

The Daily Bulletin: 2017-03-30**PUBLIC/HOUSE BILLS**

H 94 (2017-2018) [EMERGENCY MANAGEMENT/DRONE USE](#). Filed Feb 14 2017, *AN ACT TO AUTHORIZE AN EMERGENCY MANAGEMENT AGENCY TO USE UNMANNED AIRCRAFT SYSTEMS FOR EMERGENCY MANAGEMENT RESPONSE PURPOSES*.

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

Amends the long title.

Provides that emergency management agencies as defined in GS 166A-19.3(9) (was, emergency management services personnel acting in the course and scope of their duties) may use unmanned aircraft systems as currently proposed.

Intro. by Speciale, Pittman.

GS 15A

[View summary](#)

Government, Public Safety

H 142 (2017-2018) [RESET OF S.L. 2016-3](#). Filed Feb 21 2017, *AN ACT TO RESET S.L. 2016-3*.

AN ACT TO RESET S.L. 2016-3. Enacted March 30, 2017. Effective March 30, 2017.

Intro. by Stevens, Jordan.

GS 143

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Local Government

H 142 (2017-2018) [RESET OF S.L. 2016-3](#). Filed Feb 21 2017, *AN ACT TO RESET S.L. 2016-3*.

Senate committee substitute deletes the provisions of the 2nd edition and replaces it with RESET OF SL 2016-3. Changes act's long and short titles.

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

Enacts new Article 81 to GS Chapter 143, Preemption of Regulation of Access to Multiple Occupancy Restrooms. Expressly preempts State agencies, boards, offices, departments, institutions, branches of government, including the UNC System and the NC Community College System, and political subdivisions of the State, including local boards of education, from regulating access to multiple occupancy restrooms, showers, or changing facilities, except in accordance with an act of the General Assembly.

Prohibits any local government in this State from enacting or amending an ordinance regulating private employment practices or regulating public accommodations. Provides that this provision expires December 1, 2020.

Intro. by Stevens, Jordan.

GS 143

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Local Government

H 150 (2017-2018) [STANDARDS FOR CHIROPRACTIC PEER REVIEW](#). Filed Feb 21 2017, *AN ACT REQUIRING CHIROPRACTIC PEER REVIEW OF MOTOR VEHICLE LIABILITY AND MEDICAL PAYMENT CLAIMS TO BE PERFORMED BY INDIVIDUALS LICENSED TO PRACTICE CHIROPRACTIC IN THIS STATE.*

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

Amends proposed GS 90-153.1 to provide that materials submitted for chiropractic peer review must be redacted to remove any information that would identify the provider of the chiropractic services.

Intro. by Conrad, Lambeth, Setzer.

[GS 90](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers](#)

H 243 (2017-2018) [STRENGTHEN OPIOID MISUSE PREVENTION \(STOP\)ACT](#). Filed Mar 2 2017, *AN ACT STRENGTHENING OPIOID MISUSE PREVENTION BY EXTENDING STANDING ORDERS FOR OPIOID ANTAGONIST TO COMMUNITY HEALTH GROUPS; REQUIRING SUPERVISING PHYSICIANS TO PERSONALLY CONSULT WITH PHYSICIAN ASSISTANTS AND NURSE PRACTITIONERS WHO PRESCRIBE SCHEDULE II OR III CONTROLLED SUBSTANCES FOR LONG-TERM USE; REQUIRING ELECTRONIC PRESCRIBING OF CERTAIN SCHEDULE II AND III CONTROLLED SUBSTANCES; ESTABLISHING MAXIMUM LIMITS FOR INITIAL PRESCRIPTIONS OF SCHEDULE II AND III CONTROLLED SUBSTANCES; REQUIRING HOSPICE AND PALLIATIVE CARE PROVIDERS TO PROVIDE EDUCATION REGARDING PROPER DISPOSAL OF CERTAIN UNUSED CONTROLLED SUBSTANCES; CLARIFYING ALLOWABLE FUNDS FOR SYRINGE EXCHANGE PROGRAMS; REQUIRING VETERINARIAN PARTICIPATION IN THE CONTROLLED SUBSTANCES REPORTING SYSTEM; ESTABLISHING CIVIL PENALTIES FOR PHARMACIES THAT EMPLOY DISPENSERS WHO IMPROPERLY REPORT INFORMATION TO THE CONTROLLED SUBSTANCES REPORTING SYSTEM (CSRS); EXPANDING THE ROLE OF THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES (DHHS) IN USING CSRS DATA TO DETECT AND PREVENT FRAUD AND MISUSE; MANDATING DISPENSER REGISTRATION FOR ACCESS TO THE CSRS; MANDATING DISPENSER AND PRACTITIONER USE OF THE CSRS; REQUIRING DHHS TO REPORT PRACTITIONERS WHO FAIL TO PROPERLY USE THE CSRS; CREATING A SPECIAL REVENUE FUND TO SUPPORT THE CSRS; AND REQUIRING AN ANNUAL REPORT FROM DHHS ON THE CSRS.*

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

Changes the act's long title.

Adds the term *targeted controlled substance* to GS 90-87, defining the term to mean any controlled substance included in GS 90-90(1), (2), or (3), or GS 90-91(d). Effective July 1, 2017. Makes changes to refer to targeted controlled substance instead of controlled substance throughout the proposed language of GS 90-18.1(b), GS 90-18.2(j), GS 90-106, and proposed GS 90-106.3. Makes conforming changes.

Adds descriptors to each new subsection of GS 90-106, concerning prescriptions and labeling. Changes the effective date of the proposed changes, providing subsections (a), (a1), and (a2) become effective January 1, 2020, and subsections (a3) and (a4) becomes effective January 1, 2018 (previously, provided an effective date of July 1, 2018 to the entire statute).

Amends proposed subsection (a1), requiring a practitioner to electronically prescribe all targeted controlled substances. Provides that a practitioner who experiences temporary technological or electric failure or other extenuating circumstances (currently does not include other extenuating circumstances) that prevents the prescription from being transmitted electronically is exempt from the requirement.

Amends proposed subsection (a3), concerning limitations on prescriptions upon initial consultation for acute pain. Prohibits a practitioner from prescribing more than a five-day supply of any targeted controlled substance upon the initial consultation and treatment of a patient for acute pain, unless the prescription is for post-operative acute pain relief (previously not clarified) for use immediately following a surgical procedure. Adds provision prohibiting a practitioner from prescribing more than a seven-day supply of any targeted controlled substance for post-operative acute pain relief immediately following a surgical procedure.

Further, adds that subsection (a3) does not apply to prescriptions for controlled substances issued by a practitioner who orders a controlled substance to be wholly administered in a hospital, nursing home licensed under GS Chapter 131E, hospice facility, or residential care facility as defined in GS 14-32.2(c1).

Adds *surgical procedure* to the defined terms in proposed subsection (a4).

Adds new subsection (a5) to grant a dispenser immunity from any civil or criminal liability or disciplinary action from the Board of Pharmacy for dispensing a prescription written by a prescriber in violation of GS 90-106, as amended.

Deletes and replaces the previous language of proposed GS 90-106.3. Now directs any hospice or palliative care provider who prescribes a targeted controlled substance to be administered to a patient in his or her home for the treatment of pain as part of in-home hospice or palliative care to, at the commencement of treatment, provide oral and written information to the patient and his or her family regarding the proper disposal of the targeted controlled substances. Requires the information to include the availability of permanent drop-boxes or periodic drug take-back events that allow for the safe disposal of controlled substances such as those permanent drop boxes and events that may be identified through NC Operation Medicine Drop.

Deletes proposed GS 58-51-56, which directs health benefit plans to charge a co-payment for a limited, initial prescription of a Schedule II through V controlled substance in an amount that is either proportional between the co-payment charged for a 30-day supply of the controlled substance and the amount prescribed to the beneficiary, or equal to the co-payment charged for a 30-day supply, provided that the beneficiary will not be charged any additional co-payments for subsequent prescriptions for the remainder of the 30-day supply.

Amends the proposed changes to GS 90-113.73. Amends the Schedule II through V prescription reporting deadline for dispensers to require a report no later than the close of the next business day after the prescription is delivered, but encourages dispensers to report the information no later than 24 hours after the prescription is delivered (previously, proposed no later than 24 hours after a prescription is delivered; currently required at close of business three days after the date of delivery). Further, adds new provision providing that, in the event the dispenser is unable to report the information within the time frame required by the statute because the system is not operational or there is some other temporary electrical or technological failure, the inability must be documented in the dispenser's records, and the dispenser must promptly report the information once the electrical or technological failure has been resolved. Amends the information a dispenser is required to report, as specified in subsection (b), to now include (1) if the controlled substance is dispensed for an animal, the name of the owner of the animal and the specified contact information and date of birth of the owner; and (2) if the prescriber is a physician assistant or a nurse practitioner, the name of that individual's supervising physician. Amends the directive in proposed subsection (e) to require the Department of Health and Human Services (DHHS) to assess a civil penalty of up to \$100 for a first violation and up to \$250 for a second violation, and up to \$500 for each subsequent violation (currently up to \$250 for a first violation and up to \$500 for subsequent violations) against a pharmacy that employs a dispenser who fails to comply with the reporting requirements within a reasonable period of time after being informed by DHHS that required information is missing or incomplete for a first, up to a maximum of \$5,000 (previously, \$10,000) per pharmacy per calendar year.

Provides that the proposed changes to GS 90-113.73, except for subsection (b) which is effective when the act becomes law, are effective 30 days after the date the Chief Information Officer notifies the Revisor of Statutes that the Controlled Substance Reporting System database has the capability to record the information described in the statute as amended. Directs the Chief Information Officer to notify the Revisor of Statutes once the CSRS database has the capability to record the information described in the statute as amended.

Amends proposed GS 90-113.74(b1)(1a) to authorize DHHS to notify practitioners and their respective licensing boards (previously only practitioners) of prescribing behavior that increases risk of diversion of controlled substances, increases risk of patient harm, or is an outlier among other practitioner behavior. Adds an effective date of July 1, 2017.

Deletes proposed GS 90-113.74(c)(11), which authorizes DHHS to release Controlled Substances Reporting System (CSRS) data to third-party payers and their agents, for the purposes of claimant case management, detection of inappropriate prescriptions of controlled substances to a claimant, or detection of misuse or diversion of a controlled substance by a claimant.

Enacts proposed GS 90-113.74A as GS 90-113.74B. Makes organizational changes and adds new subsection providing that the statute does not apply to a licensee employed in a pharmacy practice setting where a Schedule I, II, or IV controlled substance will not be dispensed. Makes conforming changes to the statute's proposed title.

Enacts proposed GS 90-113.74B as GS 90-113.74C. Adds clarification that in the event the practitioner is unable to review the information in the controlled substances reporting system pertaining to the patient because the system is not operational or there is some other temporary electrical or technological failure (previously temporary nature was not specified), this inability must be documented in the patient's medical record. Makes conforming changes to refer to targeted controlled substance. Deletes the provision in subsection (b), subdivision (4) allowing a practitioner to review the information in the controlled substances reporting system pertaining to a patient prior to prescribing a targeted controlled substance to the patient when the controlled substance is prescribed in an amount indicated for a period not to exceed five days and does not allow a refill, or for a period not to exceed seven days if the prescription indicates the controlled substance is for immediate post-operative pain relief.

Enacts proposed GS 90-113.74C as GS 90-113.74D. Makes clarifying change. Makes conforming changes to refer to targeted controlled substance. Adds new provision to subsection (b) establishing that failure to review the controlled substance reporting system in accordance with subsection (a) of the statute does not constitute medical negligence.

Makes technical changes to proposed GS 90-113.75A, establishing the Controlled Substances Reporting System Fund.

Deletes proposed GS 90-113.75B, which directs practitioners, prior to prescribing Schedule II through V controlled substances, to review information in CSRS regarding the patient for the 12 months preceding the initial prescription, and to consult CSRS information for the 12 months preceding each subsequent three-month period that the substance remains part of the patient's medical care, and to document each instance of review in the patient's medical record, as well as instances in which review is not possible due to the unavailability of CSRS due to some technological failure, and directs the practitioner to review the information when the CSRS becomes available again, and to document that review in the patient's medical record.

Enacts proposed GS 90-113.75C as GS 90-113.75B, directing the annual report by DHHS be submitted by February 1, beginning February 1, 2019 (previously annually on November 1, beginning November 1, 2019). Adds the NC Board of Podiatry Examiners to the entities that the report must be submitted to. Makes conforming change to refer to targeted controlled substances. Changes the requirements of the report, requiring the specified practitioners be treated as distinct categories of practitioners for categorizing the practitioners prescribing controlled substances and the number of prescriptions authorized by each category of practitioners. Deletes the requirement that the report include the prescribing behavior of practitioners that increases the risk of diversion of controlled substances, increases the risk of harm to the patient, or is an outlier among other practitioner behavior.

Adds new section to amend SL 2015-241, Section 12F.16(h) to direct DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse to continue to work toward establishing interstate connectivity for the Controlled Substances Reporting System established under GS 90-113.73. Makes conforming changes to replace references to the PMP InterConnect with references to the Controlled Substances Reporting System (CSRS). Further, amends Section 12F.16(i)(3), providing that the \$40,035 appropriation is to be used to establish interstate connectivity for CSRS. Directs DHHS, upon receipt of any grant funding for that purpose or upon identification of other allowable receipts for that purpose, to reimburse the General Fund for the costs associated with establishing interstate connectivity for the CSRS. Limits the reimbursement amount to the amount of any grant funding received by DHHS for the purpose plus the amount of any allowable receipts used by DHHS for the purpose, not to exceed the amount of the nonrecurring funds appropriated in Section 12F.16(i)(3). Effective July 1, 2017.

Deletes the previous appropriation provision, which appropriates \$10 million each for 2017-18 and 2018-19 from the General Fund to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to be used for increasing the availability of community-based treatment and recovery services for substance use disorders.

Intro. by Murphy, Davis, Malone, Horn.

APPROP, GS 90

[View summary](#)

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

SERVICE, TO ALLOW FOR SEPARATION BUYOUTS FOR LAW ENFORCEMENT OFFICERS, AND TO ALLOW TRANSFERS UNDER THE SPECIAL RETIREMENT ALLOWANCE TO BE PAID IN WHOLE OR IN PART WITH EMPLOYER CONTRIBUTIONS.

House committee substitute makes the following changes to the 1st edition. Amends the proposed changes to GS 135-5(a)(4) to allow retirement for officers who have completed 25 years of creditable service, with a minimum of 15 years of creditable service in a law enforcement capacity (currently, no minimum). Makes conforming changes to GS 135-5(b21) (concerning the service retirement allowance).

Makes identical changes to GS 128-27(a)(5) and GS 128-27.

Intro. by Murphy, McNeill, Rogers, Malone.

[GS 128, GS 135](#)

[View summary](#)

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

H 425 (2017-2018) [IMPROVE UTILIZATION OF MH PROFESSIONALS](#). Filed Mar 21 2017, *AN ACT ALLOWING LICENSED CLINICAL ADDICTION SPECIALISTS TO FORM A PROFESSIONAL CORPORATION WITH A PHYSICIAN AND AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES TO ALLOW LICENSED PROFESSIONAL COUNSELORS AND LICENSED PROFESSIONAL COUNSELORS AND LICENSED MARRIAGE AND FAMILY THERAPISTS TO CONDUCT INITIAL (FIRST-LEVEL) EXAMINATIONS FOR THE INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH A MENTAL ILLNESS OR SUBSTANCE USE DISORDER.*

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

Amends the long title of the bill.

Amends GS 122C-236.1 to further authorize the Secretary of Health and Human Services to waive the requirements of the statutes currently listed in subsection (a) when the Secretary has received a request from an LME to substitute for a physician or eligible psychologist, a licensed marriage and family therapist, in addition to the currently listed and currently proposed professionals. Makes technical and conforming changes.

Intro. by Dobson, Dollar, Murphy, Earle.

[GS 55B, GS 122C](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health](#)

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

Identical to [S 479](#), filed 3/29/17.

Amends GS 90-210.18A by changing the membership of the North Carolina Board of Funeral Service (Board), to reduce the number of members to be appointed by the Governor from nominees recommended by the North Carolina Funeral Directors Association, Inc., from four to three and to increase from two to three the number of members appointed by the Governor upon the recommendation by the Funeral Directors & Morticians Association of North Carolina, Inc. Adds that no more than one member employed by the same funeral establishment or another funeral establishment owned by the same entity can serve on the Board at a given time.

Amends GS 90-210.23, concerning the Board's powers, as follows. Limits the Board president, vice-president, and secretary to serving no more than two consecutive terms. Updates the types of contact information that licensees, resident trainees, embalming facilities, and funeral service establishments must provide to the Board. No longer requires that the address be placed on a register. Specifies that legally required notices are considered validly given when mailed to either the licensee's last known residential address or email address. Adds the requirement that the Board send all notices relating to investigations and

disciplinary proceedings to the residential address provided by the licensee. Sets the reinspection fee at \$150. Allows the Board to charge a reinspection fee not to exceed \$150 if, after inspection, a funeral establishment is found to have documents required by Funeral Industry Practices to be not in compliance; the fee is per submission. Allows the Board, upon the declaration of a state of emergency, to temporarily waive any provisions of Article 13A (Practice of Funeral Service) in an area specified in the Governor's executive order, resolution, or proclamation.

Amends GS 20-210.25 to amend the requirements for licensure for the practice of funeral direction to: delete the current educational requirements and now require possession of a degree in mortuary science or graduation from a Funeral Director Program or the equivalents, from a program approved by the Board and accredited by the American Board of Funeral Service Education; require that resident traineeship to have been completed within the last three years; instead of requiring passing a funeral director exam on specified topics, now requires passing scores within the last three years, on an entry level exam administered by the specified entity, an exam on the state laws, standards, and rules, and an exam of pathology; adds the requirement of paying all applicable fees. Specifies that an applicant bears the burden of substantiating to the Board's satisfaction that the applicant meets all of the qualifications. Amends the requirements for licensure for the practice of embalming to: specify that the applicant must possess an associate degree in mortuary science, or the equivalent from a mortuary science program approved by the Board and accredited by the American Board of Funeral Service Education; require the resident traineeship have occurred within the last three years; require that the specified exams have been passed within the past three years and to specify that the exam must include an exam of the standards set forth in the Funeral Industry Practices; and require that the applicant have paid all applicable fees. Specifies that an applicant bears the burden of substantiating to the Board's satisfaction that the applicant meets all of the qualifications. Amends the requirements for licensure to practice funeral service to: require that the applicant have an associate degree in mortuary science, or the equivalent (no longer requires the college be approved by the Board) and no longer requires minimum hours of instruction; requires that the resident traineeship have occurred within the last three years; requires that the specified exams have been passed within the last three years and requires an entry level exam in funeral directing administered by the specified entity instead of an exam on the specified topics and requires an exam on the standards in the Funeral Industry Practices; and to require that the applicant have paid all of the applicable fees. Specifies that an applicant bears the burden of substantiating to the Board's satisfaction that the applicant meets all of the qualifications.

Amends the requirements of the resident trainee programs to require that the supervisor be in good standing with the Board and have practiced for at least five years. Make conforming changes. Updates the information that the trainee must provide to the board to include an email address and allows the Board to send notices of renewal fees electronically. Prohibits the Board from charging a late fee to any trainee who is actively serving in the US Armed Forces. Allows a resident trainee given an extension of time to file a tax return to be given an extension of time to retain credit equal to the number of days of active deployment. Requires the monthly work report filed by trainees to be filed electronically. Allows the Board to collect a late fee of no more than \$50 for each work report filed late. Allows the Board to refuse to issue or renew (in addition to suspend or revoke) a certificate of resident traineeship for violations. Also adds that the Board may place a trainee on probation for violations of the Article or rules. Requires that trainee supervisors be registered as such. Deletes provision concerning how many trainees the Board must register per establishment depending on how many families are served. Adds that a resident trainee or registered supervisor must meet with the Board upon request. Adds a 60-day waiting period before retaking exam when an applicant fails two consecutive times.

