

The Daily Bulletin: 2017-03-29

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 amendment #1 amends the 3rd edition by adding a firefighter of the North Carolina Forest Service to the definition of *emergency personnel officer* provided in proposed GS 105-277.1E, surviving spouse property tax homestead exclusion

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 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 amendments make the following change to the 2nd edition.

Amendment #1 replaces the proposed amendments to Amends GS 153A-352 and GS 160A-412 with amendments that provide that other than what may be required by GS 153A-352(c) or GS 160A-412(c), respectively, no further certification by a licensed architect or engineer is required for any component or element designed and sealed by a licensed architect or licensed engineer for the manufacturer of the component or element under the north Carolina State Building Code or the North Carolina Residential Code for One- and Two-Family Dwellings.

Amendment #2 adds a section that amends GS 143-138(b4) to provide that building rules do not apply to therapeutic equine facilities, as defined, in addition to the currently listed types of buildings, effective when the act becomes law.

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 340 (2017-2018) [SPECIAL SEPARATION ALLOWANCE FIREFIGHTERS/RSW](#). Filed Mar 14 2017, *AN ACT TO CREATE A SPECIAL SEPARATION ALLOWANCE FOR STATE AND LOCAL FIREFIGHTERS AND RESCUE SQUAD WORKERS.*

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

Renames proposed Article 12I of GS Chapter 143, as Special Separation Allowances for State and Local Firefighters and Rescue Squad Workers (previously, did not include Rescue Squad Workers).

Makes changes throughout the proposed Article to make its provisions apply to rescue squad workers. Makes organizational changes, and amends the act's short and long titles.

Amends proposed GS 143-166.90, concerning special separation allowances for State firefighters and rescue squad workers. Defines *rescue squad worker* to mean a full-time paid employee of any State department, agency, or institution who meets the definition of *emergency medical services personnel* under GS 131E-155. GS 131E-155 defines *emergency medical service personnel* to mean advanced emergency medical technician, emergency medical dispatcher, emergency medical responder, emergency medical services instructor, emergency medical services-nurse practitioner, emergency medical services-physician assistant, emergency medical technician, mobile intensive care nurse, or paramedic, as those terms are defined in GS 131E-155.

Amends proposed GS 143-166.92, concerning special separation allowances for local firefighters and rescue squad workers. Defines *rescue squad worker* to mean a person (1) who is a full-time paid employee of an employer that participates in the Local Governmental Employees' Retirement System and maintains a rescue squad or emergency medical services team certified by the NC Department of Insurance or the Department of Health and Human Services, and (2) who is actively serving in a position with assigned primary duties and responsibilities for the alleviation of human suffering and assistance to persons who are in difficulty, who are injured, or who become suddenly ill, by providing proper and efficient care or emergency medical services. Amends the definition of *firefighter* to include a person (1) who is a full-time paid employee of an employer that participates in the Local Governmental Employees' Retirement System, or an equivalent locally sponsored retirement plan, and maintains a fire department certified by the NC Department of Insurance or a County Fire Marshal's Office (previously did not provide the alternative for certification from a County Fire Marshal's Office), and (2) who is actively serving in a position with assigned primary duties and responsibilities for the prevention, detection, and suppression of fire.

Intro. by Dollar, Malone, Saine, Clampitt.

GS 143

[View summary](#)

Employment and Retirement, Government, Public Safety

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

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

Provides that the proposed amendments to GS 122C-112.1(a)(39) apply to contracts entered into on or after the effective date of the act.

Amends the definition of *area director* in GS 122C-3 to apply regulations on area directors to the administrative heads of area authorities, LMEs, or LME/MCOs, regardless of title or contract.

Amends the proposed change to GS 122C-116 to correct a statutory reference.

Makes a conforming change to the proposed amendment to GS 122C-117(a). Directs an area authority to maintain disability-specific infrastructure and competency to address the needs of disabilities covered by the 1915(b)(c) Medicaid Waiver, to maintain administrative and clinical functions, and to maintain full accountability for all aspects of Medicaid Waiver operations and meeting contract requirements. Enacts new subsection (a2), authorizing an area authority to subcontract to other entities the following functions upon the written approval of the Secretary: information systems, customer service operations, claims processing, provider, enrollment, credentialing, and monitoring, professional services, treatment plan development, and referral to services. Provides that new subsection (a2) applies to area authority subcontracts to other entities entered into on or after the date the act becomes law.

Clarifies that proposed GS 122C-121(a1)(2) refers to area boards. Further prohibits area boards from authorizing any salary adjustment for an area director that is above the normal allowable salary range, except as the requirements permit. Clarifies that the notification under proposed GS 122C-121(a3) must show how the Secretary determined that the salary did not comply. Provides that the total compensation for each area director must be reviewed for written approval by the Director of the Office of State Human Resources and the Secretary on an annual basis to determine compliance with this statute. Directs the area director to ensure compliance by the area authority with the powers and duties established under GS 122C-117 (instead of with the specified operational requirements of the area authority).

Amends proposed GS 126-11(b2) to authorize the board of newly merged or consolidated area mental health authorities to petition the State Human Resources Commission to determine whether its personnel system meets the statutory requirements with

the approval of three-quarters of the boards of commissioners of counties which comprise the newly merged or consolidated area mental health authority (currently, each county's board of commissioners).

Provides in SL 2015-241 that for each month of the fiscal year after July, the DMH/DD/SAS shall distribute, on the first Tuesday of the month, one-eleventh of the amount of each LME/MCO's single stream allocation that remains after subtracting the amount of the distribution that was made to the LME/MCO in July of the fiscal year.

Intro. by Dollar, Lambeth, Dobson, White.

[GS 122C, GS 126](#)

[View summary](#)

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

H 519 (2017-2018) [TRI-COUNTY CC/NEIGHBOR STATE IN-STATE TUITION](#). Filed Mar 29 2017, *AN ACT TO AUTHORIZE TRI-COUNTY COMMUNITY COLLEGE TO CHARGE IN-STATE TUITION TO RESIDENTS OF STATES BORDERING NORTH CAROLINA WHO LIVE IN COUNTIES THAT ARE CONTIGUOUS TO CHEROKEE COUNTY, CLAY COUNTY, AND GRAHAM COUNTY.*

Amends GS 115C-39, as title indicates. Applies beginning with the 2017-18 academic year.

Intro. by Corbin.

[GS 115D](#)

[View summary](#)

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

H 522 (2017-2018) [CHANGE THE LOST ADJUSTMENT FACTOR](#). Filed Mar 29 2017, *AN ACT TO CHANGE THE LOCAL OPTION SALES TAX (LOST) ADJUSTMENT FACTOR TO ONE THAT VARIES BY ECONOMIC DEVELOPMENT TIERS.*

Identical to [S 126](#), filed 2/22/17.

Current law requires the Secretary of Revenue (Secretary) to allocate the net proceeds of the additional 1/2% sales and use tax, imposed under Article 40 of GS Chapter 105, to the taxing counties on a per capita basis according to the most recent annual population estimates certified to the Secretary by the State Budget Officer. Further, current law requires the Secretary to adjust the amount allocated to each county by multiplying the amount by the appropriate adjustment factor set out in the table provided in GS 105-486(b), which lists adjustment factors by county or counties.

This act establishes that the adjustment factor the Secretary is to use in allocating the net proceeds from the additional 1/2% sales and use tax to counties is to be based on the development tier designation of the county under GS 143B-437.08 (establishes provisions for determining an area's development tier designation to be assigned and ranked annually by the Secretary of Commerce). Also, establishes that the development tier designation of a county is effective for the fiscal year following the designation. The adjustment factor for tier one is 1.10, for tier two is 1.00, and for tier three is 0.90. Makes conforming changes to the table provided in GS 105-486(b).

Effective July 1, 2017, and applies to local option sales taxes collected on or after that date and distribution to counties and cities on or after September 1, 2017.

Intro. by Lewis.

[GS 105](#)

[View summary](#)

[Government, Tax](#)

H 524 (2017-2018) [MARINE AQUACULTURE DEVELOPMENT ACT](#). Filed Mar 29 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.

Identical to S 410 filed on 3/28/17.

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 superjacent 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 Boswell, Shepard.

GS 113

[View summary](#)

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

H 526 (2017-2018) [DOT/ROADSIDE MEMORIALS](#). Filed Mar 29 2017, *AN ACT REQUIRING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A PROGRAM WHEREBY INDIVIDUALS MAY APPLY FOR THE ERECTION OF ROADSIDE MEMORIALS FOR IMMEDIATE FAMILY MEMBERS WHO HAVE DIED IN AN AUTOMOBILE ACCIDENT.*

Enacts new GS 136-102.10 requiring the Department of Transportation (DOT) to develop and implement a program, so that individuals can apply for the erection of a highway roadside memorial, honoring an immediate family member that died as the result of injuries suffered from an automobile accident near that roadside. Sets out and defines the terms *immediate family member* and *memorial* for use in the statute. Prohibits DOT from erecting or allowing the erection of a memorial on a roadside abutting a private residential property without first receiving the property owner's written consent. Specifies that a fee of \$500 will be charged for each memorial to cover administrative and construction costs, with any remaining fees being transferred on a quarterly basis to the Humane Society of the United States to cover rescuing costs of animals in North Carolina. Effective December 1, 2017.

Directs the DOT to provide an interim report by September 1, 2017, to the Joint Legislative Transportation Oversight Committee concerning progress made on the development and implementation of the program. Requires a final report with final details of the program to be submitted by January 1, 2018.

Intro. by Bradford, Potts, Henson, White.

GS 136

[View summary](#)

Government, State Agencies, Department of Transportation, Transportation

H 527 (2017-2018) [RESTORE/PRESERVE CAMPUS FREE SPEECH](#). Filed Mar 29 2017, *AN ACT TO RESTORE AND PRESERVE FREE SPEECH ON THE CAMPUSES OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA*.

Contains whereas clauses.

Enacts new GS Chapter 116, Article 36, directing the Board of Governors of the University of North Carolina to adopt a policy on free expression that states, at least, nine listed policy positions, including that the proper role of constituent institutions is not to shield individuals from speech protected by the First Amendment, and that constituent institutions shall strive to remain neutral on, and may not take action on, public controversies, as an institution, and disciplinary sanctions for anyone under the constituent institution's jurisdiction who interferes with the free expression of others.

Directs the Board of Governors to establish a 11-member Committee on Free Expression (Committee) from its membership. Directs all employees of the University of North Carolina and all State agencies to cooperate with the Committee, and directs the Committee to report to the public, the Board of Governors, the Governor, and the General Assembly, by September 1 of each year, on four specified pieces of information, including descriptions of barriers to or disruptions of free expression within the constituent institutions.

Directs constituent institutions to include a description of free expression policies in freshman orientations programs.

Authorizes the Board of Governors and the constituent institutions, subject to approval by the Board of Governors, to adopt additional policies and guidelines to further the purposes of the policies required by this Article. Constituent institutions may only restrict student expression for expressive activity not protected by the First Amendment. Lists seven unprotected forms of speech that may be restricted, including *peer-on-peer harassment*, defined as conduct directed by a student toward another individual student that is so severe, pervasive, and objectively offensive that it effectively deprives the victim of access to the educational opportunities or benefits provided by the university.

Provides that constituent institutions may only restrict expressive conduct in the public area of campus if the restriction is necessary to achieve a compelling governmental interest, is the least restrictive means of furthering that interest, leaves open ample other opportunities to engage in the conduct, and provides for spontaneous assembly and distribution of literature. Authorizes the Attorney General or any person whose expressive rights are violated under this statute to bring an action against the constituent institution to enjoin the violation. Provides for damages, court costs, and attorneys fees, and a one-year statute of limitations. Provides that chancellors, other officials, or other employees of constituent institutions are not personally liable for acts taken pursuant to their official duties.

Directs the Board of Governors to develop a policy that requires diversity offices or departments of constituent institutions to ensure compliance with this act, including re-naming the department or office to include the phrase "free speech compliance."

Requires diversity and free speech compliance officers to receive training developed and provided by the University of North Carolina School of Government.

Effective June 30, 2017. The Committee on Free Expression's first report is due by September 1, 2018.

Intro. by Millis, Jordan.

GS 116

[View summary](#)

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

H 528 (2017-2018) [TRAFFIC IMPACT ANALYSIS TIME FRAME](#). Filed Mar 29 2017, *AN ACT TO PROVIDE A TIME FRAME IN WHICH THE DEPARTMENT OF TRANSPORTATION MUST MAKE A DECISION ON A DRIVEWAY PERMIT APPLICATION REQUIRING A TRAFFIC IMPACT ANALYSIS.*

Enacts new GS 136-93.1A (Time frame for reviewing and making a decision on certain driveway permit applications). Applies time frames to the Department of Transportation's process for reviewing and making a decision on a driveway permit application that requires a traffic impact analysis. Directs the DOT to communicate the scope of the traffic impact analysis to the applicant within 10 business days of the day the DOT receives the scope proposed by the applicant. Directs the DOT to review and make a decision on the completeness of the traffic impact analysis no later than 20 business days from the day the department receives the traffic analysis. Directs the DOT to review and make a decision as to the issuance of a driveway permit no later than 20 business days from the day the traffic impact analysis is determined or deemed to be complete. Provides for the calculation of the time frames. Provides that the DOT may not reject a traffic impact analysis or deny issuance of a driveway permit on the basis of the exclusion of information that is outside the scope communicated by the DOT to the applicant. Directs the DOT to develop and use criteria for determining the scope of traffic impact analyses and their completeness, and to post the criteria on its website. Provides for the amendment of the criteria. Directs the DOT to report annually, beginning October 1, 2017, to the chairs of the Joint Legislative Transportation Oversight Committee on the number of times the Department failed to meet the time frame for communicating the scope of the traffic impact analysis to the applicant.

Effective July 1, 2017, and applies to driveway permit applications received on or after that date.

Intro. by Millis, Torbett.

[View summary](#)

H 529 (2017-2018) [AMEND FUNERAL LAWS](#). Filed Mar 29 2017, *AN ACT AMENDING THE LAWS PERTAINING TO THE PRACTICE OF FUNERAL SERVICE.*

To be summarized.

Intro. by Boles, Alexander; Hunter, Brenden Jones.

GS 58, GS 90, GS 130A

[View summary](#)

Business and Commerce, Occupational Licensing, Health and Human Services, Health, Public Health

H 530 (2017-2018) [COUNTIES/CONDEMNATION OF UNSAFE BLDGS/LIENS](#). Filed Mar 29 2017, *AN ACT GRANTING COUNTIES THE SAME AUTHORITY AS CITIES TO DECLARE CERTAIN BUILDINGS OR STRUCTURES UNSAFE AND TO REMOVE OR DEMOLISH UNSAFE BUILDINGS OR STRUCTURES AND TO PLACE A LIEN ON THE OWNER'S REAL PROPERTY FOR THE COSTS INCURRED.*

Amends GS 153A-366, concerning condemnation of unsafe buildings. Makes an organizational change to place the statute's existing language into new subsection (a), directing a county inspector to condemn as unsafe any residential building or

nonresidential building or structure that appears to be especially dangerous to life for the specified reasons, and affix a notice of the dangerous character of the building to a conspicuous place on its exterior wall.

Adds new subsection (b), additionally authorizing a county inspector to declare a nonresidential building or structure within a community development target area to be unsafe if it (1) appears to the inspector to be vacant or abandoned, and (2) appears to the inspector to be in such dilapidated condition as to cause or contribute to blight, disease, vagrancy, fire, or safety hazard, to be a danger to children, or to tend to attract persons intent on criminal activities or other activities that would constitute a public nuisance. Adds new subsection (c), requiring the inspector declaring a nonresidential building or structure to be unsafe under new subsection (b) to affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of the building. Defines *community development target area* to mean an area that has characteristics of an urban progress zone under GS 143B-437.09, a nonresidential development area under GS 160A-503(10), or an area with similar characteristics designated by the board of commissioners as being in special need of revitalization for the benefit and welfare of its citizens.

Adds new subsection (d), authorizing a county to expand new subsections (b) and (c) to apply to residential buildings by adopting an ordinance. Directs the county to hold a public hearing before adopting the ordinance, and provide at least 10-days notice of the hearing.

Amends GS 153A-368, which sets out the required contents of the written notice (the condition of the building; notice of a hearing on the matter; and the actions the inspector can take following the hearing) the local inspector is required to provide to an owner if the owner of a building condemned under GS 153A-366 fails to take prompt corrective action. Makes conforming changes to add to the existing requirements of the notice to state that the building or structure is in a condition, if applicable, that appears (1) is likely to cause or contribute to blight, disease, vagrancy, or danger to children or (2) has a tendency to attract persons intent on criminal activities or other activities that would constitute a public nuisance.

Amends GS 153A-372, to make an organizational change to place the statute's existing language into new subsection (a), authorizing the county to initiate any appropriate action or proceeding to prevent, restrain, correct, or abate a violation that is denominated a misdemeanor under the provisions of Part 2, County Subdivision Regulation, of Article 18 of GS Chapter 153A, or to prevent the occupancy of the building involved.

Adds new subsection (b), authorizing a county to alternatively cause the building or structure declared unsafe under GS 153A-366 to be removed or demolished. Provides that the amounts incurred by the county in connection with the removal or demolitions is a lien against the real property upon which the cost was incurred. Establishes that the lien is to be filed, have the same priority, and be collected in the same manner as liens for special assessments provided in Article 9 of GS Chapter 153A. Directs the county to sell the usable materials and any personal property, fixtures, or appurtenances found in or attached to a building that is removed or demolished by the county. Directs the county to credit any proceeds of the sale against the cost of the removal or demolition. Provides that any balance remaining from the sale is to be deposited with the clerk of superior court of the county where the property is located and be disbursed by the court to the person found to be entitled thereto by final order or decree of the court.

Establishes that the amounts incurred by the county in connection with the removal or demolition is also a lien against any other real property owned by the owner of the building or structure and located within the county's jurisdictional limits, except for the owner's primary residence. Provides that the provisions of subsection (b) apply to this additional lien. Clarifies that the additional lien is inferior to all prior liens, and is to be collected as a money judgement.

States that the statute does not impair or limit the power of the county to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

Intro. by Lewis, Sauls, Willingham.

[GS 153A](#)

[View summary](#)

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

Identical to S 461, filed 3/29/17.

Amends GS Chapter 116, Article 29A (University of North Carolina Laboratory Schools) as follows.

Directs the UNC Board of Governors (Board) to designate, upon recommendation of the President of the University of North Carolina (President), at least nine (currently eight) constituent institutions with high-quality educator preparation programs to submit proposals to establish laboratory schools to serve public school students. Directs the Subcommittee on Laboratory Schools (Subcommittee), established under amended GS 116-239.7, to review the proposals and approve at least nine of them. Directs the Subcommittee to oversee the operations of those schools. Provides that the Subcommittee, the chancellor of each constituent institution operating a laboratory school, and the laboratory school itself, are exempt from statutes and rules applicable to local boards of education or local school administrative units.

Defines several new terms, and amends the definition of laboratory school to also require schools serve students in at least three consecutive grade levels in the range of kindergarten through eighth grade, and to require that the school be located in a qualifying local school administrative unit, as currently specified.

Amends the caption of GS 116-239.7 to read "The Board of Governors' Subcommittee on Laboratory Schools; selection of laboratory schools; creation of a laboratory school; dissolution." Directs the Board to establish the Subcommittee. Provides that the President serves on the Subcommittee. Authorizes the Board to create a full-time position, within the funds appropriated each year to the Board, to coordinate and support the Subcommittee's work. Replaces the system in which Board and boards of trustees of constituent institutions adopt a plan for laboratory schools with one in which the Subcommittee designates at least nine constituent institutions to submit proposals, as adopted by their chancellors, to operate a laboratory school in a qualifying local school administrative unit. Directs the Subcommittee to evaluate and approve the proposals, as specified. Deletes the provision requiring the Board to update laboratory school plans to reflect changes to the status of a constituent institution or the status of qualifying local school administrative units at the end of each term. Authorizes proposals for laboratory schools in local school administrative units that do not meet the low-performing schools threshold, if the proposal demonstrates that the laboratory school would primarily serve students who did not meet expected growth in the prior school year. Authorizes the Subcommittee to waive the requirement for the number of low-performing schools for up to three laboratory schools, if the schools are submitted jointly by the chancellor and the local school administrative unit in which the laboratory school would be located, and the Subcommittee determines that the proposed location would satisfy the purposes set forth in GS 116-239.5. Provides for the renewal of terms of operation for schools that continue to meet the statutory requirements that justified their creation, and the discontinuation of those that do not. Directs the Subcommittee to notify the Board of Governors of the end of each term of operation, and designate additional constituent institutions with educator preparation programs establishing laboratory schools when a school is no longer located in a qualifying unit or is no longer meeting the purpose of the Article under a waiver at the end of five years. Directs the Subcommittee to file a copy of resolutions approving laboratory schools with the Department of Public Instruction, and directs the State board of Education, upon the recommendation of the Superintendent of Public Instruction, to approve the creation of the laboratory school. Provides for the Chancellor to propose in conjunction with the local school administrative unit, for the dissolution or the assumption of laboratory school by a new entity, in the event that a laboratory school's term ends or the constituent institution's educator preparation program is terminated. Deletes the provision concerning the transition of the laboratory school to a public school, and the provision deeming property of the dissolved or transitioned laboratory school to be property of the local school administrative unit.

Amends the caption of GS 116-239.8 to read "Chancellor; powers and duties." Directs Chancellors of constituent institutions designated by the Board to submit proposals for the establishment of a laboratory school. Provides that chancellors are the administrative heads of laboratory schools approved by the Subcommittee, and must provide general direction for the establishment and operation of the laboratory schools. Directs chancellors to adopt policies, procedures, and courses of study for the laboratory schools with input from the advisory board. Authorizes the chancellor to designate the duties required by this article to other personnel. Transfers the powers currently given to boards of trustees under this statute to the Chancellor. Revises the membership of the advisory board created under this statute, increasing the number of its members to 10 (currently, nine), and increasing the length of their terms from two years to four years, allowing no more than two complete consecutive terms.

Authorizes students in the laboratory school's local administrative unit who did not meet expected growth, as defined in the statute, in the prior school year to attend the laboratory school, regardless of their enrollment in a low-performing school. Provides that enrollment, up to the capacity of a program, class, grade level, or building, is in the order of application. Provides that students who enroll are not required to reapply for subsequent enrollment periods. Eliminates the priority enrollment for students who did not meet expected growth.

