NC Department of Revenue, and the NC Industrial Commission to facilitate investigation of potential violations of GS Chapters 95 (Department of Labor and Labor Regulations), 96 (Employment Security), 97 (Workers' Compensation Act), 105 (Taxation), or 143 (State Departments, Institutions, and Commissions); and (3) developing methods and strategies to educate employers, employees, and the public about proper classification of employees and the prevention of employee misclassification. Defines *employee misclassification* to mean avoiding tax liabilities and other obligations imposed by GS Chapters 95, 96, 97, 105, and 143 by misclassifying an employee as an independent contractor. Defines *employee* to mean any individual that is defined as an employee by either GS 95-25.2(4), GS 96-1(10), GS 97-2(2), or GS 105-163.1(4), and does not include an individual who is an independent contractor. Defines *employer* as any individual or entity that employs one or more employees as defined by GS 97-2(3). Defines *employ* as the term is defined in GS 95-25.2(3), and clarifies that an entity or individual is not an employer, for purposes of new Article 82, of an individual hired or otherwise engaged by or through the entity or individual's independent contractor. Additionally, requires the Section to create a publicly available notice that includes the definition of employee misclassification. Defines *public notice statement* to mean a notice as set forth in GS 143-764(a)(5).

Directs the Section to annually publish a report of the administration of new Article 82 and any recommendations by October 1 of each year to the Office of the Governor and to the Joint Legislative Commission on Governmental Operations. Requires the report to include the number of reports of employee misclassification received; the number and amount of back taxes, wages, benefits, penalties, or other monies collected; and the number of cases referred to each State agency. Authorizes the Section to adopt rules in accordance with Article 2A of GS Chapter 150B (APA) for the purpose of carrying out the provisions of new Article 82 and establishing the processes and procedures to be used under the new Article.

Details the responsibilities of occupational licensing boards and commissions to certify that applicants have read and understood the employee misclassification notice set out in GS 143-764(a)(5), as enacted, and that applicants have disclosed any investigations for employee misclassification and the result of the investigations for a time period determined by the occupational licensing board or commission. Requires an occupational licensing board or commission to deny the license, permit, or certification application of any applicant that fails to comply with the certification and disclosure requirements of the statute.

Establishes that the records of the Employee Classification Section are not public records. Requires the Section to exchange information as required by new Article 82, and authorizes the Section to share information with other State and federal agencies as permitted or required by law.

Requires the NC Department of Revenue, the NC Department of Labor, the Division of Employment Security within the NC Department of Commerce, and the NC Industrial Commission to disclose all reports and investigations of employee misclassification to the Employee Classification Section. Directs the Section to distribute the information to the other agencies to allow each agency to conduct an investigation.

Amends GS 105-259(b) to add new subsection (49) to allow the disclosure of tax information for the purpose of furnishing the NC Department of Labor, the Division of Employment Security within the NC Department of Commerce, the NC Industrial Commission, and the Employee Classification Section with employee misclassification information pursuant to new Article 82 of GS Chapter 143 as enacted.

Amends GS 95-25.15(c), which requires a poster summarizing the major provisions of Article 2A of GS Chapter 95 to be displayed in every establishment subject to Article 2A (Wage and Hour Act), to additionally require the poster to include notice of the following in plain language: (1) any worker who is defined as an employee by either GS 95-25.2(4), GS 143-761(2), GS 96-1(10), GS 97-2(2), or GS 105-163.1(4) must be treated as an employee unless the individual is an independent contractor; (2) any employee who believes that the employee has been misclassified as an independent contractor by the employee's employer can report the suspected misclassification to the Employee Classification Section within the Industrial Commission; and (3) the physical location, mailing address, telephone number, and email address where alleged incidents of employee misclassification can be reported to the Employee Classification Section.

Effective October 1, 2017.

**Intro. by Wells.**

[GS 95, GS 105, GS 143](#)

[View summary](#)

[Employment and Retirement, Government, Tax](#)

S 408 (2017-2018) [NC TRUTH IN EDUCATION](#). Filed Mar 28 2017, *AN ACT TO REQUIRE EACH CONSTITUENT INSTITUTION TO COMPILE AND PROVIDE CERTAIN INFORMATION TO STUDENTS WHO APPLY FOR ADMISSION AT THE CONSTITUENT INSTITUTION THAT MAY BE HELPFUL TO STUDENTS IN SELECTING AN INSTITUTION OF HIGHER EDUCATION TO ATTEND AND IN MAKING CAREER CHOICES.*

Enacts new GS 116-40.15 (Duty to provide certain information to students applying for admission or enrolled at a constituent institution regarding the graduation rates, employment rates, student loan repayment and default rates, and other similar information of prior graduating classes). Directs constituent institutions (except for high schools) of the University of North Carolina to annually compile specified information regarding graduation rates, student loans, and employment and provide it to students applying to the institution, in the form of a letter, and to undergraduate students when declaring a major. Requires the student to sign and return the letter to the institution before enrolling in classes, or receiving class credit toward their major.

Enacts Article 27B in GS Chapter 116, consisting of new GS 116-229.30 (Duty to provide certain information to students regarding the employment rates, student loan repayment and default rates, and other similar information of prior graduating classes), applying the requirements of new GS 116-40.15 to private institutions of higher education where students receive State financial aid.

Applies beginning with students applying for the 2018 fall academic semester, or who declare a major for the 2018 fall academic semester.



[View summary](#)

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

S 409 (2017-2018) **INCREASE PENALTIES/ORGANIZED RETAIL THEFT**. Filed Mar 28 2017, *AN ACT TO STRENGTHEN THE ORGANIZED RETAIL THEFT LAWS*.

Identical to [H 384](#), filed 3/15/17.

Amends GS 14-72.11 to eliminate the requirement that an exit door bear a notice of the felony offense of larceny from a merchant for theft through that door to count as larceny from a merchant. Further adds exchanging stolen property for something of value, cash, a gift card, or a merchandise card, and returning stolen property and utilizing fictitious identification to prevent the merchant from properly identifying the person seeking to return the property, to the list of circumstances that make larceny the felony of larceny from a merchant.

Amends GS Chapter 14, Article 16A, to define organized retail theft enterprise, and to clarify that the Class-H felony of organized retail theft consists of either of the two already-listed actions. Further creates a Class G felony of organized retail theft when a person either (1) conspires with another person to commit retail theft of property from retail establishments, with a value exceeding \$20,000 aggregated over a 90-day period, with the intent to sell that retail property for monetary or other gain, and who takes or causes that retail property to be placed in the control of a person in exchange for consideration or (2) acts as leader of an organized retail theft enterprise if the person conspires with others as an organizer, supervisor, financier, or manager to engage for profit in a scheme or course of conduct to effectuate the transfer or sale of property stolen from a merchant. Authorizes the prosecution of offenses occurring in different counties to be prosecuted in any county in which one of the violations occurred.

Amends GS 66-387 to amend the definition of currency converter to include a person engaged in the business of purchasing gift cards or merchandise cards of any value not issued by the person from the public for cash.

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

[View summary](#)

**Business and Commerce, Courts/Judiciary, Criminal Justice,  
Criminal Law and Procedure**

S 410 (2017-2018) **MARINE AQUACULTURE DEVELOPMENT ACT**. Filed Mar 28 2017, *AN ACT TO CREATE A PROGRAM FOR THE PERMITTING OF MARINE AQUACULTURE ACTIVITIES AND TO REQUIRE THE DIVISION OF MARINE FISHERIES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO REQUEST THE ISSUANCE OF FEDERAL RULES TO ALLOW MARINE AQUACULTURE IN FEDERAL WATERS OFF THE COAST OF THE STATE*.

Enacts Article 16A to GS Chapter 113, Marine Aquaculture, directing the Marine Fisheries Commission to designate by rule the species of fish, crustaceans, and shellfish that can be produced and sold under a Marine Aquaculture Propagation and Production Facility License pursuant to new Article 16A. In designating the species, the Board is to consider: (1) the potential domestic and export market for the species; (2) the potential for genetic contamination of or undesired interbreeding with wild stocks of species if the species is not native to State waters or is a genetically engineered variant of a native species; and (3) whether public access and use of waters of the State would be unduly impacted by the private licensing of public submerged lands and the superjacent water column necessary to support propagation or production facilities for the species when compared to the potential economic impact of those facilities. Defines *marine aquaculture* as the propagation and rearing of aquatic species in controlled or selected environments, including but not limited to ocean ranching, marine hatcheries, and other deep water fish farming operations in the coastal and ocean waters of the State, and to the extent not inconsistent with federal law, to the limits of the US exclusive economic zone, as the term is defined in 16 USC 1801, et seq. (the Magnuson-Stevens Fishery Conservation and Management Act). Defines *marine aquatic species* to mean any species of finfish, mollusk, crustacean, or other aquatic invertebrate,

amphibian, reptile, or aquatic plant, and including but not limited to *fish* and *fishes* as defined in GS 113-129(7) found exclusively or for part of its life cycle in coastal fishing waters.

Authorizes the Marine Fisheries Commission (Commission) to, by rule, authorize and license the operation of fish hatcheries and production facilities for species of fish designated as specified above. Directs the Commission to (1) consult with the National Marine Fisheries Service regarding appropriate measures to protect wild stocks from disease and genetic contamination, and (2) enter into memoranda of agreement with the US Army Corps of Engineers and any other appropriate State and federal regulatory agencies regarding appropriate standards and markings for marine aquaculture structures to avoid impairment of navigation. States that marine aquaculture facilities that require the use of public bottom lands underlying waters of the State or the superadjacent water column also require a lease pursuant to Article 16B of GS Chapter 113, as enacted below. Defines *marine aquaculture facility* to mean any land, structure, or other appurtenance that is used for aquaculture, including but not limited to any laboratory, hatchery, rearing pond, raceway, pen, incubator, or other equipment used in aquaculture.

Allows the Commission to prescribe standards of operation, qualifications of operators, and the conditions under which fish can be commercially reared, transported, possessed, bought, and sold. Establishes that Marine Aquaculture Propagation and Production Facility Licenses issued by the Department of Environmental Quality are valid for five years.

Makes it a Class A1 misdemeanor punishable by a fine not to exceed \$5,000 for any person, other than the holder of a Marine Aquaculture Propagation and Production Facility License and associated lease under Article 16B of GS Chapter 113, to take or attempt to take marine species being produced under the license and associated lease from any privately leased, franchised, or deeded marine aquaculture operation without written authorization of the holder and with actual knowledge it is a marine aquaculture leased area. Establishes that actual knowledge is presumed when the marine species are taken or attempted to be taken either (1) from within the confines of posted boundaries of the areas as identified by sign, whether the whole or any part of the area is posted, or (2) when the area has been regularly posted and identified and the person knew the area to be the subject of private marine aquaculture rights. Provides that a written authorization must include the lease number or deed reference, the name and address of the authorized person, the date of issuance, the date of expiration, and it must be signed by the holder of the marine aquaculture rights. Requires the identification signs to include the lease number or deed reference and the name of the lease or deed holder.

Provides that the definitions set forth in GS 113-128 and GS 113-129 also apply to new Article 16A.

Enacts new Article 16B, Leasing of Bottom Land and Waters of the State for Marine Aquaculture, in GS Chapter 113. States General Assembly findings and declares that it is the policy of the state to encourage the development of private, commercial marine aquaculture in ways that are compatible with other public uses of marine and estuarine resources.

New GS 113-216 allows the Secretary of Environmental Quality (Secretary) to grant marine aquaculture leases for the public bottom to state residents who have obtained a Marine Aquaculture Propagation and Production Facility License when the Secretary determines that the public interest will benefit from issuance of the lease. Sets out five minimum standards that must be met for an area to be suitable for marine aquaculture, including that the leased area not contain a natural shellfish bed and that the operation of a marine aquaculture operation in the leased area will not impinge upon the rights of riparian owners. Allows the Secretary to delete any part of an area proposed for a lease or condition a lease to protect the public interest; also prohibits the Secretary from granting a new lease in an area heavily used for recreational purposes. Sets out requirements to be met when applying for a lease, including that the application include a map or diagram, that must meet specified conditions, of the area proposed to be leased. Applicants must also pay a \$200 filing fee. Sets out requirements to be met by the area of bottom applied for. Requires the Secretary to conduct a public hearing when the Secretary intends to approve an application; sets out notification requirements. After consideration of the public comment received and any additional investigations the Secretary orders to evaluate the comments, the Secretary is required to notify the applicant in person or by certified or registered mail of the decision on the lease application; the Secretary must also notify persons who submitted comments at the public hearing and requested notice of the decision. Allows an applicant who is dissatisfied with the Secretary's decision or another person aggrieved by the decision to commence a contested case by filing a petition under GS 150B-23 within 20 days after receiving notice of the Secretary's decision. Specifies that initial leases begin upon the issuance of the lease by the Secretary and expire at noon on the first day of July following the 10th anniversary of the granting of the lease and renewal leases are issued for 10 years from the time of expiration of the previous lease. Applicants for a renewal of a lease must pay a \$100 filing fee. Sets the price of the rental for initial leases at \$10 per acre, per year. Rental must be paid annually in advance prior to the first day of April each year. Provides that leaseholds granted under new Article 16B are to be treated as if they were real property and are subject to all laws relating to taxation, sale, devise, inheritance, gift, seizure and sale under execution or other legal process, and the like. Leases

properly acknowledged and probated are eligible for recordation in the same manner as instruments conveying an estate in real property. Provides the procedure for when ownership is transferred, with the lease terminated when it is transferred to a nonresident. Specifies seven occurrences upon which the Secretary must commence action to terminate the leasehold. Allows the Secretary to discontinue termination procedures when the leaseholder takes steps within 30 days to remedy the situation. Allows the leaseholder to initiate a contested case when the termination is not discontinued. Sets out additional requirements to be met when terminating a lease. Requires the Secretary to mail to all leaseholders a notice of the annual rental due and include forms for determining the amount of harvest gathered and gathering other pertinent information related to the utilization of the leasehold in the best interests of the aquaculture industry of the state. The form must be completed and returned by the leaseholder with the payment of the leaseholder's rental; it is a Class 1 misdemeanor for any leaseholder or the leaseholder's agent executing such forms to knowingly make a false statement.