Specifies that continuing education courses must be approved by the Board. Provides that a licensee does not have to satisfy the continuing education requirement for the calendar year in which the license was first obtained, regardless of the timing. Allows the State Bureau of Investigation or the Federal Bureau of Investigation (alternative to the Department of Public Safety) to charge a fee for criminal background checks.

Expands the circumstances under which a licensee may engage in funeral direction or funeral service without owning, being employed by, or being an agent of a licensed funeral establishment to also include when the licensee: (1) obtains and maintains a professional liability insurance policy with liability limits of at least \$1 million. Requires that certificates of professional liability insurance be submitted to the Board within 30 days of the initial registration of the licensee, made available during any inspection, and submitted to the Board upon request; or (2) provides annually to the Board the name and address of the funeral establishment or embalming facility where embalming is performed, provided that an embalming facility may not be used for storing any dead human body in excess of 24 hours.

Amends the conditions under which the Board must grant licenses to funeral directors, embalmers, and funeral service licensees licensed in other states to now require the following. (1) The applicant holds an active, valid license in good standing as a funeral director, embalmer, or funeral service licensee issued by a jurisdiction that will reciprocate a North Carolina license to practice as a funeral director, embalmer, or funeral service licensee. Requires that the license, at the time it was issued by the other jurisdiction,

to have had equal or greater education, training, and examination requirements. (2) The applicant has demonstrated knowledge of the laws and rules governing the profession in North Carolina through a passing score on the laws and rules exam administered on behalf of the Board. (3) The applicant has submitted proof of the applicant's good moral character. (4) The applicant has practiced in the profession for at least three years in a jurisdiction that will reciprocate a North Carolina license to practice as a funeral director, embalmer, or funeral service licensee.

Adds the requirement that an individual eligible for a permit for the transportation or removal of a dead human body obtain and maintain a professional liability insurance policy with liability limits of at least \$1 million. Requires that certificates of professional liability insurance be submitted to the Board within 30 days of the initial registration of the transporter and submitted to the Board annually as a condition for renewal of each transport permit. Allows the Board to suspend, revoke, or refuse to issue or renew the permit; place the permittee on a term of probation; or accept a civil penalty not to exceed \$5,000 in conjunction with a term of probation instead of other disciplinary action when it finds that any person permitted to transport dead human bodies has engaged in any of 11 specified acts, including conviction of a felony or a crime involving fraud or moral turpitude; gross immorality, including being under the influence of alcohol or drugs while handling or transporting dead human bodies; or failing to treat a dead human body with respect at all times. Gives the Board the authority to determine the length and conditions of any period of revocation, suspension, refusal to issue or renew, or probation. Makes a conforming deletion.

Adds that the Board has the authority to determine the length and conditions of any period of revocation, suspension, refusal to issue or renew, or probation when the specified individuals violate any provision of this Article or any regulations of the Board.

Adds that a change to the legal structure owning a funeral establishment constitutes a change of ownership only when there is a change of a majority of the funeral establishment's owners, partners, managers, members, operators, or officers and specifies that for these purposes, a funeral establishment means one or more structures on a contiguous piece of property.

Amends the conditions under which the Board may suspend or revoke, or refuse to renew, a license to include the following circumstances: (1) fraud or misrepresentation in the operation of a licensee's business; (2) failure to refund any insurance proceeds received as consideration in excess of the funeral contract purchase price within 30 days of receipt, excluding interest or growth on funds paid towards funeral goods and services to be provided pursuant to an inflation-proof preneed contract; (3) failure to provide, within a reasonable time, either the goods and services contracted for or a refund for the price of goods and services paid for but not fulfilled; and (4) violation of GS 58-58-97 (concerning the provision of life insurance information upon notification of insured's death). Makes clarifying changes.

Makes it a Class 2 misdemeanor to knowingly or willfully abuse, mutilate, or fail to treat with reasonable care a dead human body in a person's custody. Makes exceptions for embalming by a person licensed to practice embalming or funeral service and for a person licensed to practice funeral directing or funeral service to exhibit a dead human body consistent with lawful instructions from the person authorized to dispose of the body.

Amends GS 90-210.27A, concerning funeral establishments, by adding the following. Allows the Board to suspend specified statutory requirements for up to 180 days when the preparation room of a funeral establishment is damaged or destroyed by fire, weather, or other natural disaster as long as the establishment remains in compliance with specified rules and regulations. Requires an applicant to show good cause to receive a suspension of more than 90 days. Requires a funeral establishment to obtain and maintain a professional liability insurance policy with liability limits of at least \$1 million and sets out additional requirements concerning that policy. Requires that human remains be stored in a funeral establishment or licensed crematory at all times when the remains are not in transit or at a gravesite, church, or other facility or residence for the purpose of a visitation or funeral service. Requires unembalmed human remains retained in the custody of a funeral establishment for more than 24 hours to be kept in a refrigeration unit.

Amends GS 90-210.28 to increase the fee for the establishment and embalming facility reinspection from \$100 to \$150.

Amends GS 90-210.29B to require that the Board release, upon request, whether or not an applicant has obtained a passing score within a reasonable amount of time (was, at the time of the request).

Adds that records, papers, and other documents containing information collected or compiled by or on behalf of the Board as a result of a complaint, investigation, audit, disciplinary matter, or interview in connection with a licensee, permittee, or registrant, or any application for a license, permit, or registration, are not considered public records. Specifies that any notice of hearing or decision rendered in connection with a hearing is a public record.

Amends GS 90-210.61 to limit the application of the provision that allows a preneed licensee to retain up to 10% of any payments made on a contract when a contract is funded by a trust deposit, to those preneed funeral contracts executed before January 1, 2015.

Amends GS 90-210.63, concerning the substitution of a license, as follows. Limits the existing language on preneed funeral contracts to those executed before January 1, 2015, and adds provisions concerning when a preneed licensee may retain a 10% administrative fee for preneed funeral contracts executed on or after January 1, 2015. Adds the requirement that any funeral establishment holding a permit under Article 13A of GS Chapter 90 that accepts the transfer of a preneed funeral contract after the death of the preneed contract beneficiary must file the certificate of performance with the Board and mail a copy to the contracting preneed licensee.

Enacts new GS 90-210.63B allowing a preneed licensee to cancel an insurance-funded preneed funeral contract by sending written notice to the last known address of the preneed funeral contract purchaser, or, after the purchaser's death, the preneed contract beneficiary or the beneficiary's legal representative if three specified conditions are met, including that the value of all insurance policies does not exceed \$500.

Amends GS 90-210.64 to allow the balance due to be paid directly to a beneficiary when the balance of a preneed funeral fund is \$1,000 (was, \$100) or less and is payable to the estate of a deceased preneed funeral contract beneficiary and an estate representative has not been appointed. Makes a conforming change to when the balance exceeds \$1,000.

Amends GS 90-210.66 to require the Board to deposit, from the fee for each preneed funeral contact, at least \$2, but no more than \$10 (was, deposit \$2) into the recovery fund. Allows the Board to set the amount of the deposit as it deems necessary (was, may suspend the deposits).

Amends GS 90-210.67 to amend where a preneed sales licensee may sell preneed funeral contracts or preneed insurance policies. Specifies that on or after January 1, a license for a preneed funeral establishment license may be renewed by paying a late fee of no more than \$100 in addition to the annual renewal fee. Deletes the current provisions related to the required surety bond for a preneed establishment license and enacts new provisions containing surety requirements. Specifies that on or after January 1, a license for a preneed sales license may be renewed by paying a late fee of no more than \$25 in addition to the annual renewal fee.

Amends GS 90-210.68 (a) to clarify that the provisions apply to transactions and policies used to fund preneed funeral contracts. Adds the requirement that, by March 31, that each preneed licensee prepare and submit an annual report on its preneed funeral contract sales and performance of preneed funeral contracts and submit the report to the Board in a manner and form prescribed by the Board. Makes provisions in (d) applicable to companies that issue or assign insurance policy proceeds.

Amends GS 20-210.69 to no longer allow the Board to take the specified actions against an applicant for licensure or licensee for a conviction of a crime involving fraud or moral turpitude, but allow the action for fraud or misrepresentation in the operation of a licensee's business. Allows the Board to determine conditions and length of probation, revocation, suspension, or refusal to issue or renew a license.

Amends GS 90-210.73 to add that financial information used to demonstrate solvency in connection with a required bond is not public record.

Repeals GS 90-210.80 through GS 90-210.107, which contained statutes related to mutual burial associations, effective when the act becomes law. Provides that all burial association assessments, dues, and payments cease when this act becomes law. Requires the Board to transfer all burial association funds to the Preneed Recovery Fund, on or before December 31, 2017. Requires the Board to distribute certificates of funds for funeral services, to be drawn from the Preneed Recovery Fund, that are equivalent to amounts owed by the burial association to the parties entitled to the funds. Requires the distribution of certificates of funds for funeral services to be completed by December 31, 2018.

Amends GS 90-210.123 to require the owner or manager of a cremation facility to be a licensed funeral director or funeral service licensee. Also requires applications for licensure to specify the manager's funeral directing or funeral service license number. Allows, on or after January 1, a license or permit to be renewed by paying a late fee in addition to the renewal fee. Amends the conditions under which the Board may take disciplinary action against crematory licensees or applicants to include instances of fraud or misrepresentation in the operation of a licensee's business, violations of funeral industry practices, and for allowing anyone other than a licensee or a crematory technician to perform a cremation. Allows the Board to determine conditions and length of probation, revocation, suspension, or refusal or issue or renew a license. Allows inspectors of the Board (instead of members of the Board's staff) to serve notices, subpoenas, and other papers.

Amends GS 90-210.124 by adding that under GS 130A-415(c) or (j), upon such a waiver, and upon the Commissioner of Anatomy declining or failing to request delivery of the dead body, the director of social services having the duty to dispose of the human remains becomes vested with all interests and rights to the dead body and must authorize and arrange for disposition, including cremation.

Amends GS 90-210.125 to require that the cremation authorization form statement concerning pacemakers specify that a representation that the human remains do not contain a pacemaker that is not approved for cremation by the pacemaker's manufacturer or proper regulating agency or any other material or implant that may be potentially hazardous to the person performing the cremation.

Amends GS 90-210.129 to specify that the existing language applies to deaths occurring in the state and expands those that may certify the death to include any person authorized by law to sign a death certificate under the supervision of a physician. Adds a subsection specifying documents that must be obtained for any death occurring outside of the state before a body can be cremated. Limits the prohibition on cremating bodies with pacemakers or defibrillators to those that have not been approved by cremation by the manufacturer or regulating authority. Allows for the following remains to be cremated simultaneously with written direction of the authorized agent: the human remains of multiple fetuses from the same mother and the same birth, or the human remains of triplets up to the age of one year old from the same mother and the same birth.

Amends GS 90-210.132 to expand the fees that may be charged by making several fees applicable to hydrolysis. Increases the reinspection fee from \$100 to \$150.

Enacts new GS 90-210.136 requiring licensure to hydrolyze human remains. Subjects licensees to the same requirements as those for the licensing of crematories. Gives the Board the same powers over hydrolysis licensees as it has over cremation. Provides for the disposal of remains.

Amends GS 130A-415 to exempt licensed funeral directors and funeral service licensees from the requirements to make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition. Require a person possessing a body to notify the Commission of Anatomy if the body remains unclaimed for final disposition (was, unclaimed for 10 days). Adds that a dead body is deemed unclaimed if: (1) no individual notifies the person in possession of the dead body within 10 days of the date of death that the individual wishes to dispose of the dead body or (2) all individuals who have expressed interest in arranging for disposition of the dead body have ceased communicating with the person in possession of the dead body for five days, at least 10 days have passed from the date of death, and the person in possession of the dead body has used reasonable efforts to contact all individuals interested in arranging for final disposition. Makes conforming changes. Requires that if the deceased is not a resident of this State, or if the county of residence is unknown, funeral expenses are to borne by the county in which the death occurred or, if the county of residence and death of the decedent are unknown, the county where the deceased was located. Makes conforming changes. Adds that any funeral director or funeral service licensee doing business within the State that has physical possession of a dead body must make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition. Sets out requirements for handling unclaimed remains. Adds that if the Commissioner of Anatomy fails to request delivery of the abandoned dead body within two days of receipt of the required notification, or if the Commissioner of Anatomy declines delivery of the abandoned dead body, the funeral director or funeral services licensee must notify the director of social services of the county where the abandoned dead body is located. Sets out notice requirements. Requires the director of social services to then arrange for final disposition of the abandoned dead body and all interests in and rights to the abandoned dead body vest in the director of social services, who must then arrange for prompt final disposition of the abandoned dead body. Sets out procedure for claiming funeral expenses.

Amends GS 130A-420 to add that unless expressly prohibited by an order of appointment, a guardian of the person has the authority to direct the final disposition of the remains of the ward through the specified methods if executed before the ward's death. Adds that under GS 130A-415(c) or (j), upon such a waiver, and upon the Commission of Anatomy declining or failing to request delivery of the abandoned dead body, the director of social services of the county in which the dead body is located becomes vested with all interests and rights to the dead body and must authorize and arrange for disposition. Once the burial of an individual is completed under the statute, the method and location of disposition must not be changed unless otherwise authorized by law or by a court order upon a showing of good cause.

Repeals GS 58-58-97(d), which deemed any licensee or employee of a licensed funeral establishment who makes a false request for life insurance information or failed to do that required by subsection (c) of the statute as guilty of fraud or misrepresentation and unfit to practice funeral service.

Includes a severability clause.

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

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

[View summary](#)

Business and Commerce, Occupational Licensing, Development, Land Use and Housing, Land Use, Planning and Zoning, Health and Human Services, Health, Public Health

H 541 (2017-2018) [FUNDS/BROADBAND IN FRANKLIN AND NASH COUNTIES](#). Filed Mar 30 2017, *AN ACT TO APPROPRIATE FUNDS TO FRANKLIN AND NASH COUNTIES FOR BROADBAND GRANTS*.

Appropriates \$250,000 for the 2017-18 fiscal year from the General Fund to the Department of Commerce to be equally allocated to Franklin and Nash counties. Directs Franklin and Nash counties to use the funds to provide grants to unaffiliated qualified private providers of high-speed internet service for expanding service in unserved areas for economic development in Franklin and Nash counties, as provided in GS 153A-349.60. Effective July 1, 2017.

Intro. by B. Richardson.

[APPROP, Franklin, Nash](#)

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Commerce, Public Enterprises and Utilities

H 542 (2017-2018) [ELECTIONS/CITIES IN MORE THAN ONE CO](#). Filed Mar 30 2017, *AN ACT TO PROVIDE FOR A SINGLE COUNTY TO ADMINISTER ELECTIONS HELD IN CITIES THAT LIE IN MORE THAN ONE COUNTY*.

Amends GS 163-284 by adding that a city or special district that is in more than one county may enter into an interlocal agreement with the county boards of election in those counties where the city or district lies for the administration of the election. Requires the agreement to be approved by the State Board of Elections before it is used in a municipal or special district election and limits the duration to two years.

Intro. by B. Richardson.

[GS 163](#)

[View summary](#)

Government, Elections, Local Government

H 543 (2017-2018) [CAREGIVER RELIEF ACT](#). Filed Mar 30 2017, *AN ACT AMENDING THE LABOR LAWS TO PROVIDE RELIEF FOR CAREGIVERS IN THIS STATE*.

Identical to [S 463](#), filed 3/29/17.

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 Fisher, Farmer-Butterfield, Cunningham, Insko.

GS 95

[View summary](#)

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

H 544 (2017-2018) [HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS](#). Filed Mar 30 2017, *AN ACT PROVIDING FOR HEALTHY FAMILIES AND HEALTHY WORKPLACES BY ENSURING THAT ALL WORKERS HAVE EARNED PAID SICK DAYS TO ADDRESS THEIR OWN HEALTH NEEDS AND THE HEALTH NEEDS OF THEIR FAMILIES.*

Identical to [S 556](#) filed on 3/30/17.

Enacts new Article 3A of GS Chapter 95, to be cited as the Healthy Families and Healthy Workplaces Act (HFHW Act). Denotes that state public policy in promoting the general welfare of the people of North Carolina requires the enactment of new Article 3A under the police power of the state.

Provides definitions for the following terms as used in the HFHW Act: (1) child, (2) domestic violence, (3) employee, (4) employ, (5) employer, (6) federal act, (7) health care provider, (8) immediate family member, (9) parent, (10) paid sick time or paid sick days, (11) sexual assault, (12) stalking, and (13) small business.

Provides that the proposed HFHW Act does not apply to (1) bona fide volunteers in an organization where an employer-employee relationship does not exist or (2) any person who is exempt from the Wage and Hour Act under GS 95-25.14(a)(2) through (8), GS 95-25.14(b), GS 95-25.14 (b1), GS 95-25.14(c), and GS 95-25.14(e). Makes an exception regarding domestic workers, providing that they are exempt only if they are employed in the place of residence of their employer.

Provides that paid sick time begins to accrue at the start of employment at a rate of one hour of paid sick time for every 30 hours worked. Provides additional guidelines regarding discretionary advancement of sick time by the employer, limits on the amount of paid sick time accrued, and the accrual of paid sick time when there is a separation of employment followed by a rehiring by the same employer. Provides that with the exception of the specified exemptions to the proposed HFHW Act, any employee who works in North Carolina and who must be absent from work for the reasons delineated in proposed new GS 95-31.5(a) is entitled to paid sick time.

Directs that paid sick time is to be provided by an employer to an employee who meets any of the following reasons listed in proposed new GS 95-31.5: (1) to care for a member of the employee's immediate family suffering from health issues or to care for the employee's own health, unless the care is covered under federal law or (2) to allow an employee to address the psychological, physical, or legal effects on himself or herself or an immediate family member of domestic violence, sexual assault, or stalking. Permits the employer to require certification of the qualifying health issue or event when a paid sick time period covers more than three consecutive work days. Provides guidelines for determining what may be deemed acceptable certification. Provides that an employer may not require certification from a health care provider that is employed by the employer. Prohibits an employer from requiring the disclosure of details relating to domestic violence, sexual assault, stalking, or an employee's medical condition as a condition of providing paid sick time to an employee. Directs an employer to treat as confidential any information that the employer acquires about the employee or the employee's immediate family regarding domestic violence, sexual assault, stalking, or health conditions. Prohibits the employer from requiring an employee to secure a replacement worker as a condition of providing sick time under the proposed HFHW Act. Directs the employee to make a good faith effort, when the use of sick time is foreseeable, to provide the employer with advance notice. States that this act provides minimum requirements regarding paid sick time and should not be construed to limit, preempt, or otherwise affect other applicability of law, regulation, or policy that extends additional or greater protections to employees, nor should this proposed act be construed to discourage employers from adopting more generous paid sick time policies. Provides that employers already offering a paid sick time policy do not have to modify that policy providing that the paid sick time policy currently in place offers an employee, at his or her discretion, the option to take paid sick time that is equivalent to the amount and for the same purposes offered under the proposed HFHW Act.