Makes waiver of requirements for principal and teacher licensure for laboratory school principals and teachers contingent upon the recommendation of the Superintendent of Public Instruction, and approval by the Subcommittee. Provides that employees of the constituent institution who work in laboratory schools are considered State employees, and participate in the Teachers' and State employees' Retirement System.

Amends the definition of school personnel in GS 116-239.12 (Criminal history record checks) to refer to, amongst currently designated others, staff of the laboratory school (was, employees of the laboratory school) and members of the advisory board (no longer includes members of the board of trustees). Requires advice and input from the advisory board for the policy requiring criminal history checks. Requires the Chancellor to provide the State Board of Education with the criminal history it receives on a person who is certificated, certified, or licensed by the State Board of Education. Provides that the chancellor, constituent institution, advisory board, Department of Public Instruction, and the State Board of Education, and their employees, are not liable for negligence for acts or omissions carrying out this statute, except for gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. Transfers responsibilities throughout the statute from the board of trustees to the Chancellor.

Directs the Subcommittee to perform the review and evaluation of the laboratory schools currently required of the Board. Amends the information required in the annual report to the Joint Legislative Education Oversight Committee to include specified information on the statutory categorization of students enrolled in laboratory schools.

Makes technical and conforming changes.

Amends GS 143B-931 (concerning criminal history record checks for school personnel) to authorize the Department of Public Safety to provide criminal history record checks to a chancellor operating a laboratory school for a person who is employed at the school or who has applied for employment, if the employee or applicant consents to the record check. Directs the chancellor to keep the information confidential.

Amends SL 2016-94, Section 11.6 to direct that the laboratory schools shall be in operation by the beginning of the 2019-20 school year, and to make conforming changes. Amends the allocation of \$1 million dollars, currently appropriated to the Board to be allocated to the University of North Carolina General Administration, to require it now be used for the work of the Subcommittee, and to designate the allocation for the 2016-17 fiscal year. Amends the required report to the Joint Legislative Education Oversight Committee to require the Subcommittee, instead of the Board, to submit the report.

Intro. by Horn, Johnson, Fraley.

[GS 116](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, UNC System](#)

H 533 (2017-2018) [MODERNIZE SYMBOL OF ACCESS](#). Filed Mar 29 2017, *AN ACT TO MODERNIZE THE SYMBOL OF ACCESS FOR PERSONS WITH DISABILITIES*.

Directs the Department of Administration to design a new symbol indicating access or use by persons with disabilities, as specified, and to ensure that all signs in State buildings indicating access for persons with disabilities, that are installed or replaced on or after January 1, 2018, reflect the new symbol instead of the International Symbol of Access.

Amends GS 20-37.5 to make technical and conforming changes, effective January 1, 2018. Amends GS 20-7 to require that the drivers' license examination test ensures recognition of both the international symbol of access and the symbol of access created under this act, effective January 1, 2018.

Amends GS 136-30(c) to authorize owners of private property containing a public vehicular area to place on the property a sign for handicapped parking spaces that includes the new symbol of access.

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

Intro. by Hardister, Torbett, Dobson, Adcock.

[GS 20, GS 136](#)

[View summary](#)

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

H 534 (2017-2018) [COMPUTER CODING COURSE ELECTIVE](#). Filed Mar 29 2017, *AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP AND IDENTIFY COURSES IN COMPUTER PROGRAMMING AND CODING THAT CAN BE OFFERED AS ELECTIVE COURSES FOR MIDDLE SCHOOL AND HIGH SCHOOL STUDENTS.*

Amends GS 115C-81 to direct the State Board of Education to develop and identify academically rigorous courses in computer programming and coding that can be offered as middle or high school electives. Applies beginning with the 2017-18 school year.

Intro. by Hanes, Saine, Elmore, Terry.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 535 (2017-2018) [OPERATING FUNDS FOR LINVILLE NURSERY](#). Filed Mar 29 2017, *AN ACT TO APPROPRIATE OPERATING FUNDS FOR THE NORTH CAROLINA FOREST SERVICE'S LINVILLE RIVER TREE NURSERY.*

Identical to [S 341](#), filed 3/21/17.

Appropriates \$200,000 in recurring funds for 2017-18 from the General Fund to the Department of Agriculture and Consumer Services for operating support for the NC Forest Service's Linville River Tree Nursery. If the Department of Agriculture and Consumer Services permanently closes the nursery, the funds revert to the General Fund.

Effective July 1, 2017.

Intro. by Dobson, Presnell, Clampitt, Rogers.

[APPROP](#)

[View summary](#)

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

H 536 (2017-2018) [INCREASE FUNDING FOR BEHAVIORAL HEALTH SVCS](#). Filed Mar 29 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.*

Identical to [S 424](#), filed 3/28/17.

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 Dobson, Malone, Potts, Carney.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies,](#)

H 537 (2017-2018) [2017 GOVERNOR'S BUDGET](#). Filed Mar 29 2017, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.*

Identical to [S 430](#), filed 3/28/17.

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 Dollar, Johnson, McGrady, Lambeth.

APPROP

[View summary](#)

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

H 538 (2017-2018) [TARHEEL CHALLENGE ACADEMY FUNDS](#). Filed Mar 29 2017, *AN ACT TO APPROPRIATE FUNDS FOR THE TARHEEL CHALLENGE ACADEMY FOR IMPROVEMENTS TO THE PROGRAM AND TO SUPPORT THE ADOPTION OF THE HIGH SCHOOL DIPLOMA AND CREDIT RECOVERY PROGRAM.*

Appropriates \$50,000 in recurring funds for 2017-18 from the General Fund to the Department of Public Safety to make improvements to the Tarheel Challenge Academy program, including improvements to infrastructure and grounds, specifying that these funds are a state match for up to \$150,000 in federal funds that have been made available for this purpose. Authorizes the Department to use these funds if federal funds are not made available for the Tarheel Challenge Academy in a subsequent fiscal year.

Appropriates \$307,000 in recurring funds for 2017-18 to the Department of Public Safety for the Tarheel Challenge Academy program, to be used to enter into an education contract for the adoption of the High School diploma and Credit Recovery program and to create teacher positions.

Effective July 1, 2017.

Intro. by Hurley, Horn.

APPROP

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Public Safety**

H 539 (2017-2018) [ACCESS TO ELDERLY ADULTS](#). Filed Mar 29 2017, *AN ACT ESTABLISHING A PROCESS TO ENSURE ACCESS TO ELDERLY ADULTS BY THEIR RELATIVES.*

Enacts new GS Chapter 35C, Access to Elderly Adults, which provides as follows.

Allows a relative (limited to the spouse, child or sibling) of an elderly adult to file a petition with the clerk of superior court requesting access, including the opportunity to establish visitation or communication, to an elderly adult kept in isolation. Defines elderly adult as an individual 65 years of age or older, who is not a resident of a facility as defined in Section 483.5 of Title 42 of the Code of Federal Regulations, and who has been either adjudicated incompetent or diagnosed with Alzheimer's disease or dementia. The act defines isolation to mean acts which prevent an elderly adult from receiving mail, electronic mail, telephone calls, personal contact, or personal communication from relatives.

Requires the clerk to schedule a hearing on the petition no later than 30 days after the date is filed, unless the petition states that the elderly adult's health is in significant decline or death may be imminent, in which an emergency hearing must be conducted as soon as practicable, but no later than 10 days after the petition is filed. Sets out service requirements.

Requires the clerk to consider 7 specified issues when determining whether to issue an order granting the petitioner access to the elderly adult, including whether the respondent's past acts kept the elderly adult in isolation, whether the elderly adult desires contact with the petitioner and, the best interest of the elderly adult. Provides that if after a hearing and a consideration of the listed factors, the clerk determines the petitioner has established, by a preponderance of the evidence, that the petitioner should be granted access to the elderly adult, the clerk must issue an order setting forth the terms of access to the elderly adult. Specifies that if the elderly adult is a resident of a facility as defined in section 483.5 of Title 42 of the Code of Federal Regulations, no order shall issue under the statute, and section 483.10 of Title 42 of the Code of Federal Regulations applies.

Allows a party to appeal an order issued by the clerk for a de novo hearing in superior court.

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

[GS 35C](#)

[View summary](#)

[Health and Human Services, Social Services, Adult Services](#)

H 540 (2017-2018) [TEACHERS & STATE EMPLOYEES PAY RAISE](#). Filed Mar 29 2017, *AN ACT AWARDING A TWO-THOUSAND-FOUR-HUNDRED-DOLLAR PAY INCREASE TO TEACHERS AND TO STATE EMPLOYEES EARNING LESS THAN ONE HUNDRED THOUSAND DOLLARS AND APPROPRIATING FUNDS FOR THOSE PURPOSES.*

Raises the annual salaries of all state employees subject to or exempt from the North Carolina Human Resources Act who earn less than \$100,000 per year by \$2,400 in the 2017-18 fiscal year. Does not apply to persons separated from State service due to resignation, dismissal, reduction in force, death, or retirement, or whose last workday is prior to July 1, 2017. Payroll checks issued after July 1, 2017, that represent payment for services provided prior to July 1, 2017, are not eligible for salary increases provided for in this act. Provides for proportional increase of salaries funded partially from the General Fund or Highway Fund and partially from other sources. Authorizes the director of the budget to increase expenditures of receipts from these sources by the amount necessary to provide the authorized increases.

Specifically provides for the above salary raises for specific classes of positions in the judicial branch, legislative branch, community colleges, University of North Carolina system, state agency teachers, and public schools, including pro rata salary raises for legislative branch sergeants-at-arms and reading clerks.

Repeals SL 2016-94 Section 9.1, concerning the teacher salary schedule, and Section 9.2, concerning the School-based administrator salary schedule, and sets out new schedules.

Appropriates \$701,290,177 for 2017-18 from the General fund to the Reserve for Compensation Increases. Appropriates \$13,792,560 for 2017-18 from the Highway Fund to the Reserve for Compensation Increases.

Effective July 1, 2017.

Intro. by Malone, Jordan, J. Bell, Hardister.

[APPROP](#)

[View summary](#)

[Courts/Judiciary, Court System, Education, Government, Budget/Appropriations, General Assembly, State Agencies, Community Colleges System Office, UNC System, Department of Health and Human Services, Department of Public Safety, State Board of Education, State Government, State Personnel](#)

Amends GS 130A-290 to define the term *yard trash* to mean solid waste resulting from landscaping and yard maintenance, including brush, grass, tree limbs, and similar vegetative material. Adds and defines the term *yard waste* to mean yard trash and land-clearing debris, including stumps, limbs, leaves, grass, and untreated wood.

Amends GS 130A-294 by adding that yard waste diverted from the waste stream or collected as source separated material is not subject to a solid waste permit for transfer, treatment, processing, storage, or disposal in a permitted solid waste management facility. Specifies that operators of facilities where yard waste is subject to transfer, treatment, processing, storage, or disposal must comply with all other federal, state, or local laws, ordinances, rules, regulations, or orders. Specifies that this does not limit local government authority to manage the transfer, treatment, processing, storage, or disposal of yard waste.

The above provisions apply to the transfer, treatment, processing, storage, or disposal of yard waste occurring on or after July 1, 2017.

Sets out General Assembly findings concerning nutrient pollution and riparian buffers.

Amends GS 143-214.23A, concerning limitations on local government riparian buffer requirements, as follows. Replaces the term *local government ordinance* with the term *local government action* and amends the definition of the term so that it now includes local government ordinances, conditions of approval imposed on applicants for a development plan approval, and special or conditional permits. Expands on the definition of the term *riparian buffer requirement* to also include any other hydrologic bodies to which a riparian buffer may be applied (in addition to setbacks from surface water).

Prohibits a local government from enacting, implementing, or enforcing a local government action or applying for or renewing a permit issued by a State or federal agency that requires a local government action that establishes a riparian buffer requirement exceeding requirements directly imposed by State or federal law. Excludes permits required by a federal agency as a condition of federal funding or federal approval for a project initiated before the effective date of the statute. Local governments violating this prohibition that are required by a permit issued by a State or federal agency remain in place and may be enforced until the permit expires. Makes conforming changes.

Amends GS 113-201 to allow the Marine Fisheries Commission to adopt rules to establish Shellfish Aquaculture Enterprise Areas to facilitate shellfish aquaculture opportunities through advanced siting and preapprovals from relevant federal and State agencies. Requires the Secretary of Environmental Quality to only issue nontransferrable leases to residents of the state within designated Shellfish Aquaculture Enterprise Areas. Reverts any relinquished or terminated leased parcel within a Shellfish Aquaculture Enterprise Area to the State, to be made available to other applicants. Amends GS 113-201.1 to define *Shellfish Aquaculture Enterprise Area* as an area designated and permitted by the Department of Environmental Quality that is subdivided into parcels and made available for shellfish aquaculture leasing.

Amends GS 113-203 to make it illegal to transplant oysters or clams from public grounds or permitted aquaculture operations using waters in the prohibited, restricted, or conditionally approved classification (was, in the restricted or conditionally approved classification) to private beds, except when done in accordance with the statute and implementing rules. Prohibits the transplanting of seed oysters or seed clams taken from permitted aquaculture operations that use waters in the prohibited, restricted, or conditionally approved classification to private beds pursuant to a permit, when the Secretary of Environmental Quality determines that the nursery of shellfish in an area will present a risk to public health. Amends GS 113-168.4 to allow licensed individuals to sell fish taken outside the state's territorial waters or taken from coastal fishing waters if the sale is of fish reared in (was, oysters or clams from) a hatchery or aquaculture operation to the holder of an Aquaculture Operation Permit, an Under Dock Culture Permit, or a shellfish cultivation lease for further grow out.

Requires the Division of Marine Fisheries (Division) to review its Fishery Management Plan for river herring (blueback herring and alewife) and report by December 15, 2017, to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources on the continuing validity and scientific basis for the continued status of both species as "overfished." Sets out required information if the Division does not have an adequate scientific basis to review the status of both species.

Appropriates \$100,000 in nonrecurring funds from the General Fund to North Carolina Sea Grant at North Carolina State University (Sea Grant) to study existing science regarding the current and projected future status of river herring populations in state waters. Specifies issues that must be examined in the study. Requires that if the Sea Grant determines that further study is

required, Sea Grant must include in its report a research plan, time line, funding needs, and possible research partners that minimizes duplication with other public and private nonprofit organizations studying river herring fisheries issues in the State.

Allows the Division of Coastal Management of the Department of Environmental Quality and the State Property Office to negotiate with the federal government an agreement for the State to assume responsibility for acquiring dredged material easement sites appropriate for maintenance dredging of the Atlantic Intracoastal Waterway between Beaufort Inlet and the border with Virginia in exchange for the reduction in size and possible change in location of dredged material disposal easement sites currently held by the federal government. Sets out additional requirements for the agreement. Amends GS 143-215.73F to allow money in the The Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund to be used to provide funding for siting and acquisition of dredged disposal easement sites associated with the maintenance of the Atlantic Intercoastal Waterway north of Beaufort Inlet and south of the Virginia border, under a memorandum of agreement between the states and federal government.

Recodifies GS 113-129(10a) as (10b) and enacts a new (10a) which establishes that the following are considered invasive species: brown tree snake, bullfrog, burmese python, coyote, European starling, feral swine, house sparrow, nutria, and red fox. Enacts new GS 113-292.1 requiring the Wildlife Resources Commission (Commission) to issue rules establishing open season and manner of take requirements in all counties of the state for all invasive species that the Commission determines to be game animals or birds. Requires the Commission to develop a program to encourage control of those invasive species that the Commission finds are not game animal or birds by State agencies, local governments, private landowners, hunters, and trappers. Repeals any local acts that conflict with the statute to the extent of the conflict.

Includes a severability clause.

Intro. by Sanderson, Cook, Wells.

APPROP, GS 113, GS 130A, GS 143

[View summary](#)

Animals, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality (formerly DENR), Local Government

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*.

Enacts new GS 163-209.3, which enacts the "Agreement Among the States to Elect the President by National Popular Vote" (agreement) into law and entered into in on behalf of the State in a form that is substantially as follows.

Allows any state and the District of Columbia to become a member of the agreement by enacting the agreement. Requires each member state to hold a statewide popular election for President and Vice President.

Establishes the process for appointing presidential electors in member states as follows. Before the meeting and voting by the presidential electors, requires the chief election official of each member state to determine the number of votes for each presidential slate in each state and in the District of Columbia in which votes have been cast in a statewide popular election and add those votes together to produce a "national popular vote total" for each presidential slate. The act defines *presidential slate* as a slate of two persons, the first of whom has been nominated as a candidate for President and the second of whom has been nominated as a candidate for Vice President, or any legal successors to such persons, regardless of whether both names appear on the ballot presented to the voter in a particular state. Requires the chief election official of each member state to designate the presidential slate with the largest national popular vote total as the "national popular vote winner." Requires the presidential elector certifying official of each member state to certify the appointment in that official's own state of the elector slate nominated in that state in association with the national popular vote winner. Requires each member state, at least six days before the meeting and voting by the presidential electors, to make a final determination of the number of popular votes cast in the state for each presidential slate and communicate the determination within 24 hours to the chief election official of each other member state. Requires the chief election official of each member state to treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final

determination conclusive as to the counting of electoral votes by Congress. Sets out provisions governing ties, and for when the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state's number of electoral votes. State that the provisions govern the appointment of presidential electors in each member state in any year in which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.

Specifies that the agreement takes effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state. Sets out provisions governing withdraw from the agreement. Terminates the agreement if the electoral college is abolished. Provides that if any provision of this agreement is held invalid, the remaining provisions are not affected.

Defines the terms *chief election official*, *chief executive*, *elector slate*, *presidential elector*, *presidential elector certifying official*, *state*, and *statewide popular election*.

Enacts new GS 163-209.4 which requires during any election in which the agreement applies that the: (1) State Board of Elections (Board), rather than issuing a certificate of election for presidential electors, instead issue a certificate of the results of the election; also make the Board responsible for communicating those results to the chief election official of all other member states in the agreement within the specified time. Requires the Board to designate the national popular vote winner and provide a copy to the Secretary of State; (2) reference to GS 163-209 (Names of presidential electors not printed on ballots; notification) in GS 163-1(c) (establishing the date for the election of President and Vice-President) be read as new GS 163-209.3; and (3) Governor, instead of proclaiming elected under GS 163-210 those presidential electors receiving the most votes as stated in the abstracts of the Board, must instead certify the appointment of the elector slate nominated in this State in association with the national popular vote winner, as provided under GS 163-209.3.

Intro. by Chaudhuri, Waddell.

GS 163

[View summary](#)

Government, Elections

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.*

Amends GS Chapter 15A, Article 5 (Expunction of Records) as follows.

Amends GS 15A-145 (Expunction of records for first offenders under the age of 18 at the time of conviction of misdemeanor; expunction of certain other misdemeanors), GS 15A-145.1 (Expunction of records for first offenders under the age of 18 at the time of conviction of certain gang offenses), GS 15A-145.2 (Expunction of records for first offenders not over 21 years of age at the time of the offense of certain drug offenses), GS 15A-145.3 (Expunction of records for first offenders not over 21 years of age at the time of the offense of certain toxic vapors offenses), GS 15A-145.4 (Expunction of records for first offenders who are under 18 years of age at the time of the commission of a nonviolent felony), GS 15A-145.5 (Expunction of certain misdemeanors and felonies; no age limitation), and GS 15A-145.6 (Expunctions for certain defendants convicted of prostitution) to direct persons who seek expunction of criminal offenses under these statutes to file their petitions for expunction with the clerk of superior court of the county where they were convicted. Directs the clerk to obtain the authorizing signature of the judge then presiding, and to forward the application to the Department of Public Safety and the Administrative Office of the Courts. Provides that the protection against perjury for failing to disclose offenses expunged under these statute does not apply to sentencing hearings for subsequent criminal offenses.

Further amends GS 15A-145.2 (expunctions for certain drug offenses), and GS 15A-145.3 (expunctions for certain toxic vapors offenses) to direct that the documents listed in subsection (a) are to be attached to the petition for expunction, not the application. Deletes the provisions that make canceled judgments of conviction and expunged records under this section not considered a conviction for the purpose of additional penalties imposed for repeat offenses under the North Carolina Controlled Substances Act. Provides that such canceled convictions and expunged records are not to be deemed a conviction except as provided in GS 15A-151.5 (Confidential agency files; exceptions to expunction).

Further amends GS 15A-145.2 (expunctions for certain drug offenses) to direct the court to order the Department of Public Safety, instead of the Department of Correction, in addition to the other listed agencies, to expunge their records of conviction.

Further amends GS 15A-145.5 (certain misdemeanors and felonies; no age limitation) to allow a petition for expunction to be filed 10 years after the date of conviction for a nonviolent felony, and five years after the date of conviction for a nonviolent misdemeanor (currently, 15 years after for both). Provides that expunction under this statute restores a person to the status they occupied before such arrest or indictment or information, except as provided in GS 15A-151.5.

Amends GS 15A-146 (Expunction of records when charges are dismissed or there are findings of not guilty). Separates provisions concerning a person whose charges are dismissed and provisions concerning a person who is found not guilty or responsible into two different subsections. Provides that persons who are charged with crimes, and the charge is dismissed, or they are found not guilty or not responsible of the crimes, may file a petition with the clerk of superior court of the county where the charge was brought to expunge all official records of entries relating to apprehension or trial. Directs the court to hold a hearing on the petition, and to grant the petition if the petitioner has not previously been convicted of any felony. Provides that failure to disclose the charge may not be considered perjury or otherwise giving a false statement. Eliminates the provision requiring a person seeking expunction under this statute to have not previously received an expunction. Allows a person charged with multiple offenses where the charges are dismissed, or findings of not guilty or responsible are made, to petition to have each of the charges expunged, regardless of the timing between the offenses.

Further amends GS 145-146 (Expunction for dismissed charges or findings of not guilty), and amends GS 15A-147 (Expunction of records when charges are dismissed or there are findings of not guilty as a result of identity theft or mistaken identity), and GS 15A-148 (Expunction of DNA records when charges are dismissed on appeal or pardon of innocence is granted). Directs applicants for expunction under these statutes to petition the clerk of superior court of the county where the charge was last pending. Directs that petitions for expunction under these statutes are to be on a form approved by the Administrative Office of Courts.

Amends GS 15A-149 (Expunction of records when pardon of innocence is granted). Directs applicants for expunction under this statute to do so by petitioning the clerk of superior court. Directs the clerk to forward the petition to the Administrative Office of the Courts.