New GS 113-217 allows the Secretary to include in marine aquaculture leases issued under GS 113-216 provisions to allow the use of the water column superjacent to the leased bottom when the Secretary determines the public interest will benefit from inclusion of water column provisions. Sets out six standards that must be met by areas where water column use is allowed, including that aquaculture use of the leased area does not significantly impair navigation, and that the leased area is not within an area traditionally used and available for fishing or hunting activities incompatible with the activities proposed by the leaseholder.

Effective October 1, 2017.

Requires the Division of Marine Fisheries of the Department of Environmental Quality to: (1) request that the Mid-Atlantic and South Atlantic Fishery Management Councils develop a Fishery Management Plan for regulating offshore aquaculture in federal waters offshore from the North Carolina coast and (2) petition the National Oceanic and Atmospheric Administration to initiate rule-making proceedings to implement a comprehensive regulatory program for managing the development of an environmentally sound and economically sustainable aquaculture fishery in federal waters offshore from the North Carolina coast. Requires an interim report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources no later than February 1, 2018, and a final report on or before May 1, 2018, that includes the request and petition.

**Intro. by Cook, Sanderson, Tillman.**

**GS 113**

[View summary](#)

**Environment, Aquaculture and Fisheries, Government, State Agencies, Department of Environmental Quality (formerly DENR)**

S 411 (2017-2018) **VARIOUS MOTOR VEHICLE LAW REVISIONS**. Filed Mar 28 2017, *AN ACT TO EXPAND THE REQUIRED USE OF THE ELECTRONIC LIEN SYSTEM IMPLEMENTED BY THE DIVISION OF MOTOR VEHICLES AND TO REVISE THE LAW GOVERNING WHEN A MOTOR VEHICLE DEALER THAT DOES NOT HAVE A MOTOR VEHICLE'S STATEMENT OF ORIGIN OR CERTIFICATE OF TITLE MAY TRANSFER TITLE TO THE MOTOR VEHICLE.*

Amends GS 20-58.4A(i), concerning mandatory participation in the statewide electronic lien system implemented by the Division of Motor Vehicles (DMV) to process the notification, release, and maintenance of security interests and certificate of title data where a lien is noted through electronic means instead of paper documents. Requires all individuals and lienholders (currently, all individuals and lienholders is qualified with those who are normally engaged in the business or practice of financing motor vehicles) who conduct at least five transactions annually to use the electronic lien system to record information concerning the perfection and release of a security interest in a vehicle. Prohibits any lien on a motor vehicle from being noted on a certificate of title or otherwise perfected by the DMV unless the electronic lien system is utilized by the lienholder in accordance with the statute. Makes technical changes. Effective July 1, 2017.

Amends GS 20-72(b), concerning instances when a manufacturer's statement of origin or an existing certificate of title on a motor vehicle is unavailable for transferring title or interest in a motor vehicle. Provides that a licensed motor vehicle dealer can transfer title to another by certifying in writing in a sworn statement to the DMV that to the best of the dealer's knowledge and information all prior perfected liens on the vehicle have been paid, and that the motor vehicle dealer, despite having used reasonable diligence, was unable to obtain the vehicle's statement of origin or certificate of title on or prior to the date the dealer sold or transferred the vehicle because the statement of origin or certificate of title was (1) not delivered to the dealer or (2) lost or misplaced by the dealer. Provides that in the absence of the DMV developing a form for this certification, a dealer can use any

form that satisfies the requirements of GS 20-72(b) so long as the dealer submits the completed form and certificate of title to the DMV within a reasonable time of obtaining or receiving the form.

Provides that it is a Class H felony to knowingly and intentionally file a false sworn certification in accordance with GS 20-72(b) (currently, does not include scienter element). Adds that a dealer principal, owner, or manager of a motor vehicle dealership can only be liable for a violation under GS 20-72(b) for the actions or conduct of a dealership employee if the dealer principal, owner, or manager had actual knowledge of the falsity of the application at the time the application was submitted to the DMV.

**Intro. by B. Jackson.**

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

S 412 (2017-2018) [IMPROVE PROCESS/SALE OF UNCLAIMED VEHICLES](#). Filed Mar 28 2017, *AN ACT TO REQUIRE THE DIVISION OF MOTOR VEHICLES TO MAKE AVAILABLE ON ITS WEB SITE FORMS NECESSARY FOR A PERSON TO SELL AN UNCLAIMED MOTOR VEHICLE AND TO ALLOW THE ELECTRONIC SUBMISSION OF THOSE*.

Amends GS 20-77(d) to require that the Division of Motor Vehicles (DMV) make all of the forms necessary for the sale of an unclaimed motor vehicle available on the DMV's website, and requires that the DMV allow the forms to be submitted electronically. Allows forms that need a signature to be submitted with an electronic signature. Effective July 1, 2017.

**Intro. by B. Jackson.**

GS 20

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation](#)

S 413 (2017-2018) [CLARIFY MOTOR VEHICLE DEALER LAWS](#). Filed Mar 28 2017, *AN ACT TO CLARIFY MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAWS*.

Amends GS 20-288(a1)(2) to extend the licensing-course exemption for used motor vehicle dealer applicants who operate a new motor vehicle showroom to include all applicants whose new motor vehicle showroom is within 30 miles (currently, 20 miles) of the proposed used motor vehicle showroom.

Amends GS 20-305 to prohibit manufacturers, distributors, or their branches, from requiring, coercing, or attempting to coerce, any new motor vehicle dealer to change the location of its dealership, or to make any substantial alterations to their dealership premises or facilities, if the dealer has done so within the preceding 10 years at a cost of more than \$100,000, and the change was made at the request of, or with the knowledge, acquiescence, or approval of, the manufacturer, distributor, or branch. Any dealer not covered by this provision is governed by specified existing subdivisions of this statute.

Amends GS 20-305.1 to further require the motor vehicle manufacturers', distributors', and branches' written notice to their dealers to also include the dealers' obligations for recall service on the products, including service under listed preparation, delivery, and warranty agreements or contracts issued by the manufacturer, distributor, or branch, and the schedule for compensation and time allowances for the expanded list of required services. Makes conforming changes. Requires a manufacturer or distributor to further compensate a dealer for parts and components provided at reduced cost (currently only at no cost) for repairs under a recall, campaign service action, or warranty repair, as specified, and clarifies that the compensation is on the basis of the dealer's average markup on the cost for the part or component, less the cost for the part or component. Makes it further unlawful for manufacturers, distributors, and branches to fail to perform its recall obligations, or to fail to fully compensate its motor vehicle dealers for qualifying used vehicles or recall parts or to recover its costs for compensating its dealers for recall parts (currently only applies to warranty obligations and parts). Eliminates the provision exempting the living facilities of recreational vehicles from this prohibition, and specifies that the prohibition applies to the living facilities of recreational vehicles. Clarifies that claims by dealers concerning compensation for qualifying used motor vehicles under new GS 20-305.1(i) shall be paid by the manufacturer within 30 days. Makes conforming and technical changes. Clarifies that the

chargebacks or payments required by a manufacturer from a dealer, which are stayed during a petition to the Commissioner, include compensation for services specified by the earlier amendments.

Enacts new GS 20-305.1(i) and (j), requiring manufacturers, distributors, or branches to compensate a franchised motor vehicle dealer for any motor vehicle subject to a notice of recall and stop-sale or do-not-drive order issued by the manufacturer or the National Highway Traffic Safety Administration and whose parts to repair the underlying defect are not received by the dealer within 15 days of the notice of recall. Specifies the rate of monthly compensation (1.75% of the vehicle's value).

Makes a conforming change to GS 20-305.5.

Amends GS 20-305.2 to prohibit manufacturers, distributors, or branches with franchised motor vehicle dealers to own any interest in, operate, or control any entity that leases or rents motor vehicles to the general public in competition with any of its franchised dealers.

Amends GS 20-305.7 to clarify that the limits in subsection (b) do not apply to customers that meet any of the listed exemption qualifications (currently does not specify whether a customer must satisfy any or all of the qualifications). Clarifies that the lists of third parties to which a manufacturer, etc., provides dealers' data must include each and every such third party. Further requires the list to specify what data was provided to each party and that the lists must be specific to each dealer. Requires the list to show third parties that actually received, not that may have received, data. Prohibits third parties from charging the dealer any fee for access to the dealer's data. Provides that the rights of subsection (b) are not waivable and may not be modified by contract.

Enacts new GS 20-101.3 (Conspicuous disclosure of dealer shop and other service-related fees). Requires motor vehicle dealers to conspicuously display notices of shop fees for service work, and other discretionary fees, and disclose fees on a customer's invoice, prior to charging such fees. Does not require dealers to charge a shop or other service-related fee. Effective January 1, 2018.

Contains a severability clause.

Except as otherwise specified, the act is effective when it becomes law, and applies to all current and future franchises and other agreements in existence between any new motor vehicle dealer in the State and a manufacturer or distributor as of the effective date of this act.

**Intro. by B. Jackson.**

GS 20

[View summary](#)

**Business and Commerce, Occupational Licensing,  
Courts/Judiciary, Motor Vehicle**

S 414 (2017-2018) **USE OF FUNDING POOL GRANT FUNDS/MACON COUNTY**. Filed Mar 28 2017, *AN ACT TO PROVIDE THAT FUNDS APPROPRIATED TO THE MACON COUNTY COMMUNITY FUNDING POOL GRANT FOR THE 2016-2017 FISCAL YEAR SHALL INSTEAD BE APPROPRIATED TO MACON COUNTY, TO AMEND THE PURPOSES FOR WHICH THE FUNDS MAY BE USED, AND TO MAKE THE FUNDS NONREVERTING.*

Requires that \$100,000 in nonrecurring funds for 2016-17 that were appropriated in SL 2016-94, the 2016 Appropriations Act, to the Macon County Community Funding Pool Grant be appropriated to Macon County instead, to be used for community purposes. Specifies that GS 143C-1-2(b), concerning the reversion of unspent funds, does not apply to these funds.

**Intro. by J. Davis.**

APPROP, Macon

[View summary](#)

**Government, Budget/Appropriations**

S 415 (2017-2018) **CLARIFY DEF'N. OF COLLECTION AGENCY**. Filed Mar 28 2017, *AN ACT TO CLARIFY THE DEFINITION OF COLLECTION AGENCY TO EXCLUDE PERSONS ENGAGED IN ROUTINE BILLING SERVICES.*

Amends the definition of *collection agency* in GS 58-70-15 to now define the term to mean a person directly or indirectly engaged in soliciting, from more than one person claims of any kind owed or due or asserted to be owed or due the solicited person that are delinquent at the time of solicitation (was, delinquent claims without requiring that delinquency be at the time of solicitation), and all persons directly or indirectly engaged in the asserting, enforcing, or prosecuting of claims that were delinquent at the time of solicitation (previously did not limit it to claims that were delinquent at the time of solicitation).

**Intro. by Bishop, Newton, Woodard.**

GS 58

[View summary](#)

**Banking and Finance, Business and Commerce**

S 416 (2017-2018) [USE OF TOURISM FUNDS/WATAUGA COUNTY](#). Filed Mar 28 2017, *AN ACT TO AMEND THE PURPOSES FOR WHICH CERTAIN FUNDS APPROPRIATED TO WATAUGA COUNTY FOR THE 2016-2017 FISCAL YEAR MAY BE USED*.

Redirects the \$50,000 appropriated in SL 2016-94 (the 2016 Appropriations Act) from its use designated in that act (tourism and development for New River access points) to now require the funds be used for the Guy Ford Road canoe access on the Watauga River.

**Intro. by Ballard.**

Watauga

[View summary](#)

S 417 (2017-2018) [PRIVATE PARKING/IMMOBILIZATION DEVICE](#). Filed Mar 28 2017, *AN ACT TO AUTHORIZE THE USE OF IMMOBILIZATION DEVICES ON VEHICLES UNLAWFULLY PARKED IN PRIVATELY OWNED OR LEASED PARKING LOTS OR SPACES*.