Requires employers to provide notice to employees, in Spanish and English, of their entitlement to paid sick time as well as other related information. Notice may be provided by supplying each employee with a notice in Spanish and English or by conspicuously displaying a poster in the place of employment in both languages. Prohibits employers from retaliating against employees who request or use paid sick time. Provides that an employee has a right to file a complaint with the Commissioner of Labor (Commissioner) or in the General Court of Justice if an employer (1) denies an employee paid sick time or (2) retaliates against an employee for requesting or taking paid sick time.

Authorizes the Commissioner to enforce and administer the provisions of the proposed HFHW Act. Provides criteria regarding employer's liability for a violation under the proposed HFHW Act, including provisions for the potential awarding of liquidated damages for a violation of the act. Directs that actions under the proposed HFHW Act must be brought within two years pursuant to GS 1-53. Also provides that the rights and remedies created under the HFHW Act are supplementary to all existing common law and statutory rights and remedies. Directs the Commissioner to adopt rules to implement the proposed act. Provides that the provisions of the proposed act are severable.

Makes conforming changes to GS 95-241(a).

Contains a number of whereas clauses.

Effective July 1, 2017, and applies only to covered employment on or after that date and does not apply to any collective bargaining agreement entered into before July 1, 2015, still in effect on that date.

Intro. by Fisher, Farmer-Butterfield, Cunningham, Insko.

GS 95

[View summary](#)

Employment and Retirement, Government, State Agencies, Health and Human Services, Health

H 545 (2017-2018) **MARINE FISHERIES ADVISORY COMMITTEE REFORMS**. Filed Mar 30 2017, *AN ACT TO ENSURE MEANINGFUL PUBLIC PARTICIPATION IN FISHERIES MANAGEMENT BY ENHANCING THE ROLE OF PUBLIC ADVISORY COMMITTEES*.

Amends GS 143-289.52(a), which delineates the Marine Fisheries Commission's (Commission) powers, by adding that the Commission must, to the maximum extent practicable, act consistently with the Fishery Management Plan when the Commission exercises its rule-making powers for the management, protection, preservation, and enhancement of the marine and estuarine resources. Adds the duty of providing and adopting a statement of basis for the rejection of the findings and recommendations submitted by advisory committees.

Amends GS 143B-289.57 to require that standing committees and regional advisory committees meet at least once each calendar quarter and allows additional meetings at the call of the Commission chair.

Amends GS 113-182.1 to require the Commission to consult with the fishery management plan advisory committee for the specified fishery before taking action on any management measure considered in the development of a fishery management plan.

Intro. by Boswell, Millis, Pittman.

GS 113, GS 143

[View summary](#)

Environment, Aquaculture and Fisheries

H 546 (2017-2018) **RABIES QUARANTINE AMENDMENTS**. Filed Mar 30 2017, *AN ACT IMPLEMENTING THE RECOMMENDATIONS AND GUIDELINES OF THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS REGARDING THE MANAGEMENT OF DOGS, CATS, AND FERRETS EXPOSED TO RABIES*.

Substantively identical to [S 74](#), filed 3/30/17.

Currently, GS 130A-197 requires an animal exposed to rabies to be (1) destroyed immediately by its owner, the county Animal Control Officer, or a peace officer unless the animal has been vaccinated against rabies, as specified, more than 28 days prior to

being exposed, and is given a booster dose of rabies vaccine within five days of exposure or (2) quarantined at a facility approved by the local health director for a period of up to six months. This act eliminates these provisions and instead directs that the recommendations and guidelines specified by the National Association of State Public Health Veterinarians in the most current edition of the Compendium of Animal Rabies Prevention and Control be the required control measures for dogs, cats, and ferrets exposed to rabies. Makes conforming changes to the statute's title. Effective October 1, 2017.

Intro. by W. Richardson.

[GS 130A](#)

[View summary](#)

[Animals](#)

PUBLIC/SENATE BILLS

S 3 (2017-2018) [DOT/DMV CHANGES](#). Filed Jan 25 2017, *AN ACT TO MAKE CHANGES TO STATE LAW RELATED TO THE DEPARTMENT OF TRANSPORTATION AND THE DIVISION OF MOTOR VEHICLES, AS RECOMMENDED BY THE JOINT LEGISLATIVE TRANSPORTATION OVERSIGHT COMMITTEE*.

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

Deletes proposed GS 136-19(j) (concerning the disposition of remainder properties owned by the DOT).

Enacts new GS 136-19.6 (Residue property disposal; Department authority; definitions; classification and valuation; disposition method; proceeds; approvals required). Authorizes the DOT to manage, control, and dispose of residue property acquired in fee simple. Defines ten terms as they are used in the statute. Directs the DOT to adopt criteria for use in classifying residue property according to its highest potential benefit to the Department or to potential purchasers. Provides for reclassification of residue property after 5 years, if not disposed of, if appropriate, and provides a classification system based on the potential use of the real property. Directs the DOT to maintain an up-to-date inventory of residue property it owns in fee simple. Directs the Department to utilize best efforts to dispose of property in Class A, B, or C within four years and provides five methods by which these classes of property may be disposed of. Provides that no service charge into the State Land Fund shall be deducted from or levied against the proceeds of any disposition of residue property, and that net proceeds for the disposition for residue property less any required apportionment by federal law or regulation, shall be deposited in the State Highway Fund. Provides that all conveyances of residue property require DOT and Board of Transportation approval, and for property with a value of \$10,000 or more, also the approval of the Governor and Council of State. Requires conveyances to be recorded. Authorizes the DOT to adopt rules to carry out this statute. Directs the DOT to report to the Joint Legislative Transportation Oversight Committee on the classification and sale of residue property by March 1, 2019, and annually thereafter, and provides requirements for the report.

Directs the DOT to establish a pilot program by January 1, 2018, for disposing of residue property. Provides requirements for the pilot program, including instructions for a Request for Proposals. Provides that the pilot program terminates on January 1, 2019. Directs the DOT to report to the Joint Legislative Transportation Oversight Committee on the classification and sale of residue properties pursuant to the pilot program, and provides requirements for the report.

Deletes proposed amendments to GS 20-288(a1) (concerning licencing for used motor vehicle dealers).

Amends the caption for proposed GS 20-37.7(d)(3) to read "Duration for certain other persons" (was, duration for certain other drivers).

Deletes proposed GS 20-49.1(a)(3).

Makes technical changes.

Intro. by Rabon, Harrington.

[GS 136](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Land Use, Planning and Zoning, Government, State](#)

S 24 (2017-2018) [ALLOW RESTAURANTS TO USE OUTDOOR GRILLS](#). Filed Feb 1 2017, *AN ACT ALLOWING FOOD ESTABLISHMENTS TO USE OUTDOOR GRILLS FOR FOOD PREPARATION*.

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

Deletes proposed GS 130A-248(a7) which established the criteria under which a permitted establishment that prepares or serves food may have used an outdoor grill to prepare food for customers.

Enacts new GS 130A-248(c2) establishing seven criteria to be met before a food establishment may use an outdoor grill to prepare food for customers for sample or sale, including: the outdoor grill is located on the premises of the food establishment and is continuously supervised by a food employee when the grill is in use, the outdoor grill is not operated within 10 feet of combustible construction, and the outdoor grill is located in an enclosed area and protected from environmental contamination when not in operation. Retains the October 1, 2017 effective date. Amends the act's long title.

Intro. by McInnis, Tarte, J. Davis.

[GS 130A](#)

[View summary](#)

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

S 154 (2017-2018) [CHARITABLE FUNDRAISING FOR NONPROFIT ORGS](#). Filed Mar 1 2017, *AN ACT TO INCREASE THE ABILITY OF NONPROFIT ORGANIZATIONS TO HOLD FUNDRAISING RAFFLES AND TO AUTHORIZE REISSUANCE OF CERTAIN ONE-TIME ALCOHOLIC BEVERAGE CONTROL COMMISSION PERMITS*.

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

Amends GS 14-309.15 by deleting the provision that specified that a candidate, political committee, or governmental entity within the state could hold no more than two raffles per year. Also deletes the provision that limited total cash prizes and the total fair market value of all prizes, offered or paid by any candidate, political committee, or governmental entity in the state to \$125,000 in any calendar year.

Intro. by Gunn, Lowe, Harrington.

[GS 14, GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Nonprofits](#)

S 156 (2017-2018) [PLUMBING & HEATING CONTRACTORS CHANGES](#). Filed Mar 1 2017, *AN ACT TO CLARIFY THE TYPES OF ACTIVITY REGULATED BY THE STATE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS AND TO REAUTHORIZE THE BOARD TO ISSUE LICENSES FOR CERTAIN RESTRICTED CLASSIFICATIONS*.

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

Amends GS 87-21 to include persons, firms, and corporations who for valuable consideration, verify, inspect, evaluate, or test fire sprinklers, or offer to do so, in addition to the currently listed or proposed activities, with those deemed to be in the business of plumbing, heating, or fire sprinkler contracting. Authorizes the Board to establish additional restricted classifications to provide for the licensing of any person (currently proposed, of persons) desiring to engage in contracting and installing fuel piping from an approved fuel source on the premises to a point inside the residence.

Makes the act effective when it becomes law (currently, effective July 1, 2017).

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

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

Amends GS 90-210.18A by changing the membership of the North Carolina Board of Funeral Service (Board), to reduce the number of members to be appointed by the Governor from nominees recommended by the North Carolina Funeral Directors Association, Inc., from four to three and to increase from two to three the number of members appointed by the Governor upon the recommendation by the Funeral Directors & Morticians Association of North Carolina, Inc. Adds that no more than one member employed by the same funeral establishment or another funeral establishment owned by the same entity can serve on the Board at a given time.

Amends GS 90-210.23, concerning the Board's powers, as follows. Limits the Board president, vice-president, and secretary to serving no more than two consecutive terms. Updates the types of contact information that licensees, resident trainees, embalming facilities, and funeral service establishments must provide to the Board. No longer requires that the address be placed on a register. Specifies that legally required notices are considered validly given when mailed to either the licensee's last known residential address or email address. Adds the requirement that the Board send all notices relating to investigations and disciplinary proceedings to the residential address provided by the licensee. Sets the reinspection fee at \$150. Allows the Board to charge a reinspection fee not to exceed \$150 if, after inspection, a funeral establishment is found to have documents required by Funeral Industry Practices to be not in compliance; the fee is per submission. Allows the Board, upon the declaration of a state of emergency, to temporarily waive any provisions of Article 13A (Practice of Funeral Service) in an area specified in the Governor's executive order, resolution, or proclamation.

Amends GS 20-210.25 to amend the requirements for licensure for the practice of funeral direction to: delete the current educational requirements and now require possession of a degree in mortuary science or graduation from a Funeral Director Program or the equivalents, from a program approved by the Board and accredited by the American Board of Funeral Service Education; require that resident traineeship to have been completed within the last three years; instead of requiring passing a funeral director exam on specified topics, now requires passing scores within the last three years, on an entry level exam administered by the specified entity, an exam on the state laws, standards, and rules, and an exam of pathology; adds the requirement of paying all applicable fees. Specifies that an applicant bears the burden of substantiating to the Board's satisfaction that the applicant meets all of the qualifications. Amends the requirements for licensure for the practice of embalming to: specify that the applicant must possess an associate degree in mortuary science, or the equivalent from a mortuary science program approved by the Board and accredited by the American Board of Funeral Service Education; require the resident traineeship have occurred within the last three years; require that the specified exams have been passed within the past three years and to specify that the exam must include an exam of the standards set forth in the Funeral Industry Practices; and require that the applicant have paid all applicable fees. Specifies that an applicant bears the burden of substantiating to the Board's satisfaction that the applicant meets all of the qualifications. Amends the requirements for licensure to practice funeral service to: require that the applicant have an associate degree in mortuary science, or the equivalent (no longer requires the college be approved by the Board) and no longer requires minimum hours of instruction; requires that the resident traineeship have occurred within the last three years; requires that the specified exams have been passed within the last three years and requires an entry level exam in funeral directing administered by the specified entity instead of an exam on the specified topics and requires an exam on the standards in the Funeral Industry Practices; and to require that the applicant have paid all of the applicable fees. Specifies that an applicant bears the burden of substantiating to the Board's satisfaction that the applicant meets all of the qualifications.

Amends the requirements of the resident trainee programs to require that the supervisor be in good standing with the Board and have practiced for at least five years. Make conforming changes. Updates the information that the trainee must provide to the board to include an email address and allows the Board to send notices of renewal fees electronically. Prohibits the Board from charging a late fee to any trainee who is actively serving in the US Armed Forces. Allows a resident trainee given an extension of time to file a tax return to be given an extension of time to retain credit equal to the number of days of active deployment.

Requires the monthly work report filed by trainees to be filed electronically. Allows the Board to collect a late fee of no more than \$50 for each work report filed late. Allows the Board to refuse to issue or renew (in addition to suspend or revoke) a certificate of resident traineeship for violations. Also adds that the Board may place a trainee on probation for violations of the Article or rules. Requires that trainee supervisors be registered as such. Deletes provision concerning how many trainees the Board must register per establishment depending on how many families are served. Adds that a resident trainee or registered supervisor must meet with the Board upon request. Adds a 60-day waiting period before retaking exam when an applicant fails two consecutive times.

Specifies that continuing education courses must be approved by the Board. Provides that a licensee does not have to satisfy the continuing education requirement for the calendar year in which the license was first obtained, regardless of the timing. Allows the State Bureau of Investigation or the Federal Bureau of Investigation (alternative to the Department of Public Safety) to charge a fee for criminal background checks.

Expands the circumstances under which a licensee may engage in funeral direction or funeral service without owning, being employed by, or being an agent of a licensed funeral establishment to also include when the licensee: (1) obtains and maintains a professional liability insurance policy with liability limits of at least \$1 million. Requires that certificates of professional liability insurance be submitted to the Board within 30 days of the initial registration of the licensee, made available during any inspection, and submitted to the Board upon request; or (2) provides annually to the Board the name and address of the funeral establishment or embalming facility where embalming is performed, provided that an embalming facility may not be used for storing any dead human body in excess of 24 hours.

Amends the conditions under which the Board must grant licenses to funeral directors, embalmers, and funeral service licensees licensed in other states to now require the following. (1) The applicant holds an active, valid license in good standing as a funeral director, embalmer, or funeral service licensee issued by a jurisdiction that will reciprocate a North Carolina license to practice as a funeral director, embalmer, or funeral service licensee. Requires that the license, at the time it was issued by the other jurisdiction, to have had equal or greater education, training, and examination requirements. (2) The applicant has demonstrated knowledge of the laws and rules governing the profession in North Carolina through a passing score on the laws and rules exam administered on behalf of the Board. (3) The applicant has submitted proof of the applicant's good moral character. (4) The applicant has practiced in the profession for at least three years in a jurisdiction that will reciprocate a North Carolina license to practice as a funeral director, embalmer, or funeral service licensee.

Adds the requirement that an individual eligible for a permit for the transportation or removal of a dead human body obtain and maintain a professional liability insurance policy with liability limits of at least \$1 million. Requires that certificates of professional liability insurance be submitted to the Board within 30 days of the initial registration of the transporter and submitted to the Board annually as a condition for renewal of each transport permit. Allows the Board to suspend, revoke, or refuse to issue or renew the permit; place the permittee on a term of probation; or accept a civil penalty not to exceed \$5,000 in conjunction with a term of probation instead of other disciplinary action when it finds that any person permitted to transport dead human bodies has engaged in any of 11 specified acts, including conviction of a felony or a crime involving fraud or moral turpitude; gross immorality, including being under the influence of alcohol or drugs while handling or transporting dead human bodies; or failing to treat a dead human body with respect at all times. Gives the Board the authority to determine the length and conditions of any period of revocation, suspension, refusal to issue or renew, or probation. Makes a conforming deletion.

Adds that the Board has the authority to determine the length and conditions of any period of revocation, suspension, refusal to issue or renew, or probation when the specified individuals violate any provision of this Article or any regulations of the Board.

Adds that a change to the legal structure owning a funeral establishment constitutes a change of ownership only when there is a change of a majority of the funeral establishment's owners, partners, managers, members, operators, or officers and specifies that for these purposes, a funeral establishment means one or more structures on a contiguous piece of property.

Amends the conditions under which the Board may suspend or revoke, or refuse to renew, a license to include the following circumstances: (1) fraud or misrepresentation in the operation of a licensee's business; (2) failure to refund any insurance proceeds received as consideration in excess of the funeral contract purchase price within 30 days of receipt, excluding interest or growth on funds paid towards funeral goods and services to be provided pursuant to an inflation-proof preneed contract; (3) failure to provide, within a reasonable time, either the goods and services contracted for or a refund for the price of goods and services paid for but not fulfilled; and (4) violation of GS 58-58-97 (concerning the provision of life insurance information upon notification of insured's death). Makes clarifying changes.

Makes it a Class 2 misdemeanor to knowingly or willfully abuse, mutilate, or fail to treat with reasonable care a dead human body in a person's custody. Makes exceptions for embalming by a person licensed to practice embalming or funeral service and for a person licensed to practice funeral directing or funeral service to exhibit a dead human body consistent with lawful instructions from the person authorized to dispose of the body.

Amends GS 90-210.27A, concerning funeral establishments, by adding the following. Allows the Board to suspend specified statutory requirements for up to 180 days when the preparation room of a funeral establishment is damaged or destroyed by fire, weather, or other natural disaster as long as the establishment remains in compliance with specified rules and regulations.

Requires an applicant to show good cause to receive a suspension of more than 90 days. Requires a funeral establishment to obtain and maintain a professional liability insurance policy with liability limits of at least \$1 million and sets out additional requirements concerning that policy. Requires that human remains be stored in a funeral establishment or licensed crematory at all times when the remains are not in transit or at a gravesite, church, or other facility or residence for the purpose of a visitation or funeral service. Requires unembalmed human remains retained in the custody of a funeral establishment for more than 24 hours to be kept in a refrigeration unit.

Amends GS 90-210.28 to increase the fee for the establishment and embalming facility reinspection from \$100 to \$150.

Amends GS 90-210.29B to require that the Board release, upon request, whether or not an applicant has obtained a passing score within a reasonable amount of time (was, at the time of the request).

Adds that records, papers, and other documents containing information collected or compiled by or on behalf of the Board as a result of a complaint, investigation, audit, disciplinary matter, or interview in connection with a licensee, permittee, or registrant, or any application for a license, permit, or registration, are not considered public records. Specifies that any notice of hearing or decision rendered in connection with a hearing is a public record.

Amends GS 90-210.61 to limit the application of the provision that allows a preneed licensee to retain up to 10% of any payments made on a contract when a contract is funded by a trust deposit, to those preneed funeral contracts executed before January 1, 2015.

Amends GS 90-210.63, concerning the substitution of a license, as follows. Limits the existing language on preneed funeral contracts to those executed before January 1, 2015, and adds provisions concerning when a preneed licensee may retain a 10% administrative fee for preneed funeral contracts executed on or after January 1, 2015. Adds the requirement that any funeral establishment holding a permit under Article 13A of GS Chapter 90 that accepts the transfer of a preneed funeral contract after the death of the preneed contract beneficiary must file the certificate of performance with the Board and mail a copy to the contracting preneed licensee.

Enacts new GS 90-210.63B allowing a preneed licensee to cancel an insurance-funded preneed funeral contract by sending written notice to the last known address of the preneed funeral contract purchaser, or, after the purchaser's death, the preneed contract beneficiary or the beneficiary's legal representative if three specified conditions are met, including that the value of all insurance policies does not exceed \$500.

Amends GS 90-210.64 to allow the balance due to be paid directly to a beneficiary when the balance of a preneed funeral fund is \$1,000 (was, \$100) or less and is payable to the estate of a deceased preneed funeral contract beneficiary and an estate representative has not been appointed. Makes a conforming change to when the balance exceeds \$1,000.