Amends GS 15A-150 (Notification requirements). Directs the clerks of superior court to file petitions received under this Article and any orders of expunction with the Administrative Office of Courts as soon as practicable after each term of court. Directs the clerk to send a certified copy of expunction orders to the person receiving the expunction, the Department of Public Safety, Division of Adult Correction and Juvenile Justice, and North Carolina State Bureau of Investigation, and any other identified State or local agency identified by the petition as having records of the expunged offense in addition to those already requested to be notified. Directs agencies receiving an expunction orders to purge (currently, expunge) records as currently provided. Directs the State Bureau of Investigation to forward the expunction order to the Federal Bureau of Investigation.

Amends GS 15A-151 (Confidential agency files; exceptions to expunction). Directs the Administrative Office of the Courts to maintain a confidential file for expungements containing the petitions granted under this Article. Amends the list of persons and agencies who may view the confidential files to include district attorneys in accordance with new GS 15A-151.5. Provides that the information in the file may only be disclosed to the currently authorized persons and entities upon their request. Authorizes a person to seek confirmation of their own discharge or expunction (was, in accordance with GS 15A-152).

Enacts new GS 1A-151.5 (Prosecutor access to expunged files). Directs the Administrative Office of the Courts to make all confidential files maintained under GS 15A-151 electronically available to all State prosecutors for criminal records expunged on or after December 1, 2017 under the following: (1) GS 15A-145, expunction of records for first offenders under the age of 18 at the time of conviction of misdemeanor; expunction of certain other misdemeanors; (2) GS 15A-145.1, expunction of records for first offenders under the age of 18 at the time of conviction of certain gang offenses; (3) GS 15A-145.2, expunction of records for first offenders not over 21 years of age at the time of the offense of certain drug offenses; (4) GS 15A-145.3, expunction of records for first offenders not over 21 years of age at the time of the offense of certain toxic vapors offenses; (5) GS 15A-145.4, expunction of records for first offenders who are under 18 years of age at the time of the commission of a nonviolent felony; (6) GS 15A-145.5, expunction of certain misdemeanors and felonies; no age limitation; (7) GS 15A-145.6, expunctions for certain defendants convicted of prostitution; (8) GS 15A-146(a), expunction of records when charges are dismissed or there are findings of not guilty; and (9) GS 15A-146(a1). Expunction of records when charges are dismissed or there are findings of not guilty. Provides that offenses expunged under certain listed expunction statutes may be used to calculate prior record levels if the named person is convicted of a subsequent criminal offense, and shall be prima facie evidence of the expunged conviction.

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

Intro. by Tucker, Bryant, McKissick.

GS 15A

[View summary](#)

Courts/Judiciary, Court System, Criminal Justice, Corrections (Sentencing/Probation), Criminal Law and Procedure, Government, State Agencies, Department of Public Safety

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

Enacts new Article 8B to GS Chapter 36C, North Carolina Uniform Trust Decanting Act.

Declares that Article 8B applies to an express trust that is irrevocable or revocable by the settlor only with the consent of the trustee or a person holding an adverse interest. Provides that the Article does not apply to a trust held solely for charitable purposes as described in GS 36C-4-405(a). Allows a trust instrument to restrict or prohibit the exercise of the decanting power, subject to GS 36C-8B-15. Defines *decanting power* as the power of an authorized fiduciary under Article 8B to distribute property of a first trust to one or more second trusts or to modify the terms of the first trust. Defines *first trust* as a trust over which an authorized fiduciary can exercise the decanting power. Defines *second trust* as a first trust after modification pursuant to Article 8B or a trust to which a distribution of property from a first trust is or can be made pursuant to Article 8B. Establishes that Article 8B does not limit the power of a trustee, power holder, or other person to distribute or appoint property in further trust or to modify a trust under the trust instrument, law of this State other than this Article, common law, a court order, or a nonjudicial settlement. Provides that this Article does not affect the ability of a settlor to provide in a trust instrument for the distribution of the trust property or appointment in further trust of the trust property or for modification of the trust instrument.

Directs an authorized fiduciary to act in accordance with its fiduciary duties in exercising the decanting power, including the duty to act in accordance with the purposes of the first trust. Defines *authorized fiduciary* to mean a trustee or other fiduciary, other than the settlor, that has discretion to distribute part or all of the principal of the first trust to one or more current beneficiaries. Clarifies that the term includes a special beneficiary appointed under GS 36C-8B-9, as enacted, or a special-needs fiduciary under GS 36C-8B-13, as enacted. Provides that the Article does not create or imply a duty to exercise the decanting power or to inform beneficiaries about the applicability of the Article. Declares that the terms of the first trust are deemed to include the decanting power for purposes of Article 8B, GS 36C-8-801, and GS 36C-802(a).

Details criteria of a trust that make this Article applicable to the trust. Criteria include (1) the trust has its principal place of administration in the State, including a trust that has had its principal place of administration changed to this State and (2) the trust provides by its trust instrument that is governed by this State's law or is governed by the law of this State for the purposes of administration, construction of terms of the trust, or determination of the meaning or effect of the terms of the trust.

Provides immunity for a trustee or any other person's reasonable reliance on the validity of the exercise of a decanting power under Article 8B, other law of this State, or the exercise of a similar power under the law of this State or another jurisdiction.

Authorizes an authorized fiduciary to exercise the decanting power without the consent of any person and without court approval unless otherwise provided in the Article. Sets forth a notice requirement of at least 60 days for a fiduciary's intended exercise of the decanting power to (1) any settlor as to whom the second trust would be a grantor trust, (2) each qualified beneficiary of the first trust, (3) each person that currently has the right to remove or replace the authorized fiduciary, and (4) each other fiduciary of the first trust. Details the required contents of the notice. Allows for the exercise of the decanting power prior to the expiration of the 60-day notice period if all persons entitled to receive notice waive the period in a signed written instrument. Provides that the receipt of notice, waiver of the notice period, or expiration of the notice period does not affect the right of a person to file an application under GS 36C-8B-9, enacted below, asserting either (1) an attempted exercise of the decanting power is ineffective because it did not apply with Article 8B or was an abuse of discretion or breach of fiduciary duty or (2) the provisions of GS 36C-8B-22, saving provisions enacted below, apply. Adds that an exercise of the decanting power is not ineffective because of failure to give notice to one or more required persons if the authorized fiduciary acted with reasonable care to comply with the requirement.

Provides for the right of an authorized fiduciary, a beneficiary, or a person entitled to notice to commence a proceeding to approve or disapprove a proposed exercise of the authorized fiduciary's decanting power, or to appoint a special fiduciary to exercise the decanting power. Provides that the statute does not affect the right of a person to file for declaratory relief under Article 26 of GS Chapter 1.

Details the formalities required in exercising the decanting power, including being made in a written instrument signed by the authorized fiduciary. Describes the limitations of exercising the decanting power as well as the authorized provisions and limitations of a second trust. Allows a second trust to retain or omit the power of appointment granted in the first trust, or create or modify the power of appointment as specified, with the power being general or nongeneral.

Details qualifications, rules, and limitations of a special-needs trust. Defines *special-needs trust* as a trust that the trustee believes would not be considered a resource for purposes of determining whether a beneficiary with a disability is eligible for governmental benefits. Defines *beneficiary with a disability*, *governmental benefits*, and *special-needs fiduciary* as those terms apply to these provisions.

Prohibits an authorized fiduciary from exercising the decanting power to the extent expressly prohibited by the terms of the first trust or a power granted by State law to the fiduciary to distribute part or all of the principal of the trust to another trust or to modify the trust. Subjects the exercise of the decanting power to any restriction in the terms of the first trust that expressly applies to the powers specified. Makes other clarifications on a trust's limitation on the decanting power.

Specifies qualifications that must be met for an authorized fiduciary to increase the fiduciary's compensation above the specified compensation in the first trust. Clarifies that a change in an authorized fiduciary's compensation incidental to other changes made by the exercise of the decanting power is not deemed to be an increase in the fiduciary's compensation.

Details when a second trust can provide indemnity for an authorized fiduciary for breach of trust under the first trust. Details when an authorized fiduciary can exercise the decanting power to modify a provisions in a first trust granting another person power to remove or replace the fiduciary.

Details the tax limitations that apply to an exercise of the decanting power.

Provides that a second trust can have a duration that is the same as or different from the duration of the first trust; however, to the extent that property in the second trust is attributable to property of the first trust, the property is subject to the rules governing maximum perpetuity, accumulation, or suspension of the power of alienation that apply to the property of the first trust.

Allows an authorized fiduciary to exercise the decanting power whether or not under the first trust's discretionary distribution standard the fiduciary would have made or could have been compelled to make a discretionary distribution of principal at the time of exercise.

Sets forth a saving provision, establishing that when the exercise of the decanting power would be effective under Article 8B except that the second trust does not comply in part with the Article, the exercise of the decanting power is effective, and the principal of the second trust attributable to the exercise of the power is subject to the specified rules. Requires a fiduciary to take corrective action if a trustee of other fiduciary of a second trust determines that this provision applies to a prior exercise of the decanting power.

Provides clarifications and assumptions as to references to the terms and settlor of a second trust in the Article. Details parameters for the disposition of later-discovered property.

Makes conforming changes to GS 36C-1-103(17), GS 36C-2-203(a)(1), and GS 36C-2-203(f)(6).

Directs the Revisor of Statutes to have printed, as annotated to the published General Statutes, all relevant portions of the Official Comments to the Uniform Trust Decanting Act (2015) and all explanatory comments of the drafters of this act as the Revisor deems appropriate.

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.*

Repeals GS 41-2, pertaining to survivorship in joint tenancy.

Enacts GS 41-2.3, Joint tenancy, providing that a conveyance to two or more persons creates a tenancy in common unless a joint tenancy with right of survivorship is created as provided by the statute, or a tenancy by the entirety is created as provided by law. Defines *conveyance* as the transfer of title to real or personal property by deed, devise, assignment, or other means of transferring title.

Establishes that a conveyance to two or more persons creates a joint tenancy with right of survivorship if the instrument expresses an intent to create a joint tenancy with right of survivorship. Provides that express intent exists, unless the instrument otherwise provides, if the instrument uses the language joint tenants with right of survivorship, joint tenants, joint tenancy, tenants in common with right of survivorship, joint with right of survivorship, with right of survivorship, to them or the survivor of them, or wording of similar import.

Establishes that the interests of joint tenants in a joint tenancy with right of survivorship are equal unless the instrument of conveyance provides otherwise. This provision applies to any conveyance of an interest in property created at any time that explicitly seeks to create unequal ownership interest in a joint tenancy with right of survivorship. Provides that distributions made prior to October 1, 2009, that were made in unequal amounts from a joint tenancy with right of survivorship that sought to create unequal ownership remains valid and is not subject to modification on the basis of this new provision.

Declares that a joint tenancy interest conveyed to individuals married to each other and to one or more other joint tenants in the same conveyance instrument, the interest held by the married individuals is a tenancy by the entirety, and the married individuals are to be treated as a single joint tenant unless the instrument provides otherwise.

Details six events that result in severance of a joint tenancy with right of survivorship: (1) where a joint tenant executes an instrument where the joint tenant is a grantor and the grantee and the intention to sever expressly appears on the instrument, and (2) where a joint tenant conveys all of that joint tenant's interest to a third party. Defines *severance* as the termination of the right of survivorship resulting in the creation of a tenancy in common, as provided. Details the creation of a tenancy in common upon severance, with variations depending on the event that triggered severance. Specifies three events that do not result in severance of a joint tenancy with right of survivorship: (1) the filing of a judgment against one joint tenant; (2) the filing of a petition by one joint tenant in bankruptcy; or (3) the divorce of married individuals holding an interest as tenants by the entirety in a joint tenancy with one or more other joint tenants, unless the divorced individuals agree otherwise, with the divorced individuals then holding their existing interest as joint tenants with each owning one-half of their prior interest.

Clarifies that the statute does not limit the manner or effect of a severance ordered by a court of competent jurisdiction.

Provides that joint tenant interests among two or more joint tenants holding property in joint tenancy with right of survivorship are subject to GS 28A-24-3 (requirement of survival by 120 hours) upon the death of one or more of the joint tenants.

Exempts from the statute's provisions executors or trustees in their representative capacity, partnerships governed by GS Chapter 59, business entities, accounts established under GS 41-2.1 (right of survivorship in bank deposits created by written agreement) or GS 41-2.2 (joint ownership of securities) to the extent inconsistent with the provisions of the statute, and life estates.

Provides that the statute does not invalidate estates created or severed prior to when the act becomes law.

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.*

Amends GS 90-94.1 to also allow the possession or use of hemp extract to treat autism, multiple sclerosis, Crohn's disease, or Mitochondrial disease, in addition to the already allowable treatment of intractable epilepsy.

Amends Article 5G of GS Chapter 90 as follows. Expands the purpose of the act so that it is to allow the use of hemp extract as an alternative treatment for intractable epilepsy, autism, multiple sclerosis, Crohn's disease, and Mitochondrial disease (was, only intractable epilepsy) and renames the act as the Alternative Treatment Act to reflect the expansion. Make conforming changes to the stated General Assembly findings. Makes additional conforming changes throughout the Article to reflect the expanded allowable uses.

Expands the definition of *caregiver* to also include a nurse employed by a licensed home health agency, and any other caregiver of a patient who meets the already specified criteria. Expands upon the items that must be included in the neurologist's statement that the caregiver must possess, to add a statement that the patient's condition has not responded to three or more treatment options overseen by the neurologist or by a physician with whom the neurologist has consulted about the patient's condition. Also expands on the statement to allow the patient to be examined and under the care of the neurologist or a physician who has consulted with the neurologist. Adds and defines the term *physician*.

Amends the information that must be contained in the database registry, to also require the name, address, and hospital affiliation of any physician with whom the neurologist consults about the patient's condition in making the recommendation for hemp extract treatment. Makes conforming changes.

Effective December 1, 2017.

Intro. by McKissick, Tucker.

GS 90

[View summary](#)

Health and Human Services, Health

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.*

Enacts new GS 162-51 concerning the sharing of an inmate's medical information between jails and corrections institutions and new GS 148-19.3 concerning the sharing of inmate medical information between jails. Both statutes define the Health Information Exchange (Exchange) as a computer-based medical summary outlining an inmate's medical history recorded by a jail, the person's condition, any treatment reported upon intake, any medical tests undertaken and the results thereof, any medications prescribed or being taken by said inmate, the inmate's vital signs, and any special medical needs or requirements for that inmate.

Requires every sheriff and prison in North Carolina, by January 1, 2018, and by January 1 for every year thereafter, to certify to the Secretary of the North Carolina State Department of Health and Social Services and the North Carolina Commissioner of Corrections that the jail they administer is part of the Exchange and is using computer-based medical software by and through which the information described above section is being recorded, along with any other information that the jail medical provider deems necessary and appropriate.

Requires each sheriff or Prison Administrator, or the Administrator's designee, to also certify that the software system being used in their jail, is designed or approved by a medical doctor with experience in the provision of medical care in a jail or other corrections institution setting and who is licensed to practice medicine in the state. Sets out additional requirements for doctors involved in the design of the software. Requires that the software be capable of recorded inmate data available to those who are responsible for ensuring the provision of medical care to inmates in other jails, or Department of Corrections or Department of Public Safety Corrections facilities, within the state to which the inmate is may be transferred. Requires that the system be able to either (1) maintain the inmate medical reports on a secure, online database or (2) be capable of printing off a report containing all provided information that may be conveyed manually or electronic means to another jail and contain a Prison Rape Elimination Act Reporting Module to comply with the requirements of federal legislation.

Specifies that nothing in the statutes is an expansion of any waiver of an inmate's privacy rights in their medical and diagnostic records. Also specifies that no liability, for any injury to person or property attaches to the designer of the Exchange, nor to the medical doctor approving such program, nor to any person or entity who, in the course of their duties, is using the Exchange.

Makes each prison or jail responsible for ensuring the security of the Exchange database including IT support, cost of the scanner necessary to upload outside medical documents, and any other related support except for software programming or development."

Appropriates from the General Fund to the Department of Public Safety \$2,150,000 in nonrecurring funds for 2017-18 and \$750,000 in recurring funds for 2018-19 fiscal year to be allocated for the licensing fees, maintenance, integration, and implementation of the necessary software.

Effective July 1, 2017.

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*.

Senate committee substitute makes the following changes to the 1st edition. Further amends Senate Rule 40.1 to extend the deadline for the filing of public bills from 4 pm on March 30, to 5 pm on April 4.

Intro. by Rabon.

[SENATE RES](#)

[View summary](#)

[Government, General Assembly](#)

S 460 (2017-2018) [AGRICULTURE AND FORESTRY NUISANCE REMEDIES](#). Filed Mar 29 2017, *AN ACT TO CLARIFY THE REMEDIES AVAILABLE IN PRIVATE NUISANCE ACTIONS AGAINST AGRICULTURAL AND FORESTRY OPERATIONS*.

Identical to [H 467](#), filed 3/23/17.

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

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

Intro. by B. Jackson, Bishop, Rabon.

[GS 106](#)

[View summary](#)

[Agriculture](#)

S 461 (2017-2018) [MODIFY UNC LABORATORY SCHOOLS](#). Filed Mar 29 2017, *AN ACT TO MODIFY THE GOVERNANCE AND OPERATION OF THE UNIVERSITY OF NORTH CAROLINA LABORATORY SCHOOLS*.

Amends GS Chapter 116, Article 29A (University of North Carolina Laboratory Schools) as follows.

Directs the UNC Board of Governors (Board) to designate, upon recommendation of the President of the University of North Carolina (President), at least nine (currently eight) constituent institutions with high-quality educator preparation programs to

submit proposals to establish laboratory schools to serve public school students. Directs the Subcommittee on Laboratory Schools (Subcommittee), established under amended GS 116-239.7, to review the proposals and approve at least nine of them. Directs the Subcommittee to oversee the operations of those schools. Provides that the Subcommittee, the chancellor of each constituent institution operating a laboratory school, and the laboratory school itself, are exempt from statutes and rules applicable to local boards of education or local school administrative units.

Defines several new terms, and amends the definition of *laboratory school* to also require schools serve students in at least three consecutive grade levels in the range of kindergarten through eighth grade, and to require that the school be located in a qualifying local school administrative unit, as currently specified.

Amends the caption of GS 116-239.7 to read "The Board of Governors' Subcommittee on Laboratory Schools; selection of laboratory schools; creation of a laboratory school; dissolution." Directs the Board to establish the Subcommittee. Provides that the President serves on the Subcommittee. Authorizes the Board to create a full-time position, within the funds appropriated each year to the Board, to coordinate and support the Subcommittee's work. Replaces the system in which Board and boards of trustees of constituent institutions adopt a plan for laboratory schools with one in which the Subcommittee designates at least nine constituent institutions to submit proposals, as adopted by their chancellors, to operate a laboratory school in a qualifying local school administrative unit. Directs the Subcommittee to evaluate and approve the proposals, as specified. Deletes the provision requiring the Board to update laboratory school plans to reflect changes to the status of a constituent institution or the status of qualifying local school administrative units at the end of each term. Authorizes proposals for laboratory schools in local school administrative units that do not meet the low-performing schools threshold, if the proposal demonstrates that the laboratory school would primarily serve students who did not meet expected growth in the prior school year. Authorizes the Subcommittee to waive the requirement for the number of low-performing schools for up to three laboratory schools, if the schools are submitted jointly by the chancellor and the local school administrative unit in which the laboratory school would be located, and the Subcommittee determines that the proposed location would satisfy the purposes set forth in GS 116-239.5. Provides for the renewal of terms of operation for schools that continue to meet the statutory requirements that justified their creation, and the discontinuation of those that do not. Directs the Subcommittee to notify the Board of Governors of the end of each term of operation, and designate additional constituent institutions with educator preparation programs establishing laboratory schools when a school is no longer located in a qualifying unit or is no longer meeting the purpose of the Article under a waiver at the end of five years. Directs the Subcommittee to file a copy of resolutions approving laboratory schools with the Department of Public Instruction, and directs the State board of Education, upon the recommendation of the Superintendent of Public Instruction, to approve the creation of the laboratory school. Provides for the Chancellor to propose in conjunction with the local school administrative unit, for the dissolution or the assumption of laboratory school by a new entity, in the event that a laboratory school's term ends or the constituent institution's educator preparation program is terminated. Deletes the provision concerning the transition of the laboratory school to a public school, and the provision deeming property of the dissolved or transitioned laboratory school to be property of the local school administrative unit.

Amends the caption of GS 116-239.8 to read "Chancellor; powers and duties." Directs Chancellors of constituent institutions designated by the Board to submit proposals for the establishment of a laboratory school. Provides that chancellors are the administrative heads of laboratory schools approved by the Subcommittee, and must provide general direction for the establishment and operation of the laboratory schools. Directs chancellors to adopt policies, procedures, and courses of study for the laboratory schools with input from the advisory board. Authorizes the chancellor to designate the duties required by this article to other personnel. Transfers the powers currently given to boards of trustees under this statute to the Chancellor. Revises the membership of the advisory board created under this statute, increasing the number of its members to 10 (currently, nine), and increasing the length of their terms from two years to four years, allowing no more than two complete consecutive terms.

Authorizes students in the laboratory school's local administrative unit who did not meet expected growth, as defined in the statute, in the prior school year to attend the laboratory school, regardless of their enrollment in a low-performing school. Provides that enrollment, up to the capacity of a program, class, grade level, or building, is in the order of application. Provides that students who enroll are not required to reapply for subsequent enrollment periods. Eliminates the priority enrollment for students who did not meet expected growth.

Makes waiver of requirements for principal and teacher licensure for laboratory school principals and teachers contingent upon the recommendation of the Superintendent of Public Instruction, and approval by the Subcommittee. Provides that employees of the constituent institution who work in laboratory schools are considered State employees, and participate in the Teachers' and State employees' Retirement System.

Amends the definition of *school personnel* in GS 116-239.12 (Criminal history record checks) to refer to, amongst currently designated others, staff of the laboratory school (was, employees of the laboratory school) and members of the advisory board (no longer includes members of the board of trustees). Requires advice and input from the advisory board for the policy requiring criminal history checks. Requires the Chancellor to provide the State Board of Education with the criminal history it receives on a person who is certificated, certified, or licensed by the State Board of Education. Provides that the chancellor, constituent institution, advisory board, Department of Public Instruction, and the State Board of Education, and their employees, are not liable for negligence for acts or omissions carrying out this statute, except for gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. Transfers responsibilities throughout the statute from the board of trustees to the Chancellor.

Directs the Subcommittee to perform the review and evaluation of the laboratory schools currently required of the Board. Amends the information required in the annual report to the Joint Legislative Education Oversight Committee to include specified information on the statutory categorization of students enrolled in laboratory schools.

Makes technical and conforming changes.