Enacts new GS 20-219.5 making it illegal for anyone other than the owner or lessee of a privately owned or leased parking space to park in the space without express permission if the private parking lot is clearly designated as private by a sign that meets the required specifications. Requires the sign to clearly state, as specified, that a vehicle parked in a privately owned parking space in violation of this provision can be immobilized in accordance with this provision. Allows a vehicle illegally parked in a privately owned parking space to be immobilized in the space upon the written request of the parking space owner or lessee. Also makes it illegal for any person other than the immobilization company that attached the immobilization device to remove or tamper with the immobilization device. Sets out penalties for violations and makes violations that cause damage to the immobilization device to the extent that the device is unusable for its primary purpose, or otherwise prevents the immobilization company from further using the device, a Class 1 misdemeanor. Prohibits local governments from passing ordinances regulating the immobilization of vehicles unlawfully parked in privately owned or leased parking spaces or lots. Effective July 1, 2017.

**Intro. by Ballard, Britt.**

GS 20

[View summary](#)

**Courts/Judiciary, Motor Vehicle**

S 418 (2017-2018) [DYSLEXIA KINDERGARTEN SCREENING](#). Filed Mar 28 2017, *AN ACT TO REQUIRE THE SCREENING OF EVERY KINDERGARTEN STUDENT FOR DYSLEXIA*.

Amends GS 115C-83.6 to provide that every kindergarten student must be screened for dyslexia, as defined in the statute, as part of the kindergarten reading assessment.

Applies beginning with the 2017-18 school year.

**Intro. by Lee, Lowe.**

GS 115C

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 419 (2017-2018) [PLANNING/DEVELOPMENT CHANGES](#). Filed Mar 28 2017, *AN ACT TO REORGANIZE AND CLARIFY STATUTES REGARDING LOCAL PLANNING AND DEVELOPMENT REGULATION.*

To be summarized.

**Intro. by Lee, McKissick.**

[GS 1, GS 63, GS 113A, GS 130A, GS 143, GS 153A, GS 160A, GS 160D](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Local Government](#)

S 420 (2017-2018) [CC BD. OF TRUSTEES/GOVERNANCE](#). Filed Mar 28 2017, *AN ACT TO PROVIDE FOR CIRCUMSTANCES IN WHICH THE STATE BOARD OF COMMUNITY COLLEGES MAY APPOINT AN INTERIM BOARD OF TRUSTEES TO ASSUME THE POWERS AND DUTIES OF A BOARD OF TRUSTEES; TO REQUIRE THAT A BOARD OF TRUSTEES MEET AT LEAST ONCE EVERY TWO MONTHS; AND TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO REQUIRE FINANCIAL AUDITS IN CERTAIN CIRCUMSTANCES.*

Enacts new GS 115D-6.5 (Notice of noncompliance; appointment of an interim board of trustees). Authorizes the State Board of Community Colleges to direct a board of trustees of a community college to immediately remedy a willful or grossly negligent noncompliance with State laws, rules, and sound fiscal management practices. Authorizes the State Board to adopt a resolution, upon a two-thirds vote of the Board, vacating the community college's board of trustees upon persisting noncompliance. Specifies that this authority may only be exercised as an extraordinary remedy used for the most extreme circumstances. Adoption of such a resolution vacates the terms of all members serving on that board of trustees. Directs the State Board of Community Colleges to appoint an interim five-member board of trustees for up to twelve months, upon adoption of the resolution. Directs the State Board of Community Colleges to report adoption of such a resolution to the General Assembly within 60 days of adoption, along with any necessary legislative recommendations for the future governance of the community college.

Makes technical changes to GS 115D-18. Also requires boards of trustees to meet at least once every two (was three) months.

Amends GS 115D-58.16 to authorize the State Board of Community Colleges to require a community college to be audited annually after the community college has two consecutive financial audits with findings.

**Intro. by Curtis, Barefoot.**

[GS 115D](#)

[View summary](#)

[Education, Higher Education, Government, State Agencies, Community Colleges System Office](#)

S 421 (2017-2018) [USE OF CAREER & TECHNICAL FUNDS/ONslow COUNTY](#). Filed Mar 28 2017, *AN ACT TO AMEND THE PURPOSES FOR WHICH CERTAIN FUNDS APPROPRIATED TO ONslow COUNTY FOR THE 2016-2017 FISCAL YEAR MAY BE USED AND TO MAKE THOSE FUNDS NONREVERTING.*

Establishes that the \$5 million in nonrecurring funds appropriated to Onslow County for the 2016-17 fiscal year by SL 2016-94 (the 2016 Appropriation Acts) to retrofit and purchase equipment for a regional career and technical education center can be used to fund the construction of a new education center, notwithstanding any provision of SL 2016-94 or the Committee Report described in Section 39.2 of that act. Provides that GS 143C-1-2(b) (concerning reversions) and GS 143C-6-23(f1)(1) (concerning the return of grant funds) do not apply to the funds described in the act.

**Intro. by Brown.**

[UNCODIFIED, Onslow](#)

S 422 (2017-2018) **ELIGIBILITY REFORM/MEDICAID/SNAP**. Filed Mar 28 2017, *AN ACT TO PROVIDE FOR REGULAR ELIGIBILITY MONITORING FOR THE MEDICAID PROGRAM, TO REQUIRE APPLICANTS FOR FOOD AND NUTRITION BENEFITS TO COOPERATE WITH THE CHILD SUPPORT ENFORCEMENT PROGRAM AS A CONDITION OF ELIGIBILITY FOR BENEFITS, AND TO LIMIT THE MEANS BY WHICH A PERSON MAY BE GRANTED CATEGORICAL ELIGIBILITY FOR PURPOSES OF RECEIVING FOOD AND NUTRITION BENEFITS UNDER THE SUPPLEMENTAL NUTRITION AND ASSISTANCE PROGRAM (SNAP)*.

Enacts GS 108A-55.5, directing the Department of Health and Human Services (DHHS) to review information on at least a quarterly basis concerning changes in circumstances that may affect medical assistance beneficiaries' eligibility to receive medical assistance benefits. Directs DHHS to share the information directly with, or make the information available to, the county department of social services that determined the beneficiary's eligibility. Specifies that the information reviewed by DHHS is to include earned and unearned income, employment status and changes in employment, residency status, enrollment status in other State-administered public assistance programs, financial resources, incarceration status, death records, lottery winnings, and enrollment status in public assistance programs outside of this State.

Directs a county department of social services to promptly review the information provided or made available by DHHS to determine if the information indicates a change that may affect a medical assistance beneficiary's eligibility to receive medical assistance benefits and either take no action if no discrepancy or change is found, or provide written notice to the beneficiary describing the circumstances of a discrepancy or change in circumstances that would affect the beneficiary's eligibility for medical assistance benefits. Requires the notice to include that the beneficiary will have 10 business days from the time of mailing to respond, that a response from the beneficiary must be in writing, that self-declarations made by the beneficiary will not be accepted as verification of information in the response, and the consequence of taking no action.

Upon the expiration of 10 business days from the time of mailing the notice, directs the county department of social services to redetermine the beneficiary's eligibility for medical assistance and provide the beneficiary with proper notice under GS 108A-79 if (1) the beneficiary did not respond to the notice, (2) if the beneficiary responds to the notice, disagrees with the information in the notice, and the department determines there is no error after reinvestigating the matter, or (3) if the beneficiary responds and confirms the information. Directs the county department of social services to take no further action if the beneficiary responds to the notice, disagrees with the information in the notice, and upon reinvestigating the matter, the department finds that there has been an error and that the beneficiary's eligibility to receive medical assistance benefits has not been affected.

Authorizes the county department of social services to request additional documentation from the beneficiary if at any time after receiving a beneficiary's response to the notice, the county department determines there is a risk of fraud, misrepresentation, or inadequate documentation. Clarifies that the statute does not preclude DHHS or any county department of social services from receiving or reviewing additional information related to a beneficiary's eligibility for medical assistance benefits obtained in a manner other than that provided in this statute.

Effective January 1, 2018.

Authorizes DHHS to sign a memorandum of understanding with any department, agency, or division of the State to obtain information concerning individuals enrolled in Medicaid, or division of the State to obtain information concerning individuals enrolled in Medicaid that indicates a change in circumstances that may affect the individuals' eligibility to receive Medicaid benefits under GS 108A-55.5(a).

Authorizes DHHS to contract with one or more vendors to provide information concerning individuals enrolled in Medicaid that indicates a change in circumstances that may affect the individuals' eligibility to receive Medicaid benefits under GS 108A-55.5(a). Requires that any contract entered into under this provision must establish annualized savings to the State exceeding the combined total of (1) the cost of the contract, and (2) the expenditures by the State, net any receipts, for the period since eligibility was last determined for the individuals enrolled in Medicaid who had an identifiable change in circumstances affecting the individuals' eligibility to receive Medicaid benefits under GS 108A-55.5(a).

Directs DHHS to investigate joining any multistate cooperative to identify individuals who are also enrolled in public assistance programs outside of the State, specifically the National Accuracy Clearinghouse. Directs DHHS to report no later than three



months after the effective date of this act to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice any finding that explain the reasons for joining or not joining any multistate cooperative, and the date membership is expected if a determination is made to join the multistate cooperative.

Amends GS 108A-52 to direct DHHS to require applicants for electronic food and nutrition benefits to cooperate with the Child Support Enforcement Program in accordance with Article 9 of GS Chapter 110 as a condition of eligibility for food and nutrition benefits pursuant to 7 CFR 273.11(o) and (p). Prohibits DHHS from granting a person categorical eligibility under 7 USC 2014(a) for the food and nutrition services program based on noncash, in-kind, or other benefit unless expressly required by federal law. Makes conforming changes.

**Intro. by Krawiec, Pate, Hise.**

[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 423 (2017-2018) [LIFE CHANGING EXPERIENCES SCHOOL PILOT](#). Filed Mar 28 2017, *AN ACT TO APPROPRIATE FUNDS FOR THE LIFE CHANGING EXPERIENCES COMMUNITY EDUCATION PROJECT PILOT PROGRAM.*

Appropriates \$308,000 each for 2017-18 and 2018-19 from the General Fund to the Department of Public Instruction for use by the Children and Parent Resource Group, Inc., to establish a two-year pilot program to operate and administer the Life Changing Experiences Community Education Project in the three specified local school administrative units. Directs the Children and Parent Resource Group, Inc., to submit an initial report by March 1, 2018, and a final report by March 1, 2019, to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly on the pilot program.

Effective July 1, 2017.

**Intro. by Krawiec, Pate, Hise.**

[APPROP, STUDY](#)

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

S 424 (2017-2018) [INCREASE FUNDING FOR BEHAVIORAL HEALTH SVCS](#). Filed Mar 28 2017, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, FOR THE ESTABLISHMENT OF NEW FACILITY-BASED CRISIS CENTERS, STATEWIDE EXPANSION OF THE COMMUNITY PARAMEDICINE PILOT PROGRAM, AND CONTINUATION OF THE COMMUNITY PARAMEDIC MOBILE CRISIS MANAGEMENT PROGRAM.*

Appropriates the following funds for 2017-18 from the General Fund to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services: \$2 million to award competitive grants for the establishment of new facility-based crisis centers for children and adolescents, \$6.5 million for statewide expansion of the community paramedicine pilot program authorized by SL 2016-94, Section 12A.12, and \$225,000 to continue the 13 community paramedic mobile crisis management program sites authorized by SL 2016-94, Section 12F.8.

Directs the Department of Health and Human Services to report by April 2, 2018, to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on information relating to the three appropriations.

Effective July 1, 2017.

**Intro. by Krawiec, Pate, Hise.**

[APPROP](#)

[View summary](#)

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

S 425 (2017-2018) [UNBORN CHILD PROTECTION FR. DISMEMBERMENT ACT](#). Filed Mar 28 2017, *AN ACT ESTABLISHING THE NORTH CAROLINA UNBORN CHILD PROTECTION FROM DISMEMBERMENT ABORTION ACT.*

Enacts new GS Chapter 90, Article 1L (The Unborn Child Protection From Dismemberment Abortion Act).

Defines several terms, including *dismemberment abortion*, *purposefully*, and *serious health risk to the unborn child's mother*.

Makes it unlawful to purposefully perform a dismemberment abortion (as defined in the Act) and thereby kill an unborn child, or to attempt to perform a dismemberment abortion unless necessary to prevent serious health risk to the mother. Violation is a Class A1 misdemeanor.

Provides for a physician accused of unlawful conduct under this Article to seek a hearing before the North Carolina Medical Board on whether the dismemberment abortion was necessary to prevent serious health risk to the mother. Makes the Board's findings admissible on that issue in any trial at which such unlawful conduct is alleged. Directs a court to delay the beginning of the trial of the accused physician for up to 30 days to permit the Board hearing to take place.

Grants immunity from civil or criminal liability for actions related to dismemberment abortion to the woman upon whom the abortion was performed or attempted, non-physician employees acting at the direction of a physician, and pharmacists and other individuals who fill prescriptions and provide instruments or materials used in a dismemberment abortion.