Amends GS 90-210.66 to require the Board to deposit, from the fee for each preneed funeral contract, at least \$2, but no more than \$10 (was, deposit \$2) into the recovery fund. Allows the Board to set the amount of the deposit as it deems necessary (was, may suspend the deposits).

Amends GS 90-210.67 to amend where a preneed sales licensee may sell preneed funeral contracts or preneed insurance policies. Specifies that on or after January 1, a license for a preneed funeral establishment license may be renewed by paying a late fee of no more than \$100 in addition to the annual renewal fee. Deletes the current provisions related to the required surety bond for a preneed establishment license and enacts new provisions containing surety requirements. Specifies that on or after January 1, a license for a preneed sales license may be renewed by paying a late fee of no more than \$25 in addition to the annual renewal fee.

Amends GS 90-210.68 (a) to clarify that the provisions apply to transactions and policies used to fund preneed funeral contracts. Adds the requirement that, by March 31, that each preneed licensee prepare and submit an annual report on its preneed funeral

contract sales and performance of preneed funeral contracts and submit the report to the Board in a manner and form prescribed by the Board. Makes provisions in (d) applicable to companies that issue or assign insurance policy proceeds.

Amends GS 20-210.69 to no longer allow the Board to take the specified actions against an applicant for licensure or licensee for a conviction of a crime involving fraud or moral turpitude, but allow the action for fraud or misrepresentation in the operation of a licensee's business. Allows the Board to determine conditions and length of probation, revocation, suspension, or refusal to issue or renew a license.

Amends GS 90-210.73 to add that financial information used to demonstrate solvency in connection with a required bond is not public record.

Repeals GS 90-210.80 through GS 90-210.107, which contained statutes related to mutual burial associations, effective when the act becomes law. Provides that all burial association assessments, dues, and payments cease when this act becomes law. Requires the Board to transfer all burial association funds to the Preneed Recovery Fund, on or before December 31, 2017. Requires the Board to distribute certificates of funds for funeral services, to be drawn from the Preneed Recovery Fund, that are equivalent to amounts owed by the burial association to the parties entitled to the funds. Requires the distribution of certificates of funds for funeral services to be completed by December 31, 2018.

Amends GS 90-210.123 to require the owner or manager of a cremation facility to be a licensed funeral director or funeral service licensee. Also requires applications for licensure to specify the manager's funeral directing or funeral service license number. Allows, on or after January 1, a license or permit to be renewed by paying a late fee in addition to the renewal fee. Amends the conditions under which the Board may take disciplinary action against crematory licensees or applicants to include instances of fraud or misrepresentation in the operation of a licensee's business, violations of funeral industry practices, and for allowing anyone other than a licensee or a crematory technician to perform a cremation. Allows the Board to determine conditions and length of probation, revocation, suspension, or refusal or issue or renew a license. Allows inspectors of the Board (instead of members of the Board's staff) to serve notices, subpoenas, and other papers.

Amends GS 90-210.124 by adding that under GS 130A-415(c) or (j), upon such a waiver, and upon the Commissioner of Anatomy declining or failing to request delivery of the dead body, the director of social services having the duty to dispose of the human remains becomes vested with all interests and rights to the dead body and must authorize and arrange for disposition, including cremation.

Amends GS 90-210.125 to require that the cremation authorization form statement concerning pacemakers specify that a representation that the human remains do not contain a pacemaker that is not approved for cremation by the pacemaker's manufacturer or proper regulating agency or any other material or implant that may be potentially hazardous to the person performing the cremation.

Amends GS 90-210.129 to specify that the existing language applies to deaths occurring in the state and expands those that may certify the death to include any person authorized by law to sign a death certificate under the supervision of a physician. Adds a subsection specifying documents that must be obtained for any death occurring outside of the state before a body can be cremated. Limits the prohibition on cremating bodies with pacemakers or defibrillators to those that have not been approved by cremation by the manufacturer or regulating authority. Allows for the following remains to be cremated simultaneously with written direction of the authorized agent: the human remains of multiple fetuses from the same mother and the same birth, or the human remains of triplets up to the age of one year old from the same mother and the same birth.

Amends GS 90-210.132 to expand the fees that may be charged by making several fees applicable to hydrolysis. Increases the reinspection fee from \$100 to \$150.

Enacts new GS 90-210.136 requiring licensure to hydrolyze human remains. Subjects licensees to the same requirements as those for the licensing of crematories. Gives the Board the same powers over hydrolysis licensees as it has over cremation. Provides for the disposal of remains.

Amends GS 130A-415 to exempt licensed funeral directors and funeral service licensees from the requirements to make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition. Require a person possessing a body to notify the Commission of Anatomy if the body remains unclaimed for final disposition (was, unclaimed for 10 days). Adds that a dead body is deemed unclaimed if: (1) no individual notifies the person in possession of the dead body within 10 days of the date of death that the individual wishes to dispose of the dead body or (2) all individuals who have expressed interest in arranging for disposition of the dead body have ceased communicating with the person in

possession of the dead body for five days, at least 10 days have passed from the date of death, and the person in possession of the dead body has used reasonable efforts to contact all individuals interested in arranging for final disposition. Makes conforming changes. Requires that if the deceased is not a resident of this State, or if the county of residence is unknown, funeral expenses are to borne by the county in which the death occurred or, if the county of residence and death of the decedent are unknown, the county where the deceased was located. Makes conforming changes. Adds that any funeral director or funeral service licensee doing business within the State that has physical possession of a dead body must make reasonable efforts to contact relatives of the deceased or other persons who may wish to claim the body for final disposition. Sets out requirements for handling unclaimed remains. Adds that if the Commissioner of Anatomy fails to request delivery of the abandoned dead body within two days of receipt of the required notification, or if the Commissioner of Anatomy declines delivery of the abandoned dead body, the funeral director or funeral services licensee must notify the director of social services of the county where the abandoned dead body is located. Sets out notice requirements. Requires the director of social services to then arrange for final disposition of the abandoned dead body and all interests in and rights to the abandoned dead body vest in the director of social services, who must then arrange for prompt final disposition of the abandoned dead body. Sets out procedure for claiming funeral expenses.

Amends GS 130A-420 to add that unless expressly prohibited by an order of appointment, a guardian of the person has the authority to direct the final disposition of the remains of the ward through the specified methods if executed before the ward's death. Adds that under GS 130A-415(c) or (j), upon such a waiver, and upon the Commission of Anatomy declining or failing to request delivery of the abandoned dead body, the director of social services of the county in which the dead body is located becomes vested with all interests and rights to the dead body and must authorize and arrange for disposition. Once the burial of an individual is completed under the statute, the method and location of disposition must not be changed unless otherwise authorized by law or by a court order upon a showing of good cause.

Repeals GS 58-58-97(d), which deemed any licensee or employee of a licensed funeral establishment who makes a false request for life insurance information or failed to do that required by subsection (c) of the statute as guilty of fraud or misrepresentation and unfit to practice funeral service.

Includes a severability clause.

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 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.*

Enacts new GS Chapter 160A, Article 10B (Commercial Property Assessed Capital Expenditures), as follows.

Defines nine terms as they are used in the Article, including *commercial property assessed capital expenditure* (C-PACE), meaning the financing of building and property upgrades and improvements through property tax assessments.

Authorizes local government units to establish a C-PACE program to promote, encourage, and facilitate building and property upgrades or improvements within their jurisdictions. Provides for joint C-PACE programs between two or more governing bodies. Provides for governing bodies or C-PACE districts to contract with a nonprofit, not-for-profit, public university, or private third party to administer the C-PACE program.

Specifies six types of building and property that are eligible for C-PACE financing, including commercial buildings and multifamily residential buildings with five or more units. Provides that property in a C-PACE district does not have to be contiguous. Allows for the governing body of a local government unit that creates a C-PACE district to add the property of any owner who voluntarily executes a written agreement consenting to their inclusion in the district and participation in the C-PACE program, to remove the property of any owner who has satisfied their property tax assessment obligations under the C-PACE program, and to delegate to the C-PACE program administration the authority to add new properties to the C-PACE district as long as the property qualifies. Directs the governing body to include a provision in the C-PACE district guidelines that requires

the owner of qualifying real property to be informed that it is recommended that a licensed third party reviews the property, as described, before obtaining C-PACE financing. Requires an agreement between the C-PACE district and the owner of qualifying real property to specify the building and property upgrades to be completed and the contractor responsible for the upgrades, and requires information from the third-party survey, if completed, to be included in the agreement. Provides that documentation of completion of upgrades or improvements must be publicly available. Requires qualifying real property to be current on property tax and assessment payments, and not be encumbered by involuntary liens, default judgments, or judgments. Directs the governing body to require the implementation of minimum building and property owner protection guidelines.

Specifies which building upgrades and improvements qualify for C-PACE financing. Provides that upgrades must improve the health and safety, energy efficiency, renewable energy on-site generation or storage, water conservation, durability, or resiliency to weather and disaster damages of new or existing buildings or properties. Does not authorize only aesthetic or design improvements. Lists 19 eligible upgrades and improvements. Provides that the upgrades and improvements must be permanently affixed to the property or building, and may not be removed if the ownership of the property or building changes.

Requires property owners to provide documentation that any historical or architectural review boards with jurisdiction over the qualifying real property have approved the requested building or property upgrades or improvements. Requires written permission from any secured mortgage holder before the property owner may participate in the C-PACE program. Provides that property is ineligible if the property is currently in foreclosure or has current involuntary liens, defaults, or judgments. Provides that C-PACE financiers may impose minimum requirements on property owners to demonstrate their ability to pay.

Requires C-PACE program administrators to establish and manage contractor registration, and to develop quality assurance guidelines. Requires property owners to select contractors for C-PACE improvements from those registered with the administrator. Makes the contractor responsible for remedying improper upgrades, and makes the C-PACE program administrator responsible for handling complaints and resolution procedures, and to make complaints involving contractors registered with the program publicly available. Directs the administrator to recommend a benchmarking survey or other review by a licensed third party upon completion of upgrades.

Authorizes C-PACE financiers to impose property tax assessments on qualifying real property when an owner has voluntarily executed a written agreement consenting to undertake building or property upgrades or improvements and have a C-PACE assessment imposed on the owner's property. Requires the financing agreement to be in writing. Requires written lender consent forms for each existing secured mortgage, and provides requirements for the consent forms. Authorizes C-PACE programs to access project capital from any funds legally available to the local government unit whose governing body created the C-PACE district. Requires revenue bonds secured solely by C-PACE assessment payments to be issued by a local government unit or an authorized authority or local development corporation. Does not affect existing laws related to issuance of revenue bonds by cities participating in C-PACE programs or by other qualified issuers of bonds, subject to certain requirements, or any other funds lawfully pledged as security. Authorizes local government units to offer C-PACE capital by establishing a special C-PACE benefit district. Requires assessment of the C-PACE program to include at least 100% of the unpaid costs of the qualifying upgrades or improvements. Provides that the sum of the mortgage and the C-PACE lien should not exceed 95% of the total assessed property value, unless otherwise provided by the governing body. Provides that the term of the assessment must not exceed the weighted average of the useful life of the property upgrades or improvements, or 25 years, and that liability for assessments related to the property upgrades or improvements remain with the real property. Authorizes competitive bidding for C-PACE financiers to provide financing to qualifying real property. Requires property upgrades or improvements to meet all applicable safety, performance, interconnection, and reliability standards established by listed entities.

Provides that property tax assessments levied constitute C-PACE liens against the qualifying real property if the lender consent form is filed as provided. Provides the perfected C-PACE lien related to the portion of the currently due and payable and delinquent assessments currently in arrears with priority over any mortgage. Requires foreclosing mortgagees to serve all procedural documents of the foreclosure on the governing body of the local government unit that created the C-PACE district, or its administrator, as if they were a party to the action. Provides that the C-PACE lien survives a judgment of foreclosure. Provides for the governing body of a local government unit, if provided for in a written agreement, to assign to the C-PACE financier any and all liens filed by the unit's tax collector. Provides for the payment of the liens, and the removal of obsolete or damaged equipment that is the subject of the lien while preserving the lien. Authorizes the local government unit or its C-PACE administrator to enforce the lien in the same manner as property taxes.

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

Repeals GS 105-164.14(b), authorizing tax refunds for certain nonprofit entities and hospital drugs.

Amends GS 105-164.13 to add a new sales tax exemption for tangible personal property, digital property, and services for use in carrying on the work of seven specified entities, so long as the entity is not owned or controlled by the State.

The exemption applies to (1) nonprofit hospitals, including hospitals and medical accommodations operated by an authority or other public hospital described in Article 2 of GS Chapter 131E; (2) organizations exempt from income tax under 501(c)(3) of the Internal Revenue Code (Code) and not classified in the National Taxonomy of Exempt Entities major group areas of Community Improvement and Capacity Building, Public and Societal Benefit, or Mutual and Membership Benefit; (3) volunteer fire departments and volunteer emergency medical services squads that are exempt from income tax under the Code, financially accountable to a city as defined in GS 160A-1, a county, or a group of cities and counties, or both; (4) organizations that are single member LLCs disregarded for income purposes so long as the owner of the LLC is an organization exempt from income tax under 501(c)(3) of the Code, the LLC is a nonprofit entity that would be eligible for an exemption under 501(c)(3) of the Code if it were not disregarded for income tax purposes, and the LLC is not an organization that would be properly classified in the National Taxonomy of Exempt Entities major group areas of Community Improvement and Capacity Building, Public and Societal Benefit, or Mutual and Membership Benefit; (5) qualified retirement facilities whose property is excluded from property tax under GS 105-278.6A; (6) university-affiliated nonprofit organization, including an entity exempt from taxation as a disregarded entity of the nonprofit organization, that procures, designs, constructs, or provides facilities to or for use by a constituent UNC institution; and (7) over-the-counter drugs purchased for use in carrying out the work of a hospital not listed in one of the above entities.

Specifies this exemption includes indirect sales to a nonprofit entity of digital property and tangible personal property purchased by a real property contractor that becomes a part of or permanently installed or applied to any building or structure that is owned or leased by the nonprofit entity and is being erected, altered, or repaired for use by the nonprofit entity for carrying on its nonprofit activities. Further specifies that a sale to fulfill a real property contract with an entity that holds an exemption certificate is exempt to the same extent as if purchased directly by the entity that holds the exemption certificate. Requires a real property contractor that purchases an item allowed an exemption to provide (1) an exemption certificate to the retailer that includes the name of the nonprofit entity holding the exemption certificate, (2) the exemption certificate number issued to that holder, and (3) the information required pursuant to GS 105-164.28.

Specifies that this exemption does not apply to (1) purchases of electricity, telecommunications service, ancillary service, piped natural gas, video programming, a prepaid meal plan, aviation gasoline and jet fuel, and spirituous liquor, or (2) sales and use tax liability indirectly paid by a nonprofit entity through reimbursement to an authorized person of the entity for tax incurred by the person on an item or transaction subject to tax under Article 5 of GS Chapter 105.

Caps the aggregate annual exemption allowed to an entity under this provision for a fiscal year at \$31,700,000. Directs the real property contractor who pays local sales and use taxes on property qualifying for an exemption under this provision on behalf of an entity to give the entity for whose project the property was purchased a signed statement with the date the property was purchased, the type of property purchased, the project for which the property was used, the county in which the property was purchased in this State or used if purchased in another State. Directs the real property contractor to attach a copy of the sales or purchase receipt to the statement if the property was purchased in this State.

Enacts GS 105-164.29C, requiring a nonprofit entity to obtain a sale tax exemption number from the Department of Revenue (Department) to be eligible for the exemption provided in GS 105-164.13(52a), enacted above. Directs the Department Secretary to assign a sales tax exemption number to a nonprofit entity that submits a proper application, as specified. Requires a nonprofit entity that does not use the items purchased with its exemption number to pay the tax that would have been paid on the items purchases, plus interest from the date the tax would otherwise have been paid.

Amends GS 105-467(b), concerning exemptions and refunds for local sales and use tax. Provides that the State exemptions and exclusions contained in Article 5 of GS Chapter 105 (Sales and Use Tax) apply to the local sales and use tax authorized to be levied and imposed under Article 39 (currently, specifies only exemptions and exclusions in GS 105-164.13 and GS 105-164.57A apply). Caps the aggregate annual local exemption amount allowed an entity under new GS 105-164.13(52a) for a fiscal year at \$13,300,000 in tax.

Makes conforming changes to GS 105-467(b).

Amends GS 105-236(a)(5a) to add that the offense of misusing of an exemption certificate under this subdivision, penalized by a \$250 penalty, includes improper use of a certificate of exemption issued to a nonprofit entity pursuant to GS 105-164.29C, as enacted, for direct and indirect purchases by the entity or another person.

Effective October 1, 2017, and applies to sales and purchases made on or after that date. Does not affect the rights or liabilities of the State, a taxpayer, or another person arising under a statute amended or repealed by this act before the effective date of its amendment or repeal, and does not affect the right to any refund or credit of a tax that accrued under the amended or repealed statute before the effective date of its amendment or repeal.

Intro. by D. Davis, Pate.

[GS 105](#)

[View summary](#)

[Government, Tax, Nonprofits](#)

S 509 (2017-2018) [INSURER INVESTMENT/TRANSACTION CHANGES](#). Filed Mar 29 2017, *AN ACT TO REVISE THE LAWS GOVERNING TRANSACTION REQUIREMENTS AND PROHIBITED INVESTMENTS FOR INSURERS*.

Amends GS 58-7-185, prohibiting insurers from investment underwriting for securities issued by any corporation or enterprise, the controlling interest of which is or will after acquisition by the insurer be held directly or indirectly by the insurer or any combination of the insurer and the insurer's directors, officers, parent corporations, subsidiaries, or controlling stockholders, except with consent from the Commissioner of Insurance. Current law provides that this provision does not apply to investments in subsidiaries under GS 58-19-10 (subsidiaries of insurers). This act adds that this provision also does not apply to transactions involving an insurer within an insurance holding company system regulated under GS 58-19-30 (standards and management of an insurer within an insurance holding company system), or transactions described by GS 58-7-200(e), as amended below.

Amends GS 58-7-200(e), concerning investment transactions not prohibited by the statute, to make clarifying and technical changes. Adds three new subdivisions to subsection (e) specifying the following transactions are also not prohibited by the statute: (1) an insurer investing in or lending its funds to an affiliate, subject to GS 58-19-30 and GS 58-7-170 (diversification); (2) an insurer directly or indirectly investing in or lending its funds to a nonaffiliate in which an officer, director, or controlling stockholder directly or indirectly holds an interest, so long as the investment or loan transaction meets the standards of GS 58-7-170 and GS 58-19-30(a)(1) and (2) (requirements for fair and reasonable terms and reasonable charges/fees); and (3) an insurer directly or indirectly making or holding an investment described in GS 58-7-173(11) (specified bonds, notes, and other interest-bearing or interest accruing obligations of solvent institutions), subject to GS 58-19-30 and GS 58-7-170.

Existing GS 58-7-200(c) prohibits an insurer from directly or indirectly investing in or lending funds to any of its directors, officers, controlling stockholders, or any other person in which an officer, director, or controlling stockholder is substantially interested, and prohibits any director, officer, or controlling stockholder from directly or indirectly accepting the funds. Adds new subsection (f) to GS 58-7-200, establishing that existing subsection (c) does not apply with respect to any investment by an insurer in an entity in which the officers, directors, and controlling shareholders hold no more than 10% of the voting interests or which is otherwise not an affiliate of the insurer, or which is controlled by a trust established in accordance with the NC Uniform Trust Code. Requires the investment under this provision to comply with the requirements of GS 58-19-30 and GS 58-7-170, and the trust be controlled by a trustee not affiliated with the insurer.