Amends GS 143B-931 (concerning criminal history record checks for school personnel) to authorize the Department of Public Safety to provide criminal history record checks to a chancellor operating a laboratory school for a person who is employed at the school or who has applied for employment, if the employee or applicant consents to the record check. Directs the chancellor to keep the information confidential.

Amends SL 2016-94, Section 11.6 to direct that the laboratory schools shall be in operation by the beginning of the 2019-20 school year, and to make conforming changes. Amends the allocation of \$1 million dollars, currently appropriated to the Board to be allocated to the University of North Carolina General Administration, to require it now be used for the work of the Subcommittee, and to designate the allocation for the 2016-17 fiscal year. Amends the required report to the Joint Legislative Education Oversight Committee to require the Subcommittee, instead of the Board, to submit the report.

Intro. by Barefoot, Curtis, Lee.

[GS 116, GS 143B](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, UNC System](#)

S 462 (2017-2018) [UNC/UTEACH PROGRAM](#). Filed Mar 29 2017, *AN ACT TO DIRECT THE PRESIDENT, OR THE PRESIDENT'S DESIGNEE, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO CONSIDER AND EVALUATE THE FEASIBILITY OF APPLYING FOR AND IMPLEMENTING THE UTEACH PROGRAM AS PART OF THE CURRICULA OFFERED BY THE UNIVERSITY OF NORTH CAROLINA SYSTEM.*

Directs the President, or the President's designee, and the UNC Board of Governors to jointly consider and evaluate the feasibility of applying for and implementing the UTEACH program as part of the curricula offered by the UNC System. Describes the UTEACH program as a course of study combining the requirements for rigorous STEM degrees (science, technology, engineering, and mathematics) and requirements for secondary teaching certification without adding time or cost to four-year degrees.

List six considerations the President, or the President's designee, and the Board of Governors can use in their evaluation of the UTEACH program, including which constituent institutions, departments, and programs would participate and collaborate in the program if it were implemented, and the cost of implementing and maintaining a program and the alternative for financing the program.

Directs the President, or the President's designee, and the UNC Board of Governors to report to the Joint Legislative Oversight Committee by April 1, 2018, with their findings and recommendations regarding the feasibility of applying for and implementing the UTEACH program as part of the curricula offered by the UNC System.

Intro. by Barefoot, Curtis, Daniel.

[UNCODIFIED](#)

[View summary](#)

[Education, Higher Education, Government, State Agencies,](#)

S 463 (2017-2018) [CAREGIVER RELIEF ACT](#). Filed Mar 29 2017, *AN ACT AMENDING THE LABOR LAWS TO PROVIDE RELIEF FOR CAREGIVERS IN THIS STATE.*

Adds new Article 24, Caregiver Relief Act, to GS Chapter 95. Provides under state law for caregivers who provide direct care to certain family members to take leave time in instances where leave would not be available to the caregivers under federal law. Provides that the following definitions apply under this proposed Article: (1) Department is the Department of Labor; (2) FMLA--the federal Family and Medical Leave Act of 1993; (3) eligible employee--as defined in the FMLA; (4) grandchild--the child of a biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis to the employee; and (5) grandparent--the parent of a parent. Under federal law, the FMLA specifies the family members for which an eligible employee may take leave to provide care; this act provides that an employer required to comply with the FMLA is to provide the same leave to an eligible employee for certain family members in need of care as would be provided under the FMLA. Provides that an eligible employee who takes leave under this provision is entitled to the same protections and rights that an eligible employee is entitled to under the FMLA. Provides that any right or obligation under this proposed Article is enforceable by a civil action in addition to any other remedies at law or equity. Provides that the Article applies to all employers in the state who are subject to the FMLA. Makes a conforming change to GS 95-241(a). Effective July 1, 2017, and applies to covered employers and eligible employees on or after that date.

Intro. by Bryant, Robinson, Foushee.

GS 95

[View summary](#)

**Employment and Retirement, Government, State Agencies,
Department of Health and Human Services, Department of
Labor, Health and Human Services, Health**

S 464 (2017-2018) [INCREASE OVERSIGHT OF OLBS](#). Filed Mar 29 2017, *AN ACT TO INCREASE OVERSIGHT OF OCCUPATIONAL LICENSING BOARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE.*

Amends GS 93B-2 by adding the requirement that each occupational licensing board give the Joint Legislative Administration Procedure Oversight Committee (Committee) the name and contact information of the individual responsible for filing the required reports. Requires that the Committee be notified of any changes to that information within 30 days.

Amends GS 93B-5(g) to require occupational licensing board members to receive training on federal antitrust law and State action immunity, in addition to existing training requirements, within six months of a board member's initial appointment to the board and at least once within every two calendar years thereafter.

Enacts six new sections in GS Chapter 93B (Occupational Licensing Boards).

Enacts GS 93B-17 to require occupational licensing boards to adopt rules for the receipt and resolution of complaints, for taking disciplinary or enforcement actions against its licensees, and for taking enforcement actions against unlicensed persons. Further, requires occupational licensing boards to adopt as a rule any interpretation, clarification, or other delineation of the scope of practice of an occupational licensing board.

Enacts GS 93B-18 to grant authority to an occupational licensing board to investigate unlicensed activity and to notify unlicensed persons and entities of the possible violation of the law and administrative rules, and any civil action or criminal penalty that may be imposed by a court. Provides language that must be included in a notice of possible violation to unlicensed persons and entities.

Enacts GS 93B-19 to establish that the venue for court enforcement is the superior court of the county where the defendant resides or in the county where the occupational licensing board has its principal place of business.

Enacts GS 93B-20 to provide for injunctive relief.

Enacts GS 93B-21 to provide that jurisdictional disputes among occupational licensing boards should be resolved through informal procedures, and if disputes cannot be resolved through informal procedures, the affected board may file a petition with the Office of Administrative Hearings (OAH), and the dispute will become a contested case conducted by OAH under Articles 3 and 4 of GS Chapter 150B.

Enacts GS 93B-22 to require each occupational licensing board to develop and implement a complaint process that provides (1) a description of the complaint process on the board's web site, including the types of violations that are under the board's jurisdictional authority; (2) an electronic complaint submission via the board's web site, including a prominently displayed link to the form; and (3) the ability to provide complainants with a written description of the final disposition of each complaint.

Enacts GS 93B-23 to specify that a rule adopted by an occupational licensing board to increase a fee will become effective as provided in GS 150B-21.3(b) as though 10 or more written objections had been received.

Directs the Joint Legislative Administrative Procedure Oversight Committee to continue to monitor and study issues related to the scope of practice jurisdiction of occupational licensing boards.

Intro. by Wells.

GS 93B

[View summary](#)

Business and Commerce, Occupational Licensing

S 465 (2017-2018) **COURTHOUSE CONCEALED CARRY/ELECTED OFFICIALS**. Filed Mar 29 2017, *AN ACT TO ALLOW CERTAIN ELECTED OFFICIALS TO CARRY A CONCEALED WEAPON IN GOVERNMENT BUILDINGS CONTAINING COURTHOUSES*.

Amends GS 14-269.4, prohibiting weapons on certain State property and in courthouses, by adding new subsection (4e) to exempt from the statute's prohibition any person who is a mayor, member of a board of commissioners, or member of a city council who carries or possesses a concealed handgun in any portion of a building housing a court, other than a courtroom itself, so long as (1) the person is in the building to discharge the person's official duties, and (2) the person has a concealed handgun permit issued in accordance with Article 54B of GS Chapter 14 or considered valid under the reciprocity provisions of GS 14-415.24.

Amends GS 14-415.11, setting forth the scope of a permit to carry a concealed handgun, by adding a new subsection (c4) to allow a person who is a mayor, a member of a board of county commissioners, or member of a city council who has a concealed handgun permit issued pursuant to Article 54B of GS Chapter 14 or that is considered valid under the reciprocity provisions of GS 14-415.24 to carry a concealed handgun in: (1) the areas prohibited by GS 14-269.4 to the extent allowed in GS 14-269.4(4e) as enacted above; and (2) a building housing only State offices, or an office of the State government that is not located in a building exclusively occupied by the State government, so long as (a) the building is a State building with a courthouse, (b) the person is in that prohibited area to discharge the person's official duties, and (c) the person does not carry the concealed handgun into a courtroom. Makes conforming changes.

Effective December 1, 2017, and applies to offenses committed on or after that date. Provides that prosecutions for offenses committed before the date the act becomes law are not abated or affected by the act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

Intro. by J. Davis.

GS 14

[View summary](#)

Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure

S 466 (2017-2018) **CIHS FUNDS**. Filed Mar 29 2017, *AN ACT TO PROVIDE FUNDING FOR THE COOPERATIVE INNOVATIVE HIGH SCHOOLS APPROVED BY THE STATE BOARD OF EDUCATION TO OPEN IN THE 2016-2017 SCHOOL YEAR AND THOSE SCHOOLS APPROVED TO OPEN IN THE 2017-2018 SCHOOL YEAR*.

Appropriates from the General Fund to the Department of Public Instruction (DPI) \$7,766,725 in recurring funds for the 2017-18 fiscal year to allocate to local school administrative unites with the identified cooperative innovative high schools approved by the State Board of Education. Directs DPI to allocate \$310,669 each fiscal year to a local school administrative unit for each cooperative innovate high school identified by the act that is located in the unit. Effective July 1, 2107.

Intro. by Smith-Ingram, Ballard, Woodard.

APPROP

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Public Instruction**

S 467 (2017-2018) **NORTH CAROLINA RETIREMENT REFORM**. Filed Mar 29 2017, *AN ACT TO REFORM THE NORTH CAROLINA RETIREMENT SYSTEM BY PROVIDING THAT CERTAIN PERSONS HIRED BY THE STATE BEGINNING JULY 1, 2018, SHALL PARTICIPATE IN THE NORTH CAROLINA 401(K) PLAN OR NORTH CAROLINA 457 PLAN RATHER THAN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM; TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY WHO FIRST BECOME MEMBERS ON OR AFTER JULY 1, 2018, SHALL PARTICIPATE IN THE NORTH CAROLINA 401(K) PLAN OR NORTH CAROLINA 457 PLAN RATHER THAN THE LEGISLATIVE RETIREMENT SYSTEM; TO PROVIDE THAT CERTAIN LOCAL GOVERNMENTAL EMPLOYEES HIRED ON OR AFTER JULY 1, 2018, SHALL PARTICIPATE IN THE NORTH CAROLINA 401(K) PLAN OR NORTH CAROLINA 457 PLAN; TO CHANGE STATE HEALTH PLAN ELIGIBILITY FOR STATE RETIREES; AND TO MAKE CONFORMING CHANGES.*

Part I

Enacts Article 5A to GS Chapter 135, Supplemental Retirement Income Plan and Deferred Compensation Plan Automatic Enrollment.

Establishes that, effective July 1, 2018, all eligible Plan members are automatically enrolled in the Supplemental Retirement Income Plan, the Deferred Compensation Plan, or both, at the time of initial employment and at subsequent times to be determined by the Board. Directs that the Plan members' contributions are subject to automatic adjustment on an annual basis as provided by the Supplemental Retirement Board of Trustees (Board) on a date set by the Board. Defines *Plan member* to mean an eligible Plan member who is enrolled in the Supplemental Retirement Income Plan, the Deferred Compensation Plan, or both. Defines *eligible Plan member* to mean (1) a teacher or State employee who is not a member of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, or the Optional Retirement Program for UNC established under GS 135-5.1; (2) a member of the General Assembly who is not a member of the Legislative Retirement System; or (3) a local government employee whose employer is a participating employer in the Local Governmental Employees' Retirement System but who is not a member of the Local Governmental Employees' Retirement System or an equivalent locally sponsored retirement plan. Defines *Supplemental Retirement Income Plan* to be as provided in Article 5 of GS Chapter 135. Defines *Deferred Compensation Plan* to be as provided in GS 143B-426.24.

Directs that a Plan member's compensation is to be reduced by the amount of his or her contribution to the Supplemental Retirement Income Plan, the Deferred Compensation Plan, or both. Directs that the contribution is to be held in the Plan member's account. Provides that Plan members subject to the compensation reduction are deemed to have authorized payroll deductions for this purpose.

Details criteria to be used by the Board in setting the contribution levels for automatic enrollment and for automatic adjustment for each individual member, with the goal of achieving an adequate retirement income for that individual. Directs the Board to determine default settings for the specified criteria, subject to being overridden by the Plan member.

Directs the Board to establish a new investment option consisting exclusively of long-term, fixed-income securities that are investment grade and indexed for inflation, except for any necessary cash balance. Directs the Board to set the default investment setting as provided.

Allows for any automatic adjustment in employee contribution rates to be made by the Board in phases over the course of no more than three years. Requires the Board to notify the Plan member of a proposed automatic adjustment of the Plan member's contribution rate when the adjustment would result in a change of more than 5% in that rate. Requires the notice to include the Plan member's right to opt out of that adjustment with notice using at least three of the following methods: by email, US mail,

telephone, or direct contact by the Plan member's Human Resources representative. Directs that, upon the automatic enrollment of an eligible Plan member, the Board can hold any contributions to the Supplemental Retirement Income Plan or Deferred Compensation Plan in another State account for the 90-day period in which the eligible Plan member can elect to opt out of enrollment. Details the methods, options, and effects of electing to opt out of automatic enrollment or automatic adjustment.

Details the automatic monthly distribution from the Plan member's account, as specified, upon the later of separation of service or attainment of the most recent target retirement age established under GS 135-99.2(b)(6), as overridden by the Plan member if applicable. Establishes that the automatic monthly distribution will cease after a time period specified by the Board. Directs the Board to inform the Plan member of the procedure for continuing monthly income for life by effecting a transfer under Article 8 of GS Chapter 135, as enacted below. Allows for the Plan member to elect to change the distribution amount or cease distributions at any time.

Exempts from automatic distributions any Plan member who has reached the age for minimum distributions under Section 401(a) (9) of the Internal Revenue Code or who would face tax penalties for the withdrawal. Allows the Board to further delay commencement of automatic distributions as provided. Allows the Board to exempt from automatic distributions account with balances below a threshold set by the Board.

Declares that it is the intent of the General Assembly to provide for a 100% match by the State for the 2018-19 fiscal year on the first 6% in contributions made by (1) persons hired by the State on or after July 1, 2018, and who are required to participate in the NC 401(k) Plan or the NC 457 Plan rather than the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, or the Optional Retirement Program for UNC established under GS 135-5.1; and (2) members of the General Assembly who first become members on or after January 1, 2018, who are required to participate in the NC 401(k) Plan or the NC 457 Plan rather than the Legislative Retirement System. Further declares that it is the intent of the General Assembly to establish an unfunded liability contribution rate, approximating the rates in existing retirement systems, to be contributed by employers to those hired on or after July 1, 2018.

Enacts Article 8 to GS Chapter 135, establishing the North Carolina Income System (System), to be administered by the Board of Trustees of the Teachers' and State Employees' Retirement System (Board).

Sets out the membership of the NC Retirement Income System to be the following who elect to transfer funds to the System: (1) teachers or State employees who are not members of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, or the Optional Retirement Program for UNC established under GS 135-5.1; (2) members of the General Assembly who are not members of the Legislative Retirement System; or (3) local government employees whose employer is a participating employer in the Local Governmental Employees' Retirement System but who are not members of the Local Governmental Employees' Retirement System or an equivalent locally sponsored retirement plan. Defines *local government employee*, *state employee* and *teacher* as those terms are respectively defined in GS 128-27(10), GS 135-1(10), and GS 135-1(25).

Allows for a member to make an election to transfer any portion of the member's eligible accumulated contributions at any time coincident with or following retirement, not including any Roth after-tax contributions and the earnings thereon, from the Supplemental Retirement Income Plan of NC or the NC Public Employee Deferred Compensation Plan to the NC Retirement Income System established under GS 135-60, and receive a retirement allowance based upon the member's transferred balance. Details the specific Plans from which eligible balances can be transferred within the provided limitations. Directs the Board to provide educational materials to describe the retirement allowance and explain the relationship between the transferred balance and the monthly benefit, and how the member's heirs can be impacted by the election to make this transfer, as well as any costs and fees involved.

Details the parameters by which the Board is to determine the retirement allowance. Provides that the any member that transfers eligible accumulated contributions from an eligible retirement plan to the NC Retirement Income System will be taxed for NC State income tax purposes on the retirement allowance. Directs the Board to determine the taxable amount, if any, and report accordingly.

Authorizes the Supplemental Retirement Board of Trustees to assess a one-time flat administrative fee, not exceeding the actual cost of the administrative expenses relating to the transfers under this statute. Prohibits an eligible plan from assessing a fee specifically relating to a transfer of accumulated contributions authorized under this statute. Provides that the statute does not prohibit other fees that can be assessed under the plan. Directs that each plan, contract, account, or annuity to fully disclose to any

member participating in a transfer under this statute any surrender charges or other fees. Requires the disclosure to be made contemporaneous with the initiation of the transfer by the member.

Establishes that the retirement allowance continues for the life of the member and the beneficiary designated to receive a monthly survivorship benefit modeled upon Option 2 or 3 as described in GS 135-5(g), if any. Directs the Board to establish two payment options that guarantee payment as provided in detail.

Directs the State Treasurer to invest the assets of the NC Retirement Income System exclusively in fixed-income securities of investment grade, with a close match between the projected inflation-adjusted cash flow stream of the investments and the projected inflation-adjusted cash flow payment to members. Prohibits any further transfers of contributions under new Article 8 in the event that securities offering inflation indexing are no longer available for investment, until those securities are again available for investment.

Directs the Department of State Treasurer to post an annual report, beginning in the first year that assets in the NC Retirement Income System exceed \$25 million, on its website estimating the probability distribution of any shortfall due to five specified factors. Requires the report to also describe efforts taken by the Department of State Treasurer to minimize each of the identified risks at a reasonable cost to the extent possible.

Expressly reserves the right of the General Assembly to repeal or amend the statute. Provides that any repeal or amendment does not affect any person who has already made the election to transfer as provided for in subsection (a) of the statute.

Amends Article 5 of GS Chapter 135, Supplemental Retirement Income Act of 1984, as follows.

Amends the membership provisions for the Supplemental Income Plan, establishing that the membership eligibility of the Plan can consist of any of the delineated persons set out in GS 135-92(a) (currently, provides that the Plan must consist of the identified persons who voluntarily elect to enroll). Adds to the delineated list of persons (1) teachers or State employees who are not members of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, or the Optional Retirement Program for UNC established under GS 135-5.1; (2) members of the General Assembly who are not members of the Legislative Retirement System; or (3) local government employees whose employer is a participating employer in the Local Governmental Employees' Retirement System but who are not members of the Local Governmental Employees' Retirement System or an equivalent locally sponsored retirement plan. Makes clarifying and technical changes to subsections (a) and (b) of GS 135-92.

Adds to subsection (b) of GS 135-93, concerning contributions to the Supplemental Retirement Income Plan, to establish that after the attainment of five years of service to the State with respect to any contributions made by the State on their behalf, the following employees become vested in the Plan: (1) teachers or State employees who are not members of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, or the Optional Retirement Program for UNC established under GS 135-5.1; (2) members of the General Assembly who are not members of the Legislative Retirement System; or (3) local government employees whose employer is a participating employer in the Local Governmental Employees' Retirement System but who are not members of the Local Governmental Employees' Retirement System or an equivalent locally sponsored retirement plan. Makes conforming change to GS 135-94(a)(1).

Part II

Enacts GS 135-3, concerning the Retirement System for Teachers and State Employees, and GS 128-24, concerning the Retirement System for Counties, Cities, and Towns, establishing that persons who have not earned membership service prior to July 1, 2018, cannot become members of the applicable Retirement System. Makes conforming changes to the definitions of the term member defined in GS 135-1(13) and GS 128-21(13).

Amends GS 128-23 to establish that on and after July 1, 2018, there are to be no additional employers approved to participate in the Retirement System for Counties, Cities, and Towns. Clarifies that any employers who are participating employers on July 1, 2018, are to remain participating employers in the Retirement System, and will be able to cease participation only as provided in GS 128-30(i) (providing for procedure and payment to cease participation). Makes conforming change to subsection (c).

Amends GS 135-51(a), providing that specified State employees must have earned membership prior to July 1, 2018, and not withdrawn service, to receive the retirement benefits of the Consolidated Judicial Retirement System.

Amends GS 120-4.11, providing that members of the General Assembly who served on or before June 15, 1983, must have earned membership service prior to July 1, 2018, and not withdrawn that service to be eligible for membership in the Legislative

Retirement System.

Amends GS 135-5.1, adding new subsection (a2) to establish that for all employees initially appointed on or after July 1, 2018, participation in the Optional Retirement Program for UNC is limited to those employees described in GS 126-5(c1), subdivisions (8) through (10) (instructional and research staff, physicians, and dentists of UNC; employees of a regional school established under Part 10 of Article 16 of GS Chapter 115C; employees whose salaries are fixed under the authority vested in the Board of Governors by GS 116-11(4), GS 116-11(5), and GS 116-14; and employees of the NC Cooperative Extension Service of NC State who are employed in county operation and not otherwise exempt), and those employees described in GS 126-5(c8) (employees of the UNC Health Care System; employees of the UNC Hospitals at Chapel Hill; employees of the clinical patient care programs of the School of Medicine of UNC Chapel Hill; and employees of the Medical Faculty Practice Plan of the School of Medicine of ECU). Adds that those employees are subject to rules for eligibility and participation adopted by the UNC Board of Governors in the Optional Retirement Program plan document. Provides that eligible employees initially appointed on or after July 1, 2018 must participate in the Optional Retirement Program at the same time of entering upon eligible employment. Makes conforming change to exempt these employees from the provisions of subsection (c), subdivisions (3) and (4), concerning election to participate in the Program. Further, directs the Board of Governors to establish policies for participant contributions for participants initially appointed on or after July 1, 2018. Makes organizational, conforming, and technical changes to GS 135-5.1.

Amends GS 135-5.4, providing that no State-funded community college employees initially appointed on or after July 1, 2018 can elect to join the Optional Retirement Program. Makes conforming change.