Does not prevent abortion for any reason by any other method.

Imposes civil damages on persons who violate any provision of the Article, including any one or more of the following: monetary damages for physical and psychological injuries, treble damages based on the cost of the dismemberment abortion, and punitive damages. Authorizes an action under this Article by the woman upon whom the abortion was performed, the spouse or guardian of the woman, or the parent of the woman if the woman was a minor at the time of the abortion. Does not allow damages awarded to a plaintiff whose criminal conduct caused the pregnancy. Further authorizes injunctive relief to the woman, or the woman's parents if the mother is a minor, against the physician. Imposes civil penalties for violations of the injunction.

Directs the court to rule on the need to protect the anonymity of the woman in every proceeding under this Article in which she does not give written consent for disclosure, and provides instruction for the Court in determining whether her anonymity should be preserved.

Clarifies that the Article does not prevent an otherwise lawful abortion by any other method, or create or recognize a right to abortion, nor a right to a particular method of abortion.

Contains a severability clause.

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

**Intro. by Krawiec, Randleman, Ballard.**

GS 90

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health, Health Care Facilities and Providers](#)

S 426 (2017-2018) [BARBER APPRENTICE CHANGES](#). Filed Mar 28 2017, *AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING APPRENTICESHIPS AND TEMPORARY PERMITS FOR LICENSURE ISSUED BY THE STATE BOARD OF BARBER EXAMINERS.*

Amends GS 86A-11, adding new subsection (e) to direct the State Board of Barber Examiners (Board) to grant a temporary permit upon payment of the specified fee in GS 86A-25 to graduates of a barber school that pass the initial written examination and pass the initial practical examination with a score of 85% or higher. Allows the permittee to apply for examination and

certification to become a registered barber pursuant to GS Chapter 86A one year after receiving a temporary permit. Provides that a temporary permit remains valid until the first Board examination of applicants for certification as a registered barber is held that is more than one year after issuance of the temporary permit. Amends 86A-25 to set the temporary permit fee at \$50.

Amends GS 86A-24, adding new subsection (d) exempting from the apprenticeship requirement applicants who pass the initial written examination and pass the practical examination with a score of 85% or higher, and allow those applicants to apply for a temporary permit pursuant to GS 86A-11(e) as enacted. Provides that applicants who pass the initial written examination and pass the initial practical examination with a score of less than 85% are permitted to retake the initial practical examination no more than two additional times upon the payment of the fee authorized in GS 86A-25. Provides that individuals holding a current and valid apprentice license that have passed the initial written examination and have passed the initial practical examination with a score of 85% or higher are entitled to obtain a temporary permit pursuant to this new subsection upon payment of the fee authorized under GS 86A-25. Makes existing language gender neutral.

Effective October 1, 2017.

**Intro. by Krawiec, Dunn.**

[GS 86A](#)

[View summary](#)

[Business and Commerce, Occupational Licensing](#)

S 427 (2017-2018) [JORDYN'S LAW/NOTIFY NONCUSTODIAL PARENT/ABUSE](#). Filed Mar 28 2017, *AN ACT TO REQUIRE A COUNTY DEPARTMENT OF SOCIAL SERVICES TO CONTACT A NONCUSTODIAL PARENT WHEN AN INVESTIGATION REVEALS ABUSE, NEGLECT, OR DEPENDENCY INVOLVING THE CHILD OF THE NONCUSTODIAL PARENT, WHEN APPROPRIATE.*

Amends GS 7B-302 to require that when assessments for abuse and neglect complaints indicate that abuse, neglect, or dependency has occurred, the director of the department of social services must make diligent efforts to contact the noncustodial parent regarding the allegations of abuse, neglect, or dependency, when applicable, except when there is documented evidence that contacting the noncustodial parent would present a safety threat or risk of harm to the juvenile and is not in the juvenile's best interest.

**Intro. by Krawiec, Randleman, Harrington.**

[GS 7B](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency](#)

S 428 (2017-2018) [CHIROPRACTOR PARITY & PRECEPTORSHIPS](#). Filed Mar 28 2017, *AN ACT REENACTING A LAW CONCERNING HEALTH BENEFIT PLAN CO-PAYMENTS FOR CHIROPRACTIC SERVICES, ALLOWING CHIROPRACTIC STUDENTS AT ACCREDITED CHIROPRACTIC COLLEGES TO PARTICIPATE IN PRECEPTORSHIP PROGRAMS, AND ALLOWING CHIROPRACTORS TO PERFORM MEDICAL EXAMINATIONS FOR PUBLIC SCHOOL STUDENTS PARTICIPATING IN INTERSCHOLASTIC ATHLETIC COMPETITIONS.*

Amends GS 58-50-30 to prohibit insurers from imposing as a limitation on treatment or level of coverage a co-payment amount charged to the insured for chiropractic services that is higher than the co-payment amount charged to the insured for the services of a duly licensed primary care physician for a comparable medically necessary treatment or condition. Effective January 1, 2018, and applies to health benefit contracts issued, renewed, or amended on or after that date.

Enacts new GS 90-142.1 to authorize students in accredited chiropractic colleges to, under supervision, observe licensed chiropractors and perform the duties of a certified chiropractic clinical assistant.

Amends GS 90-143.4 to make a conforming change.

Amends GS 115C-47 to require each student who participates in interscholastic athletic competitions to receive a medical examination at least once each calendar year, conducted by a licensed physician, chiropractor, nurse practitioner, or physician's assistant.

Except as otherwise specified, the bill is effective when it becomes law.

**Intro. by Hise.**

GS 58, GS 90, GS 115C

[View summary](#)

**Business and Commerce, Occupational Licensing, Education, Elementary and Secondary Education, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance**

S 429 (2017-2018) [HOME VISITS/PREG. WOMEN & CHILDREN/MEDICAID](#). Filed Mar 28 2017, *AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO PROVIDE EVIDENCE-BASED HOME VISITS FOR PREGNANT WOMEN AND FAMILIES WITH YOUNG CHILDREN AS PART OF THE NORTH CAROLINA MEDICAID AND NC HEALTH CHOICE PROGRAMS.*

Sets forth the intent of the General Assembly to provide Medicaid and NC Health Choice coverage for evidence-based home visits of pregnant women and families with young children designed to improve maternal and child health, prevent child abuse and neglect, encourage positive parenting, and promote child development and school readiness that are consistent with the model used by Nurse-Family Partnership.

Directs the Department of Health and Human Services (DHHS) Division of Medical Assistance (DMA) to begin providing Medicaid and NC Health Choice coverage for home visits statewide or through a pilot program by July 1, 2018.

Directs DMA to develop a plan to implement changes necessary to provide Medicaid and NC Health Choice coverage for home visits either statewide or through a pilot program. Prohibits DMA from making any changes to eligibility for the Medicaid or NC Health Choice programs, consistent with GS 108A-54(e)(4). Requires the plan to detail the design and scope of coverage for the home visits and to include the identification of any State Plan Amendments or waivers that may be necessary to submit to the Centers for Medicare and Medicaid Services.

Directs DMA to submit a report by November 1, 2017, to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Fiscal Research Division. Details six required contents of the report, including a copy of the plan to provide Medicaid and NC Health Choice coverage for home visits statewide or through a pilot program no later than July 1, 2018, and an analysis of the total fiscal impact of adding the coverage for home visits for pregnant women and families with young children, as specified.

Sets forth that it is the intent of the General Assembly to appropriate funds for the cost of implementation during the 2018-19 fiscal year if the plan for Medicaid and NC Health Choice coverage for home visits cannot be implemented under the authority granted to DHHS under GS 108A-54(e). GS 108A-54(e) establishes that it is the duty of the DHHS Secretary to administer and operate the Medicaid and NC Health Choice programs so long as the total expenditures, net of agency receipts, do not exceed the authorized budget for the programs.

**Intro. by Hise, Pate, Krawiec.**

STUDY, UNCODIFIED

[View summary](#)

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

S 430 (2017-2018) [2017 GOVERNOR'S BUDGET](#). Filed Mar 28 2017, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Due to the fact that Governor Cooper's proposed budget was released on March 1, 2017, and has been available to the public well in advance of the filing of S430, we will not be including a summary of the bill version of his budget. For the content of the bill, please follow the link to the bill on the General Assembly's site above. Further information on the Governor's proposed budget can also be found on the Office of State Budget and Management's website at <http://osbm.nc.gov/thebudget> (link is external).

**Intro. by Brown, Harrington, B. Jackson.**

APPROP

[View summary](#)

**Government, Budget/Appropriations, State Agencies, State Government, Executive**

S 431 (2017-2018) **CORRECTION ENTERPRISE AND WORKERS' COMP.** Filed Mar 28 2017, *AN ACT TO CLARIFY WHICH INMATES ARE DEFINED AS PRISONERS FOR THE PURPOSES OF WORKERS' COMPENSATION.*

Amends GS 97-13(c) to provide that that subsection, regarding workers' compensation for prisoners, applies to all inmates except those employed pursuant to GS Chapter 148, Article 14 (Correction enterprises), and provides that inmates employed pursuant to the Prison Industry Enhancement Program receive workers' compensation under GS 97-2(5).

**Intro. by Sanderson.**

GS 97

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Employment and Retirement**

S 432 (2017-2018) **DELAY MARINE FISHERIES RULE MAKING.** Filed Mar 28 2017, *AN ACT TO DELAY ACTION OF THE MARINE FISHERIES COMMISSION IN RESPONSE TO CERTAIN GRANTED PETITIONS FOR RULE MAKING UNTIL COMPLETION OF THE ACTIVITIES AND FINAL REPORT OF THE COLLABORATIVE SHRIMP TRAWL GEAR STUDY AND STAKEHOLDER PROCESS.*

Prohibits the Marine Fisheries Commission (Commission) from proposing or adopting any rules in response to the rule making petitions granted by the Commission at its February 16, 2017, meeting pertaining to (1) the classification of coastal fishing waters as special secondary nursery areas, (2) the criteria for the opening of shrimping season, or (3) shrimp trawling gear types or usage. Directs that the Commission can propose or adopt rules in response to those petitions granted by the Commission when the collaborative shrimp gear study has been completed and the stakeholder group conducting the study has reported its findings and recommendations to the Commission. Provides that *collaborative shrimp gear study* refers to the stakeholder group convened under the Commission's February 2015 amendment to the State's Shrimp Fishery Management Plan for the purpose of studying shrimp trawl gear in partnership with the Division of marine Fisheries and North Carolina Sea Grant.

**Intro. by Sanderson, Cook, Tillman.**

UNCODIFIED

[View summary](#)

**Environment, Aquaculture and Fisheries**

S 433 (2017-2018) **LIMIT WHO MAY ADVERTISE/ADOPTION LAWS.** Filed Mar 28 2017, *AN ACT TO LIMIT WHO MAY ADVERTISE FOR THE ADOPTION OF A MINOR CHILD UNDER THE LAWS PERTAINING TO ADOPTIONS.*

Amends GS 48-10-101 to limit who may advertise for the adoption of a minor child to: a county department of social services, a child-lacing agency listed by the Department of Health and Human Services in this state, or an attorney licensed to practice in this state.

**Intro. by Sanderson.**

GS 48

[View summary](#)

**Courts/Judiciary, Civil, Family Law, Health and Human Services, Social Services, Child Welfare**

S 434 (2017-2018) [AMEND ENVIRONMENTAL LAWS 2](#). Filed Mar 28 2017, *AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS*.

To be summarized.

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

[GS 1B, GS 130A, GS 143](#)

[View summary](#)

[Environment, Aquaculture and Fisheries,](#)  
[Environment/Natural Resources, Government, Local](#)  
[Government](#)

S 435 (2017-2018) [INTERNET PUBLICATION OF LEGAL NOTICES](#). Filed Mar 28 2017, *AN ACT TO REQUIRE INTERNET WEB SITE PUBLICATION OF LEGAL NOTICES*.

Amends GS 1-596, concerning charges for legal advertising, to provide that when a government notice is required to be published more than once, and is paid for by the government entity, and the cost of publication is not paid in advance by or allowed to be recouped from private parties, the government entity cannot be charged for the second and successive insertions of that notice at a rate greater than 85% of the original rate. Makes organizational changes.

Amends GS 1-597, setting forth regulations for newspaper publication of legal notices and advertisements, requiring every notice to be placed on the newspaper's website on the same day that the notice appears in the newspaper at no additional charge.

Requires a hyperlink to legal notices to be provided on the front page of the newspaper's website, and requires that the web pages containing legal notices present the legal notices as the dominant subject of those pages. Requires the notice on the website to conform to any specified size and placement requirements of the printed legal notice. Requires the newspaper's website to contain a search function to facilitate searching legal notices.

Directs the newspaper to publish a legal notice that is published in the newspaper but cannot be published on the newspaper's website, for any reason, on the statewide webpage established and maintained as an initiative of the NC Press Association as a repository for the notices.

Requires the newspapers that publish notices to provide email notification, upon request and without charge, of the new legal notices when they are printed and added to the newspaper's website. Requires the email registry to be available on the front page of the legal notices section of the newspaper's website.