Provides that the changes to GS 58-7-200 apply retroactively to any transaction entered into on or after July 1, 2015.

Amends GS 58-7-179(c), which details cap amounts for mortgage loan(s) made or acquired by an insurer on any one property at the time of investment by the insurer. Deletes the existing provisions and now provides that a mortgage loan(s) made or acquired by an insurer on any one property at the time of investment by the insurer cannot exceed the larger of: (1) 90% of the fair market

value of the real estate, if the mortgage loan is secured by a purchase money mortgage or like security received by the insurer upon disposition of the real estate; (2) 80% of the fair market value of the real estate or 97% for residential mortgage loans if the borrower obtains the specified private mortgage insurance, if the mortgage loan requires immediate scheduled payment in periodic installments of principal and interest, has an amortization of 30 years or less, and requires periodic payment made no less frequently than annually; or (3) 75% of the fair market value of the real estate for mortgage loans that do not meet the requirements of the previous two provisions.

Enacts GS 58-7-184, permitting an insurer to enter into securities lending, repurchase, reverse repurchase, and dollar roll transaction with business entities, subject to seven detailed requirements including requiring the insurer to enter into a written agreement for all authorized transactions under the statute other than dollar roll transactions, and requiring that each written agreement terminate no more than one year from its inception or upon the earlier demand of the insurer. Defines *dollar roll transaction*, *repurchase transaction*, *reverse purchase transaction*, and *securities lending transaction*.

Current law GS 58-7-26(a) provides for an asset or a reduction from liability for reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of GS 58-7-21 to be permitted in an amount not exceeding the liabilities carried by the ceding insurer. Current law requires the reduction to be in the amount of funds held by or on behalf of the ceding insurer under a reinsurance contract with the assuming insurer as security for the payment of obligations thereunder, if the security is held in the US subject to withdrawal solely by and under the exclusive control of the ceding insurer, or in the case of a trust, held qualified in a US financial institution as specified. Amends GS 58-7-26(a)'s provision providing for the permitted forms of a security, to include that the security may be in the form of repurchase and reverse repurchase transactions as defined in GS 58-7-184(a). Makes clarifying and technical changes.

Amends GS 58-7-173, which sets forth 17 permitted insurer investments, to amend subsection (15). Permits insurers to invest in loans with a maturity not in excess of 30 years (currently 12 years) from the date thereof that are secured by the pledge of securities eligible for investment under GS Chapter 58 or by the pledge or assignment of life insurance policies issued by other insurers authorized to transact insurance in this State. Adds that (1) loans upon the pledge of US Government bonds, (2) loans upon the pledge or assignment of life insurance policies, and (3) loans upon the pledge of securities designated a 1 in accordance with the Purposes and Procedures Manual issued by the Securities Valuation Office of the NAIC (currently not specified), are prohibited from exceeding the market value of the bonds or the cash surrender value of the projects pledged (currently, prohibited from exceeding 95% of the market value). Establishes that loans made under this subdivision are not renewable for a period beyond 30 years (currently 12 years) from the date of the loan.

Intro. by Meredith.

GS 58

[View summary](#)

Business and Commerce, Insurance

S 510 (2017-2018) **SURPLUS EQUIPMENT AUCTIONS**. Filed Mar 29 2017, *AN ACT TO DIRECT THE STATE SURPLUS PROPERTY AGENCY TO ENTER INTO A REQUEST FOR PROPOSAL TO CONDUCT AUCTIONS FOR SURPLUS EQUIPMENT FOR THE DEPARTMENT OF TRANSPORTATION AND OTHER STATE AGENCIES*.

Amends GS 143-64.03 to provide that the State Surplus Property Agency may sell or otherwise dispose of surplus property, including motor vehicles and equipment (currently only specifies motor vehicles) through a public auction or electronic auction service (currently, only an electronic auction service).

Directs the State Surplus Property Agency to issue a request for proposal (RFP) by October 1, 2017, for the sale of surplus titled and nontitled equipment, not owned by the Department of Transportation, at public auction. Provides for the location of the auctions, and for access to the equipment being stored prior to the auction. Provides requirements for the RFPs. Directs the State Surplus Property Agency to review the proposals and enter a contract with the lowest responsible bidder meeting the requirements by March 1, 2018.

Directs the State Surplus Property Agency to issue an RFP by October 1, 2017, for the sale of surplus titled and nontitled equipment owned by the Department of Transportation at public auction. Provides for the location of the auctions, and the custody of the equipment and maintenance files. Provides requirements for the RFPs. Directs the State Surplus Property Agency

to review the proposals and contract with the lowest responsible bidder who meets the requirements of this section by March 1, 2018.

Intro. by Meredith, Tucker.

[GS 143](#)

[View summary](#)

Government, State Agencies, Department of Transportation, State Government, State Property

S 511 (2017-2018) [SCHOOL CONSTRUCTION FLEXIBILITY](#). Filed Mar 29 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LOCAL BOARDS OF EDUCATION TO ENTER INTO LEASES FOR SCHOOL BUILDINGS AND OTHER FACILITIES AND REVISE THE PROCEDURES FOR QUALIFIED ZONE ACADEMY BONDS*.

Amends GS 115C-105.25 to provide that funds allotted by the State Board of Education for noninstructional support personnel to a local school administrative unit may be used to pay leases entered into under GS 115C-530 by a local board of education in a county that, at the time the lease was entered into, was in a development tier one area. Does not obligate the State or the State Board of Education to provide funds for any lease payments for leases under GS 115C-530. Provides that leases under GS 115C-530 may not be secured by the faith, credit, or taxing power of the State. provides that the county is responsible for any lease payments for leases under GS 115C-530, if State Board of Education funds allotted to the local school administrative unit are decreased. Effective July 1, 2017.

Amends GS 115C-530 to amend the conditions that must be met before a lease of three years or longer is allowed, to require that construction, repair, or renovation of property be in compliance with GS 115C-521(c) and (c1) (currently, only (c), relating to energy guidelines). Provides that operating leases entered into by a local board of education with a private developer for a new school building must be on sites owned by either the local board of education or the county. Directs the owner to enter into a ground lease with the private developer. Requires private developer to select a general contractor according to GS 143-128(a1)(1) through GS 143-128(a1)(7). Requires the private developer to provide letters of credit or a payment bond equal to 100% of the fees for any design and contracting services. Creates procedure for local boards of education to contract with private developers for school buildings or facilities. Requires specified information from private developers seeking a contract to operate a school building or facility. Authorizes local boards of education to borrow money for a purpose allowed pursuant to 26 USC s. 54E(d) (3) with respect to the leased building or facilities. Requires the operating lease to be for a period of at least 10 years. Makes technical changes.

Amends GS 115C-426 to provide that the capital outlay fund includes appropriations for lease payments for leases described above, and that the appropriations from the fund may be paid with funds allotted by the State Board of Education for noninstructional support personnel used for the purpose of lease payments.

Amends GS 115C-489.6(a) to direct the State Board of Education, as part of the qualified zone academy bond program, to ensure that bond proceeds are allocated so as to prioritize use in counties having greater economic distress. Provides that allocation of total funds, with respect to leased facilities under GS 115C-530 be used for any purpose allowed under 26 USC s. 54E(d)(3), or with respect to any other facility, as currently specified, except that use for equipment related to rehabilitation or repair is now permitted, but not required.

Except as otherwise provided, this bill is effective when it becomes law, and applies to agreements sites leased, leases entered into, appropriations made, and bond proceeds used on or after that date.

Intro. by Meredith, Tillman, Rabon.

[GS 115C](#)

[View summary](#)

Education, Elementary and Secondary Education

S 512 (2017-2018) [STOP THE REVOLVING DOOR](#). Filed Mar 29 2017, *AN ACT TO PROHIBIT THE STATE FROM CONTRACTING WITH CONTRACTORS WHO UTILIZE FORMER STATE EMPLOYEES IN THE ADMINISTRATION OF STATE CONTRACTS WITHIN*

A ONE-YEAR WAITING PERIOD AFTER A STATE EMPLOYEE HAS TERMINATED EMPLOYMENT WITH THE STATE AND TO STRENGTHEN PUBLIC CONFIDENCE IN GOVERNMENT BY EXTENDING THE REVOLVING DOOR PERIOD.

Enacts GS 143-59.5, prohibiting the Secretary of Administration and other entities subject to Article 3 of GS Chapter 143 from contracting for goods or services with a vendor that employs or contracts with a person who is a former State employee and uses that person in the administration of a contract with the State. Defines *former State employee* as a person who, for any period within the preceding year, was employed as an employee of the State or was an independent contractor of the State by the State agency for which the contract applies, who in the one year immediately preceding termination of State employment, participated personally in either the award or management of a State contract with the vendor, or made regulatory or licensing decisions that directly applied to the vendor. Defines *administration of a contract* to mean oversight of the performance of a contract, authority to make decisions regarding a contract, interpretation of a contract, or participation in the development of specifications or terms of a contract or in the preparation or award of a contract.

Directs the Secretary of Administration to require each vendor submitting a bid or contract to certify that the vendor will not use a former State employee in the administration of a contract with the State in violation of the provisions of the statute's prohibition.

Voids any contract that violates the statute. Prohibits any vendor who is convicted of a violation of the statute to be allowed to submit a bid under Article 3 for a period of two years from the date of conviction. Additionally, authorizes the Secretary of Administration to levy civil fines for a violation of any provision of the statute up to \$5,000 per violation.

Amends GS 120C-304, prohibiting a legislator or former legislator from registering as a lobbyist under GS Chapter 120C while in office, or before the close of session as set forth in GS 120C-100(a)(4)b.1 in which the legislator was elected or appointed, or one year after leaving office, whichever is later (currently, while in office or before the later of the close of session as set forth in GS 120C-100(a)(4)b.1 in which the legislator served or six months after leaving office).

Additionally, prohibits any public servant or former public servant as defined in GS 138A-3(30)a. from registering as a lobbyist under GS Chapter 120C while in office or for a period of one year (currently, within six months) after leaving office.

Prohibits any public servant or former public servant as defined in GS 138A-3(30)c from registering as a lobbyist under GS Chapter 120C for a period of one year (currently within six months) after separation from employment as a public servant. Prohibits any other employee of any State agency from registering as a lobbyist under GS Chapter 120C to lobby the State agency that previously employed the former employee for a period of one year (currently within six months) after voluntary separation or separation for cause from the State agency. Adds new requirement for State agencies to give written notice and explanation to all employees serving in a position to which this provision applies: (1) upon hiring, promotion, or transfer into the relevant position; (2) at the time the employee's duties are changed in such a way as to subject that employee to this provision; and (3) upon departure from the relevant provision.

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

Intro. by Chaudhuri, Tarte.

[GS 120C, GS 143](#)

[View summary](#)

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

S 513 (2017-2018) [SAME FIREARM PROTECTIONS FOR 50C AS 50B ORDER](#). Filed Mar 29 2017, *AN ACT TO PROVIDE SIMILAR FIREARM PROTECTIONS FOR CIVIL NO-CONTACT ORDERS AS ARE PROVIDED FOR DOMESTIC VIOLENCE PROTECTIVE ORDERS.*

Under current law, GS Chapter 50C provides for the issuance of civil no-contact orders and GS Chapter 50B provides for the issuance of domestic violence no-contact orders.

Amends GS 50C-5(b), as the title indicates, to provide similar firearm protections under Chapter 50C as are available under Chapter 50B. Adds a new subdivision, (6a), to GS 50C-5(b) to allow a court to prohibit a respondent from purchasing a firearm for a period of time as specified in the civil no-contact order.

Enacts new GS 50C-5.1, which requires the respondent to surrender all firearms, permits to purchase firearms, and ammunition for firearms to the sheriff when a temporary ex parte civil no-contact order or permanent civil no-contact order is issued pursuant to GS Chapter 50C and the court finds any of a specified list of factors to be present. Provides specific guidelines regarding hearings under GS 50C-5.1, the process of surrendering weapons, when and if surrendered weapons are retrievable, the filing of motions for the return of weapons, and the disposal of firearms. Makes a violation a Class H felony. Provides for an official use exemption for law enforcement officers and members of any branch of the Armed Forces of the United States.

Makes a conforming change, amending GS 14-269.8 to provide that in accordance with GS 50C-5.1, as enacted in this act, it is unlawful for a person subject to a civil no-contact order to purchase or possess firearms.

Becomes effective December 1, 2017, and applies to actions commenced on or after that date.

Intro. by Chaudhuri, Van Duyn, Woodard.

GS 14, GS 50C

[View summary](#)

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

S 514 (2017-2018) **STATE BUDGET/REQUIRE 5-YEAR FORECAST**. Filed Mar 29 2017, *AN ACT TO REQUIRE THE CURRENT OPERATIONS APPROPRIATIONS ACT ENACTED BY THE GENERAL ASSEMBLY TO BE ACCOMPANIED BY A FISCAL ANALYSIS ADDRESSING THE STATE'S BUDGET OUTLOOK FOR A FIVE-YEAR PERIOD.*

Amends GS 143C-3-5 to require the Governor's budget recommendations to include a 5-year fiscal analysis that incorporates estimates of revenues and expenditures, factoring in listed economic changes, and a statement of assumptions.

Amends GS 143C-5-3. Amends the caption of that statute to read "Availability statement and fiscal analysis required." Requires the Current Operations Appropriations Act as it is passed by each Chamber and the enacted version to be accompanied by an independent fiscal analysis performed by the Fiscal Research Division of the General Assembly that addresses the budget outlook for the upcoming five-year period. Provides requirements for the analysis identical to those required for the Governor's budget recommendations, as described above.

Effective July 1, 2017.

Intro. by Chaudhuri, Horner.

GS 143C

[View summary](#)

Government, Budget/Appropriations, State Government

S 515 (2017-2018) **NC SKILLS GAP STUDY**. Filed Mar 29 2017, *AN ACT ESTABLISHING THE NORTH CAROLINA SKILLS GAP STUDY.*

Requires the NC Works Commission (Commission) to review and evaluate the State's anticipated workforce demand and educational supply for such demand, to the extent practicable within available resources and subject to the availability of data currently collected by and accessible to State agencies. Requires that the review be conducted in consultation with the Department of Commerce, the Department of Labor, the Department of Public Instruction, The University of North Carolina General Administration, the North Carolina Community College System, and any other entity the Commission deems appropriate. Requires the Commission to submit an initial written report on its findings and recommendations to the Joint Legislative Education Oversight Committee (JLEOC) by February 1, 2018, and its final written report no later than 45 days before the 2019 Legislative Session. Requires progress reports least every six months. Specifies items that must be included in the report to JLEOC.

Intro. by Chaudhuri, Ballard, Lee.

STUDY

S 516 (2017-2018) [STATE EMPLOYEES/PAID PARENTAL LEAVE](#). Filed Mar 29 2017, *AN ACT ENACTING THE STATE EMPLOYEES' PAID PARENTAL LEAVE ACT*.

Titles the Act the "State Employees' Paid Parental Leave Act."

Enacts new GS 126-8.6 (concerning State agencies), new GS 115C-12.3 (concerning public schools), and new GS 115D-25.5 (concerning community colleges). Directs the State Human Resources Commission, State Board of Community College, and State Board of Education to adopt policies to allow any employee at a State agency, community college, or public school, to share leave voluntarily with another employee of a State agency, community college, or public school to provide paid parental leave, up to a total of six weeks of donated parental leave. Provides for the eligibility of paid leave donors and donees. Provides requirements for when the leave may be taken relative to the birth or adoption of the child, and the distinction between leave permitted under this statute and leave under other statutes. Directs the State Human Resources Commission, State Board of Education, State Board of Community Colleges, and all State agencies, departments, and institutions to report annually to the Office of State Human Resources on this program, including specified information.

Intro. by Chaudhuri, Britt, Krawiec.

[GS 115C, GS 115D, GS 126](#)

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, State Agencies, State Government, State Personnel

S 517 (2017-2018) [NORTH CAROLINA NEW TEACHER SUPPORT ACT](#). Filed Mar 29 2017, *AN ACT TO SUPPORT NEW TEACHERS IN NORTH CAROLINA AND TO APPROPRIATE FUNDS*.

Establishes that a highly qualified graduate must be paid pursuant to "A" Teachers salary schedule at the highest level for which that person qualifies, as specified by the act and depending on whether the highly qualified graduate is licensed and employed to teach by a local board of education, employed at a low performing school, or is licensed and employed to teach in the areas of special education, science, technology, engineering, or mathematics. Defines a *highly qualified graduate* as an individual entering the teaching profession who has graduated from an approved educator preparation program located in NC (1) with a GPA of 3.75 or higher on a 4.0 scale, or its equivalent, and (2) with a score of 48 on the edTPA assessment or an equivalent score on the nationally normed and valid pedagogy assessment used to determine clinical practice performance. Effective only if funds are appropriated in the 2017 Regular Session of the 2017 General Assembly to implement the provisions of this act, and would apply beginning with the 2017-18 school year.

Appropriates \$1 million in recurring funds from the General Fund to the UNC Board of Governors for the 2017-18 school year to support and expand the NC New Teacher Support Program. Adds two new anchor sites to the program: Appalachian State University and the University of North Carolina at Wilmington. Effective July 1, 2017, and applies beginning with the 2017-18 school year.

Amends GS 115C-269 to add new subsection (a4) to direct the State Board of Education to reimburse the initial teacher licensure application fee for the first time an applicant submits an application for teacher licensure if the applicant (1) is a graduate of an approved educator preparation program located in NC and (2) the applicant has successfully earned an initial teaching license in NC. Directs the State Board of Education to issue reimbursement to the applicant within 30 days of the date the applicant earns an initial teaching license in NC. Appropriates \$245,000 in recurring funds for the 2017-18 school year to the Department of Public Instruction to reimburse the initial teacher licensure application fee for qualifying applicants pursuant to new subsection (a4). Effective July 1, 2017, and applies to applications for licensure received on or after that date.

Intro. by Barefoot, Lee, Edwards.

[APPROP, GS 115C](#)

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations

S 518 (2017-2018) **BUDGET RESP./ACCOUNT./TRANSPARENCY IN SCHOOLS**. Filed Mar 29 2017, *AN ACT TO ENACT THE BUDGET RESPONSIBILITY, ACCOUNTABILITY, AND TRANSPARENCY IN SCHOOLS ACT*.

Requires the Legislative Research Commission (Commission) to study budget responsibility, accountability, and transparency in schools, including studying the expenditures of the state's 115 local school administrative units for the past five years, including at least the four specified pieces of information, including available funding sources and expenditure decisions at the local level of direct and indirect instructional costs, including salary of school personnel, and direct and indirect operational costs. Allows the Legislative Research Commission to make an interim report, including recommended legislation, to the 2017 General Assembly when it reconvenes in 2018 and requires a final report to the 2019 General Assembly when it convenes.

Intro. by Barefoot, Lee, Curtis.

STUDY

[View summary](#)

Education, Elementary and Secondary Education, Government, General Assembly

S 519 (2017-2018) **NCGRADE**. Filed Mar 29 2017, *AN ACT TO ESTABLISH A MINIMUM HIGH SCHOOL GRADE POINT AVERAGE AS AN ADMISSION REQUIREMENT FOR THE UNC SYSTEM, TO ESTABLISH THE NORTH CAROLINA GRADUATION RATE ACCELERATION DOUBLE ENROLLMENT (NCGRADE) PROGRAM, TO ESTABLISH THE NCGRADE GRANT PROGRAM, AND TO APPROPRIATE FUNDS TO IMPLEMENT THE NCGRADE PROGRAM*.