Directs that any member of the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, or the Local Government Employees' Retirement System who became a member prior to July 1, 2018, and any member of the Legislative Retirement System who became a member of the General Assembly prior to July 1, 2018, may, during a period to be determined by the Board of Trustees of the Teachers' and State Employees' Retirement System, exercise a one-time option to cease participation in the Retirement System of which he or she is a member on June 30, 2017, and to be subject effective July 1, 2018, to the provisions of GS 135-93, GS 135-99.2, and GS 135-99.3, as amended and enacted, and be eligible for any employer contribution to the Supplemental Retirement Income Plan or the NC Public Employee Deferred Compensation Plan, by irrevocably transferring the member's employee contributions in the Retirement System to the Supplemental Retirement Income Plan, the NC Public Employee Deferred Compensation Plan, or both, and forfeiting any right to future benefits under the Retirement System of which he or she was a member on June 30, 2018. Establishes that the member exercising this one-time option is required to acknowledge that the General Assembly retains the authority to change the employer contribution and any other features of the Supplemental Retirement Income Plan or the NC Public Employee Deferred Compensation Plan at any time.

Directs the Department of State Treasurer to submit a report by December 31, 2017, to the chairs of the Senate Committee on Appropriations on Pensions, Compensation, and Benefits, the chairs of the House pensions and Retirement Committee, and the Fiscal Research Division regarding local government employees in NC who do not participate in Social Security. Directs the Department of State Treasurer to consult with stakeholder groups in preparing the report. Details the required contents of the report, concerning covering local government employees not participating in Social Security under Social Security, NC 401(k) or 457 Plans, or a defined benefit plan designed to be as similar to the NC 401(k) or 457 Plans as legally possible.

Part III

Declares that it is the intent of the General Assembly to appropriate \$100 million in recurring funds for the 2017-18 fiscal year, and \$200 million in recurring funds for the 2018-19 fiscal year to reserves for retirement contributions, so that the Board of Trustees of the Teachers' and State Employees' Retirement System can increase the increment in its Employer Contribution Rate Stabilization Policy from 0.35% to 1% of pay and more quickly repay the unfunded liability in the System.

Part IV

Amends GS 135-103(a), providing that all teachers and State employees who are not members of the Teachers' and State Employees' Retirement System or the Optional Retirement Program established under GS 135-5.1 are eligible participants of the Disability Income Plan.

Amends GS 135-5(l), providing that teachers and State employees who are not members of the Teachers' and State Employees' Retirement System or the Optional Retirement Program established under GS 135-5.1 must participate and be eligible for benefits of the Death Benefit Plan, and the provisions of subsection (l) apply to them as though they are members.

Amends GS 128-27(*l*), providing that local government employees whose employer is a participating employer in the Local Government Employees' Retirement System but who are not members of either the Local Government Employees' Retirement System or an equivalent locally sponsored retirement plan must participate and be eligible for benefits of the Death Benefit Plan, and the provisions of subsection (*l*) apply to them as though they are members.

Part V

Amends GS 135-48.1(18), defining *retired employee (retiree)* as the term is used in the State Health Plan for Teachers and State Employees, to define the term to mean retired teacher, State employees, and members of the General Assembly who (1) are receiving monthly retirement benefits from the Teachers' and State Employees' Retirement System, the Consolidated Judicial Retirement System, the Legislative Retirement System, or the Optional Retirement Programs established under GS 135-5.1 and GS 135-5.4, and (2) earned contributory retirement service in one of these retirement systems prior to July 1, 2018, and did not withdraw that service, as long as the retiree is enrolled. Makes conforming changes to refer to retired employees as defined in GS 135-48.1(18), as amended, in GS 135-48.40 concerning categories of eligibility in the State Health Plan.

Part VI provides that the act becomes effective July 1, 2018.

Intro. by Wells, Rabon, Rabin.

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

[View summary](#)

[Employment and Retirement, Government, Budget/Appropriations, General Assembly, State Government, State Personnel, Local Government, Health and Human Services, Health, Health Insurance](#)

S 468 (2017-2018) [QZAB USE MODIFICATION](#). Filed Mar 29 2017, *AN ACT TO MODIFY THE USES FOR QUALIFIED ZONE ACADEMY BONDS*.

Amends GS 115C-489.6(a) concerning the allocation of proceeds from the Qualified Zone Academy Bond (QZAB) program in North Carolina by the State Board of Education (SBE), by requiring that any conditions placed on distributing the State's allocation of QZAB funds must ensure that the bond proceeds are only used for purposes listed in 26 U.S.C. Sec. 54E, federal law establishing the QZAB program (was, bond proceeds could only be used for rehabilitating or repairing a public school facility, including infrastructure improvements related to providing technology and for equipment related to the rehabilitation or repair of that facility). Further adds language requiring the allocation of QZAB proceeds be prioritized so that proceeds are first used in counties having greater economic distress, as determined pursuant to GS 143B-437.08 (Development Tier Designation). Directs the SBE to create an application process to collect information necessary to accomplish the prioritization and efficient use of the bond proceeds.

Effective when bill becomes law, applying to bond proceeds used on or after that date.

Provides that the SBE can expedite consideration of use of bond proceeds pursuant to this act without a formal application process for bond proceeds that will become unavailable after December 31, 2016, provided that the SBE otherwise uses best efforts to ensure proceeds are prioritized in accordance with the provisions of this act.

Intro. by Brown.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, State Agencies, State Board of Education](#)

S 469 (2017-2018) [PRESERVE MUNICIPAL SOLID WASTE CAPACITY](#). Filed Mar 29 2017, *AN ACT TO CONSERVE MUNICIPAL SOLID WASTE LANDFILL CAPACITY BY PREVENTING THE ENACTMENT OF CERTAIN FLOW CONTROL MEASURES*.

Amends GS 130A-309.09B by adding to the requirements for a local government's solid waste reduction program, that a local government must not prohibit the disposal of construction and demolition debris in any sanitary landfill permitted for the disposal

of construction and demolition debris.

Intro. by Brown.

GS 130A

[View summary](#)

Development, Land Use and Housing, Building and Construction, Environment, Government, Local Government, Health and Human Services, Health, Public Health

S 470 (2017-2018) **PERSONAL INJURY BANKRUPTCY TRUST CLAIMS**. Filed Mar 29 2017, *AN ACT AMENDING RULE 26 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE RELATING TO DISCOVERY IN BANKRUPTCY TRUST PERSONAL INJURY CLAIMS*.

Amends GS 1A-1, Rule 26(b) (concerning the scope of discovery). Requires plaintiffs filing personal injury lawsuits based on exposure to asbestos to provide to all parties a sworn statement indicating that an investigation of all bankruptcy trust claims has been conducted and that all such claims that can be made by the plaintiff have been filed, along with the identify of those claims, and materials submitted to or received from a bankruptcy trust. Provides for the supplementation of this information for subsequent bankruptcy trust claims and materials. Provides for the defendant to move for a stay upon reasonable belief that the plaintiff can file additional bankruptcy trust claims, and provides the defendant with a setoff or credit in the amount the plaintiff is awarded or is reasonably expected to be awarded from a bankruptcy trust. Makes these materials presumptively relevant and authentic and admissible in the action. Authorizes a defendant to seek discovery from a bankruptcy trust.

Intro. by Lee, Brown, B. Jackson.

GS 1A

[View summary](#)

Banking and Finance, Courts/Judiciary, Civil, Civil Procedure

S 471 (2017-2018) **LRC/TRANSITION TO SPTD EMPL./IDD POPULATION**. Filed Mar 29 2017, *AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ISSUES RELATED TO IMPROVING THE QUALITY AND AVAILABILITY OF EVIDENCE-BASED SERVICES TO SUPPORT INDIVIDUALS WITH INTELLECTUAL AND/OR DEVELOPMENTAL DISABILITIES TRANSITION INTO EMPLOYMENT*.

As title indicates. Also requires the Legislative Research Commission to report on the study to the General Assembly when it reconvenes in 2018.

Intro. by Lee, Barringer, Clark.

STUDY

[View summary](#)

Employment and Retirement, Government, General Assembly

S 472 (2017-2018) **STREAMLINE CAP/CDSA SERVICES PILOT**. Filed Mar 29 2017, *AN ACT TO IMPLEMENT A PILOT PROGRAM AUTHORIZING TRILLIUM HEALTH RESOURCES TO MANAGE AND OPERATE, WITHIN ITS SPECIFIED CATCHMENT AREA, THE COMMUNITY ALTERNATIVES PROGRAM FOR CHILDREN, THE COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS, AND SERVICES CURRENTLY PROVIDED THROUGH CHILDREN'S DEVELOPMENTAL SERVICES AGENCIES*.

Requires the Department of Health and Human Services (DHHS), in collaboration with Trillium Health Resources, to implement a pilot program to coordinate the management of community-based long-term services and supports for children and adults with disabilities and fragile medical conditions. Specifies that Trillium Health Resources will assume (1) management and operation of the Community Alternatives Program for Children (CAP/C) and Community Alternatives Program for Disabled Adults (CAP/DA) for individuals within the catchment area in which Trillium Health Resources operates the 1915(b)/(c) waiver; and (2) management of services required by Part C of the Individuals with Disabilities Education Act currently provided through the Children's Developmental Services Agencies (CDSAs) for individuals within the Trillium Health Resources catchment area. Requires capitation payments to be made to Trillium Health Resources for the management of these assumed services. Requires

the pilot project to begin operating on January 1, 2018, or upon approval by the Centers for Medicaid and Medicare Services, whichever is later, and to last 36 months.

Requires DHHS to submit any appropriate waivers required for this pilot program as well as any State Plan Amendments, amendments to the 1915(b)/(c) waiver, amendments to the CAP/C waiver, amendments to the CAP/DA waiver, or any other documents to the Centers for Medicare and Medicaid Services.

Requires DHHS, by October 1, 2017, to submit a status report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Joint Legislative Oversight Committee on Health and Human Services

Requires DHHS, no later than 24 months after operations begin, to submit the results of an independent evaluation of the initial operation of the pilot program to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Joint Legislative Oversight Committee on Health and Human Services. Requires DHHS, in collaboration with Trillium Health Resources, in selecting an independent evaluator, to select an institution in the UNC System, with the costs paid by Trillium Health Resources. Specifies required components of the independent evaluation.

Intro. by Lee, Smith-Ingram.

STUDY

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Adult Services, Child Welfare, Public Assistance

S 473 (2017-2018) **CLASS SIZE REPORTING/PRINCIPAL**. Filed Mar 29 2017, *AN ACT TO REQUIRE THE SCHOOL PRINCIPAL REPORT TO THE SUPERINTENDENT ON NONCOMPLIANCE WITH CLASS SIZE REQUIREMENTS IN KINDERGARTEN THROUGH THIRD GRADE.*

Amends GS 115C-47(10) to delete the provision requiring teachers to report when class size requirements have not been met, and to require principals to report noncompliance with class size requirements for kindergarten through third grade to the superintendent on the first school day of each month. Directs the superintendent to report class size noncompliance to the local board of education at the next local board of education meeting. Directs local boards of education to further report exceptions to individual class size maximums on November 1 and February 1 of each year. Applies beginning with the 2017-18 school year.

Intro. by Horner, Lee, Barefoot.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

S 474 (2017-2018) **A COMMON SENSE REPEAL OF HB2**. Filed Mar 29 2017, *AN ACT PROVIDING FOR THE COMMON SENSE REPEAL OF HOUSE BILL 2 AND ADOPTING THE FEDERAL LAW CLASSIFICATIONS FOR NONDISCRIMINATION IN HOUSING AND EMPLOYMENT.*

Repeals SL 2016-99 and SL 2016-3 (popularly known as HB2).

Provides that access to multiple occupancy bathrooms, showers, and changing facilities are governed under law in the same manner as before January 1, 2015.

Amends GS Chapter 143, Article 49A. Renames the article as "Equal Employment and Equal Access to Public Accommodations Act." Declares the public policy of the State to be to protect and safeguard the right and opportunity for employment without discrimination or abridgment on account of race, sex, sexual orientation, national origin, citizenship, religion, age, veteran status, genetic information, pregnancy, handicap, or disability, by employers which regularly employ 15 or more employees. Repeals the declaration preempting local regulation of discriminatory practices by local governments. Declares the public policy of the State to protect and safeguard the right and opportunity to enjoy fully and equally the goods, services, facilities, privileges, advantages, and accommodations of places of public accommodation, without discrimination on any of the basis described above. Exempts

persons with bona fide religious beliefs contrary to the requirements of GS 143-422.2 (Legislative declarations) from the requirements of that statute.

Authorizes the Human Relations Commission in the Department of Administration to receive, investigate, and conciliate complaints of discrimination in places of public accommodation, and to effect an amicable resolution of the complaints of discrimination.

Amends each subsection of GS 41A-4, concerning discriminatory housing practices, to add sexual orientation, citizenship, disability, genetic information, pregnancy, and veteran status to the lists of prohibited basis for discriminatory housing practices in those subsections, except for those in subsection (e) (prohibiting discriminatory housing practices on the basis of having exercised rights under the State Fair Housing Act) and (f) (prohibiting certain discriminatory housing practices on the basis of handicapping condition). Provides that persons with bona fide religious beliefs contrary to the requirements of this statute are exempt from this statute.

Amends GS 41A-5, concerning proof of housing violations, to make conforming changes.

Intro. by Tarte.

[GS 41A, GS 143](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Employment and Retirement, Government, Local Government](#)

S 475 (2017-2018) [LOW-INCOME BUILDING PROJECT-HFA](#). Filed Mar 29 2017, *AN ACT TO PROVIDE ASSISTANCE TO THE TOWN OF FAIR BLUFF IN CREATING MULTIFAMILY HOUSING TO ASSIST RESIDENTS IMPACTED BY NATURAL DISASTERS*.

Includes whereas clauses.

Appropriates \$5 million from the General Fund to the Housing Finance Agency (Agency) for 2017-18 to establishing a low-income multifamily housing program in the Town of Fair Bluff (Town). Requires the Agency to coordinate with the Town to create a 32- to 40-unit multifamily housing complex within the Town limits. Requires the Agency to allocate the funds appropriated in this act to an ownership entity selected by the Town and advise the ownership entity through the bidding process for the selection of a builder. Requires the Agency to establish guidelines for the ownership entity to follow regarding qualification for residents, with priority given to residents affected by the flooding and damage caused by Hurricane Matthew.

Requires the Agency to assist the ownership entity in the selection of a management company and approve the management agreement; requires approval of any changes in management of the housing complex for a period of 15 years beginning after the initial date of occupancy.

Requires the Town to select an ownership entity that will be responsible for building the housing complex in consultation with the Agency. Sets out additional requirements for the ownership entity. Requires that all funds allocated to the multifamily housing complex be used only for the development, affordability, management, and maintenance of the housing complex; funds generated through fees and rents remain with the low-income multifamily housing program. Requires the ownership entity to make biannual reports on the status of the program to the Town and Agency.

Requires the Agency to report on specified information by April 1 of each year to the Joint Legislative Oversight Committee on General Government and the Fiscal Research Division on the multifamily housing program.

Effective July 1, 2017.

Intro. by Rabon.

[APPROP](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations](#)

S 476 (2017-2018) [TUITION GRANTS FOR NCSSM GRADUATES](#). Filed Mar 29 2017, *AN ACT TO PROVIDE TUITION GRANTS TO STATE RESIDENTS WHO GRADUATE FROM THE NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS AND ENROLL FULL-TIME AT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA*.

Enacts Article 36 to GS Chapter 116, establishing that a tuition grant is to be awarded to each NC resident who graduates from the NC School of Science and Mathematics and who enrolls as a full-time student in a constituent institution of UNC.

Directs the State Education Assistance Authority (Authority) to administer the tuition grants in consultation with the General Administration of UNC, and pursuant to guidelines and procedures established by the Authority consistent with its practices for administering State-funded financial aid. Requires the guidelines and procedures to include an application process and schedule, notification and disbursement procedures, standards for reporting, and standards for the return of tuition grants when a student withdraws.

Requires the Authority to receive proper certification from the appropriate constituent institution that the student applying for the grant is an eligible student prior to approving any grant. Provides for the Authority to remit the tuition grant to the constituent institution on behalf and to the credit of the student. Directs the constituent institution to refund the full amount of the tuition grant to the Authority if the student on whose behalf the grant was paid is not enrolled and carrying the minimum academic load as of the tenth classroom day following the beginning of the school term for which the grant was paid.

Establishes the maximum amount of the tuition grant to be awarded to any student for any academic year as \$5,000 per semester. Allows for the maximum amount to be increased by 2% for any academic year for which the tuition rate at the constituent institution is increased. Prohibits the amount of the tuition grant, together with all other grants, educational benefits, and any other financial aid, to cause the total of all of the assistance to exceed the total cost of attendance at the in-State tuition rate at the constituent institution, as determined in accordance with Title IV of the Higher Education Act of 1965, as amended.

Establishes the North Carolina Tuition Grant Fund (Fund) to be administered by the Authority. Directs all funds appropriated to or otherwise received by the Authority to provide tuition grants under new Article 36, all returned tuition grant monies, and all interest earned on these funds to be placed in the Fund. Authorizes the Fund to be used only for tuition grants made pursuant to new Article 36 and the administrative costs of the Authority, so long as no more than 5% of the funds appropriated each fiscal year for tuition grants is expended for administrative purposes.

Appropriates from the General Fund to the Fund \$200,000 for the 2017-18 fiscal year and \$2.5 million for the 2018-19 fiscal year.

Effective July 1, 2017. Provides that no tuition grant can be awarded to a qualified student for enrollment commencing prior to August 1, 2018.

Intro. by Hise, Smith-Ingram.

[APPROP, GS 116](#)

[View summary](#)

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

S 477 (2017-2018) [FREE HANDICAP PLACARD/CERTAIN ORGANIZATIONS](#). Filed Mar 29 2017, *AN ACT TO AUTHORIZE QUALIFYING ORGANIZATIONS TO RECEIVE A FREE HANDICAPPED WINDSHIELD PLACARD FOR EACH VEHICLE USED TO TRANSPORT HANDICAPPED PERSONS*.

Amends GS 20-37.6 to provide that organizations that regularly transport handicapped persons may receive one removable handicapped driver windshield placard for each transporting vehicle, free of charge.

Intro. by Pate.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

S 478 (2017-2018) [STRENGTHEN YOUTH TOBACCO USE PREVENTION/FUNDS](#). Filed Mar 29 2017, *AN ACT PROTECTING NORTH CAROLINA YOUTH FROM THE DANGERS OF TOBACCO USE*.

Includes several whereas clauses.

Enacts GS 14-313.5, creating the Tobacco Use Prevention Fund (Fund) as a restricted reserve in the Department of Health and Human Services (DHHS), Division of Public Health, Chronic Disease and Injury Section. Establishes that monies in the Fund do not revert but remain available to DHHS for purposes specified by the statute.

States the purpose of the Fund is to prevent the use of new and emerging tobacco products including electronic cigarettes, especially among youth and people of childbearing age. Details five purposes DHHS can use monies in the Fund for, including creating regional tobacco use prevention programs covering all 100 counties in the State.

Directs DHHS to develop guidelines providing for the administration of the Fund. Authorizes DHHS to use up to 25% of the amount appropriated to the Fund to administer the Fund. Authorizes DHHS to disburse funds from the Fund to any local health department or other organization with an interest in preventing tobacco use, who does not receive funding from the tobacco industry, upon demonstration by the local health department or organization of: (1) a purpose authorized by the statute in subsection (b), and (2) a commitment to compliance with guidelines developed by DHHS on evidence-based tobacco use prevention and control strategies.

Appropriates \$17 million for the 2017-18 fiscal year, and \$17 million for the 2018-19 fiscal year, from the General Fund to DHHS, Division of Public Health, Chronic Disease and Injury Section. Directs that these funds be allocated during each year of the 2017-19 biennium to the Fund.

Effective July 1, 2017.

Intro. by Woodard, Dunn.

[APPROP, GS 14](#)

[View summary](#)

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

S 479 (2017-2018) [AMEND FUNERAL LAWS](#). Filed Mar 29 2017, *AN ACT AMENDING THE LAWS PERTAINING TO THE PRACTICE OF FUNERAL SERVICE*.

To be summarized.

Intro. by Woodard, McInnis.

[GS 58, GS 90, GS 130A](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Health and Human Services, Health, Public Health](#)

S 480 (2017-2018) [PROTECTION FROM GOVERNMENT OVERREACH ACT](#). Filed Mar 29 2017, *AN ACT TO PLACE RESTRICTIONS ON RULES WITH SUBSTANTIAL FINANCIAL COSTS*.

Enacts GS 150B-19.4, prohibiting an agency from adopting a permanent rule or set of rules with a projected financial cost to all persons affected equal to or greater than \$100 million during any five-year period. Directs that in determining the projected aggregate financial cost of a permanent rule or set of rules, the agency is to comply with the fiscal note requirements of GS 150B-21.4(b1), and cannot include any financial benefits of the permanent rule or set of rules.

Details limitations for the adoption of a permanent rule or set of rules that an agency determines will have a projected aggregate financial cost to all persons affected equal to or greater than \$10 million during any-five year period. For an agency that is a

board, a commission, or a council, or other similar unit of government, a certification that the adoption of the rule or set of rules must be approved by at least 60% of those voting on the rule or set of rules. For an agency headed by a member of the Council of State, the adoption of the rule or set of rules must be accompanied by a certification signed by the member of the Council of State indicating the member's review and support of the rule or set of rules. For all other agencies, the adoption of the rule or set of rules must be accompanied by a certification signed by the Governor indicating the Governor's review and support of the rule or set of rules. Subjects a permanent rule or set of rules subject to these limitations to GS 150B-21.3(b1), as if, pursuant to GS 150B-21.3(b2), the rule or set of rules received written objections from 10 or more persons and a bill specifically disapproving the rule or set of rules was introduced in a house of the General Assembly before the thirty-first legislative day.

Applies to proposed permanent and readopted rules published in the NC Register and proposed permanent rules posted on the website of the Office of Administrative Hearings on or after August 1, 2017.

Amend GS 150B-21.6, authorizing an agency to incorporate by reference in a rule without repeating the text of the reference material all or part of a code, standard, or regulation adopted by the federal government if the agency establishes a procedure by which any change by the federal government is reviewed and approved by the agency within 120 days of the change. Makes a conforming change.

Amends GS 150B-19.3(a), prohibiting the adoption of a permanent rule (currently, does not specify the rule to be permanent) for the protection of the environment or natural resources that imposes a more restrictive standard, limitation, or requirement than that imposed by federal law or rule (if one has been adopted on the same subject matter) unless adoption is required by one of the subdivisions of subsection (a). Current law subjects a permanent rule required by the subdivisions of subsection (a) to the provisions of GS 150B-21.3(b1) as if the rule received written objections from 10 or more persons under GS 150B-21.3(b2). Removes a serious and unforeseen threat to the public health, safety, or welfare from the subdivisions requiring a permanent rule and subject to the those provisions. Instead, adds a new limitation that a permanent rule required by a serious and unforeseen threat to public health, safety, or welfare is subject to the limitation and legislative review provisions of GS 150B-19.4(b) and (c), as enacted. Applies to proposed permanent and readopted rules published in the NC Register and proposed permanent rules posted on the website of the Office of Administrative Hearings on or after August 1, 2017.