Provides that any error placed on the newspaper's website or the statewide NC Press Association website is considered harmless error, and the requirement of proper legal notice is deemed to have been satisfied if the government entity placing the notice advertisement also places the notice on its own website.

Establishes that any notice required by statute to be published by a government entity is satisfied if the government entity has attempted to have the notice published in accordance with Article 50 of GS Chapter 1 (General provisions as to Legal Advertising) by a newspaper of general circulation, and has also published the notice on its own website, even if the publication by newspaper of general circulation under Article 50 is not timely completed.

Makes organizational changes.

Clarifies that the validation of any publication, advertisement, or notice pursuant to a previous enactment of GS 1-597 remains in effect and is not affected by any modification of that statute enacted by this act.

Effective October 1, 2017, and applies to notices required to be published on or after that date, except that it does not apply to notices permitted to be published on a government website in lieu of newspaper publication pursuant to an ordinance enacted before October 1, 2017.

**Intro. by Sanderson, Dunn, Horner.**

[GS 1](#)

[View summary](#)

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

S 436 (2017-2018) [UI & WC/NEWSPRINT EMPLOYEES](#). Filed Mar 28 2017, *AN ACT RELATING TO UNEMPLOYMENT INSURANCE AND WORKERS' COMPENSATION FOR NEWSPRINT EMPLOYEES*.

Amends GS 96-1, containing definitions related to Employment Security Law, to add that the term *employment* includes service described in section 3306(c)(15)(A) or (B) of the Internal Revenue Code involving delivery or distribution of newspapers or shopping news or involving the sale of newspapers or magazines.

Amends GS 97-2, by deleting the provision that created a rebuttable presumption that the term employee did not include person performing services in the sale of newspapers or magazines to consumers under an arrangement where papers or magazines were sold to the person at a fixed price and compensation was based on on the retention of the excess of the fixed price over the amount charged.

Effective January 1, 2018.

**Intro. by Wade, Tucker.**

[GS 96, GS 97](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Employment and Retirement](#)

S 437 (2017-2018) [CLARIFY HOSPITAL PATIENT DISCHARGE RIGHTS](#). Filed Mar 28 2017, *AN ACT CLARIFYING HOSPITAL PATIENT DISCHARGE RIGHTS AND REQUIRING HOSPITALS TO PROVIDE A DETAILED STATEMENT OF PATIENT DISCHARGE RIGHTS AT THE TIME OF ADMISSION*.

Enacts new GS 131E-90.1 (Patient discharge rights; detailed statement of rights due upon admission). Directs licensed hospitals to provide to each patient or their next of kin or other legally responsible representative, at admission, a detailed statement of patient rights with respect to transfer and discharge. These rights include (1) the right to information and explanation concerning the need for and alternative to a transfer to another facility, prior to the transfer, (2) 5 days' written notice of a transfer or discharge, with specified exemptions, (3) the right to dispute a transfer or discharge decision with the Division of Health Service Regulation Complaint Intake Unit, and (4) specified listed rights for Medicare beneficiaries. Prohibits licensed hospitals from violating these rights.

Amends GS 131E-90 (concerning trespass by discharged patients refusing to leave a hospital) to exempt patients exercising any of the applicable grievance or appeal rights described in new GS 131E-90.1 during the pendency of the grievance or appeal. If the final grievance or appeal decision is to discharge the patient and the patient refuses or fails to leave, the patient's refusal to leave constitutes a trespass, and the patient is guilty of a Class 3 misdemeanor.

Effective October 1, 2017.

**Intro. by Wade, Tucker.**

[GS 131E](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health, Health Care Facilities and Providers](#)

S 438 (2017-2018) [ALLOW SENIOR CITIZENS TO AUDIT UNC/CC COURSES](#). Filed Mar 28 2017, *AN ACT TO ALLOW SENIOR CITIZENS TO AUDIT UNC AND COMMUNITY COLLEGE COURSES*.

Amends GS 116-11 and GS 115D-5 by adding the requirement that the UNC Board of Governors and the State Board of Community Colleges, respectively, adopt policies allowing individuals who are 65 years old or older to audit up to six hours of courses per semester at a constituent institution or community college as long as the class is not full and the faculty member

approves the request. Specifies that attendance by audit is counted as full-time equivalent student hours. Effective July 1, 2107, and applies to the 2018 fall academic semester and subsequent semesters.

**Intro. by Waddell, D. Davis, Curtis.**

GS 115D, GS 116

[View summary](#)

**Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System**

S 439 (2017-2018) [FUNDS/ELIMINATE NC PRE-K WAITLIST STATEWIDE](#). Filed Mar 28 2017, *AN ACT APPROPRIATING FUNDS TO ELIMINATE THE WAITLIST FOR THE NC PRE-KINDERGARTEN (NC PRE-K) PROGRAM STATEWIDE*.

Includes whereas clauses.

Appropriates \$12 million for 217-18 and \$24.4 million for 2018-19 from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education to eliminate the wait list for the Prekindergarten Program statewide.

Effective July 1, 2017.

**Intro. by Waddell, Woodard, Van Duyn.**

APPROP

[View summary](#)

**Education, Preschool, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services**

S 440 (2017-2018) [NATIONAL POPULAR VOTE INTERSTATE COMPACT](#). Filed Mar 28 2017, *AN ACT TO ESTABLISH NORTH CAROLINA AS A MEMBER OF THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE*.

To be summarized.

**Intro. by Chaudhuri, Waddell.**

GS 163

[View summary](#)

**Government, Elections**

S 441 (2017-2018) [NO BUDGET, NO PAY ACT](#). Filed Mar 28 2017, *AN ACT TO PROVIDE THAT THE SALARIES OF MEMBERS OF THE GENERAL ASSEMBLY SHALL BE HELD IN ESCROW IF THE GENERAL ASSEMBLY HAS NOT PASSED A BUDGET FOR THE 2017-2018 FISCAL YEAR BY JUNE 30, 2017*.

As the title indicates. Allows the funds to be release upon the earlier of (1) the presiding officers of the Senate and the House of Representatives ratifying a Current Operations Appropriations Act for the 2017-18 fiscal year; or (2) adjournment sine die of the 2017 North Carolina General Assembly.

**Intro. by Chaudhuri, Lee.**

UNCODIFIED

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**Government, Budget/Appropriations, General Assembly**

S 442 (2017-2018) [STUDY/EXPAND COMPUTER SCIENCE TO ALL STUDENTS](#). Filed Mar 28 2017, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF PUBLIC INSTRUCTION, IN COLLABORATION WITH THE FRIDAY INSTITUTE FOR EDUCATIONAL INNOVATION AT NORTH CAROLINA STATE UNIVERSITY AND THE NORTH CAROLINA*



*SCHOOL OF SCIENCE AND MATHEMATICS, TO DEVELOP RECOMMENDATIONS TO FURTHER THE TEACHING AND STUDENT LEARNING OF COMPUTATIONAL THINKING AND COMPUTER SCIENCE IN NORTH CAROLINA K-12 SCHOOLS.*

Requires the State Board of Education (Board) and the Department of Public Instruction (Department), in collaboration with the Friday Institute for Educational Innovation at North Carolina State University (Friday Institute) and the North Carolina School of Science and Mathematics (NC School of Science and Math), to develop recommendations to further the teaching and student learning of computational thinking and computer science in K-12 schools. Requires, in developing recommendations, those entities to at least: (1) develop curriculum guidelines that are aligned with K-12 Computer Science Framework developed by the CSforAll Consortium; (2) review and evaluate curriculum resources; (3) develop recommendations to increase the number of teachers prepared to teach computational thinking and computer science; (4) develop policy and funding recommendations; and (5) align recommendations with the ongoing implementation of the Digital Learning Plan in North Carolina by the Department and the Friday Institute.

Requires the Board to report, by January 15, 2018, to the Joint Legislative Education Oversight Committee on the recommendations.

**Intro. by Chaudhuri, Barefoot.**

STUDY

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**Education, Elementary and Secondary Education, Government, State Agencies, UNC System, Department of Public Instruction, State Board of Education**

S 443 (2017-2018) [TA TUITION/TEACHERS PILOT/FUNDS FOR BOOKS](#). Filed Mar 28 2017, *AN ACT TO PROVIDE THAT TEACHER ASSISTANTS RECEIVING FUNDS TO ATTEND AN EDUCATOR PREPARATION PROGRAM UNDER THE PILOT PROGRAM AUTHORIZED BY S.L. 2016-94 CONTINUE TO RECEIVE PAY WHILE STUDENT TEACHING AND THAT THEY RECEIVE TEN PERCENT OF THE TUITION AWARD TOWARDS THE COST OF BOOKS.*

Amends SL 2016-94, Section 8.29 to provide that, notwithstanding GS 115C-310, teachers' assistants in the pilot program for teachers' assistants obtaining college degrees in pursuit of teacher licensure will continue to receive salary and benefits while student teaching in a local school administrative unit.

Further authorizes the funds for teachers' assistants awarded under the program to be also used for books and materials for the teacher to attend an educator preparation program at an institution of higher education (currently only authorized for tuition and fees). Provides that the local board of education must provide 10% of the award amount to the teacher assistant to cover the cost of required books and materials, and requires for a teachers' assistant who withdraws from the institution of higher education or is terminated by the school board to return the funds awarded on a pro rata basis.

Effective July 1, 2017, and applies to awards given on or after that date.

**Intro. by McInnis.**

UNCODIFIED

[View summary](#)

**Education, Elementary and Secondary Education**

S 444 (2017-2018) [PERMANENCY INNOVATION INITIATIVE FUNDS](#). Filed Mar 28 2017, *AN ACT TO PROVIDE ADDITIONAL FUNDS FOR THE PERMANENCY INNOVATION INITIATIVE FUND.*

Appropriates the following sums from the General Fund to the Department of Health and Human Services, Division of Social Services for the purpose of providing additional funds for the Permanency Innovation Initiative Fund in accordance with GS 131D-10.9B: (1) \$1 million recurring for the 2017-18 fiscal year, bringing total project costs including federal matching funds to \$4,250,000, and (2) \$1,750,000 recurring for the 2018-19 fiscal year, bringing total project costs including federal matching funds to \$5,400,000.

Establishes that funds provided pursuant to this act are to be supplemented, not supplanted, by all available federal matching funds. Authorizes \$2,400,000 in private funds to be used, in addition to State and federal funds, to extend those State and federal funds and increase the services provided to children and families during the 2017-19 biennium.

Effective July 1, 2017.

**Intro. by Tucker, Hise, Krawiec.**

APPROP

[View summary](#)

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

S 445 (2017-2018) [EXPUNGEMENT PROCESS MODIFICATIONS](#). Filed Mar 28 2017, *AN ACT TO STANDARDIZE THE FILING PROCEDURES FOR EXPUNGEMENTS, TO AUTHORIZE PROSECUTORS ACCESS TO CERTAIN RECORDS OF EXPUNGEMENT, TO ALLOW CERTAIN EXPUNGED CRIMINAL ACTS TO BE CONSIDERED IN CALCULATING PRIOR RECORD LEVELS DURING SENTENCING FOR SUBSEQUENT OFFENSES, AND TO MAKE OTHER MODIFICATIONS TO THE EXPUNGEMENT PROCESS.*

To be summarized.

**Intro. by Tucker, Bryant, McKissick.**

GS 15A

[View summary](#)

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

S 446 (2017-2018) [LEO NEXT OF KIN NOTIFICATION](#). Filed Mar 28 2017, *AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES SHALL DEVELOP A PROCESS TO ALLOW RESIDENTS TO LIST AN EMERGENCY CONTACT THAT LEOS MAY CONTACT IF THERE IS A MOTOR VEHICLE ACCIDENT OR OTHER EMERGENCY SITUATION.*

Enacts new GS 20-7.7 requiring the Division of Motor Vehicles (DMV) to develop a process to allow initial or renewal applicants for an identification card, learner's permit, drivers license, or commercial drivers license to list contact information for at least one person whom the applicant wants contacted in case of a motor vehicle accident or other emergency involving injury or death. Requires that the provided information be included in the applicant's motor vehicle record.

Amends GS 20-43.1 to allow the DMV to disclose the information provided under new GS 20-7.7 to a law enforcement officer in the performance of the officer's duties if the individual who provided the information is involved in an emergency involving injury or death.

**Intro. by J. Davis, Foushee, Pate.**

GS 20

[View summary](#)

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

S 447 (2017-2018) [TURNING TAS INTO TEACHERS](#). Filed Mar 28 2017, *AN ACT TO EXPAND THE TEACHER ASSISTANT TUITION REIMBURSEMENT PILOT PROGRAM.*

Amends SL 2016-94, Section 8.29, pertaining to the Teacher Assistant Tuition Reimbursement Pilot Program. Expands the pilot program to include the local boards of education in Bertie County Schools, Duplin County Schools, Edenton-Chowan County Schools, Edgecombe County Schools, Halifax County Schools, Nash-Rocky Mount Schools, Northampton County Schools, Tyrrell County Schools, Vance County Schools, and Washington County Schools, beginning with the 2017-18 fiscal year. Makes changes to clarify the existing specified local boards of education are participating in the pilot program beginning with the 2016-17 fiscal year. Adds a provision allowing for a teacher assistant to continue to receive salary and benefits while student teaching in the local school administrative unit in accordance with GS 115C-310 (teacher assistants engaged in student teaching).