Section 1 Repeals SL 2015-241, Section 11.7, which established the NC Guaranteed Admission Program (NCGAP).

Section 2 enacts GS 116-40.13, prohibiting a constituent institution of the UNC System from accepting any student who applies for admission as a freshman at the constituent institution unless the student has a minimum high school GPA of 3.0 on a seven point scale, except as otherwise provided in the new statute or by Article 35 of GS Chapter 116. Permits each constituent institution to admit a student who has a high school GPA that is less than 3.0 on a seven point scale if the student satisfies all other admission criteria and is deemed by the institution to have special talents and qualifications. Limits the number of special talent students that can be enrolled by a constituent institution to 3% of the total number of first-time undergraduate applicants enrolled in the academic year of admittance. Applies to admission beginning with the 2018 fall academic semester.

Section 3

Enacts Article 36 to GS Chapter 116, setting forth legislative findings and directing the UNC Board of Governors in conjunction with the State Board of Community Colleges to establish the North Carolina Graduation Rate Acceleration Double Enrollment Program (NCGRADE). Describes NCGRADE as a double enrollment admission program that allows an eligible student with a high school GPA of 2.5 to 2.99 on a seven point scale to be accepted for admission to a constituent institution that is a NCGRADE participant so long as the student also enrolls at a community college designated as a NCGRADE partner for that constituent institution and satisfies all other admission criteria of the constituent institution. Adds that an eligible student with a high school GPA of 3.0 or higher on a seven point scale can also apply for admission and be accepted through NCGRADE rather than through a direct admission process at a NCGRADE constituent institution. Establishes that the provisions of new Article 36 apply to any student accepted through the NCGRADE admission process.

Details the eligibility requirements a student must satisfy to be admitted to a NCGRADE constituent institution, including the requirement that the student be a legal resident as defined by GS 116-143.1.

Provides that a student accepted at a constituent institution through NCGRADE is enrolled as a freshman at both the constituent institution and the partner community college that the student attends. Requires a student to earn an associate degree from a partner community college within three years from the date of enrollment in order to continue to be classified as a NCGRADE student, to be eligible to enroll in credit courses at the constituent institution through NCGRADE, and to receive a NCGRADE grant pursuant to GS 116-302, enacted below.

Requires a NCGRADE student who obtains an associate degree pursuant to this statute to enroll as a full-time student at the NCGRADE constituent institution within one year of the date that the student is awarded an associate degree from the partner community college. Requires that a student enrolled in a NCGRADE constituent institution to be enrolled in at least 15 credit hours at the constituent institution to be considered a full-time student.

Specifies that a NCGRADE student is to be charged the community college tuition rate until the student transfers to the constituent institution and officially enrolls as a full-time student at the constituent institution.

Directs the State Board of Community Colleges, in consultation with the Board of Governors, to adopt rules to ensure that a student participating in NCGRADE is provided counseling and assistance in selecting coursework that reflects the student's educational and career goals and that provides a smooth transition from the community college to the constituent institution.

Establishes the NCGRADE Grant Fund (Fund) to be administered by the NC Education Assistance Authority (Authority). Establishes that the funds in the Fund are nonreverting and must be used as provided by the statute. Grants each full-time student who is enrolled and taking credit hours at a constituent institution as a NCGRADE participant \$1,000 each academic semester in addition to all other financial assistance made available to a student attending a constituent institution. Requires a student, to be eligible for a grant, to (1) make satisfactory academic progress towards earning a baccalaureate degree; (2) maintain a course load of at least 15 credit hours each academic semester which satisfy course requirements for a baccalaureate degree; and (3) provide an affirmative statement to the constituent institution that the student does not have a felony conviction. Details parameters for the use of a grant and the administration of the grants. Requires the constituent institution to refund the full grant amount to the Authority in the event a student on whose behalf the grant has been paid is not enrolled and carrying a minimum academic load of 15 credit hours as of the tenth classroom day following the beginning of the school term for which the grant was paid. Sets forth in the event there are not sufficient funds to provide each eligible student with a full grant, that: (1) the Board of Governors can transfer funds to meet the needs of the programs with approval of the Office of State Budget and Management, and (2) each eligible student must receive a pro rata share of funds then available for the remainder of the academic semester within the fiscal period covered by the current appropriation.

Limits a student to receiving a NCGRADE grant no more than four full-time academic semesters. Provides for the constituent institution to grant a waiver to the student to receive a grant for the equivalent of one additional full-time academic semester if the student demonstrates the student's pursuit of the degree was substantially interrupted due to a military service obligation, serious medical debilitation, a short-term or long-term disability, or other extraordinary hardship. Directs the constituent institution to establish policies and procedures to implement the waiver provided in the statute.

Applies to admissions beginning with the 2018 fall academic semester.

Section 4

Directs the Board of Governors to annually review the enrollment records of the first-time, freshmen class enrolled by each constituent institution over a three-year period beginning with the 2013-14 academic year to determine the average high school GPA of students accepted during that time period. Requires any constituent institution to participate in NCGRADE that had an average over the three-year time period in which more than 5% of the first-time freshmen students enrolled had a high school GPA of less than 3.0 on a seven point scale. Details requirements for constituent institutions to partner with community colleges to participate in NCGRADE program. Sets out requirements for constituent institutions concerning campus life for NCGRADE students.

Directs NCGRADE to be implemented by the 2018-19 academic year and apply to student applications and admissions policies for the 2018 fall academic semester and each subsequent academic semester.

Section 5

Appropriates \$600,000 for the 2017-18 fiscal year from the General Fund to the Board of Governors to design and implement the NCGRADE program. Appropriates \$600,000 for the 2017-18 fiscal year from the General Fund to the State Board of Community Colleges to design and implement the NCGRADE program.

Appropriates \$3,860,000 from the General Fund to the NCGRADE Grant Fund for the 2018-19 fiscal year.

Appropriates from the General Fund to the Board of Governors \$9 million for the 2017-18 fiscal year and \$9 million for the 2018-19 fiscal year, to be used for the support of NCGRADE.

Effective July 1, 2017.

Section 6 establishes that the act does not apply to the NC School of Science and Mathematics or the University of North Carolina School of the Arts.

Intro. by Curtis, Brown, McInnis.

APPROP, GS 116

[View summary](#)

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

S 520 (2017-2018) **EMERGENCY WORKER PROTECTION ACT**. Filed Mar 29 2017, *AN ACT TO ENACT THE EMERGENCY WORKER PROTECTION ACT.*

Amends GS 14-34.5 to make the felonies described in that statute (concerning assault with a firearm on listed law enforcement and public safety officers) into Class D felonies (currently, Class E felonies).

Amends GS 14-34.6 to make any person who assaults or affrays the emergency responders currently listed in that section, and inflicts serious injury or uses a deadly weapon other than a firearm guilty of a Class G felony (currently, Class H felony). Makes any person who commits the offense and uses a firearm guilty of a Class E felony (currently, Class F felony).

Amends GS 14-34.7 to make the felonies listed in subsections (a), (a1), and (b), concerning assaults inflicting serious bodily injury on listed law enforcement officers, National Guard members, and correction officers, into Class E felonies (currently, Class F felonies). Makes the felony in subsection (c), concerning assaults inflicting physical injury on same law enforcement officers, National Guard members, and correction officers, into a Class H felony (was, Class I felony).

Amends GS 14-288.9 to make the felony listed in subsection (c) concerning assaults causing physical injury upon emergency personnel into a Class H felony (was, Class I felony), and the felony concerning assault on emergency personnel with a dangerous weapon or substance into a Class E felony (was, Class F felony).

Amends GS 14-31 to create a new Class D felony for persons who in a secret manner maliciously commit an assault and battery with any deadly weapon, by waylating or otherwise, with intent to kill, upon an emergency worker discharging or attempting to discharge the worker's official duties, and to make a technical change.

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

Intro. by Curtis, Dunn, Britt.

GS 14

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and
Procedure, Government, Public Safety**

S 521 (2017-2018) **UNC/EQUAL OPPORTUNITY OFFICER**. Filed Mar 29 2017, *AN ACT TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO REVIEW AND EVALUATE THE EQUAL OPPORTUNITY POLICIES ADOPTED BY, AND SERVICES OFFERED BY, EACH CONSTITUENT INSTITUTION AND TO WORK WITH THE CONSTITUENT INSTITUTIONS TO DEVELOP A MORE EFFECTIVE AND EFFICIENT PLAN THAT CONSOLIDATES THE EQUAL OPPORTUNITY SERVICES OFFERED BY EACH CAMPUS.*

States General Assembly findings related to UNC and discrimination and equality.

Requires the UNC Board of Governors (BOG) to review and evaluate the equal opportunity policies, which include the policies related to diversity and nondiscrimination, adopted by each constituent institution, the implementation of those policies on each campus, and the services provided on each campus in order to evaluate the transparency and effectiveness of those policies. Specifies that as a part of the review the BOG must direct each constituent institution to identify all staff positions on campus that include as part of the job duties any responsibility for the implementation, administration, or enforcement of policies intended to

promote equal opportunity, diversity, or inclusiveness; indicate how those staff positions and the services offered through those positions fit within the organizational structure of the constituent institution; and indicate the direct and indirect costs related to those staff positions and services provided by those staff positions.

Requires the BOG, based on its evaluation, to establish policies that require each constituent institution to develop an equal opportunity plan that consolidates all equal opportunity services offered on campus into a single office headed by an equal employment officer designated by the Chancellor, identifies measurable goals to ensure equal opportunity and inclusiveness within each institution, and requires quantification of all costs incurred in the university's efforts to promote equal opportunity, inclusiveness, diversity, or nondiscrimination. Requires each constituent institution to develop a plan outlining steps it will take to comply with the BOG for review by the BOG within three months. Requires the plans to be implemented upon approval by the BOG. Requires chancellors to report to BOG annual on the number of personnel involved in the institution's equal opportunity efforts, progress made in meeting the institution's stated goals, and the costs associated with the institution's equal opportunity plan.

Requires the BOG to also review policies on the funding of student organizations from mandatory student fees and any other State funds. Requires constituent institutions to have policies that recognize student organizations that select their members or leaders on the basis of commitment to a set of beliefs and allows these organizations to limit membership and participation in the group to those students who, upon individual inquiry, affirm that they support the group's goals and agree with its beliefs. Prohibits a constituent institution from using State funds or receipts derived from mandatory student fees to support such student organizations. Applies beginning with the 2017 fall academic semester.

Intro. by Curtis, Brown, McInnis.

STUDY

[View summary](#)

Government, State Agencies, UNC System

S 522 (2017-2018) **MANUFACTURED HOME PURCHASE AGREEMENT CHANGES**. Filed Mar 29 2017, *AN ACT TO AMEND THE REQUIREMENTS RELATED TO MANUFACTURED HOME PURCHASE AGREEMENTS*.

Amends GS 143-143.21A (regarding purchase agreements and buyer cancellations for manufactured homes) to provide that *initial deposit* means any money paid to the dealer by the buyer before midnight of the third business day after the date the buyer signed the purchase agreement, for the purpose of the statute. No longer requires a purchase agreement for a manufactured home to include the estimated terms of financing the purchase. Amends the text of the currently required notice, and amends the form of the notice, requiring the notice to be signed by the buyer. Authorizes the buyer to cancel the purchase agreement until midnight of the third business day following the signing of the purchase agreement. Provides that the buyer is only entitled to one notice of cancellation, provided at the time of the initial deposit. Directs the dealer to return the initial deposit (currently, the deposit or other payment), paid before the cancellation period expires, to the buyer that cancels during the cancellation period. Deletes the provision requiring return of the deposit if the material terms for the purchase agreement are changed by the dealer. Deletes the provision requiring additional cancellation periods for new financing terms. Makes conforming changes. Authorizes the dealer to retain 10% of any deposit (currently, deposit or other payment) if a buyer cancels the purchase after the 3-day period, and the manufactured home is in the dealer's inventory. Provides that the buyer and dealer may negotiate other terms relating to the deposit, including the right to receive a full deposit refund.

Effective October 1, 2017, and applies to purchase agreements entered on or after that date.

Intro. by Britt, Barefoot.

GS 143

[View summary](#)

Business and Commerce, Consumer Protection

S 523 (2017-2018) **EMS USE OF UAS**. Filed Mar 29 2017, *AN ACT TO ALLOW EMERGENCY MANAGEMENT AGENCIES TO USE UNMANNED AIRCRAFT SYSTEMS AND AVAILABLE TECHNOLOGY IMAGING AND TO APPROPRIATE FUNDS BASED ON THE*

FINDINGS OF THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE.

Amends GS 15A-300.1 to allow emergency management agencies to use unmanned aircraft systems for all functions and activities related to emergency management. Allows unmanned aircraft systems to be equipped with infrared and other imaging technology for emergency management and hazard risk management purposes.

Appropriates \$2,397,000 in recurring funds from the General Fund to the Department of Public Safety, Division of Emergency Management, for 2017-18 to support the Urban Search and Rescue Program. Requires that the funds be used in partnership with units of local government to supplement local expenses to purchase equipment, maintain equipment, and provide other items necessary to ensure statewide search and rescue services. Allows any match requirement to be satisfied by the sponsoring local agency with cash payments or in-kind contributions. Effective July 1, 2017.

Intro. by Rabin.

[APPROP, GS 15A](#)

[View summary](#)

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

S 524 (2017-2018) [DEPARTMENT OF REVENUE REGISTRATION ACT](#). Filed Mar 29 2017, *AN ACT TO REQUIRE ALL LICENSING BOARDS, BUSINESSES, COMMISSIONS, AND SIMILAR ENTITIES TO REGISTER WITH THE DEPARTMENT OF REVENUE.*

Enacts new Subchapter XI, Registration, in GS Chapter 105. Requires covered entities (defined as a business, commission, or occupational licensing board) to file a registration statement with the Secretary of Revenue (Secretary). Specifies that must be on the registration form and requires for it to be filed electronically. Registration is effective from the date of filing until January 1 of the following year. Allows the Secretary to impose a \$250 penalty for the first failure of covered entity to comply with the registration requirements, and increases the penalty to \$1,000 for subsequent failures to comply.

Effective when the act becomes law and requires the Secretary to establish a registration filing system within 90 days of that date, with covered entities required to file an initial registration within 120 days of that date.

Intro. by Rabin.

[GS 105](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Government, Tax](#)

S 525 (2017-2018) [STUDY LEGISLATIVE TERM LIMITS](#). Filed Mar 29 2017, *AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON LEGISLATIVE TERM LIMITS.*

Establishes the 10 member Joint Legislative Study Committee on Legislative Term Limits (Committee), with five members appointed by the Speaker of the House and five appointed by the President Pro Tempore of the Senate. Requires the Committee to study whether to increase legislative term lengths, whether to limit the number of terms or years a legislator may serve, public opinion on legislative term limits, and the impact in other states that term limits have on the effectiveness of legislators and legislation, cost effectiveness, and any other impacts on revenue. Sets out provisions on naming cochairs, filling vacancies, and staffing the Committee. Requires the Committee to submit a report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives no later than 30 business days following the adjournment sine die of the 2017 General Assembly. Terminates the Committee upon the filing of its final report or 30 business days following the adjournment sine die of the 2017 General Assembly, whichever is earlier.

Intro. by Rabin.

[STUDY](#)

[View summary](#)

[Government, General Assembly](#)

S 526 (2017-2018) [NAT. GUARD/ADJUTANT GENERAL'S STAFF](#). Filed Mar 29 2017, *AN ACT TO PROVIDE THAT THE TERMS OF CERTAIN STAFF MEMBERS' APPOINTMENTS SHALL LAST AT LEAST THE PERIOD OF TIME NECESSARY FOR THE STAFF MEMBERS TO VEST IN THEIR APPOINTED RANKS FOR THE PURPOSES OF RETIREMENT.*

Amends GS 127A-19 to allow the Adjutant General to appoint, in addition to employ, staff members and other personnel as authorized by the Secretary of Public Safety and funded. Adds that a term of a staff member's appointment to the following positions will last at least the period of time necessary for the staff member to vest in the staff member's appointed rank for the purposes of retirement at that rank: Director Joint Staff, Chief of Staff Army – North Carolina Army National Guard, Chief of Staff Air – North Carolina Air National Guard, a Command Senior Enlisted Leader, or a Command Chief Warrant Officer.

Intro. by Rabin.

[GS 127A](#)

[View summary](#)

[Military and Veteran's Affairs](#)

S 527 (2017-2018) [REQUIRE PHYSICAL EDUCATION](#). Filed Mar 29 2017, *AN ACT TO REQUIRE PHYSICAL EDUCATION FOR PUBLIC SCHOOL STUDENTS.*

Amends GS 115C-81 to require that the basic education program include a requirement that all students in kindergarten through fifth grade participate in at least three, supervised, one-hour physical education classes each school week. Allows for students from different grade levels to participate simultaneously if, in the opinion of the school principal, it is necessary at a particular school and the classes are appropriate to the ages of the participating students. Adds that the State Board of Education must require the teaching of one one-credit course on physical education each year in sixth through twelfth grades. Makes technical changes.

Amends GS 115C-47 by adding that it is each local board of education's duty to ensure that all students participate in physical education classes.

Applies beginning with the 2017-18 school year.

Intro. by Rabin.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 528 (2017-2018) [PROMOTE IDEOLOGICAL DIVERSITY - UNC FACULTY](#). Filed Mar 29 2017, *AN ACT TO DIRECT THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS TO ADOPT POLICIES THAT PROMOTE IDEOLOGICAL BALANCE AS PART OF THE EXPERIENCE OF UNC STUDENTS.*

Requires the UNC Board of Governors (BOG) to adopt policies to ensure ideological balance is part of the experience for UNC. Specifies that this does not encourage any policy that infringes on any constitutional rights related to freedom of religion, freedom of speech, and freedom of association. Requires the BOG to report these policies to the Joint Legislative Education Oversight Committee by January 1, 2018. Requires all the UNC constituent institutions to implement the policies by March 1, 2018.

Intro. by Rabin.

[UNCODIFIED](#)

[View summary](#)

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

S 529 (2017-2018) [EMS - RECOMMENDATIONS](#). Filed Mar 29 2017, *AN ACT TO IMPROVE EMERGENCY MANAGEMENT POLICIES BASED ON THE FINDINGS OF THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT OVERSIGHT COMMITTEE.*

Requires the Director of the Division of Emergency Management of the Department of Public Safety to convene a working group to develop policies to: (1) develop and disseminate training for emergency responders to use to address safety and crowd control in situations where individuals work in small and dispersed groups for the purpose of organized protests or demonstrations; (2) develop and disseminate recommendations for regular and more frequent training protocols for both responders and victims; (3) develop and disseminate emergency management process training at the local level; and (4) develop recommended statutory changes to clarify which agency, whether State or local, is responsible for personnel evacuation. Requires a report on the working group's findings to the Joint Legislative Emergency Management Oversight Committee by March 1, 2018.

Requires the UNC Board of Governors and the State Board of Community Colleges to adopt mandatory training for students on safety protocols in the event of a terrorist attack or an active shooter. Requires the training activities to be conducted at least biannually beginning January 1, 2018. Requires these boards to report the adopted policies to the Joint Legislative Emergency Management Oversight Committee no later than December 1, 2017.

Intro. by Rabin.