Intro. by Wells, Gunn, Wade.

GS 150B

[View summary](#)

Government, APA/Rule Making, State Agencies

S 481 (2017-2018) **WAIVER/PROHIBIT CERTAIN FOODS/SNAP**. Filed Mar 29 2017, *AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO SEEK A WAIVER FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE THAT WOULD AUTHORIZE THE STATE TO PROHIBIT THE PURCHASE OF CERTAIN FOODS UNDER THE FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)*.

Includes whereas clauses.

Requires the Department of Health and Human Services (DHHS), Division of Social Services (Division), by October 1, 2018, to request a waiver from the US Department of Agriculture (USDA) authorizing the State to prohibit the use of benefits under the federal Supplemental Nutrition Assistance Program (SNAP) for the following: (1) purchase of food items that may have little or no nutritional value, including, but not limited to, soft drinks, candy, cakes, and cookies, that are otherwise subject to State sales tax; or (2) bulk purchases of grocery items that, if purchased in smaller quantities, would be considered prepared food and, therefore, subject to State sales tax.

Requires the Division, within 60 days from the date the USDA grants the waiver, to amend its rules to prohibit the use of SNAP benefits for the purchase of food items having little or no nutritional value and bulk purchases of grocery items that, if purchased in smaller quantities, would be considered prepared food.

Requires the Division to report to the Joint Legislative Oversight Committee on Health and Human Services within 30 days of the USDA's decision to either grant or deny the waiver.

Intro. by J. Davis.

UNCODIFIED

[View summary](#)

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

S 482 (2017-2018) **CHARTER SCHOOLS IN THE WORKPLACE**. Filed Mar 29 2017, *AN ACT TO PROVIDE ENROLLMENT PRIORITY AND PERMIT BOARD MEMBERSHIP FOR CORPORATE PARTNERS OF CHARTER SCHOOLS*.

Amends GS 115C-218.45 to allow a charter school to give enrollment priority to children of permanent employees of a corporate partner, limited to no more than 50% of the school's total enrollment. Defines a corporate partner as any legal entity authorized to transact business in this State under GS Chapters 55, 55A, 55B, 57D, or 59 and that has donated one or more of the following to the charter school: (1) the land on which the school is built; (2) the school building or the space the school occupies (with additional provisions governing when the corporate partner is leasing the building or space to the school) or (3) major renovations (as defined in the act) to the existing school building or other capital improvements, including major investments in technology. Requires the corporate partner and the charter school to enter into a memorandum of understand each year that the charter school provides the corporate partner with enrollment priority, that specifies the duration of the priority and the methods by which the corporate partner will support the charter school. Prohibits implementing the enrollment priority in a way that displaces students who are enrolled at the school at the time the charter application or the material revision providing for the priority is approved by the State Board of Education.

Amends GS 115C-218.1 to require a nonprofit corporation's application to establish a charter school to also include whether the school intends to give enrollment priority to the child of a corporate partner, and requires that the partner be identified.

Amends GS 115C-218.7 to consider adoption of the enrollment priority in GS 115C-218.45(f)(3)c (appears to intend the new priority for children of corporate partners) as a material revision of the charter.

Amends GS 115C-218.15 to a person affiliated with a corporate partner to be a member on the board of directors of the charter school that provides enrollment priority and sets parameters related to that membership.

Applies beginning with the 2017-18 school year.

Intro. by Tillman, Britt, McInnis.

GS 115C

[View summary](#)

Business and Commerce, Corporation and Partnerships, Education, Elementary and Secondary Education

S 483 (2017-2018) **NC COMPREHENSIVE SCHOOL ACCOUNTABILITY**. Filed Mar 29 2017, *AN ACT TO REQUIRE COMPREHENSIVE SCHOOL ACCOUNTABILITY THROUGH THE REQUIREMENT OF CERTAIN TESTS TO ASSESS PROGRESS OF STUDENTS RECEIVING OPPORTUNITY SCHOLARSHIPS*.

Amends GS 115C-562.5, concerning the obligations of nonpublic schools accepting eligible students receiving scholarship grants, to require the nonpublic school to administer at least once a year the most recent edition of one of the specified nationally normed standardized tests (currently, a nationally standardized test or other nationally standardized equivalent measurement) selected by the chief administrative officer of the nonpublic school to all eligible students whose tuition and fees are paid in whole or in part with a scholarship grant enrolled in grades three or higher. Specifies the standardized tests to be selected from as: the Iowa Test of Basic Skills (ITBS): Iowa Assessment Form E; the California Achievement Test (CAT); the Standardized Achievement Test; or the Terra Nova Plus. Makes conforming changes.

Further, requires a nonpublic school enrolling more than 10 students (currently, more than 25 students) whose tuition and fees are paid in whole or in part with a scholarship grant to report to the State Education Assistance Authority on the aggregate standardized test performance of eligible students.

Applies beginning with the 2017-18 school year.

[View summary](#)

Education, Elementary and Secondary Education

S 484 (2017-2018) **PARTF FUNDING CONDITIONS AND MATCH**. Filed Mar 29 2017, *AN ACT TO ADJUST LOCAL MATCH REQUIREMENTS FOR THE PARKS AND RECREATION TRUST FUND BASED ON THE ECONOMIC DEVELOPMENT TIER STATUS OF THE RECEIVING COUNTY.*

Amends GS 143B-135.56(b), setting forth the allocation and uses of funds from the Parks and Recreation Trust Fund (Fund).

Currently, subdivision (2) requires 30% of the funds of the Fund to be allocated to provide matching funds to local governmental units or public authorities as defined in GS 159-7 on a dollar-for-dollar basis for local park and recreation purposes, and allows the appraised value of the land that is donated to a local government unit or public authority to be applied to the matching requirement of this provision. This act replaces the dollar-for-dollar local match requirements, and instead bases the matching requirements for projects under subdivision (2) on the most recent development tier designation, as defined in GS 143B-437.08, of the county containing the local governmental unit or public authority, as follows.

Sets the local governmental unit match at 50% for local park and recreation purposes other than projects described in below. Provides that the appraised value of land that is donated to a local government unite or public authority can by applied to the match required by this provision.

Sets the local governmental unit match at 15% for tier one counties and 10% for tier two or three counties for land acquisition, including the acquisition of unbuildable lots for public recreational purposes. Requires at least 50% of the local match to be in cash, and allows up to 50% to be the value of in-kind donations by the local governmental unit.

Sets the local governmental match at 25% in tier one counties and 10% in tier two and three counties for park and recreation site improvements. Requires at least 50% of the local match to be in cash, and allows up to 50% to be the value of in-kind donations by the local governmental unit.

Effective July 1, 2017.

[View summary](#)

Environment, Environment/Natural Resources

S 485 (2017-2018) **LIVESTOCK AND WILDLIFE PROTECTION ACT**. Filed Mar 29 2017, *AN ACT TO AMEND VARIOUS LAWS GOVERNING HUNTING AND TRAPPING.*

States the General Assembly's intent.

Amends GS 113-270.5 to add to the types of trapping licenses issued by the Wildlife Resources Commission (Commission): (1) Resident Lifetime Trapping License, which costs \$300 and is issued only to an individual state resident, valid for the lifetime of the licensee and (2) Nonresident Lifetime Trapping License, which costs \$1,000 and is issued only to an individual nonresident of the State, valid for the lifetime of the licensee.

Amends GS 113-291.6 by amending the requirements that must be met to take wild animals by trapping with any steel-jaw, leghold, or conibear trap, to require that the attached tag include the trapper's identification number issued by the Commission, or the trapper's name and address (previously only allowed the listing of the trapper's name and address).

Allows the Commission to adopt temporary rules to implement the following.

Amends GS 113-291.4 to no longer require passage of local legislation before the Commission may open a season for trapping foxes when the Commission determines that the fox population in an area is adequate to support harvesting. Adds that the Commission may establish different seasons for fox hunting and trapping, may set different open seasons for different parts of the state, and may make reasonable rules governing the possession of foxes killed by motor vehicles or other accidental means.

The following provisions become effective when the Commission notifies the Revisor of Statutes that it has issued temporary rules implementing the changes to GS 113-291.4.

Effective October 1, 2017, unless otherwise provided.

Repeals GS 113-291.4A (Open seasons for taking foxes with firearms) and GS 113-291.4(f1) (concerning the continuation of season in specified counties in which open seasons for taking foxes with weapons and by trapping were established between June 18, 1982, and July 1, 1987). Makes a conforming change to GS 113-291.4.

Repeals all local acts in conflict with these provisions, to the extent of the conflict.

Amends GS 113-133.1 to no longer retain the the specified local acts for the following counties: Anson, Ashe, Bladen, Brunswick, Caldwell, Carteret, Caswell, Catawba, Chowan, Columbus, Cumberland, Davie, Duplin, Granville, Halifax, Haywood, Henderson, Lee, Lincoln, Madison, Martin, Montgomery, New Hanover, Perquimans, Rockingham, Rutherford, Surry, Tyrrell, Wayne, Wilkes, Yadkin, and Yancey.

Intro. by Brock.

[GS 113](#)

[View summary](#)

[Animals](#)

S 486 (2017-2018) [UNIFORM VOTING HOURS ACT](#). Filed Mar 29 2017, *AN ACT TO PROVIDE THAT WHEN VOTING HOURS ARE EXTENDED FOR ONE PRECINCT IN AN ELECTION, VOTING HOURS IN EVERY PRECINCT ARE TO BE EXTENDED IN THAT SAME ELECTION.*

As title indicates.

Intro. by Brock, Daniel, Tillman.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

S 487 (2017-2018) [INCREASE ENERGY EFFICIENCY](#). Filed Mar 29 2017, *AN ACT TO ENCOURAGE AND INCREASE ENERGY EFFICIENCY IN NORTH CAROLINA BY REMOVING CERTAIN CAPS AND LIMITS IN THE RENEWABLE ENERGY PORTFOLIO STANDARDS.*

Amends GS 62-133.8(b)(2) and GS 62-133.8(h)(1) as the title indicates. Includes removing the cap that limits funding for research that encourages the development of renewable energy, energy efficiency, or improved air quality to \$1 million per year.

Intro. by Brock, Wade.

[GS 62](#)

[View summary](#)

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

S 488 (2017-2018) [MOTORCYCLE FINANCING CHANGES](#). Filed Mar 29 2017, *AN ACT TO ALLOW CERTAIN MOTORCYCLE FINANCING PROGRAMS IN NORTH CAROLINA.*

Amends GS 25A-34 to provide that that statute (regarding balloon payments) does not apply to the sale fo motorcycles. Applies to contracts entered into on or after the date the bill becomes law.

Intro. by Brock.

[GS 25A](#)

[View summary](#)

[Banking and Finance, Courts/Judiciary, Motor Vehicle](#)

S 489 (2017-2018) [CLARIFY WORKERS' COMP. POLICY CANCELLATION](#). Filed Mar 29 2017, *AN ACT TO CLARIFY WHEN NOTICES OF CANCELLATION OF WORKERS' COMPENSATION POLICIES ARE PRESUMED EFFECTIVE AND COMPLETE*.

Current law GS 58-36-105(b) establishes that any cancellation of workers' compensation policies permitted by the statute are not effective unless the specified written notice of cancellation has been given to the insured no less than 15 days before the proposed effective date of the cancellation. Current law adds that whenever notice of intention to cancel is given by registered or certified mail, no cancellation by the insurer is effective unless and until that method is employed and completed. This act adds a provision establishing that a notice of intent to cancel a workers' compensation policy must be conclusively presumed three days after the notice is sent if the insurer also provides notice by electronic means as defined in GS 58-2-255(a), or by first-class mail to the insured.

Current law GS 58-2-255(b) establishes that when any insurance law of the State requires a communication to be provided to a party in writing, signed by a party, provided by means of a specific delivery method, or retained by an insurer, these requirements are satisfied if the insurer complies with Article 40 of GS Chapter 66. Current law excepts from this provision the cancellation, termination, or nonrenewal of workers' compensation policies pursuant to GS 58-36-105(b). This act removes the exception for cancellation, termination, or nonrenewal of workers' compensation policies pursuant to GS 58-36-105(b).

Applies to notices of cancellation of workers' compensation policies sent on or after the date that the act becomes effective.

Intro. by Bishop, Daniel, Clark.

[GS 58](#)

[View summary](#)

[Employment and Retirement](#)

S 490 (2017-2018) [PORTABILITY OF LEAVE/CHARTER SCHOOLS](#). Filed Mar 29 2017, *AN ACT TO ALLOW SICK LEAVE TO BE TRANSFERRED BETWEEN A CHARTER SCHOOL AND A LOCAL SCHOOL ADMINISTRATIVE UNIT*.

Amends GS 115C-12(8) to require that rules providing sick leave for public school employees must allow sick leave to be transferred between a charter school and a local school administrative unit. Leave to be accepted by a local school administrative unit must not result in leave being accrued at a greater rate than the rate set by the Board.

Amends GS 115C-218.90(a) to make a conforming change.

Applies to individuals employed by a local school administrative unit or a charter school on or after the date the bill becomes law.

Intro. by Sanderson.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 491 (2017-2018) [HOA/CONDO CRIME & FIDELITY INSURANCE POLICIES](#). Filed Mar 29 2017, *AN ACT TO REQUIRE HOMEOWNERS ASSOCIATIONS, CONDOMINIUM ASSOCIATIONS, AND THEIR MANAGEMENT COMPANIES TO ACQUIRE CRIME AND FIDELITY INSURANCE POLICIES TO PROTECT THE ASSOCIATIONS' MEMBERSHIP FROM LOSS DUE TO THE ILLEGAL CONDUCT OF THE ASSOCIATION, THE EXECUTIVE BOARD AND ITS EMPLOYEES, OR A MANAGEMENT COMPANY, AND TO REQUIRE ANNUAL FINANCIAL AUDITS TO BE PERFORMED BY HOMEOWNERS ASSOCIATIONS AND CONDOMINIUM ASSOCIATIONS*.

Amends GS 47C-1-102 to provide that new GS 47C-3-113.1 (Crime and Fidelity Policy Required) applies to all condominiums created in this State on or before October 1, 1986, unless the declaration expressly provides to the contrary.

Enacts new GS 47C-3-113.1 (concerning condominium unit owners' associations) and new GS 47F-3-113.1 (concerning planned community lot owners' associations), each captioned "Crime and fidelity policy required". Requires unit owners' associations and lot owners' associations with annual assessments for common expenses of at least \$25,000 or with at least

\$25,000 in total funds invested or on deposit to maintain a crime and fidelity insurance policy of 125% of the total funds on deposit or invested by the executive board plus 125% of the association's budget as of the last day of the association's last fiscal year, but not greater than \$1 million, that insures the association against theft or dishonesty committed by the officers and members of the executive board, members of association committees, and persons employed by the association. Directs the executive board to obtain the policy on behalf of the association. Requires management agents or companies, as defined, hired by the association to be covered by a crime and fidelity insurance policy in the amount of the total annual budgets of all clients of the management agent or company, but not greater than \$2 million, and that it cover the manager and the manager's employees, and protect all or a portion of the association funds in the custody of the manager or manager's employees. Requires associations that cannot obtain a policy that complies with this statute to notify unit owners of that fact.

Amends GS 47C-3-118 (condominium associations) and GS 47F-3-118 (planned community associations) to delete the provision authorizing the executive board of an association or lot or unit owners to require a more extensive compilation, review, or audit.

Enacts new GS 47C-3-118.1 (condominium associations) and GS 47F-3-118.1 (planned community associations), each captioned "Financial audits." Directs the executive board to provide for an annual independent financial audit by a licensed certified public accountant, if the association has annual revenues or expenditures or total account balances of \$150,000 or more. Requires the audit to be completed no later than one year after the end of the fiscal year of the unit owners' association and be made available upon request to the unit owners within 30 days of its completion.

Amends GS 47F-1-102 to provide that new GS 47F-3-113.1 and new GS 47F-3-118.1 apply to all planned communities created in this state before January 1, 1999, unless the articles of incorporation or the declaration expressly provide to the contrary.

Effective January 1, 2018. New GS 47F-3-113.1 and new GS 47F-3-118.1 apply to fiscal years beginning on or after the effective date of this act.

Intro. by Sanderson.

[GS 47C, GS 47F](#)

[View summary](#)

[Business and Commerce, Insurance, Development, Land Use and Housing, Property and Housing](#)

S 492 (2017-2018) [T & U VISA/FEES](#). Filed Mar 29 2017, *AN ACT TO CLARIFY THAT COMPLETION OF T AND U VISA VERIFICATIONS IS DISCRETIONARY ON THE PART OF LOCAL LAW ENFORCEMENT AND TO AUTHORIZE A FEE.*

Enacts new Article 3 in GS Chapter 64, T and U Visa Verification, establishing that nothing can limit a local certifying agency's discretion to complete a law enforcement certification for an applicant for a T or U visa, except as otherwise provided by federal law. Defines *local certifying agency* to mean a sheriff, the chief law enforcement officer for a city or county police department, a district attorney, or a superior or district court judge. Requires a local certifying agency to charge the applicant a fee for completion of the certification. Enacts GS 7A-322 to set a \$5 fee for a local certifying agency to charge for completing a form I-914 Supplement B or a form I-918 Supplement B. Effective July 1, 2017.

Intro. by Sanderson.

[GS 64](#)

[View summary](#)

[Government, Public Safety, Immigration](#)

S 493 (2017-2018) [C-PACE PROGRAM](#). Filed Mar 29 2017, *AN ACT AUTHORIZING CITIES AND COUNTIES TO PARTICIPATE IN COMMERCIAL PROPERTY ASSESSED CAPITAL EXPENDITURES (C-PACE) TO ALLOW PROPERTY OWNERS TO VOLUNTARILY AGREE TO ASSESSMENTS TO FINANCE UPGRADES OR IMPROVEMENTS TO THEIR REAL PROPERTY.*

To be summarized.

Intro. by Tucker, Gunn.

[GS 160A](#)

[View summary](#)

**Development, Land Use and Housing, Property and Housing,
Government, Local Government**

S 494 (2017-2018) **READY MIX CONCRETE MILL SALES TAX EXEMPTION**. Filed Mar 29 2017, *AN ACT TO EXEMPT CERTAIN PARTS SALES FOR READY-MIX CONCRETE MILLS*.

Amends GS 105-164.13 to exempt from sales tax sales to a company that primarily sells ready-mix concrete for repair or replacement parts for a ready-mix concrete mill that is freestanding or that is affixed to a motor vehicle. Effective July 1, 2017, and applies to sales made on or after that date.

Intro. by Gunn.

GS 105

[View summary](#)

**Development, Land Use and Housing, Building and
Construction, Government, Tax**

S 495 (2017-2018) **ZOO STATE CONSTRUCTION EXEMPTIONS**. Filed Mar 29 2017, *AN ACT TO PROVIDE AN EXEMPTION FROM CERTAIN STATE CONSTRUCTION OFFICE REQUIREMENTS FOR THE NORTH CAROLINA ZOOLOGICAL PARK*.

Amends GS 143-341(3), setting out the powers and duties of the Department of Administration pertaining to architecture and engineering, to add to the existing exception. Establishes that, except for subdivisions b., b1., e. and f., subdivision (3) does not apply to the NC Zoological Park Council and the Department of Natural and Cultural Resources with respect to projects at the NC Zoological park pursuant to GS 143B-135.214, enacted below.

Enacts GS 143B-135.214 to limit the exception for the NC Zoological Park set forth above in GS 143-341(3) to only those projects requiring the estimated expenditure of public money of \$2 million or less.

Establishes that the NC Zoological Park Council (Council) and the Department of Natural and Cultural Resources (Department), with respect to the design, construction, or renovation of buildings, utilities, and other property developments of the Park that fall below the \$2 million threshold, have the following four duties and powers: (1) to conduct fee negotiations for all design contracts and supervise the letting of all construction and design contracts; (2) to develop procedures governing the responsibilities of the Council and the Department to perform the duties of the Department of Administration under GS 133-1.1(d) and GS 143-341(3) (architectural and engineering provisions); (3) to develop procedures and reasonable limitations governing the use of open-end design agreements, subject to the State Building Commission's approval; and (4) to use existing plans and specifications of construction projects where feasible. Requires the Council and the Department to consult with the Department of Administration on the availability of existing plans and specifications and the feasibility of using them for a project prior to designing a project.

Directs the Council and Department to use the standard contracts for design and construction currently in use for State capital improvement projects by the Office of State Construction of the Department of Administration.

Prohibits a contract from being divided for the purpose of evading the \$2 million monetary limit under this statute.

Directs that the Department of Administration is not the awarding authority for contracts awarded under this statute.

Clarifies that the statute does not exempt any capital improvement projects from review and approval as may be required by law by the city or county having jurisdiction over the property.

Directs the Department to annually report to the State Building Commission (1) a list of projects governed by this statute; (2) the estimated cost of each project along with its actual cost; (3) the name of each person awarded a contract under this statute; and (4) whether the person or business awarded a contract under this statute meets the definition of *minority business* or *minority person* defined in GS 143-128.2(g).

Intro. by Gunn, Tillman.

GS 143, GS 143B

[View summary](#)

Development, Land Use and Housing, Building and

S 496 (2017-2018) **BANKING LAW AMENDMENTS**. Filed Mar 29 2017, *AN ACT TO MAKE TECHNICAL, CLARIFYING, AND OTHER AMENDMENTS TO PROVISIONS APPLICABLE TO COMMERCIAL BANKS, PROVISIONS APPLICABLE TO BANK HOLDING COMPANIES, AND PROVISIONS RELATING TO MORTGAGE NOTICE REQUIREMENTS.*

Identical to H 462 filed on 3/23/17.

Part I. Commercial Banks

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

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

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

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

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

terminate the joint ownership of all or any part of the account, and (4) survives the death of any owner or any beneficiary. Makes other conforming and technical changes.

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

Amends GS 53C-6-18 to clarify that the statute authorizes a bank to establish one or more non-branch bank business offices in this State or another state as defined in GS 53C-1-4(46) as amended by this act, subject to the specified requirements. Amends the specified requirements to require: (1) where a proposed non-branch bank office will be used in connection with a new activity for which an application is required under GS 53-5-1(d) or an investment for which a notice is required under GS 53C-5-2(e), the bank's application or notice to include written notification (as specified in existing language) of the intent to open the office and (2) where written notification is not required by the above provision (GS 53C-6-18(a)(1)), the bank to provide the Commissioner with a written notification of the location of the office and a description of the business to be conducted at the office.