Directs all of the local boards of education participating in the pilot program to jointly report to the Joint Legislative Education Oversight Committee by September 1, 2018, and every year thereafter, including the previous report specifications. Makes changes to clarify that the local boards of education participating in the pilot program for the 2016-17 fiscal year are to jointly report to the Joint Legislative Education Oversight Committee by September 1, 2017.

Appropriates from the General Fund to the Department of Public Instruction \$225,000 in recurring funds for the 2017-18 fiscal year for expanding the number of local school administrative units participating in the pilot program.

Effective July 1, 2017.

**Intro. by Barefoot, McInnis, Smith-Ingram.**

**APPROP, UNCODIFIED**

[View summary](#)

**Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction**

S 448 (2017-2018) **PROFESSORS IN THE CLASSROOM**. Filed Mar 28 2017, *AN ACT TO AUTHORIZE LOCAL BOARDS OF EDUCATION TO EMPLOY HIGHER EDUCATION FACULTY MEMBERS TO SERVE AS ADJUNCT INSTRUCTORS FOR CORE ACADEMIC SUBJECTS*.

Enacts new GS 115C-298.5 (Adjunct K-12 instructors in core academic subjects). Directs the State Board of Education to develop minimum hiring criteria for higher education faculty members to contract as adjunct instructors in specific core academic subjects in K-12 schools, and to make those criteria available to local boards of education. Authorizes local boards of education to contract with individuals to serve as adjunct instructors who meet the State Board of Education's criteria. Provides requirements for the contract, including limits on hours per week and length of contract terms, and specified preservice training for instructors not currently licensed as a teacher.

**Intro. by Barefoot, Newton, Krawiec.**

**GS 115C**

[View summary](#)

**Education, Elementary and Secondary Education, Higher Education**

S 449 (2017-2018) **EARLY ED ARTICULATION AGREEMENT**. Filed Mar 28 2017, *AN ACT TO DIRECT THE STATE BOARD OF COMMUNITY COLLEGES AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO DEVELOP AND IMPLEMENT A SYSTEMWIDE ARTICULATION AGREEMENT FOR THE TRANSFER OF CREDIT FROM A COMMUNITY COLLEGE EARLY CHILDHOOD EDUCATION PROGRAM TO A UNIVERSITY OF NORTH CAROLINA CONSTITUENT INSTITUTION*.

Requires the UNC Board of Governors (BOG) and the State Board of Community Colleges (Board), by March 1, 2018, to develop an articulation agreement for the transfer of credits earned for an associate degree in an early childhood education program at a community college toward a baccalaureate degree in an early childhood education program at a constituent institution for the purposes of the student obtaining teacher licensure in the area of early education. Requires that the agreement apply to all community college campuses and constituent institutions with early childhood education programs. Allows the agreement to include that the community college student transferring credit and enrolling in the constituent institution has a minimum grade point average and a minimum Praxis I score.

Requires the BOG and Board, by April 15, 2018, to report to the Joint Legislative Education Oversight Committee on the development of the articulation agreement and the plan for implementation of the agreement. Specifies that the systemwide articulation agreement for early childhood education programs entered into between the University of North Carolina and the Community College System applies beginning with the 2018-19 academic year.

**Intro. by Barefoot, J. Jackson, Chaudhuri.**

**UNCODIFIED**

[View summary](#)

[Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System](#)

S 450 (2017-2018) [UNIFORM TRUST DECANTING ACT](#). Filed Mar 28 2017, *AN ACT TO ADOPT THE NORTH CAROLINA UNIFORM TRUST DECANTING ACT.*

To be summarized.

**Intro. by Newton, Daniel.**

GS 36C

[View summary](#)

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

S 451 (2017-2018) [JOINT SURVIVORSHIP CLARIFICATIONS](#). Filed Mar 28 2017, *AN ACT TO REPLACE AND CLARIFY THE GENERAL STATUTES PERTAINING TO THE CREATION AND SEVERANCE OF JOINT TENANCY WITH RIGHT OF SURVIVORSHIP PERTAINING TO REAL PROPERTY.*

To be summarized.

**Intro. by Newton, Daniel.**

GS 41

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Property and Housing](#)

S 452 (2017-2018) [EXPAND ALLOWABLE MEDICAL USES OF CBD OIL](#). Filed Mar 28 2017, *AN ACT AMENDING THE EXEMPTION FOR USE OR POSSESSION OF CANNABIDIOL AND EXPANDING THE PERMISSIBLE USE OF CANNABIDIOL AS AN ALTERNATIVE TREATMENT TO CHRONIC CONDITIONS.*

To be summarized.

**Intro. by McKissick, Tucker.**

GS 90

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[Health and Human Services, Health](#)

S 453 (2017-2018) [DRIVER INSTRUCTION/LAW ENFORCEMENT STOPS](#). Filed Mar 28 2017, *AN ACT TO REQUIRE DRIVER INSTRUCTION ON LAW ENFORCEMENT PROCEDURES DURING TRAFFIC STOPS.*

Identical to [H 21](#), filed 1/25/17.

Current law, GS 20-88.1(d), requires the Division of Motor Vehicles (Division) of the Department of Transportation to prepare and periodically revise a driver license handbook that explains the traffic laws of the State. Requires that the Division's driver license handbook include a description of law enforcement procedures during traffic stops and the actions that a motorist should take during a traffic stop, including appropriate interactions with law enforcement officers. Requires the Division to consult with the State Highway Patrol, the North Carolina Sheriff's Association, and the North Carolina Association of Chiefs of Police in producing the description of traffic stops for the handbook. Effective January 1, 2018.

Current law, GS 115C-215(b), sets out the curriculum that must be included in driver education. Adds instruction on law enforcement procedures for traffic stops, developed in consultation with State Highway Patrol, the North Carolina Sheriff's Association, and the North Carolina Association of Chiefs of Police, to the driver education curriculum. Requires instruction on

law enforcement procedures to provide a description of the actions that a motorist should take during a traffic stop, including appropriate interactions with law enforcement officers. Applies beginning with the 2017-18 school year.

**Intro. by McKissick, Daniel, Britt.**

[GS 20, GS 115C](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Government, Public Safety](#)

S 454 (2017-2018) [LEO PERSONAL INFO AND PUBLIC RECORDS](#). Filed Mar 28 2017, *AN ACT TO CLARIFY THE NATURE OF PERSONAL INFORMATION OF LAW ENFORCEMENT OFFICERS NOT SUBJECT TO THE PUBLIC RECORDS LAW*.

Amends GS 160A-168 (for city employees) and GS 153A-98 (county employees) to provide that the only information in employee personnel records for sworn law enforcement officers that may be disclosed is the list of names of all such current employees, and to clarify that information regarding the residence, emergency contact information, or identifying information of a sworn law enforcement officer must not be disclosed except in accordance with GS 132-1.4 or GS 132-1.10.

Amends GS 132-1.7(b1) to specify that public records may not disclose the mobile telephone numbers issued by any government to sworn law enforcement officers, nonsworn employees of public law enforcement agencies, fire department employees, or any employee whose duties include responding to an emergency, except upon consent of the employee.

**Intro. by McKissick, Britt, Daniel.**

[GS 132, GS 153A, GS 160A](#)

[View summary](#)

[Government, Public Records and Open Meetings, Public Safety, Local Government](#)

S 455 (2017-2018) [AMEND CERTIFICATE OF RELIEF](#). Filed Mar 28 2017, *AN ACT TO EXPAND THE AVAILABILITY OF CERTIFICATES OF RELIEF TO CERTAIN OFFENDERS*.

Amends GS 15A-173.2, allowing an individual who is convicted of criminal offenses no higher than a Class G felony to petition the court where the individual was convicted of the most serious offense for a Certificate of Relief relieving collateral consequences as permitted by Article 6 of GS Chapter 15A (currently, allows for petition only if an individual is convicted of no more than two Class G, H, or I felonies or misdemeanors in one session of court with no other convictions for a felony or misdemeanor other than a traffic violation). Directs the individual to petition the court of the most recent conviction if the individual has more than one conviction in the same class of offense as the most serious offense and the convictions are in more than one court.

Subsection (b) sets forth six findings the court must make in order to issue a Certificate of Relief after reviewing the petition, the individual's criminal history, any information provided by a victim under GS 15A-173.6 or the district attorney, and any other relevant evidence. Amends the first required finding to now provide (1) if the individual has been convicted of five or fewer eligible offenses, 12 months must have passed since the individual has completed his or her sentence, or (2) if the individual has been convicted of more than five eligible offense, 36 months must have passed since the individual has completed his or her sentence.

Adds new subsection (h) to require a person who files a petition for a certificate of relief under this statute to pay a \$50 fee to the clerk of superior court at the time the petition is filed. Directs that fees collected under new subsection (h) are to be deposited in the General Fund. Provides that new subsection (h) does not apply to a petition filed by an indigent.

Effective October 1, 2017, and applies to petitions for certificated of relief filed on or after that date.

**Intro. by McKissick, Britt, Daniel.**

[GS 15A](#)

[View summary](#)

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

S 456 (2017-2018) **INCREASE DE-ESCALATION TRAINING FOR LEOS**. Filed Mar 28 2017, *AN ACT TO REQUIRE MANDATORY SPECIALIZED TRAINING IN DE-ESCALATION TECHNIQUES FOR ALL LAW ENFORCEMENT OFFICERS IN ORDER TO PROMOTE PEACEFUL INTERACTIONS BETWEEN LAW ENFORCEMENT AND PRIVATE CITIZENS*.

Amends GS 17C-6 and GS 17E-4 to direct the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission to further establish minimum educational and training standards for entry level employment and retention as a criminal justice officer or as a justice officer (as defined in GS 17E-2(3)a., except for special deputy sheriffs as defined in that statute) that also include education on crisis intervention training for interaction with people suffering with mental illness, and de-escalation training for diffusing potentially dangerous or threatening situations in efforts to prevent harm to a citizen or officer.

Effective October 1, 2017.

**Intro. by McKissick, Daniel, Britt.**

**GS 17C, GS 17E**

[View summary](#)

**Government, Public Safety**

S 457 (2017-2018) **AMEND DEFERRED PROSECUTION STATUTE**. Filed Mar 28 2017, *AN ACT TO AMEND THE DEFERRED PROSECUTION STATUTES TO ALLOW DISTRICT ATTORNEYS THE DISCRETION TO WAIVE PRIOR DEFERRED PROSECUTION AND ALLOW CERTAIN DEFENDANTS TO ENTER THE PROGRAM AND TO PROVIDE FOR AUTOMATIC EXPUNCTION UPON COMPLETION OF THE DEFERRED PROSECUTION AND DISMISSAL OF THE CHARGES*.

Amends 15A-1341(a1) regarding deferred prosecution for convictions of Class H and I felonies and misdemeanors, adding language that gives the District Attorney discretion to waive prior convictions that did not involve moral turpitude and place a defendant on deferred prosecution. Enacts new subsection (a7) titled Misdemeanor Deferred Prosecutions for Defendant 18 years old or Younger, providing that defendants 18 years old or younger at the time of an offense that otherwise qualifies for deferred prosecution as described in GS 15A-1341(a1) are entitled to automatic placement on deferred prosecution. Provides that automatic deferral does not apply to misdemeanors committed between individuals with a personal relationship, as defined in GS 50B-1(b). Such defendants are also entitled to automatic expunction at the conclusion of a successful deferred prosecution, as well as dismissal of the charges.

Also amends GS 15A-146, concerning the expunction of records when charges are dropped, providing that for any misdemeanors dismissed pursuant to GS 15A-1341(a1) above, a petition must be filed on the defendant's behalf by the clerk of superior court automatically after dismissal of charges and payment of of \$175.

Appropriates \$1,000 from the General Fund to the Administrative Office of the Courts in nonrecurring funds for the 2017-18 fiscal year to implement the act.

Effective December 1, 2017, applying to all offenses committed on or after that date.

**Intro. by McKissick, Daniel, Britt.**

**GS 15A**

[View summary](#)

**Courts/Judiciary, Court System, Criminal Justice, Corrections  
(Sentencing/Probation), Criminal Law and Procedure,  
Government, Budget/Appropriations**

S 458 (2017-2018) **INCREASE INMATE HEALTH CARE**. Filed Mar 28 2017, *AN ACT TO PROVIDE THAT ALL NORTH CAROLINA JAILS AND PRISONS ESTABLISH A HEALTH INFORMATION EXCHANGE TO INCREASE SHARING OF NECESSARY HEALTH*

INFORMATION OF INMATES BETWEEN ALL JAIL AND PRISON FACILITIES.

To be summarized.