UNCODIFIED

[View summary](#)

Education, Higher Education, Government, Public Safety, State Agencies, Community Colleges System Office, UNC System, Department of Public Safety

S 530 (2017-2018) **PROTECT GOVERNMENT WHISTLEBLOWERS**. Filed Mar 29 2017, *AN ACT EXEMPTING CERTAIN RECORDS FROM G.S.132-1 IN ORDER TO PROTECT WHISTLEBLOWERS AND PROVIDING THAT A GOVERNMENT EMPLOYEE WHO REPORTS IMPROPER GOVERNMENT ACTIVITY IN GOOD FAITH IS IMMUNE FROM CIVIL LIABILITY.*

Enacts new GS 132-1.14 (Whistleblowers' communications are not public records). Provides that written communications, made by a government employee to any regulatory body about the improper activities of any government agency for the purpose of reporting or investigating suspected improper government activity, are not public records as defined in GS 132-1.

Amends GS Chapter 1, Article 43B. Amends the caption to read "Immunities and Other Defenses." Enacts new GS 1-539.13 (Immunity from civil liability for reporting improper government activities). Provides that government employees that report improper government activities to a regulatory body for the purpose of reporting or investigating suspected improper government activity under GS Chapter 126, Article 14, in good faith, are immune from civil liability.

Intro. by Krawiec.

GS 1, GS 132

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Employment and Retirement, Government, Public Records and Open Meetings, State Government, State Personnel, Local Government

S 531 (2017-2018) **SCHOOL BOARDS CAN'T SUE COUNTIES**. Filed Mar 29 2017, *AN ACT REPEALING THE STATUTORY AUTHORITY FOR A LOCAL BOARD OF EDUCATION TO FILE A LEGAL ACTION CHALLENGING THE SUFFICIENCY OF THE FUNDS APPROPRIATED BY THE BOARD OF COUNTY COMMISSIONERS.*

Identical to [H 305](#), filed 3/9/17.

Amends GS 115C-431 to repeal language that would have allowed a dispute between a board of education and a board of county commissioners about the sufficiency of education funds to enter mediation and then be appealed to the courts. Provides that the decision of the county commissioners is final. Prohibits the local board of education from filing any legal action challenging the sufficiency of the funds appropriated by the board of county commissioners. Makes conforming change to GS 115C-432(a). Effective when it becomes law and applies beginning with budget ordinances adopted on or after that date.

Intro. by Tucker, Rabon.

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,
Government, Budget/Appropriations, Local Government**

S 532 (2017-2018) **LANDOWNER ENCROACHMENT AND TIMBER THEFT ACT**. Filed Mar 29 2017, *AN ACT TO PROVIDE RESOURCES, AUTHORITY, AND GUIDANCE TO THE NORTH CAROLINA FOREST SERVICE LAW ENFORCEMENT SECTION TO MONITOR AND REDUCE LOSSES DUE TO LANDOWNER ENCROACHMENT, TIMBER, AND OTHER NATURAL RESOURCE THEFT OR LOSS AND TO INCREASE THE PENALTIES ASSOCIATED WITH THESE CRIMES.*

Directs the Department of Agriculture and Consumer Services to provide additional training, public outreach, and staffing to the North Carolina Forest Service Law Enforcement Section for reducing intentional timber theft, and act as public liaison for landowner's property rights. Provides specifics for the stationing, training, and duties of these officers. Directs the Forest Service Law Enforcement Section to develop the implementation plan, time line, and performance measures for these officers, and to report its progress to the Joint Agricultural and Forestry Commission before the 2018 General Assembly convenes.

Amends GS 14-128 (Injury to trees, crops, lands, etc., of another) to provide that the crime described in that statute is a Class A1 misdemeanor (currently, Class 1 misdemeanor).

Amends GS 14-136 (Setting fire to grass and brushlands and woodlands) to make the misdemeanor for a first offense described in that statute a Class 1 (currently, Class 2) misdemeanor, and for subsequent offenses a Class A1 (currently, Class 1) misdemeanor. Makes the felony for an offense under that statute with intent to damage the property of another a Class H (currently, Class I) felony.

Amends GS 14-138.1 (setting fire to grass land, brush land, or woodland) to make that offense a Class 2 (was, Class 3) misdemeanor.

Amends GS 14-383 (Cutting timber on town watershed without disposing of boughs and debris; misdemeanor) to make the misdemeanor found in that section a Class 1 (currently, Class 2) misdemeanor.

Appropriates \$48,000 in nonrecurring funds for 2017-18 from the General Fund to the Department of Agriculture and Consumer Services, North Carolina Forest Services, for planning, agency training and administration, and basic law enforcement training for 10 staff members, and \$214,500 in nonrecurring funds for 2018-19 for three additional full-time employees, five enrollments in basic law enforcement training, and additional equipment and support.

Effective July 1, 2017.

Intro. by McInnis, Brock.

APPROP, GS 14

[View summary](#)

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

S 533 (2017-2018) **MITIGATION SERVICES/DOT**. Filed Mar 30 2017, *AN ACT TO ESTABLISH THE DIVISION OF MITIGATION SERVICES IN THE DEPARTMENT OF TRANSPORTATION AND REQUIRE THE DEPARTMENT OF ADMINISTRATION TO INVENTORY EXISTING MITIGATION CREDITS HELD BY THE STATE AND DEVELOP A PLAN FOR DISPOSING OF UNNEEDED MITIGATION CREDITS.*

Eliminates the Division of Mitigation Services in the Department of Environmental Quality (DEQ), and all positions within that division. Vests all functions, powers, duties, obligations, and services vested in the Division of Mitigation Services in DEQ prior to its elimination under this act in the Division of Mitigation Service in the Department of Transportation (DOT), as established below. Mandates the elimination to occur no later than August 1, 2017.

Eliminates the Indirect and Cumulative Impacts/On-Site Mitigation Group in DOT, and all positions within that group. Mandates the elimination to occur no later than August 1, 2017.

Enacts new Article 21, establishing the Division of Mitigation Services (Division) within DOT. Directs DOT to develop the Division as a nonregulatory statewide mitigation services program for the acquisition, maintenance, restoration, enhancement, and creation of wetland and riparian resources that contribute to the protection and improvement of water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities. Establishes the components of the Division to consist of: (1) restoration and perpetual maintenance of wetlands; (2) development of restoration plans; (3) landowner contact and land acquisition; (4) evaluation of site plans and engineering studies; (5) oversight of construction and monitoring of restoration sites; (6) land ownership and management; (7) mapping, site identification, and assessment of wetlands functions; and (8) oversight of private wetland mitigation banks to facilitate the components of the Division.

Details six purposes of the Division, including fostering a comprehensive approach to environmental protection.

Directs DOT to develop basinwide plans for wetlands and riparian area restoration with the goal of protecting and enhancing water quality, flood prevention, fisheries, wildlife habitat, and recreational opportunities within each of the 17 major river basing in the State. Further directs DOT to develop and implement a basinwide restoration plan for each of the 17 river basins in the State in accordance with the basinwide schedule currently established by the Division of Water Resources in DEQ.

Requires DOT to coordinate all compensatory mitigation required by permits or authorizations issued by DOT or by the US Army Corps of Engineers consistent with the basinwide restoration plans and rules developed by the Environmental Management Commission. Requires all compensatory mitigation to be consistent with the basinwide restoration plans, whether performed by DOT or by permit applicants. Requires all compensatory mitigation to be consistent with rules adopted by the Commission for wetland and stream mitigation and for protection and maintenance of riparian buffers. Defines *compensatory mitigation* as the restoration, creation, enhancement, or preservation of jurisdictional waters required as a condition of a permit issued by DOT or by the US Army Corps of Engineers.

Directs that the emphasis of compensatory mitigation is to be on replacing functions within the same river basin unless it is demonstrated that restoration of other areas would be more beneficial to the overall purposes of the Division.

Details actions that a government action can take to satisfy compensatory mitigation requirements, including payment of a fee, so long as those actions are consistent with the basinwide restoration plans and meet or exceed the requirements of the DOT or the US Army Corps of Engineers.

Details actions that an applicant other than a government entity can take, including donating land, to satisfy compensatory mitigation requirements so long as those actions meet or exceed the requirements of the US Army Corps of Engineers.

Directs the Environmental Management Commission to establish a standardized schedule of compensatory mitigation payment amounts. Provides that payments are to be made by applicants to the Ecosystem Restoration Fund established in GS 136-281, enacted below. Further details factors for determining compensatory mitigation payments.

Directs State agencies and mitigation banks to demonstrate that adequate, dedicated financial surety exists to provide for the perpetual land management and hydrological maintenance of lands acquired by the State as mitigation banks, or proposed to the State as privately operated and permitted mitigation banks. Defines *compensatory mitigation bank* as a private compensatory mitigation bank or an existing local compensatory mitigation bank. Defines *private compensatory mitigation bank* as a site created by a private compensatory mitigation provider and approved for mitigation credit by State and federal regulatory authorities through execution of a mitigation banking instrument, but does not include a site owned by a government entity or unit of local government. Defines *existing local compensatory bank* as a mitigation bank operated by a unit of local government that is a party to a mitigation banking instrument executed on or before July 1, 2011, notwithstanding subsequent amendments to such instrument executed after July 1, 2011.

Requires a State agency acquiring land to restore, enhance, preserve, or create wetland to also pay a sum in lieu of ad valorem taxes lost by the county in accordance with GS 146-22.3.

Provides that an existing local compensatory mitigation bank must comply with the requirements of Article 12 of GS Chapter 160A applicable to the disposal of property whenever it transfers any mitigation credits to another person.

Directs the Division to exercise its authority to provide for compensatory mitigation under the authority granted by this statute to use mitigation procurement programs in the following order of preference and as further detailed: (1) full delivery/bank credit purchase program; (2) existing local compensatory mitigation bank credit purchase program; (3) design/build program; and (4) design-bid-build program. Sets forth that the regulatory requirements for the establishment, operation, and monitoring of a

compensatory mitigation bank or full delivery project vest at the time of the execution of the mitigation banking instrument or the award of a full delivery contract.

Establishes the Ecosystem Restoration Fund (Fund) as a nonreverting fund within DOT. Provides that the Fund is to be treated as a special trust fund and credited with interest by the State Treasurer pursuant to GS 147-69.2 and GS 147-69.3. Directs that the Fund is to provide a repository for monetary contributions and donations or dedications of interest in real property to promote projects for the restoration, enhancement, preservation, or creation of wetlands and riparian areas and for payment made in lieu of compensatory mitigation. Prohibits any funds from the Fund from being expended for any purpose other than those directly contributing to the acquisition, perpetual maintenance, enhancement, restoration, or creation of wetlands and riparian areas in accordance with the basinwide plan as described in GS 136-179, as enacted. Sets out that the cost of acquisition includes a payment in lieu of ad valorem taxes required under GS 146-22.3 when DOT is the State agency making the acquisition.

Authorizes DOT to distribute funds from the Fund directly to a federal or State agency, a local government, or a private, nonprofit conservation organization to acquire, manage, and maintain real property or an interest in real property for the purposes set out above. Requires a recipient of these funds to grant a conservation easement in the real property or interest in real property acquired with the funds to DOT in a form acceptable to DOT. Authorizes DOT to convey real property or an interest in real property that has been acquired under the Division to a federal or State agency, a local government, or a private, nonprofit conservation organization to acquire, manage, and maintain real property or an interest in real property under this provision. Requires a grantee of real property or an interest in real property under this provision to grant a conservation easement in the real property or interest in real property to DOT in a form that is acceptable to DOT.

Sets forth that a person subject to a permit or authorization issued by the US Army Corps of Engineers under 33 USC 1344 can contribute to the Division in order to comply with conditions or terms of the permit or authorization if participation in the Division will meet the mitigation requirements of the US Army Corps. Directs DOT at the discretion of the applicant to accept payment into the Fund in lieu of other compensatory mitigation requirements of any authorizations issued by the US Army Corps under 33 USC 1344 if the contributions will meet the mitigation requirements of the US Army Corps. Sets forth that payment can be made in the form of (1) monetary contributions according to a fee schedule established by the Environmental Management Commission, or (2) in the form of donations of real property provided that the property is approved by DOT as a suitable site consistent with the basinwide wetlands restoration plan.

Requires DOT to provide an itemized statement that accounts for each payment into the Fund, including the expenses and activities financed by the payment.

Directs DOT to annually report by November 1 of each year to the Environmental Review Commission and the Joint Legislative Commission on Governmental Operations regarding the progress and implementation of the Division and its uses of the Fund. Details the requirements of the report. Requires a copy of the report to be sent to the Fiscal Research Division.

Directs DOT to maintain an inventory of all property that is held, managed, maintained, enhanced, restored, or used to create wetlands under the Division. Further requires the inventory to list all conservation easement held by DOT. Directs the inventory to be included in DOT's annual report.

Closes the Ecosystem Restoration Fund within DEQ and directs the remaining balance to be transferred to the Fund within DOT.

Repeals GS 143-214.8 through GS 143-214.13, concerning the Division of Mitigation Services.

Provides that all of the above provisions are effective August 1, 2017.

Directs DEQ and DOT to take all necessary steps under federal law to implement the provisions of this act.

Directs DOT to inventory all existing mitigation credits held by the State. Directs DOT to develop a plan for the disposal of mitigation credits determined by DOT to be unneeded. Directs DOT to report the inventory and the plan required by this provision to the Joint Legislative Oversight Committee by no later than December 1, 2017.

Permits DOT to adopt temporary rules to implement the provisions of this act, which will remain in effect until permanent rules that replace the temporary rules become effective.

S 534 (2017-2018) [LEGAL SERVICES RENDERED FOR NONPROFITS](#). Filed Mar 30 2017, *AN ACT TO ALLOW LICENSED ATTORNEYS EMPLOYED BY NONPROFIT MEMBERSHIP ASSOCIATIONS TO PROVIDE LEGAL SERVICES TO THE MEMBERS OF THOSE NONPROFIT MEMBERSHIP ASSOCIATIONS.*

Amends GS 84-5.1. Amends the caption to read "Rendering of legal services by certain nonprofit entities."

Provides that nonprofit membership associations under GS Chapter 55A (NC Nonprofit Corporation Act) may render legal services to their members provided by the association's officers, employees, or agents who are licensed attorneys, provided that the attorneys control the manner and course of the legal services rendered. Authorizes the associations to charge for the legal services.

Intro. by B. Jackson.

GS 84

[View summary](#)

Nonprofits

S 535 (2017-2018) [SERVICE WORKER TAX REDUCTION ACTION](#). Filed Mar 30 2017, *AN ACT TO AMEND THE LABOR LAWS OF NORTH CAROLINA TO REDUCE THE AMOUNT OF TIPS THAT MAY BE COUNTED AS WAGES OF TIPPED SERVICE WORKERS THROUGH DECEMBER 31, 2019, AND REQUIRING SUBSEQUENTLY THAT NO TIPS MAY BE COUNTED AS WAGES BEGINNING JANUARY 1, 2020.*

As title indicates.

Intro. by Smith-Ingram, Ford, Lowe.

GS 95

[View summary](#)

Employment and Retirement

S 536 (2017-2018) [ELECTIONS/CITIES IN MORE THAN ONE CO.](#) Filed Mar 30 2017, *AN ACT TO PROVIDE FOR A SINGLE COUNTY TO ADMINISTER ELECTIONS HELD IN CITIES THAT LIE IN MORE THAN ONE COUNTY.*

Identical to [H 542](#) filed on 3/30/17.

Amends GS 163-284 by adding that a city or special district that is in more than one county may enter into an interlocal agreement with the county boards of election in those counties where the city or district lies for the administration of the election. Requires the agreement to be approved by the State Board of Elections before it is used in a municipal or special district election and limits the duration to two years.

Intro. by Bryant, Horner, Smith-Ingram.

GS 163

[View summary](#)

Government, Elections, Local Government

S 537 (2017-2018) [NORTH CAROLINA EQUAL PAY ACT](#). Filed Mar 30 2017, *AN ACT TO PROHIBIT DISCRIMINATION IN THE PAYMENT OF WAGES ON THE BASIS OF THE GENDER OF THE EMPLOYEE.*

Refers to the act as the "North Carolina Equal Pay Act."

Enacts new GS 95-25.6A (Discrimination in payment of wages on the basis of gender of employee prohibited). Defines *comparable work* and *working conditions*.

Prohibits discrimination on the basis of gender in the payment of salary or wages, including benefits, or payment of salary or wage rates less than the rates paid to employees of a different gender for comparable work. Provides that variations in salary and wages are not prohibited if the variations are based on six listed things, including seniority, merit, and geographic location. Provides that an employer in violation of this statute may not reduce the pay of any employee to comply with this statute.

Prohibits employers from (1) requiring employees to refrain from inquiring about, discussing, or disclosing wages, (2) screening job applicants based on their wage histories, (3) seeking the salary history of prospective employees from current or former employers, or (4) discharging employees for opposing acts made unlawful by this statute, complaining or causing a proceeding under this statute, testifying or otherwise participating in an investigation or proceeding under this statute, or disclosing wage information.

Provides that employees violating this statute are liable to affected employees in the amount of the employees' unpaid salary or wages, including benefits, and reasonable attorneys fees at the court's discretion. Provides a three-year statute of limitations for actions arising from a violation, and includes each separate wage payment in violation of this statute as a violation for purposes of the statute of limitations.

Requires employers to post notice in their workplaces of employees' rights under this statute.

Effective January 1, 2018.

Intro. by McKissick, Van Duyn, Bryant.

GS 95

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Employment and Retirement

S 538 (2017-2018) **SUDDEN CARDIAC ARREST TASK FORCE**. Filed Mar 30 2017, *AN ACT TO ESTABLISH A JOINT LEGISLATIVE TASK FORCE ON SUDDEN CARDIAC ARREST IN STUDENT ATHLETES*.

Establishes the seven member Joint Legislative Task Force on Sudden Cardiac Arrest in Student Athletes (Task Force) to study: the frequency of sudden cardiac arrest or other heart conditions in student athletes, other jurisdictions that have implemented strategies to mitigate risks to student athletes, the cost of requiring student athletes to be tested for heart conditions, and any other issue the Task Force considers relevant. Sets out membership requirements, including two members of the Senate and two members of the House of Representatives. Sets out provisions governing meetings, the assignment of professional staff, expenses, the hiring of a consultant, and related matters. Requires that the Task Force begin meeting by October 1, 2017.

Requires a final report on the study to the General Assembly by April 1, 2018, by filing a copy of the report with the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representatives, and the Legislative Library.

Terminates the Task Force upon the earlier of April 1, 2018, or upon the filing of its final report.

Intro. by McKissick, Hise, Pate.

STUDY

[View summary](#)

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

S 539 (2017-2018) **ENVIRONMENTAL REGULATORY REFORM ACT OF 2017**. Filed Mar 30 2017, *AN ACT TO PROVIDE FURTHER ENVIRONMENTAL REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA*.

Amends GS 40A-3 to give the specified organizations the power of eminent domain for public use (was, public use or benefit) purposes. Allows corporations, bodies politic, or persons with the power of eminent domain to construct specified structures; amends those structures by removing the construction of telegraphs and telephones and instead allows the exercise of eminent domain to construction of communication facilities and facilities related to the distribution of natural gas. No longer limits the use

of eminent domain to the construction of pipelines or mains to those originating in the state and limits construction of pipelines or mains transporting gas to those transporting natural gas. Makes clarifying changes.

Amends GS 40-3 to limit a city or county governing board's, and political entities', power of eminent domain to when it is exercised for public use (was, public use or benefit). Adds that for the public use, private condemners, local public condemners, and other listed public condemners must possess the power of eminent domain and may acquire any property for the connection of any customer or customers by purchase, gift, or condemnation.