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

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

Part II. Bank Holding Companies

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

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

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

Part III. Mortgage Notice Requirements

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

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

Intro. by Gunn.

GS 45, GS 53C

[View summary](#)

Banking and Finance

S 497 (2017-2018) **NONPROFIT SALES TAX EXEMPTION**. Filed Mar 29 2017, *AN ACT TO PROVIDE A SALES TAX EXEMPTION FOR CERTAIN NONPROFIT ENTITIES*.

To be summarized.

[View summary](#)

Government, Tax, Nonprofits

S 498 (2017-2018) **HEALTHY FOOD SMALL RETAILER PROGRAM**. Filed Mar 29 2017, *AN ACT TO ENACT THE CORNER STORE INITIATIVE ACT TO ASSIST HEALTHY FOOD SMALL RETAILERS*.

Enacts new GS Chapter 106, Article 62B providing the following. Sets out six General Assembly findings. States that the program established in the statute is intended to provide a source of funding and assistance for small food retailers operating in the state with the goal of increasing availability and sales of fresh fruits, vegetables, and other nutrient-dense foods at affordable prices to local residents and improving the diet and health of local residents, especially in food desert zones. Creates the Healthy Food Small Retailer Fund (Fund) as a restricted reserve in the Department of Agriculture and Consumer Services (Department) and specifies that funds in the Fund do not revert but remain available to the Department for food desert relief purposes. Sets out and defines terms as they are used in the statute, including business and food desert relief and zone. Defines a small food retailer as a business that is a small retail outlet of no more than 5,000 heated square feet that sells a limited selection of foods and other products.

Requires the Commissioner of Agriculture (Commissioner), upon application by a county, to make a written determination as to whether an area is a food desert zone; the determination is effective until December 31 of the year 10 years following the year in which the determination is made. Requires the Department to annually publish a list of all food desert zones with a description of their boundaries. Specifies items that must be included in the application. Requires the Department to develop guidelines providing for the administration of the program and selection of recipients of food desert relief. Allows the Department to use up to 10% of the funds appropriated to the Fund to administer the Fund. Specifies provisions that must be included in the guidelines. Authorizes local health departments to contract with another state agency or a local nonprofit organization to provide funded services. Limits the use of funds in the Fund to (1) amounts to a local health department or contractor to purchase and install at a small food retailer refrigeration equipment, display shelving, and other equipment necessary for stocking nutrient-dense foods; total funding may not exceed \$15,000 per small food retailer; (2) amounts to a local health department or contractor to be given to a small food retailer to offset initial expenses related to participating in food desert relief efforts; total funding may not exceed \$100 per small food retailer; or (3) amounts to a local health department to cover salaries and associated costs of either employees or contractors providing technical assistance to small food retailers on nutrient-dense food safety and handling, nutrition education, and business operations and promotion related to nutrient-dense food inventory.

Provides that funds may be disbursed from the Fund only in accordance with agreements entered into between the state and one or more local health departments and between a local health department and a small food retailer. Specifies provisions that must be included in either type of agreement.

Allows funds to be disbursed to the local health department only after the local health department has demonstrated that the retailer has complied with the terms of the retailer performance agreement. Requires that funds be disbursed according to the disbursement schedule established in the local food desert relief agreement.

Requires the Department to publish a report on the use of funds in the Fund on or before April 30 of each year. Requires the report to be submitted electronically to the Joint Legislative Oversight Committee on Health and Human Services, the House and Senate appropriations committees with jurisdiction over agriculture and natural and economic resources, and the Fiscal Research Division. Specifies items to be included in the report.

Requires the Department to develop guidelines related to the administration of the Fund and to the selection of projects to receive allocations from the Fund. Requires the Department to publish the proposed guidelines on its website and provide notice to those requesting notice at least 20 days before the effective date of any guidelines or nontechnical amendments to guidelines. Also requires the Department to accept comments on the proposed guidelines during the 15 business days beginning on the first day that the Department has completed these notifications. Defines a technical amendment.

[View summary](#)

Agriculture, Business and Commerce, Government, State

S 499 (2017-2018) [CAPITAL FUNDS FOR RESIDENTIAL TBI SERVICES](#). Filed Mar 29 2017, *AN ACT APPROPRIATING FUNDS TO RENU LIFE EXTENDED, INC., FOR CAPITAL EXPENDITURES TO EXPAND ITS RESIDENTIAL TRAUMATIC BRAIN INJURY SERVICES PROGRAM.*

Includes whereas clauses.

Appropriates \$2.1 million for 2017-18 from the General Fund to ReNu Life Extended, Inc. Requires the funds to be used by ReNu Life Extended, Inc., for capital expenditures associated with expansion of its residential traumatic brain injury services program in order to reduce the waiting list of individuals in North Carolina seeking residential traumatic brain injury services. Effective July 1, 2017.

Intro. by D. Davis, Pate.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, Health and Human Services, Health](#)

S 500 (2017-2018) [STRENGTHEN HUMAN TRAFFICKING LAW](#). Filed Mar 29 2017, *AN ACT TO STRENGTHEN THE HUMAN TRAFFICKING LAW.*

Amends GS 14-43.11 to expand the crime of human trafficking to include knowingly, advertising, maintaining, patronizing, or soliciting another person with the intent that the person be held in involuntary or sexual servitude, in addition to the currently included actions.

Enacts new GS 14-43.15 (Profiting from human trafficking). Creates a new felony for persons who benefit, financially or by receiving anything of value, from participation in a venture that has engaged in any act in violation of GS 14-43.11 (human trafficking), GS 14-43.12 (involuntary servitude), or GS 14-43.13 (sexual servitude), knowing or in reckless disregard of the fact of the violation. If the venture engaged in a violation of GS 14-43.11 or GS 14-43.12 and the victim of the violation is an adult, the person is guilty of a Class F felony. If the venture engaged in a violation of GS 14-43.11 or GS 14-43.12 and the victim of the violation is a child, the person is guilty of a Class C felony. If the venture engaged in a violation of GS 14-43.13 and the victim of the violation is an adult, the person is guilty of a Class D felony. If the venture engaged in a violation of GS 14-43.13 and the victim of the violation is a child, the person is guilty of a Class C felony. Provides that each violation is a separate offense, and does not merge with any other offense.

Enacts new GS 14-43.16 (Obstruction of investigation of human trafficking), creating a Class F felony for any person who obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of GS Chapter 14, Article 10A (Human Trafficking).

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

Intro. by D. Davis.

[GS 14](#)

[View summary](#)

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

S 501 (2017-2018) [2017 DOL TECHNICAL CHANGES](#). Filed Mar 29 2017, *AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER CHANGES TO THE LABOR LAWS OF NORTH CAROLINA.*

Identical to [H 374](#), filed 3/15/17.

Amends GS 95-25.5(a) to direct the Commissioner of Labor to issue youth employment certificates, both directly and electronically (currently certificate issuance is subject to review by the Department of Labor and county directors of social services).

Amends GS 95-117(4) to define funicular and gondola, and to make technical changes.

Amends GS 95-120(1) to direct rules adopted under that statute to conform with good engineering and safety standards, formulas, and practices (currently requires conformity with a specified publication).

Enacts new GS 95-125.1 (Operation of unsafe device). Prohibits the operation and use of devices under GS Chapter 95, Article 15 (Passenger Tramway Safety), if the operator knows or reasonably should know that operation or use will expose the public to an unsafe condition likely to result in personal injury or property damage.

Enacts new GS 95-125.2 (Reports required). Requires owners of any device regulated under Article 15 to notify the Commissioner within 24 hours of every occurrence involving the device resulting in death or injury requiring medical treatment by a physician, or damage to the device indicating a substantial defect. Directs the Commissioner, without delay, to make a complete and thorough investigation of the occurrence, and to file a report and give in detail all facts and information available. Prohibits, after an occurrence reported under this statute, the operation or moving of the device without approval of the Commissioner, except as to prevent injury, or the removal of any part of the device or attempt to repair any damaged part necessary to an investigation.

Enacts new GS 95-125.3 (Violations, civil penalties, appeal, criminal penalties). Creates civil penalties in different amounts for violations of GS 95-118 (concerning registration), GS 95-120.1 (concerning liability insurance) and GS 95-125.1 (concerning operation of an unsafe device). Commissioner's determination of the amount of the penalty is final, subject to objection by the person charged with violation, at which point a final determination is made pursuant to the Administrative Procedures Act. Authorizes the Commissioner to file a certified copy of a final order with the clerk of court, at which point the clerk shall enter judgment in accordance with the final order and notify the parties. Creates a Class 2 misdemeanor for willful violations of any provision of this Article, including a fine of up to \$10,000. A second willful violation is a Class 1 misdemeanor, with a fine of up to \$20,000. A willful violation that causes the serious injury or death of any person is a Class E felony, including a fine. Nothing in the article prevents a prosecutor from proceeding against a person who violates this Article on a prosecution charging any degree of willful or culpable homicide.

Amends GS 95-174, GS 95-191(a), GS 95-192, GS 95-194, GS 95-208, and GS 95-216 to replace references to the Standard Industrial Classification with references to the North American Industry Classification System and references to "material safety data sheets" with "safety data sheets." Makes technical changes.

Amends GS 95-255 to delete subsection (c) (instructing the Commissioner to notify an employer when its experience rate modifier falls below 1.5).

Effective July 1, 2017.

Intro. by Wade, Brock.

[GS 95](#)

[View summary](#)

[Employment and Retirement, Government, State Agencies, Department of Labor](#)

S 502 (2017-2018) [DOL/CAROLINA STAR PROGRAM](#). Filed Mar 29 2017, *AN ACT CODIFYING THE CAROLINA STAR PROGRAM IN THE DEPARTMENT OF LABOR*.

Identical to [H 373](#) filed on 3/15/17.

Enacts new GS 95-127(2a) to define Carolina Star Program as a voluntary program that recognizes work sites that implement effective safety and health management systems and meet specified standards.

Enacts new GS 95-157 (Carolina Star Program). Authorizes the Commissioner of Labor (Commissioner) to adopt rules for the operation of the Carolina Star Program in a way that will promote safe and healthy workplaces throughout the State, and lists

seven matters the rule should address, including assessment of occupational hazards. Directs that applications for participation should be submitted by management. Directs the Department of Labor (Department) to provide on-site evaluations by Carolina Star Program evaluation teams of applicant workplaces. Workplaces that participate in the Carolina Star Program are exempt from inspections under GS 95-136, except for those arising from complaints, referrals, fatalities, catastrophes, nonfatal accidents, or significant toxic chemical releases.

Allows workplaces that participated in the uncodified Carolina Star Program prior to July 1, 2017, to continue as a participant, conditioned upon that workplace's ability to meet the relevant requirements and expectations established by guidelines for participation adopted by the Commissioner.

Effective July 1, 2017.

Intro. by Wade, Brock.

GS 95

[View summary](#)

**Employment and Retirement, Government, State Agencies,
Department of Labor**

S 503 (2017-2018) [ONLINE PAPERLESS PISTOL PERMIT MODERNIZATION](#). Filed Mar 29 2017, *AN ACT TO ENACT THE ONLINE PAPERLESS PISTOL PERMIT MODERNIZATION ACT*.

Includes whereas clauses.

Repeals GS 14-402 (Sale of certain weapons without permit forbidden), GS 14-403 (Permit issued by sheriff; form of permit; expiration of permit), and GS 14-404 (Issuance or refusal of permit; appeal from refusal; grounds for refusal; sheriff's fee).

Amends GS 14-406, concerning the record-keeping requirements of dealers in pistols and other weapons, to add new subsection (c) to require every dealer in pistols and other weapons mentioned in Article 52A of GS Chapter 14 to send an electronic notification to the sheriff of the county of each background check conducted through the National Instant Criminal Background Check System (NCIS) as part of a transaction to purchase a pistol within 10 business days of the date of the transaction.

Amends GS 14-405 to require the sheriff to keep record of all electronic notifications received pursuant to GS 14-406, as amended (currently, requires the sheriff to keep record of all permits issued under Article 52A and specifies information that must be included in the record). Further, provides that any application to a court for release of the records (currently, release of the list of permit holders and permit application information) must be by a petition to the chief judge of the district court for the district in which the person seeking the information resides.

Amends GS 14-407.1, establishing that the provisions of GS 14-405 and GS 14-406 apply to the sale of pistols suitable for firing blank cartridges. Deletes provisions authorizing county sheriffs to issue a license or permit to purchase or receive any pistol suitable for firing blank cartridges as previously specified.

Makes conforming changes.

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

Intro. by Tarte, Brock, Britt.

GS 14

[View summary](#)

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

S 504 (2017-2018) [EDUCATIONAL PROPERTY DEFINITION/FIREARMS](#). Filed Mar 29 2017, *AN ACT TO DEFINE MORE PRECISELY "EDUCATIONAL PROPERTY" WITH REGARD TO THE LAW PROHIBITING THE POSSESSION OR CARRYING OF WEAPONS ON EDUCATIONAL PROPERTY AND TO AMEND THE LAW RESTRICTING THE POSSESSION OR CARRYING OF FIREARMS AT EXTRACURRICULAR ACTIVITIES CONDUCTED IN PUBLIC PLACES*.

Amends GS 14-269.2 (Weapons on campus or other educational property). Amends the definition of educational property to exclude (1) land, buildings, or other facilities owned, leased, or otherwise controlled by educational institutions but not used primarily for educational purposes, (2) a religious institution for which facilities are used as a school on a part-time basis, provided such facilities are not currently in use as a school, (3) a road or other publicly used thoroughfare which crosses an educational campus, and (4) a medical facility for which the primary purpose is patient care rather than education.

Amends GS 14-269.2 to provide that restrictions on extracurricular activities listed in subsection (b) and (b1) of that statute do not apply to persons not participating in the extracurricular activity, provided the extracurricular activity is conducted in a public place.

Effective December 1, 2017. Prosecutions for offenses committed before the effective date of this act are not affected by the act.

Intro. by Tarte, Brock, Britt.

GS 14

[View summary](#)

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

S 505 (2017-2018) [ADD MEMBER TO NC TRAINING STANDARDS](#). Filed Mar 29 2017, *AN ACT TO PROVIDE THAT THE POLICE BENEVOLENT ASSOCIATION CAN APPOINT ONE FULL-TIME SWORN LAW ENFORCEMENT OFFICER TO SERVE ON THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.*

Identical to H 395 filed on 3/16/17.

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

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

Intro. by Ballard, Sanderson.

GS 17C

[View summary](#)

Government, Public Safety

S 506 (2017-2018) [STUDY NC CRIMINAL JUSTICE SIZE AND EFFICIENCY](#). Filed Mar 29 2017, *AN ACT TO STUDY THE STRUCTURE OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.*

Requires the Joint Legislative Oversight Committee on Justice and Public Safety to study the North Carolina Criminal Justice Education and Training Standards Commission's (Commission) current size and membership to determine if representation, efficiency, and productivity would be increased with a decrease in the number of members and by providing a more balanced structure of appropriate stakeholders in the Commission. Requires a final report to the 2018 Regular Session of the 2017 General Assembly by filing the report with the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

Intro. by Ballard, Sanderson, Newton.

STUDY

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 507 (2017-2018) [RESTORE/PRESERVE CAMPUS FREE SPEECH](#). Filed Mar 29 2017, *AN ACT TO RESTORE AND PRESERVE FREE SPEECH ON THE CAMPUSES OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.*

Identical to [H 527](#), filed 3/29/17.

Contains whereas clauses.

Enacts new GS Chapter 116, Article 36, directing the Board of Governors of the University of North Carolina to adopt a policy on free expression that states, at least, nine listed policy positions, including that the proper role of constituent institutions is not to shield individuals from speech protected by the First Amendment, and that constituent institutions shall strive to remain neutral on, and may not take action on, public controversies, as an institution, and disciplinary sanctions for anyone under the constituent institution's jurisdiction who interferes with the free expression of others.

Directs the Board of Governors to establish a 11-member Committee on Free Expression (Committee) from its membership. Directs all employees of the University of North Carolina and all State agencies to cooperate with the Committee, and directs the Committee to report to the public, the Board of Governors, the Governor, and the General Assembly, by September 1 of each year, on four specified pieces of information, including descriptions of barriers to or disruptions of free expression within the constituent institutions.

Directs constituent institutions to include a description of free expression policies in freshman orientations programs.

Authorizes the Board of Governors and the constituent institutions, subject to approval by the Board of Governors, to adopt additional policies and guidelines to further the purposes of the policies required by this Article. Constituent institutions may only restrict student expression for expressive activity not protected by the First Amendment. Lists seven unprotected forms of speech that may be restricted, including peer-on-peer harassment, defined as conduct directed by a student toward another individual student that is so severe, pervasive, and objectively offensive that it effectively deprives the victim of access to the educational opportunities or benefits provided by the university.

Provides that constituent institutions may only restrict expressive conduct in the public area of campus if the restriction is necessary to achieve a compelling governmental interest, is the least restrictive means of furthering that interest, leaves open ample other opportunities to engage in the conduct, and provides for spontaneous assembly and distribution of literature. Authorizes the Attorney General or any person whose expressive rights are violated under this statute to bring an action against the constituent institution to enjoin the violation. Provides for damages, court costs, and attorneys fees, and a one-year statute of limitations. Provides that chancellors, other officials, or other employees of constituent institutions are not personally liable for acts taken pursuant to their official duties.

Directs the Board of Governors to develop a policy that requires diversity offices or departments of constituent institutions to ensure compliance with this act, including re-naming the department or office to include the phrase "free speech compliance." Requires diversity and free speech compliance officers to receive training developed and provided by the University of North Carolina School of Government.

Effective June 30, 2017. The Committee on Free Expression's first report is due by September 1, 2018.

Intro. by Bishop, Curtis.

[GS 116](#)

[View summary](#)

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

S 508 (2017-2018) [IMPAIRED DRIVING PUNISHMENT/USE OF CAM](#). Filed Mar 29 2017, *AN ACT TO EXPAND THE USE OF CONTINUOUS ALCOHOL MONITORING SYSTEMS IN PUNISHMENTS IMPOSED FOR CERTAIN IMPAIRED DRIVING CONVICTIONS*.

Amends GS 20-179, which sets forth punishments for convictions for certain impaired driving convictions, to expand requirements for probation for Level One and Level Two punishments to include requiring the defendant to abstain from alcohol consumption and be monitored by a continuous alcohol monitoring system, of a type approved by the Division of Adult Correction of the Department of Public Safety, for a period of no less than 60 days. Allows a defendant monitored on an approved continuous alcohol monitoring system during the pretrial period to have up to 90 days of pretrial monitoring credited against the 90-day monitoring requirement for probation under Level Two punishment.

Makes conforming and clarifying changes to subsections (h1) and (r) concerning conditions for probation.

Makes organizational and technical changes.

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

Intro. by Lee, Sanderson, Bishop.

GS 20

[View summary](#)

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

LOCAL/HOUSE BILLS

H 245 (2017-2018) [AMEND W-S CHARTER/CERTAIN CANDIDATES](#). Filed Mar 2 2017, *AN ACT TO AMEND THE CHARTER OF THE CITY OF WINSTON-SALEM TO ESTABLISH A UNIFORM PROCESS FOR THE ELECTION OF INDEPENDENT OR NONPARTISAN CANDIDATES IN MUNICIPAL ELECTIONS.*

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

Amends the proposed revisions to the Winston-Salem city charter in SL 1927-232, now providing that any candidate seeking nomination by petition for municipal office must comply with the requirements of Article 11 of GS Chapter 163 (Nomination by Petition). The 1st edition required the Forsyth County board of elections to include among the candidates for municipal office, as independent or nonpartisan candidates, the name of any qualified voter who has been requested to be a candidate for office in accordance with the uniform municipal election laws under GS Chapter 163, Subchapter IX.

Provides that the Forsyth County board of elections can prescribe rules and regulations governing: (1) the setting the date and time completed petitions must be timely submitted for verification (currently not specified), and (2) stating the information to be set out in the petition.

Makes organizational and technical changes.

Intro. by Conrad, Terry, Lambeth, Hanes.

Forsyth

[View summary](#)

Government, Elections

H 255 (2017-2018) [CORNELIUS ANNEXATION](#). Filed Mar 6 2017, *AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF CORNELIUS.*

House committee substitute makes the following changes to the 1st edition. Adds that property in the described territory as of January 1, 2017, is subject to municipal taxes imposed for taxable years beginning on or after July 1, 2017.

Intro. by Bradford.

Mecklenburg

[View summary](#)

H 262 (2017-2018) [KANNAPOLIS DEANNEXATION](#). Filed Mar 7 2017, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS.*

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

Adds that this act has no effect on the validity of any liens of the city of Kannapolis for ad valorem taxes or special assessments outstanding before the effective date of this act. Provides that such liens may be collected or foreclosed upon after the date of this

act, as if the property were still within the City of Kannapolis.

Intro. by Ford.

[Cabarrus, Rowan](#)

[View summary](#)

H 293 (2017-2018) [ONSLOW/PENDER BD. ED. PARTISAN/SWAIN CLARIFY](#). Filed Mar 8 2017, *AN ACT TO CHANGE THE MANNER OF ELECTION FOR THE ONSLOW COUNTY BOARD OF EDUCATION AND THE PENDER COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN AND TO CLARIFY THE ELECTION METHOD FOR THE SWAIN COUNTY BOARD OF EDUCATION.*

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

Changes elections for the Board of Education of Pender County under SL 1973-976 from nonpartisan elections to partisan elections, beginning in 2018. Directs elections for the Board of Education to be held at the time of the general election in each even-numbered year as terms expire, and to be held and conducted in accordance with the general laws governing primaries and elections for county officers, except as otherwise provided. Directs newly elected members to take office the first Monday of December of the year of their election. Directs vacancies for seats elected on a partisan basis to be filled in accordance with GS 115C-37.1, and vacancies for seats elected on a nonpartisan basis in 2014 or 2016 to be filled in accordance with GS 115C-37(f). Does not affect the terms of members elected in the 2014 or 2016 elections, and directs those members to serve until a successor has been elected and qualified. Makes conforming changes. Repeals SL 1949-546, as amended, concerning the nomination of members of the Board of Education of Pender County.

Adds to the proposed changes to the election of the Swain County Board of Education, directing that vacancies on the Board for positions elected on a nonpartisan basis in 2014 or 2016 are to be filled in accordance with GS 115C-37(f).

Makes conforming changes to GS 115C-37.1(d), effective on the first Monday of 2018.