**Intro. by Sanderson.**

APPROP, GS 148, GS 162

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections  
(Sentencing/Probation), Government, Budget/Appropriations,  
State Agencies, Department of Public Safety, Health and  
Human Services, Health**

S 459 (2017-2018) [SENATE RESOLUTION PERTAINING TO SENATE RULES](#). Filed Mar 28 2017, *A SENATE RESOLUTION PERTAINING TO THE 2017 SENATE PERMANENT RULES*.

Amends Senate Rule 40.1 to exempt bills that amend the State Constitution and bills that contain statutory amendments necessary to implement proposed constitutional amendments from the Senate public bill filing deadline. Requires, however, that those bills be submitted to the Bill Drafting Division by 4:00 pm on Friday March 17, 2017. Makes technical changes.

**Intro. by Rabon.**

SENATE RES

[View summary](#)

**Government, General Assembly**

## LOCAL/HOUSE BILLS

H 498 (2017-2018) [JONESVILLE/BOONVILLE/EAST BEND/EVEN-YR ELEC'N](#). Filed Mar 28 2017, *AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWNS OF JONESVILLE, BOONVILLE, AND EAST BEND ARE HELD IN EVEN-NUMBERED YEARS*.

Amends Jonesville, Boonville, and East Bend town charters to set their municipal elections for even-numbered years (currently odd-numbered years) beginning in 2018. Each town's current council members' and mayor's terms, currently ending in either 2017 or 2019, are extended by one year, with elections resuming in 2018 and 2020.

**Intro. by Zachary.**

Yadkin

[View summary](#)

**Government, Elections**

H 504 (2017-2018) [CITY OF LINCOLNTON/EVEN-YR ELECT'N/MAYOR TERM](#). Filed Mar 28 2017, *AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF LINCOLNTON SHALL BE HELD IN EVEN-NUMBERED YEARS AND TO EXTEND THE MAYOR'S TERM FROM TWO TO FOUR YEARS*.

Amends Article III of SL 1979-341, as amended, establishing that, beginning in 2018, regular municipal elections for the City of Lincolnton are to be held every two years in even-numbered years (currently, in odd-numbered years).

Provides that the mayor whose term expires in 2017 is to continue to serve until 2018. Establishes that in 2018 and quadrennially thereafter, the mayor is to be elected for a term of four years (currently, term of two years).

Amends the provisions concerning the election of city council members, providing that the two council members whose terms expire in 2017 are to continue to serve until 2018, and that at the regular municipal election in 2018 and quadrennially thereafter, two members are to be elected, one from Ward One and one from Ward Three, for four-year terms. Provides that the two city

council members whose terms expire in 2019 are to continue to serve until 2020, and that at the regular municipal election in 2020 and quadrennially thereafter, two members are to be elected, one from Ward Two and one from Ward Four, for four-year terms.

Provides that no elections are to occur in the City of Lincoln in 2017, and that the next municipal elections are to occur in the City of Lincoln in 2018.

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

**Intro. by Saine.**

[Lincoln](#)

[View summary](#)

[Government, Elections](#)

H 508 (2017-2018) [APPOINTMENTS/BD OF ELECTIONS/CERTAIN COUNTIES](#). Filed Mar 28 2017, *AN ACT TO PROVIDE FOR THE APPOINTMENT OF MEMBERS TO THE BOARD OF ELECTIONS IN THE COUNTIES OF STANLY, DAVIE, AND ROWAN.*

Applies only to Stanly, Davie, and Rowan counties.

Amends GS 163-30 to direct the State Board of Elections to appoint two members to the county Board of Elections from the political party having a majority serving on the county Board of Commissioners, and one from the political party having a minority on the Board of County Commissioners, if applicable.

**Intro. by Burr, Howard, Ford.**

[Davie, Rowan, Stanly](#)

[View summary](#)

[Government, Elections](#)

H 509 (2017-2018) [DAVIDSON COUNTY ZONING PROCEDURE CHANGES](#). Filed Mar 28 2017, *AN ACT TO ALLOW FOR PLANNING BOARDS TO HOLD HEARINGS AND MAKE FINAL DECISIONS FOR ZONING AMENDMENT REQUESTS IN DAVIDSON COUNTY.*

Applicable only to Davidson County, amends GS 153A-343 by enacting a new subsection (e) authorizing the board of commissioners to delegate to the planning board by ordinance the authority to conduct the public hearing required under Article 18 of GS Chapter 153A (Planning and Regulation of Development) and make the final decision on zoning map amendment proposals, including the adoption of a consistency statement pursuant to GS 153A-341. Allows the board of commissioners to prescribe procedures for the public hearing not inconsistent with Article 18 of GS Chapter 153A. Requires the planning board to make its final decision by majority vote of the members of the planning board. Sets forth a right of appeal of a planning board decision made pursuant to this new subsection for any person with standing to the board of commissioners by way of written notice to the county clerk within 15 days of the final decision. Allows the board of commissioners to charge the costs of the hearing on appeal to the appealing party. Requires the board of commissioners to review the planning board's decision de novo. Allows the zoning map amendment proposals to be placed on the consent agenda for discussion or action at the next regular meeting of the board of commissioners if no notice of appeal is provided within 15 days of the planning board's decision. Allows the board of commissioners to rescind or modify any authority delegated to the planning board pursuant to this subsection by ordinance.

**Intro. by Watford, Potts.**

[Davidson](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning](#)

H 510 (2017-2018) [WILSON/PROVISION OF COMMUNICATION SERVICES](#). Filed Mar 28 2017, *AN ACT AUTHORIZING THE CITY OF WILSON TO CONTINUE THE PROVISION OF COMMUNICATION SERVICES IN EFFECT ON MARCH 10, 2017, IN THE*



*CITY'S TEMPORARY EXTENSION AREAS UNTIL OCTOBER 6, 2017.*

Applicable only to the city of Wilson, amends GS 160A-340.2(c) to allow the city of Wilson to continue the provision of communication services in effect on March 10, 2017, to persons and businesses in the specified temporary extension areas as long as the provision of communication services is terminated by October 6, 2017. Authorizes the city of Wilson to establish rates, fees, charges, and penalties for the communication services provided in the temporary extension areas in the same manner as communication services provided in the county limits of Wilson County, including the incorporated areas within the County.

**Intro. by Collins.**

[Wilson, GS 160A](#)

[View summary](#)

[Public Enterprises and Utilities](#)

H 514 (2017-2018) [PERMIT MUNICIPAL CHARTER SCHOOL/CERTAIN TOWNS](#). Filed Mar 28 2017, *AN ACT TO PERMIT CERTAIN TOWNS TO OPERATE CHARTER SCHOOLS*.

Amends the following statutes pertaining to charter schools, applicable only to the Town of Matthews and the Town of Mint Hill.

Amends GS 115C-218, to add new subsection (a1) defining the terms *board of a charter school* and *board of the charter school* for the purposes of Article 14A of GS Chapter 115C (Charter Schools) to include (1) the board of directors of a private nonprofit corporation and (2) the governing body of a municipality or a board appointed to operate a charter school by the governing body of a municipality. Makes conforming change to the statute's title. Further, amends subsection (c)(3), setting out the powers and duties of the Office of Charter Schools, to include providing technical assistance and guidance to municipalities seeking to operate charter schools within the State.

Amends GS 115C-218.1, concerning eligible applicants to establish a charter school, and the content and submission of applications for approval, to make the statute's provisions applicable to a municipality seeking to establish a charter school. Requires the application by a municipality seeking to establish a charter school to include the names of the members of the governing body of the municipality. Makes clarifying change providing that a teacher employed by the board of directors of a private nonprofit corporation to teach in the charter school can serve as a nonvoting member of the board of directors for the charter school.

Amends GS 115C-218.15, concerning charter school operation, to provide for the operation of a charter school by a governing body of a municipality. Makes changes to reorganize existing language into new subsection (b1), concerning the required adoption of a conflict of interest and anti-nepotism policy, clarifying the provisions are applicable to private nonprofit corporation's board of directors operating a charter school. Adds new subsection (b2) requiring the governing body of a municipality operating a charter school to adopt a conflict of interest and anti-nepotism policy related to the charter school that includes the requirements of subdivisions (2) and (3) of subsection (b1), concerning prior disclosure and approval of any immediate family of any member of the board or charter school employee, independent contractor, or otherwise engaged or employed by the board of directors in any capacity, and disqualification from serving as a member of the charter school's board of directors because of the existence of a conflict of interest.

Amends GS 115C-218.45(f) to allow a charter school that is operated by a municipality to give enrollment priority to domiciliaries of the municipality.

Amends GS 115C-218.90(a), concerning employment requirements, to make the requirements of subdivision (1) applicable to both the charter school's board of directors or the governing body or the governing body of a municipality. Makes changes to clarify that the provisions of subdivision (4) apply to a charter school operated by a private nonprofit corporation. Adds new subdivision (a4) deeming the employees of a charter school operated by a municipality to be employees of that municipality and eligible for any employee benefits including retirement and health benefits provided to other employees of that municipality.

Makes conforming changes to GS 115C-218.2(b), GS 115C-218.15(d), GS 115C-218.20(a), GS 115C-218.25, GS 115C-218.45(f), GS 115C-218.50(b)(2), GS 115C-218.70, GS 115C-218.75(a), GS 115C-218.90(b), GS 20-11(n)(4)d, GS 20-84(b)(3a), GS 105-228.90(b)(1), GS 115C-75.12(a)(4)a, and GS 115C-375.3 to remove references to the board of directors, board of directors of the non profit corporation, charter school board of directors, charter board member, and nonprofit corporation to

instead refer to the board of a charter school, the board of the charter school, member of a board of a charter school, or an entity chartered under GS 115C-218.5.

Applies to applications to establish a charter school submitted on or after that date.

**Intro. by Brawley.**

Mecklenburg, Union

[View summary](#)

[Education, Elementary and Secondary Education](#)

## LOCAL/SENATE BILLS

S 122 (2017-2018) [REPEAL CENTERVILLE CHARTER](#). Filed Feb 22 2017, *AN ACT TO REPEAL THE CHARTER OF THE TOWN OF CENTERVILLE IN FRANKLIN COUNTY*.

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

Provides that the governing board of Centerville is continued in office for 30 days after the date it completes liquidation of the Town's assets and liabilities and submits its final audit to the Department of State Treasurer and any other required financial reports. Provides that any net assets of the Town be paid over to Fire and Rescue Association, Inc., of Centerville, North Carolina, which shall use the funds for some public purpose.

**Intro. by Barefoot.**

Franklin

[View summary](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 2: PROVIDE CERTAIN PROPERTY TAX RELIEF.**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Withdrawn From Cal*

*House: Placed On Cal For 03/29/2017*

*House: Placed On Cal For 03/29/2017*

### **H 7: LRC/STRENGTHEN SAVINGS RESERVE.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received For Concurrence in S Com Sub*

### **H 28: DOT/ACCESS OF MOTORCYCLISTS.**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Passed 3rd Reading*

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

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

**H 125: THREATENED WEAPON INC. IN FIRST-DEG RAPE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

**H 128: PROHIBIT DRONE USE OVER PRISON/JAIL.**

*House: Withdrawn From Cal*

*House: Re-ref Com On Judiciary II*

**H 140: DENTAL PLANS PROVIDER CONTRACTS/TRANSPARENCY.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

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

*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 164: CHECK-OFF DONATION: CANCER SCREENING.**

*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 174: CONCEALED CARRY/CHURCH SCHOOL PROP.**

*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 208: OCCUP. THERAPY/CHOICE OF PROVIDER.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

**H 225: ATTEMPTED ROBBERY IS LESSER INCLUDED.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Withdrawn From Cal*

*House: Placed On Cal For 03/29/2017*

*House: Placed On Cal For 03/29/2017*

**H 277: EXPAND RX DRUG ABUSE ADVISORY COMMITTEE.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 315: KELSEY SMITH ACT.**

*House: Passed 2nd Reading*

**H 336: LTD. LICENSE/DRIVE TO SCHOOL EVENT PAST 9:00.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Education - K-12*

**H 337: UNMANNED AIRCRAFT SYSTEMS LAW REVISIONS.**

*House: Reptd Fav*

*House: Re-ref Com On Judiciary II*

**H 339: NORTH CAROLINA TEACHING FELLOWS.**

*House: Reptd Fav*

*House: Re-ref Com On Appropriations*

**H 362: CHANGES TO THE JUVENILE CODE.-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 375: SCHOOL CAL. FLEX./CC.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

**H 379: TASK FORCE ON REGULATORY REFORM.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Passed 3rd Reading*

**H 389: SCHOOL CALENDAR FLEXIBILITY PILOT PROGRAM.**

*House: Reptd Fav*

*House: Re-ref Com On Commerce and Job Development*

**H 450: FUTURE READY STUDENT ACT OF 2017.**

*House: Reptd Fav*

*House: Re-ref Com On Education - Community Colleges*

**H 458: SCHOOL ANNUAL REPORT CARD.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 03/29/2017*

**H 479: APPROPRIATE FUNDS FOR FUTURE HEALTH CARE JOBS.**

*House: Passed 1st Reading*

*House: RefTo Com On Appropriations*

**H 480: ABC PERMITS/TAX COMPLIANCE & REPORTS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Finance, if favorable, Alcoholic Beverage Control*