Adds that the act applies to elections held on or after the date the act becomes law.

Changes the act's titles.

Intro. by Cleveland, Shepard, Millis, Clampitt.

[Onslow, Pender, Swain](#)

[View summary](#)

Education

H 342 (2017-2018) [CREEDMOOR CHARTER REVISED & CONSOLIDATED](#). Filed Mar 14 2017, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF CREEDMOOR.*

House committee substitute makes the following changes to the 1st edition. Limits the repeal of SL 1969-826 to only Section 1 (which revised and consolidated the Creedmoor Town charter) instead of all of the session law, except Section 4.

Intro. by Yarborough.

[Granville](#)

[View summary](#)

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

House committee substitute makes the following changes to the 1st edition. Limits the repeal of SL 1973-514 to only Section 1 (which revised and consolidated the Mebane Town charter) instead of all of the session law.

Intro. by Ross, Riddell.

Alamance, Orange

[View summary](#)

H 520 (2017-2018) [UNION CO. BD. OF ED/PARTISAN ELECTION](#). Filed Mar 29 2017, *AN ACT TO CHANGE THE ELECTION METHOD OF THE UNION COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN*.

Provides that the Union County Board of Education consists of nine members, elected through partisan elections on even-numbered years to four-year terms, beginning with elections in 2018 and every two years thereafter. Provides for filling vacancies on the Board in accordance with GS 115C-37.1 (vacancies in offices of county boards elected on a partisan basis) or GS 115C-37 (concerning appointments to vacant seats on boards of education), as specified. Does not affect the terms of office of currently serving members of the Union County Board of Education. Repeals SL 1975-359, and SL 1989-136 (concerning elections to the Union County School Board).

Amends GS 115C-37.1 to add Union county to the list of counties to which that statute applies, effective December 3, 2018.

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

Intro. by Arp, Brody, Horn.

Union

[View summary](#)

Government, Elections

H 521 (2017-2018) [SCHOOL CALENDAR FLEX./UNION COUNTY](#). Filed Mar 29 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO UNION COUNTY PUBLIC SCHOOLS IN ADOPTING THE SCHOOL CALENDAR*.

Includes several whereas clauses.

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide additional flexibility to the local board of education for Union County Schools in adopting their school calendar, providing that the opening date for students be set no earlier than the second Tuesday in August (currently, the Monday closest to August 26) and the closing date be set no later than the second Tuesday in June (currently, the Friday closest to June 11). Removes language allowing for the State Board of Education to waive the scheduling requirements upon a showing of good cause by the local board of education.

Amends GS 115C-174.12(a)(4) to allow the local board of education for Union County Schools to administer assessments prior to the conclusion of the fall semester if the local board has implemented a school calendar concluding the fall semester prior to December 31.

Applies beginning with the 2017-18 school year.

Intro. by Arp, Brody, Horn.

Union

[View summary](#)

Education, Elementary and Secondary Education

H 523 (2017-2018) [SCHOOL CALENDAR FLEX./LINCOLN COUNTY](#). Filed Mar 29 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LINCOLN COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR*.

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

Applies beginning with the 2017-18 school year.

Intro. by Saine.

[Lincoln](#)

[View summary](#)

Education, Elementary and Secondary Education

H 525 (2017-2018) [AMENDING BODY-WORN CAMERA PROCEDURES](#). Filed Mar 29 2017, *AN ACT TO PROVIDE THAT A COUNCIL OR GOVERNING BODY MAY VIEW BODY-WORN CAMERA RECORDINGS WITH THE CONSENT OF THE CITY MANAGER.*

Amends GS 132-1.4A to allow, in Greensboro only, a law enforcement agency to disclose a body-worn or dashboard camera recording to the city's governing body with the city manager's consent, after a finding that disclose is necessary to maintain public confidence in law enforcement agencies.

Intro. by Quick, Harrison, Brockman.

[Guilford](#)

[View summary](#)

Government, Public Safety

H 531 (2017-2018) [DARE COUNTY LOCAL TAX CLARIFICATION](#). Filed Mar 29 2017, *AN ACT TO CLARIFY THE PERMITTED USES OF CERTAIN DARE COUNTY LOCAL TAXES.*

Contains whereas clauses.

Amends SL 1985-449, Section 7, to provide that 25% of the additional occupancy tax authorized by Sections 3 and 4 of that act shall be used for services or programs needed to respond to burdens associated with the impact of tourism in peak season on the county, including increasing traffic control, police, lifeguard, and sanitation crew personnel necessitated by greater numbers of people during peak season, but does not include expenditures for costs of events or improvements designed to increase tourism in the county or used by tourists visiting the area. Applies to expenditures of funds made on or after the date the bill becomes law.

Intro. by Boswell.

[Dare](#)

[View summary](#)

Government, Tax

ACTIONS ON BILLS

PUBLIC BILLS

H 2: PROVIDE CERTAIN PROPERTY TAX RELIEF.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 7: LRC/STRENGTHEN SAVINGS RESERVE.

House: Cal Pursuant 36(b)

House: Placed On Cal For 03/30/2017

H 28: DOT/ACCESS OF MOTORCYCLISTS.

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 31: MATERIAL FACT DISCLOSURE CLARIFICATIONS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 105: CONST. AMENDMENT-LIMIT GOVERNOR/LG TO 2 TERMS.

House: Reptd Fav

House: Re-ref Com On Elections and Ethics Law

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

House: Passed 2nd Reading

House: Passed 3rd Reading

H 140: DENTAL PLANS PROVIDER CONTRACTS/TRANSPARENCY.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 208: OCCUP. THERAPY/CHOICE OF PROVIDER.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 216: DOC AND JJ COMBINED RECORDS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 225: ATTEMPTED ROBBERY IS LESSER INCLUDED.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 252: BUILDING CODE REGULATORY REFORM.

House: Amend Adopted A1

House: Amend Adopted A2

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 258: AMEND MED. MAL. HEALTH CARE PROVIDER DEFIN.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 03/30/2017

H 275: NO STORMWATER FEES ON TAXIWAYS OR RUNWAYS.

House: Serial Referral To Finance Stricken

House: Withdrawn From Com

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

H 277: EXPAND RX DRUG ABUSE ADVISORY COMMITTEE.

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 315: KELSEY SMITH ACT.

House: Passed 3rd Reading

H 340: SPECIAL SEPARATION ALLOWANCE FIREFIGHTERS/RSW.

House: Reptd Fav Com Substitute

House: Re-ref Com On State and Local Government II

H 375: SCHOOL CAL. FLEX./CC.

House: Withdrawn From Cal

House: Placed On Cal For 04/05/2017

H 379: TASK FORCE ON REGULATORY REFORM.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

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

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 454: SURVEYING AND PLAT RECORDING CHANGES.

House: Withdrawn From Com

House: Re-ref Com On Regulatory Reform

H 455: INCREASE FUNERAL EXPENSE ALLOWANCE.

House: Serial Referral To Finance Stricken

House: Withdrawn From Com

House: Re-ref to the Com on Judiciary I, if favorable, Finance

H 458: SCHOOL ANNUAL REPORT CARD.

House: Withdrawn From Cal

House: Placed On Cal For 03/30/2017

H 497: RETIREMENT SYSTEMS 2% COLAS/FUNDS.

House: Passed 1st Reading

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

H 499: FUNDS FOR DOWN SYNDROME PROGRAMS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 500: ABC OMNIBUS LEGISLATION.

House: Passed 1st Reading

House: Ref to the Com on Alcoholic Beverage Control, if favorable, Rules, Calendar, and Operations of the House

H 501: DOT/SURVEYING INFORMATION IN PLANS.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

House: Ref To Com On Judiciary I

H 503: LOCAL BUDGETS/PUBLIC ENTERPRISE FUNDS.

House: Passed 1st Reading

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

H 505: EXPAND GRANDPARENT VISITATION RIGHTS.

House: Passed 1st Reading

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

H 506: CHEMICAL ENDANGERMENT OF A CHILD.

House: Passed 1st Reading

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

H 507: LAND-USE REGULATORY CHANGES.

House: Passed 1st Reading

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

H 511: GAME NIGHTS/NONPROFIT FUND-RAISER.

House: Passed 1st Reading

House: Ref to the Com on Alcoholic Beverage Control, if favorable, Judiciary III

H 512: MONITOR IMPLEMENTATION OF TBI WAIVER.

House: Passed 1st Reading

House: Ref To Com On Health

H 513: SET STATE-COUNTY SPECIAL ASSISTANCE RATES.

House: Passed 1st Reading

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

H 515: ADAPTIVE EQUIPMENT TAX BENEFIT.

House: Passed 1st Reading

House: Ref To Com On Finance

H 519: TRI-COUNTY CC/NEIGHBOR STATE IN-STATE TUITION.

House: Filed

H 522: CHANGE THE LOST ADJUSTMENT FACTOR.

House: Filed

H 524: MARINE AQUACULTURE DEVELOPMENT ACT.

House: Filed

H 526: DOT/ROADSIDE MEMORIALS.

House: Filed

H 527: RESTORE/PRESERVE CAMPUS FREE SPEECH.

House: Filed

H 528: TRAFFIC IMPACT ANALYSIS TIME FRAME.

House: Filed

H 529: AMEND FUNERAL LAWS.

House: Filed

H 530: COUNTIES/CONDEMNATION OF UNSAFE BLDGS/LIENS.

House: Filed

H 532: MODIFY UNC LABORATORY SCHOOLS.

House: Filed

H 533: MODERNIZE SYMBOL OF ACCESS.

House: Filed

H 534: COMPUTER CODING COURSE ELECTIVE.

House: Filed

H 535: OPERATING FUNDS FOR LINVILLE NURSERY.

House: Filed

H 536: INCREASE FUNDING FOR BEHAVIORAL HEALTH SVCS.

House: Filed

H 537: 2017 GOVERNOR'S BUDGET.

House: Filed

H 538: TARHEEL CHALLENGE ACADEMY FUNDS.

House: Filed

H 539: ACCESS TO ELDERLY ADULTS.

House: Filed

H 540: TEACHERS & STATE EMPLOYEES PAY RAISE.

House: Filed

S 140: REVISE STATE NATURE AND HISTORIC PRESERVE.

Senate: Reptd Fav

S 223: HABITUAL FELONS/CLARIFY PREVIOUS CONVICTIONS.

House: Passed 1st Reading

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

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

Senate: Reptd Fav

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

S 325: BILLION DOLLAR MIDDLE CLASS TAX CUT.

Senate: Reptd Fav

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

S 406: SWEEPSTAKES CONTROL ACT.

Senate: Passed 1st Reading

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

S 407: EMPLOYEE MISCLASSIFICATION REFORM.

Senate: Passed 1st Reading

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

S 408: NC TRUTH IN EDUCATION.

Senate: Passed 1st Reading

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

S 409: INCREASE PENALTIES/ORGANIZED RETAIL THEFT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 410: MARINE AQUACULTURE DEVELOPMENT ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 411: VARIOUS MOTOR VEHICLE LAW REVISIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 412: IMPROVE PROCESS/SALE OF UNCLAIMED VEHICLES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 413: CLARIFY MOTOR VEHICLE DEALER LAWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 416: USE OF TOURISM FUNDS/WATAUGA COUNTY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 417: PRIVATE PARKING/IMMOBILIZATION DEVICE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 418: DYSLEXIA KINDERGARTEN SCREENING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 419: PLANNING/DEVELOPMENT CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 420: CC BD. OF TRUSTEES/GOVERNANCE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 422: ELIGIBILITY REFORM/MEDICAID/SNAP.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 423: LIFE CHANGING EXPERIENCES SCHOOL PILOT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 424: INCREASE FUNDING FOR BEHAVIORAL HEALTH SVCS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 425: UNBORN CHILD PROTECTION FR. DISMEMBERMENT ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 426: BARBER APPRENTICE CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 428: CHIROPRACTOR PARITY & PRECEPTORSHIPS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 430: 2017 GOVERNOR'S BUDGET.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 431: CORRECTION ENTERPRISE AND WORKERS' COMP.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 432: DELAY MARINE FISHERIES RULE MAKING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 433: LIMIT WHO MAY ADVERTISE/ADOPTION LAWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 434: AMEND ENVIRONMENTAL LAWS 2.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 435: INTERNET PUBLICATION OF LEGAL NOTICES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 436: UI & WC/NEWSPRINT EMPLOYEES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 437: CLARIFY HOSPITAL PATIENT DISCHARGE RIGHTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 440: NATIONAL POPULAR VOTE INTERSTATE COMPACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 441: NO BUDGET, NO PAY ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 444: PERMANENCY INNOVATION INITIATIVE FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 445: EXPUNGEMENT PROCESS MODIFICATIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 446: LEO NEXT OF KIN NOTIFICATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 447: TURNING TAs INTO TEACHERS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 448: PROFESSORS IN THE CLASSROOM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 449: EARLY ED ARTICULATION AGREEMENT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 450: UNIFORM TRUST DECANTING ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 451: JOINT SURVIVORSHIP CLARIFICATIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 452: EXPAND ALLOWABLE MEDICAL USES OF CBD OIL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 453: DRIVER INSTRUCTION/LAW ENFORCEMENT STOPS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 454: LEO PERSONAL INFO AND PUBLIC RECORDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 455: AMEND CERTIFICATE OF RELIEF.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 456: INCREASE DE-ESCALATION TRAINING FOR LEOS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 457: AMEND DEFERRED PROSECUTION STATUTE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 458: INCREASE INMATE HEALTH CARE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 459: SENATE RESOLUTION PERTAINING TO SENATE RULES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 460: AGRICULTURE AND FORESTRY NUISANCE REMEDIES.

Senate: Filed

S 461: MODIFY UNC LABORATORY SCHOOLS.

Senate: Filed

S 462: UNC/UTEACH PROGRAM.

Senate: Filed

S 463: CAREGIVER RELIEF ACT.

Senate: Filed

S 464: INCREASE OVERSIGHT OF OLBS.

Senate: Filed

S 465: COURTHOUSE CONCEALED CARRY/ELECTED OFFICIALS.

Senate: Filed

S 466: CIHS FUNDS.

Senate: Filed

S 467: NORTH CAROLINA RETIREMENT REFORM.

Senate: Filed

S 468: QZAB USE MODIFICATION.

Senate: Filed

S 469: PRESERVE MUNICIPAL SOLID WASTE CAPACITY.

Senate: Filed

S 470: PERSONAL INJURY BANKRUPTCY TRUST CLAIMS.

Senate: Filed

S 471: LRC/TRANSITION TO SPTD EMPL./IDD POPULATION.

Senate: Filed

S 472: STREAMLINE CAP/CDSA SERVICES PILOT.

Senate: Filed

S 473: CLASS SIZE REPORTING/PRINCIPAL.

Senate: Filed

S 474: A COMMON SENSE REPEAL OF HB2.

Senate: Filed

S 475: LOW-INCOME BUILDING PROJECT-HFA.

Senate: Filed

S 476: TUITION GRANTS FOR NCSSM GRADUATES.

Senate: Filed

S 477: FREE HANDICAP PLACARD/CERTAIN ORGANIZATIONS.

Senate: Filed

S 478: STRENGTHEN YOUTH TOBACCO USE PREVENTION/FUNDS.

Senate: Filed

S 479: AMEND FUNERAL LAWS.

Senate: Filed

S 480: PROTECTION FROM GOVERNMENT OVERREACH ACT.

Senate: Filed

S 481: WAIVER/PROHIBIT CERTAIN FOODS/SNAP.

Senate: Filed

S 482: CHARTER SCHOOLS IN THE WORKPLACE.

Senate: Filed

S 483: NC COMPREHENSIVE SCHOOL ACCOUNTABILITY.

Senate: Filed

S 484: PART FUNDING CONDITIONS AND MATCH.

Senate: Filed

S 485: LIVESTOCK AND WILDLIFE PROTECTION ACT.

Senate: Filed

S 486: UNIFORM VOTING HOURS ACT.

Senate: Filed

S 487: INCREASE ENERGY EFFICIENCY.

Senate: Filed

S 488: MOTORCYCLE FINANCING CHANGES.

Senate: Filed

S 489: CLARIFY WORKERS' COMP. POLICY CANCELLATION.

Senate: Filed

S 490: PORTABILITY OF LEAVE/CHARTER SCHOOLS.

Senate: Filed

S 491: HOA/CONDO CRIME & FIDELITY INSURANCE POLICIES.

Senate: Filed

S 492: T & U VISA/FEEES.

Senate: Filed

S 493: C-PACE PROGRAM.

Senate: Filed

S 494: READY MIX CONCRETE MILL SALES TAX EXEMPTION.

Senate: Filed

S 495: ZOO STATE CONSTRUCTION EXEMPTIONS.

Senate: Filed

S 496: BANKING LAW AMENDMENTS.

Senate: Filed

S 497: NONPROFIT SALES TAX EXEMPTION.

Senate: Filed

S 498: HEALTHY FOOD SMALL RETAILER PROGRAM.

Senate: Filed

S 499: CAPITAL FUNDS FOR RESIDENTIAL TBI SERVICES.

Senate: Filed

S 500: STRENGTHEN HUMAN TRAFFICKING LAW.

Senate: Filed

S 501: 2017 DOL TECHNICAL CHANGES.

Senate: Filed

S 502: DOL/CAROLINA STAR PROGRAM.

Senate: Filed

S 503: ONLINE PAPERLESS PISTOL PERMIT MODERNIZATION.

Senate: Filed

S 504: EDUCATIONAL PROPERTY DEFINITION/FIREARMS.

Senate: Filed

S 505: ADD MEMBER TO NC TRAINING STANDARDS.

Senate: Filed

S 506: STUDY NC CRIMINAL JUSTICE SIZE AND EFFICIENCY.

Senate: Filed

S 507: RESTORE/PRESERVE CAMPUS FREE SPEECH.

Senate: Filed

S 508: IMPAIRED DRIVING PUNISHMENT/USE OF CAM.

Senate: Filed

S 509: INSURER INVESTMENT/TRANSACTION CHANGES.

Senate: Filed

S 510: SURPLUS EQUIPMENT AUCTIONS.

Senate: Filed

S 511: SCHOOL CONSTRUCTION FLEXIBILITY.

Senate: Filed

S 512: STOP THE REVOLVING DOOR.

Senate: Filed

S 513: SAME FIREARM PROTECTIONS FOR 50C AS 50B ORDER.

Senate: Filed

S 514: STATE BUDGET/REQUIRE 5-YEAR FORECAST.

Senate: Filed

S 515: NC SKILLS GAP STUDY.

Senate: Filed

S 516: STATE EMPLOYEES/PAID PARENTAL LEAVE.

Senate: Filed

S 517: NORTH CAROLINA NEW TEACHER SUPPORT ACT.

Senate: Filed

S 518: BUDGET RESP/ACCOUNT./TRANSPARENCY IN SCHOOLS.

Senate: Filed

S 519: NC GRADE.

Senate: Filed

S 520: EMERGENCY WORKER PROTECTION ACT.

Senate: Filed

S 521: UNC/EQUAL OPPORTUNITY OFFICER.

Senate: Filed

S 522: MANUFACTURED HOME PURCHASE AGREEMENT CHANGES.

Senate: Filed

S 523: EMS USE OF UAS.

Senate: Filed

S 524: DEPARTMENT OF REVENUE REGISTRATION ACT.

Senate: Filed

S 525: STUDY LEGISLATIVE TERM LIMITS.

Senate: Filed

S 526: NAT. GUARD/ADJUTANT GENERAL'S STAFF.

Senate: Filed

S 527: REQUIRE PHYSICAL EDUCATION.

Senate: Filed

S 528: PROMOTE IDEOLOGICAL DIVERSITY - UNC FACULTY.

Senate: Filed

S 529: EMS - RECOMMENDATIONS.

Senate: Filed

S 530: PROTECT GOVERNMENT WHISTLEBLOWERS.

Senate: Filed

S 531: SCHOOL BOARDS CAN'T SUE COUNTIES.

Senate: Filed

S 532: LANDOWNER ENCROACHMENT AND TIMBER THEFT ACT.

Senate: Filed

LOCAL BILLS

H 45: ROANOKE ISLAND FIRE DISTRICT CHANGES.

House: Passed 3rd Reading

H 154: GASTONIA CHARTER REVISIONS.

House: Passed 3rd Reading

H 245: AMEND W-S CHARTER/CERTAIN CANDIDATES.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Added to Calendar

House: Placed On Cal For 03/30/2017

H 255: CORNELIUS ANNEXATION.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 262: KANNAPOLIS DEANNEXATION.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 265: PARTISAN ELECTIONS/CERTAIN SCHOOL BOARDS.

House: Reptd Fav

House: Re-ref Com On Elections and Ethics Law

H 268: CITY OF BELMONT CHARTER REVISIONS.

House: Reptd Fav

House: Re-ref Com On Finance

H 290: ABOLISH COLUMBUS COUNTY CORONER.

House: Reptd Fav

House: Re-ref Com On Elections and Ethics Law

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

House: Reptd Fav Com Substitute

House: Re-ref Com On Elections and Ethics Law

H 342: CREEDMOOR CHARTER REVISED & CONSOLIDATED.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 378: BERTIE/GATES COUNTY/AMBULANCE SERVICE.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Withdrawn From Cal

House: Placed On Cal For 03/30/2017

H 393: MEBANE CHARTER REVISED & CONSOLIDATED.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 397: CAROLINA SHORES DEANNEXATION.

House: Reptd Fav

House: Re-ref Com On Finance

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

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

H 509: DAVIDSON COUNTY ZONING PROCEDURE CHANGES.

House: Passed 1st Reading

House: Ref To Com On State and Local Government II

H 510: WILSON/PROVISION OF COMMUNICATION SERVICES.

House: Passed 1st Reading

House: Ref To Com On State and Local Government II

H 514: PERMIT MUNICIPAL CHARTER SCHOOL/CERTAIN TOWNS.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, State and Local Government II

H 520: UNION CO. BD. OF ED/PARTISAN ELECTION.

House: Filed

H 521: SCHOOL CALENDAR FLEX./UNION COUNTY.

House: Filed

H 523: SCHOOL CALENDAR FLEX./LINCOLN COUNTY.

House: Filed

H 525: AMENDING BODY-WORN CAMERA PROCEDURES.

House: Filed

H 531: DARE COUNTY LOCAL TAX CLARIFICATION.

House: Filed

S 6: CORNELIUS ANNEXATION.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 37: ROANOKE ISLAND FIRE DISTRICT CHANGES.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 122: REPEAL CENTERVILLE CHARTER.

Senate: Reptd Fav

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