**H 481: RESTORE LOTTERY REVENUE DISTRIB. STRUCTURE.**

*House: Passed 1st Reading*

*House: Ref To Com On Appropriations*

**H 482: COUNTY COMM. ROLE IN SCHOOL BLDG ACQUISITION.**

*House: Passed 1st Reading*

*House: Ref To Com On State and Local Government II*

**H 483: VET. POSTTRAUMATIC STRESS/MITIGATING FACTOR.**

*House: Passed 1st Reading*

*House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary II*

**H 484: SERVICEMEMBERS CIVIL RELIEF ACT.**

*House: Passed 1st Reading*

*House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary I*

**H 485: UNC & CC CREDIT/NATIONAL GD ON SAD.**

*House: Passed 1st Reading*

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

**H 486: NATIONAL GUARD TUITION ASSISTANCE PROGRAM.**

*House: Passed 1st Reading*

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

**H 487: NAT. GUARD REEMPLOYMENT RIGHTS/DEFINITIONS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary I*

**H 488: EARLY RENTAL TERMINATION BY MILITARY MEMBERS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Judiciary I*

**H 489: CHILD ABUSE & NEGLECT/MILITARY AFFILIATION.**

*House: Passed 1st Reading*

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

**H 492: INCREASE PENALTIES FOR CERTAIN ASSAULTS.**

*House: Passed 1st Reading*

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

**H 493: COMBINE BARBER & COSMETOLOGY LICENSURE BOARDS.**

*House: Passed 1st Reading*

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

**H 494: SALES TAX EXEMPTION - AGRICULTURAL FAIRS.**

*House: Passed 1st Reading*

*House: Ref To Com On Appropriations*

*House: Withdrawn From Com*

*House: Re-ref Com On Finance*

**H 495: INCREASE TEXTBOOK FUNDS & SPENDING FLEX.**

*House: Passed 1st Reading*

*House: RefTo Com On Appropriations*

**H 496: FAIR AND NONPARTISAN BALLOT PLACEMENT.**

*House: Passed 1st Reading*

*House: RefTo Com On Elections and Ethics Law*

**H 497: RETIREMENT SYSTEMS 2% COLAS/FUNDS.**

*House: Filed*

**H 499: FUNDS FOR DOWN SYNDROME PROGRAMS.**

*House: Filed*

**H 500: ABC OMNIBUS LEGISLATION.**

*House: Filed*

**H 501: DOT/SURVEYING INFORMATION IN PLANS.**

*House: Filed*

**H 502: DEFINE "CONSUMER" - AUTO RENEWAL CONTRACTS.**

*House: Filed*

**H 503: LOCAL BUDGETS/PUBLIC ENTERPRISE FUNDS.**

*House: Filed*

**H 505: EXPAND GRANDPARENT VISITATION RIGHTS.**

*House: Filed*

**H 506: CHEMICAL ENDANGERMENT OF A CHILD.**

*House: Filed*

**H 507: LAND-USE REGULATORY CHANGES.**

*House: Filed*

**H 511: GAME NIGHTS/NONPROFIT FUND-RAISER.**

*House: Filed*

**H 512: MONITOR IMPLEMENTATION OF TBI WAIVER.**

*House: Filed*

**H 513: SET STATE-COUNTY SPECIAL ASSISTANCE RATES.**

*House: Filed*

**H 515: ADAPTIVE EQUIPMENT TAX BENEFIT.**

*House: Filed*

**H 516: RESULTS FIRST FRAMEWORK.**

*House: Filed*

**H 517: MANDATE WHEELCHAIRS AT OUTPATIENT FACILITIES.**

*House: Filed*

**H 518: SAFE ACT CHANGES.**

*House: Filed*

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

*House: Reptd Fav Com Sub 2*  
*House: Ruled Material*  
*House: Cal Pursuant Rule 36(b)*

**S 140: REVISE STATE NATURE AND HISTORIC PRESERVE.**

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

**S 223: HABITUAL FELONS/CLARIFY PREVIOUS CONVICTIONS.**

*Senate: Regular Message Sent To House*  
*House: Regular Message Received From Senate*

**S 304: REQUIRED FINANCIAL AUDITS.**

*Senate: Reptd Fav Com Substitute*  
*Senate: Com Substitute Adopted*  
*Senate: Re-ref Com On Appropriations/Base Budget*

**S 390: PILOT/SPORTS FOR STUDENTS WITH DISABILITIES.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 391: FERRY TRANSPORTATION AUTHORITY.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 392: CONFIRMATION/SECRETARY OF DHHS.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 393: CONFIRMATION/SECRETARY DEQ.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 394: LEGISLATIVE CYBERSECURITY COMMITTEE.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 395: HOSPITALITY LAW REVISIONS & GAME NIGHT.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 396: SPECIAL SEPARATION ALLOWANCE FOR FIREFIGHTERS.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 397: UTILIZATION REVIEW LAWS CLARIFICATION.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 398: DIRECT SELLERS NOT EMPLOYEES FOR UI.**

*Senate: Passed 1st Reading*  
*Senate: RefTo Com On Rules and Operations of the Senate*

**S 399: UNC & CC CREDIT/NATIONAL GD ON SAD.**

*Senate: Passed 1st Reading*

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

**S 400: NATIONAL GUARD TUITION ASSISTANCE PROGRAM.**

*Senate: Passed 1st Reading*

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

**S 401: EARLY RENTAL TERMINATION BY MILITARY MEMBERS.**

*Senate: Passed 1st Reading*

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

**S 402: VET. POSTTRAUMATIC STRESS/MITIGATING FACTOR.**

*Senate: Passed 1st Reading*

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

**S 403: CHILD ABUSE & NEGLECT/MILITARY AFFILIATION.**

*Senate: Passed 1st Reading*

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

**S 404: NAT. GUARD REEMPLOYMENT RIGHTS/DEFINITIONS.**

*Senate: Passed 1st Reading*

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

**S 405: SERVICEMEMBERS CIVIL RELIEF ACT.**

*Senate: Passed 1st Reading*

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

**S 406: SWEEPSTAKES CONTROL ACT.**

*Senate: Filed*

**S 407: EMPLOYEE MISCLASSIFICATION REFORM.**

*Senate: Filed*

**S 408: NC TRUTH IN EDUCATION.**

*Senate: Filed*

**S 409: INCREASE PENALTIES/ORGANIZED RETAIL THEFT.**

*Senate: Filed*

**S 410: MARINE AQUACULTURE DEVELOPMENT ACT.**

*Senate: Filed*

**S 411: VARIOUS MOTOR VEHICLE LAW REVISIONS.**

*Senate: Filed*

**S 412: IMPROVE PROCESS/SALE OF UNCLAIMED VEHICLES.**

*Senate: Filed*

**S 413: CLARIFY MOTOR VEHICLE DEALER LAWS.**

*Senate: Filed*

**S 414: USE OF FUNDING POOL GRANT FUNDS/MACON COUNTY.**

*Senate: Filed*

**S 415: CLARIFY DEF'N. OF COLLECTION AGENCY.**

*Senate: Filed*



**S 416: USE OF TOURISM FUNDS/WATAUGA COUNTY.**

*Senate: Filed*

**S 417: PRIVATE PARKING/IMMOBILIZATION DEVICE.**

*Senate: Filed*

**S 418: DYSLEXIA KINDERGARTEN SCREENING.**

*Senate: Filed*

**S 419: PLANNING/DEVELOPMENT CHANGES.**

*Senate: Filed*

**S 420: CC BD. OF TRUSTEES/GOVERNANCE.**

*Senate: Filed*

**S 421: USE OF CAREER & TECHNICAL FUNDS/ONSLow COUNTY.**

*Senate: Filed*

**S 422: ELIGIBILITY REFORM/MEDICAID/SNAP.**

*Senate: Filed*

**S 423: LIFE CHANGING EXPERIENCES SCHOOL PILOT.**

*Senate: Filed*

**S 424: INCREASE FUNDING FOR BEHAVIORAL HEALTH SVCS.**

*Senate: Filed*

**S 425: UNBORN CHILD PROTECTION FR. DISMEMBERMENT ACT.**

*Senate: Filed*

**S 426: BARBER APPRENTICE CHANGES.**

*Senate: Filed*

**S 427: JORDYN'S LAW/NOTIFY NONCUSTODIAL PARENT/ABUSE.**

*Senate: Filed*

**S 428: CHIROPRACTOR PARITY & PRECEPTORSHIPS.**

*Senate: Filed*

**S 429: HOME VISITS/PREG. WOMEN & CHILDREN/MEDICAID.**

*Senate: Filed*

**S 430: 2017 GOVERNOR'S BUDGET.**

*Senate: Filed*

**S 431: CORRECTION ENTERPRISE AND WORKERS' COMP.**

*Senate: Filed*

**S 432: DELAY MARINE FISHERIES RULE MAKING.**

*Senate: Filed*

**S 433: LIMIT WHO MAY ADVERTISE/ADOPTION LAWS.**

*Senate: Filed*

**S 434: AMEND ENVIRONMENTAL LAWS 2.**

*Senate: Filed*

**S 435: INTERNET PUBLICATION OF LEGAL NOTICES.**

*Senate: Filed*

**S 436: UI & WC/NEWSPRINT EMPLOYEES.**

*Senate: Filed*

**S 437: CLARIFY HOSPITAL PATIENT DISCHARGE RIGHTS.**

*Senate: Filed*

**S 438: ALLOW SENIOR CITIZENS TO AUDIT UNC/CC COURSES.**

*Senate: Filed*

**S 439: FUNDS/ELIMINATE NC PRE-K WAITLIST STATEWIDE.**

*Senate: Filed*

**S 440: NATIONAL POPULAR VOTE INTERSTATE COMPACT.**

*Senate: Filed*

**S 441: NO BUDGET, NO PAY ACT.**

*Senate: Filed*

**S 442: STUDY/EXPAND COMPUTER SCIENCE TO ALL STUDENTS.**

*Senate: Filed*

**S 443: TA TUITION/TEACHERS PILOT/FUNDS FOR BOOKS.**

*Senate: Filed*

**S 444: PERMANENCY INNOVATION INITIATIVE FUNDS.**

*Senate: Filed*

**S 445: EXPUNGEMENT PROCESS MODIFICATIONS.**

*Senate: Filed*

**S 446: LEO NEXT OF KIN NOTIFICATION.**

*Senate: Filed*

**S 447: TURNING TAS INTO TEACHERS.**

*Senate: Filed*

**S 448: PROFESSORS IN THE CLASSROOM.**

*Senate: Filed*

**S 449: EARLY ED ARTICULATION AGREEMENT.**

*Senate: Filed*

**S 450: UNIFORM TRUST DECANTING ACT.**

*Senate: Filed*

**S 451: JOINT SURVIVORSHIP CLARIFICATIONS.**

*Senate: Filed*

**S 452: EXPAND ALLOWABLE MEDICAL USES OF CBD OIL.**

*Senate: Filed*

**S 453: DRIVER INSTRUCTION/LAW ENFORCEMENT STOPS.**

*Senate: Filed*

**S 454: LEO PERSONAL INFO AND PUBLIC RECORDS.**

*Senate: Filed*

**S 455: AMEND CERTIFICATE OF RELIEF.**

*Senate: Filed*

**S 456: INCREASE DE-ESCALATION TRAINING FOR LEOS.**

*Senate: Filed*

**S 457: AMEND DEFERRED PROSECUTION STATUTE.**

*Senate: Filed*

**S 458: INCREASE INMATE HEALTH CARE.**

*Senate: Filed*

**S 459: SENATE RESOLUTION PERTAINING TO SENATE RULES.**

*Senate: Filed*

**LOCAL BILLS**

**H 45: ROANOKE ISLAND FIRE DISTRICT CHANGES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

**H 154: GASTONIA CHARTER REVISIONS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

**H 490: CALDWELL CC/BD. OF TRUSTEES APPOINTMENTS.**

*House: Passed 1st Reading*

*House: RefTo Com On Education - Community Colleges*

**H 491: HENDERSON COUNTY FIRE TAX DISTRICTS.**

*House: Passed 1st Reading*

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

**H 498: JONESVILLE/BOONVILLE/EAST BEND/EVEN-YR ELEC'N.**

*House: Filed*

**H 504: CITY OF LINCOLNTON/EVEN-YR ELECT'N/MAYOR TERM.**

*House: Filed*

**H 508: APPOINTMENTS/BD OF ELECTIONS/CERTAIN COUNTIES.**

*House: Filed*

**H 509: DAVIDSON COUNTY ZONING PROCEDURE CHANGES.**

*House: Filed*

**H 510: WILSON/PROVISION OF COMMUNICATION SERVICES.**

*House: Filed*

**H 514: PERMIT MUNICIPAL CHARTER SCHOOL/CERTAIN TOWNS.**

*House: Filed*

**S 6: CORNELIUS ANNEXATION.**

*Senate: Passed 3rd Reading*

**S 37: ROANOKE ISLAND FIRE DISTRICT CHANGES.**

*Senate: Passed 3rd Reading*

**S 122: REPEAL CENTERVILLE CHARTER.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

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