Repeals Part 2G (plastic bag management) of Article 9 of GS Chapter 130A, as the title indicates. Makes conforming changes to GS 130A-22 by removing related penalty provisions. Repeals Section 13.10(c) of SL 2010-31 (requiring in part that the Division of Waste Management and the Division of Environmental Assistance and Outreach monitor plastic bag use reduction resulting from Part 2G and report on the ban's impacts to the Environmental Review Commission on or before January 15, 2012). Effective July 1, 2017.

Includes a severability clause.

Intro. by Cook, Sanderson, Brock.

[GS 40A, GS 130A](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government, Local Government, Public Enterprises and Utilities](#)

S 540 (2017-2018) [COMPUTER CODING COURSE ELECTIVE](#). Filed Mar 30 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.*

Identical to [H 534](#), filed 3/29/17.

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 Lowe, Tillman, Tarte.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 541 (2017-2018) [TEACHER COMPENSATION/EXCEED MAX. CLASS SIZE](#). Filed Mar 30 2017, *AN ACT TO CHANGE CLASS SIZE REQUIREMENTS FOR KINDERGARTEN THROUGH THIRD GRADE AND REQUIRE THAT A LOCAL BOARD OF EDUCATION NOT IN COMPLIANCE WITH INDIVIDUAL CLASS SIZE REQUIREMENTS COMPENSATE A TEACHER FOR THE INCREASED STUDENT WORKLOAD UNTIL THAT CLASS SIZE IS CORRECTED OR THE LOCAL BOARD RECEIVES A WAIVER.*

Amends GS 115C-301 to set the maximum average class size in a local school administrative unit for kindergarten through third grade to be one teacher per 21 students. Provides that at the end of the second school month and for the remainder of the school year, no individual class in kindergarten through third grade may exceed one teacher per 24 students. Beginning with the 2018-19 school year, at the end of the second school month and for the remainder of the school year, no individual class in kindergarten through third grade may exceed one teacher per 23 students. Amends the requirements for the annual report, due on the second month of the school year, by the local board of education, to require a single report based on the information from the principals of each school in the local administrative unit. Requires school boards to make an additional report, on the same information as is required in the annual February 1 report, annually on November 1. Directs the Department of Public Instruction to conduct periodic audits of the information in these reports. Authorizes the State Board of Education to impose a penalty on local boards of education that exceed class size requirements without application for an allotment adjustment or a waiver of the requirements.

Directs local boards of education to provide teachers whose class size does not meet the requirements above after the first 60 days of the school year with a nonrecurring supplement for each month in which the class size exceeds the individual class size

maximum for more than four school days, proportional to the number of students that exceed the class size limits as specified, to be paid from local funds.

Provides that when the State Board of Education notifies a local board of education that a reported class size exception does not qualify for an allotment adjustment or a waiver, the local board of education must correct the exception within 30 days. Directs the Department of Public Instruction to request an updated class size report from the local board of education within 60 days of notification by the State Board of Education. If the local board of education continues to exceed class size requirements, the State Board may impose the penalty in this statute until class size requirements are met.

Applies beginning with the 2017-18 school year.

Intro. by Horner.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

S 542 (2017-2018) **PUBLIC SCHOOL BUILDING BOND ACT OF 2017**. Filed Mar 30 2017, *AN ACT TO ENACT THE PUBLIC SCHOOL BUILDING BOND ACT OF 2017*.

Section 1 of the act is the "Public School Building Bond Act of 2017."

Defines several terms.

Provides for an election to be held in November of 2018 on the question of the issuance of the bonds authorized by this section.

Provides for the text of the question on the ballot.

Authorizes the State Treasurer, upon an affirmative majority vote on the referendum as described, to issue and sell general obligation bonds of the State, or notes of the State, in an aggregate principal amount not exceeding \$1.9 billion, for the purpose of providing funds, with any other available funds, for the purposes described in this Act. Provides that the proceeds of the bonds and notes, including premium thereon, if any, are to be used to make grants to counties for paying the cost of public school capital outlay projects. Provides an itemized list of grant amounts to each public school system. Provides for the disposal of funds received by other means for this purpose, without regard to the restrictions imposed by this act. Provides for the proportional allocation of funds for local school administrative units located in more than one county, and for local school administrative units that consolidate into one unit. Provides for matching funds from the counties for specified portions of the allocated grants, at a specified rate. Requires counties to document and report their matching funds as required. Provides for the reallocation of certain portions of the grants from counties that do not meet the match requirements by January 1, 2024, to those that do meet the match requirements.

Directs the State Treasurer to put proceeds from the bonds and notes, including premium, into a special fund designated the "Public School Building Bonds Fund" (Fund). Provides that money in the Fund may be invested by the State Treasurer, and that investment earnings may be credited to the Fund or used to satisfy compliance with applicable requirements of federal tax law. Provides for the disbursement of the funds under the supervision of the Director of the Budget, the State Treasurer, and the State Controller, in compliance with the State Budget Act. Authorizes and directs the State Treasurer to set up a system to track the proceeds of the bonds and notes to properly account for the use of the proceeds. Requires recipients of the proceeds to comply with the tracking system. Authorizes the State Treasurer to withhold proceeds from recipients who fail to comply with the tracking system.

Provides for the issuance and form of the bonds and notes. Directs the State Treasurer to determine the manner in which the bonds or notes shall be offered for sale, and authorizes the Treasurer to sell the bonds. Directs the State Treasurer to pay the cost of preparing, selling, and issuing the bonds or notes.

Authorizes the State Treasurer to borrow money and execute and issue notes of the State under specified conditions relating to the sale of the bonds. Authorizes the State Treasurer, by and with the consent of the Council of State, to issue and sell refunding bonds to refund bonds or notes pursuant to this section.

Exempts the bonds and notes from all State, county, and municipal tax assessments. Interest on the bonds and notes is not taxable as income.

Authorizes all public officers, agencies, and public bodies of the state, all insurance companies, trust companies, investment companies, banks, savings banks, savings and loan associations, credit unions, pension or retirement funds, other financial institutions, executors, administrators, trustees, and other fiduciaries to properly and legally invest funds in the bonds and notes.

Pledges the faith and credit and taxing power of the State for the payment of the principal and interest on the bonds and notes.

Authorizes the State Treasurer to provide that the bonds or notes may be made payable on demand or tender for purchase by the owner, subject to a credit facility agreement, be additionally supported by a credit facility agreement, be made subject to redemption or a mandatory tender for purchase prior to maturity, bear interest at variable rates, and be made the subject of a remarketing agreement whereby an attempt is made to remarket the bonds or notes to new purchasers prior to their presentment for payment to the provider of the credit facility agreement to the State. Provides that if the aggregate principal amount repayable by the State under a credit facility agreement is in excess of the aggregate principal amount of bonds or notes secured by the credit facility agreement, then the amount of authorized but unissued bonds or notes shall not be less than the amount of the excess, unless the payment of the excess is otherwise provided for by agreement of the State.

Provides clarification for the interpretation of the section, including clauses on additional methods of carrying out the section, statutory references, statutory construction, inconsistent provisions, and severability.

Authorizes the State Treasurer to authorize, execute, obtain, or otherwise provide for other related interests and matters the State Treasurer determines to be desirable in connection with the issuance of bonds and notes.

Directs the State Board of Education to administer, supervise, and ensure that use of the proceeds comport with the purposes provided in this act. Directs each school administrative unit to submit to the State Board of Education its plans for the expenditure of proceeds under this act. Directs the State Board of Education to verify that the planned expenditures are within the allowed purposes, and if so, to make the proceeds to which the plans apply available to the school administrative unit. Directs local school administrative units to report by January 1, 2019, and quarterly thereafter, to the Department of Public Instruction on the projects funded from the proceeds of the bonds and notes. Directs the Department of Public Instruction to submit the reports to the Joint Legislative Capital Oversight Committee on Appropriations/Base Budget. Provides requirements for the reports.

Provides for the custody and disbursement of funds to address unforeseen contingencies for a specific project, or to address inflation costs for a specific project.

Provides for funds retained by the Office of State Budget and Management at the time a project is completed to be retained by the Office of State Budget and Management, and to be reported within 90 days of a project's completion.

Provides that any funds from the Public School Building Bond expended for school technology shall be reported to the Department of Public Instruction and credited against the judgment in *NC Sch. Bds. Ass'n. v. Moore*.

Intro. by Tillman, Foushee, Gunn.

UNCODIFIED

[View summary](#)

**Education, Elementary and Secondary Education,
Government, Budget/Appropriations**

S 543 (2017-2018) **HEALTH INSURANCE CLAIMS TRANSPARENCY ACT**. Filed Mar 30 2017, *AN ACT TO PROVIDE FOR GREATER TRANSPARENCY IN THE REPORTING OF CLAIM INFORMATION UNDER HEALTH BENEFIT PLANS*.

Enacts new Article 66B, Health Insurance Claims Transparency, in GS Chapter 58. Makes the Article applicable to a governmental entity (defined as any State department, institution, agency, or any political subdivision of the State) that enters into a contract with a health insurance issuer (issuer) that results in the health insurance issuer delivering, issuing for delivery, or renewing a group health plan. Requires that health insurance issuers treat such a governmental entity as a plan sponsor or administrator. Specifies that a report of claim information provided to a governmental entity is confidential and not public record.

Requires the issuer to provide a request report no later than the thirtieth calendar day after the date a health insurance issuer receives a written request for a written report of claim information from a plan, plan sponsor, or plan administrator. Specifies that the issuer is not obligated to provide a report regarding a particular employer or group health plan more than twice in 12 months.

Specifies the ways in which the report of claim information may be transmitted. Requires that a report of claim information include all information available to the issuer that is responsive to the request. Specifies requirements that the report of claim must meet.

Prohibits an issuer from disclosing protected health information in a report of claim if disclosure is prohibited under another state or federal law that imposes more stringent privacy restrictions than those imposed under federal law under the Health Insurance Portability and Accountability Act of 1996. Specifies what action the issuer must take when withholding information. Entitles a plan sponsor to protected information only after an authorized representative of the sponsor makes to the issuer a certification about safeguarding the documents, in a form similar to the one specified in the act. Specifies what information can be made in a report when the request for information is made after the date of termination of coverage. Requires a plan, plan sponsor, or administrator to request a report of claim information on or before the second anniversary of the date of the termination of coverage under a group health plan issued by the issuer.

Sets out the process under which a plan, plan sponsor, or administrator may request information in addition to what is included in a received report.

Specifies that an issuer that releases information in accordance with the Article has not violated a standard of care and is not liable for civil damages or subject to criminal prosecution for that release.

Makes an issuer that does not comply with the Article subject to civil penalties under GS 58-2-70.

Applies to reports of claim information requested on or after October 1, 2017.

Intro. by Lee.

[GS 58](#)

[View summary](#)

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

S 544 (2017-2018) [BUSINESS REGULATORY REFORM ACT OF 2017](#). Filed Mar 30 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS GOVERNING BUSINESSES AND BUSINESS TRANSACTIONS*.

Section 1

Amends GS 20-178.1, concerning the payment and review of civil penalties imposed by the Department of Public Safety (Department) under Article 3 of GS Chapter 20 (Motor Vehicle Act of 1937).

Current law, subsection (a), requires a person who is assessed a civil penalty under Article 3 to either pay the penalty within 30 calendar days after the date the penalty was assessed or make a written request within that time limit to the Department for Departmental review of the penalty. This act removes the language providing for the option to submit a written request for Departmental review of the penalty, and instead provides for the option to request an administrative review of the penalty within the time limit in accordance with subsection (b) as amended below.

Current law in subsections (b) and (c) detail the Departmental review process and requirements, as well as sets out specifics pertaining to judicial review of the Department's decision. This act substantively eliminates those provisions. Provides that any person who denies liability for a penalty imposed by the Department can challenge the Department's decision by filing a contested case under Article 3 of GS Chapter 150B (Administrative Hearings). Further, provides that any person who is dissatisfied with a final decision from administrative review can seek judicial review in accordance with Article 4 of GS Chapter 150B. Allows for a petition for judicial review to be filed in the Superior Court of Wake County or in the superior court of the county in which the civil penalty was assessed.

Adds a descriptor to existing subsection (e), concerning the remittance of proceeds from civil penalties assessed by the Department pursuant to Article 3.

Makes conforming change to GS 20-382.2(b), concerning the assessment of penalties and the review of penalties for registration and insurance verification violations by for-hire motor vehicles, to refer to the procedure for administrative review of a penalty instead of departmental review of a penalty.

Repeals GS 150B-1(e)(14), which exempted the Department's hearings and appeals authorized under GS Chapter 20 from the contested case provisions of GS Chapter 150B.

Effective October 1, 2017, and applies to civil penalties assessed on or after that date.

Section 2

Amends GS 20-101(b) to exempt a motor vehicle that is a farm vehicle qualifying for an exception under GS 20-118(c)(4), (c)(5), or (c)(12) from the specified marking requirements for weighted vehicles under the statute.

Section 3

Amends GS 96-1(b)(12)b, which sets out exclusions from the term *employment* as it applies to GS Chapter 96 (Employment Security).

Adds new exclusion for services performed by an individual engaged in the trade or business of selling or soliciting the sale of consumer products to any buyer on a buy-sell basis, a deposit-commission basis, or any similar basis for in the home or other than a permanent retail establishment, provided that substantially all the remuneration for performance of the service is: (1) directly related to sales or other output rather than to the number of hours worked; and (2) pursuant to a written contract between the individual and the person for whom the services are performed and the contract expressly provides that the individual will not be treated as an employee for federal and State tax purposes.

Adds exclusion for services performed by an individual engaged in the trade or business of selling or soliciting the sale of consumer products for in the home or other than in a permanent retail establishment provided that: (1) services are directly related to sales or other output rather than to the number of hours worked; and (2) services performed are pursuant to a written contract between the individual and the person for whom the services are performed and the contract expressly provides that the individual will not be treated as an employee for federal and State tax purposes.

Intro. by Wade, Wells, Meredith.

[GS 20](#), [GS 96](#), [GS 150B](#)

[View summary](#)

[Agriculture, Business and Commerce, Courts/Judiciary, Motor Vehicle](#)

S 545 (2017-2018) [STATE NATURE AND HISTORIC PRESERVE ADDS/DELS](#). Filed Mar 30 2017, *AN ACT TO DEDICATE AND ACCEPT CERTAIN PROPERTIES AS PART OF THE STATE NATURE AND HISTORIC PRESERVE AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE*.

Includes several whereas clauses.

Amends GS 143-260.10, which details the components of the State Nature and Historic Preserve accepted by the General Assembly pursuant to GS 143-260.8, by updating the listed components to include all the lands and waters within the boundaries of each component, as detailed, as of April 4, 2017 (currently, as of May 6, 2014).

Amends the component concerning all the lands and waters within the boundaries of the specified units of the State Park System as of April 4, 2017, to include Bay Tree Lake State Natural Area (currently, Bay Tree Lake State Park).

Amends the component concerning all the lands and waters located within the boundaries of the specified State Historic Sites as of April 4, 2017, to include President James K. Polk (currently, James K. Polk Memorial), Historic Stagville (currently, Stagville), and Endor Iron Furnace (currently not included).

Amends the provisions concerning all lands and waters located within the boundaries of Mount Jefferson State Natural Area as of April 4, 2017, to allow the State to lease space at the communications tower site to local government in Ashe County as provided and in accordance with GS 146-29.2 (currently, notwithstanding GS 146-29.2).

Excepts the portions of the tract or parcel of property at Lumber River State Park in Robeson County, as described, from the component encompassing all State-owned land and water within boundaries of Lumber River State Park as of April 4, 2017. Further, establishes that the State can only exchange the land as described for other land for the expansion of Lumber River State Park or sell the land and use its proceeds for that purposes. Prohibits the State from otherwise selling or exchanging the described land.

Adds a new component to the State Nature and Historic Preserve to include all lands and waters within the boundaries of Carvers Creek State Park as of April 4, 2017, with the exception of the tract or parcel of land in Cumberland County, as described.

Makes technical changes.

Intro. by Hise, Britt.

GS 143

[View summary](#)

Environment, Environment/Natural Resources

S 547 (2017-2018) **RESTITUTION REMISSION/NOTICE AND HEARING REQ.** Filed Mar 30 2017, *AN ACT TO REQUIRE NOTICE AND HEARING BEFORE REMISSION OF AN ORDER OF RESTITUTION.*

Enacts new GS 15A-1340.39 (Remission of restitution, notice, and hearing required).

Requires notice and opportunity to be heard for the district attorney and the victim, victim's estate, or any other entity to which an order directs restitution to be paid, prior to remitting all or part of an order of restitution, at least 15 days prior to the hearing.

Provides that the remission may be ordered if it is warranted and serves the interests of justice. Remission does not abridge a victim's right to bring a civil action against the defendant for damages arising out of the defendant's offense.

Effective December 1, 2017, and applies to orders for remission entered on or after that date.

Intro. by Randleman, Daniel.

GS 15A

[View summary](#)

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

S 550 (2017-2018) **MODERNIZATION OF DRUG COURT PROGRAM.** Filed Mar 30 2017, *AN ACT TO ESTABLISH JUDICIALLY MANAGED ACCOUNTABILITY AND RECOVERY COURTS THROUGHOUT THE STATE OF NORTH CAROLINA TO PROVIDE CASE MANAGEMENT AND CONTINUITY OF CARE FOR THOSE ENROLLED IN THE PROGRAM.*

Renames Subchapter XIV of Article 62 of GS Chapter 7A as Accountability and Recovery Courts (currently, Drug Treatment Courts). Renames Article 62 of GS Chapter 7A, Judicially Managed Accountability and Recovery Court Act (currently, North Carolina Drug Treatment Court Act). Amends GS 7A-790 to make conforming change, establishing that Article 62 is to known and cited as the Judicially Managed Accountability and Recovery Act of 2017.

Adds to the purposes of Article 62, set out in GS 7A-791, the need for judicial programs that will reduce the incidence of offenses, delinquent acts, and child abuse and neglect where mental, behavioral, or medical health is a significant factor in commission of the offense or act. Further, provides that it is the intent of the General Assembly to create a program to facilitate the creation and operation of judicially managed accountability and recovery courts (previously, the creation and operation of local drug treatment court programs and driving while impaired treatment court programs). Replaces references to drug abuse with substance abuse.

Makes conforming changes throughout Article 62 to refer to judicially managed accountability and recovery courts and remove all references to drug treatment courts.

Amends GS 7A-792, setting forth five goals of the judicially managed accountability and recovery courts, to add to and amend the existing goals. Amends the first goal to now provide the goal to reduce alcoholism and other substance abuse and dependencies (previously, and other drug dependencies) among adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or both. Amends the third goal to now provide the goal to reduce the alcohol-related and other substance-related (previously, drug-related) court workload. Amends the last goal to now provide the goal to promote effective interaction, collaboration, coordination, and use of resources (previously to promote effective interaction and use of resources) among criminal and juvenile justice personnel, child protective services personnel, and community agencies. Adds a new goal reducing the mental, behavioral, or medical health-related court workload.

Amends GS 7A-793, providing that the NC Judicially Managed Accountability and Recovery Court Program is established in the Administrative Office of the Courts (AOC) to facilitate the creation, administration, and funding of local judicially managed accountability and recovery courts (previously, did not specify administration). Provides that local judicially managed accountability and recovery courts established and funded pursuant to Article 62 can consist of programs approved by the AOC.

Deletes the existing provisions of GS 7A-794 to now direct the AOC to administer funding relating to the NC Judicially Managed Accountability and Recovery Court Program (Program).

Amends GS 7A-795 to make conforming changes to the provisions pertaining to the Advisory Committee of the Program. Adds new provision to direct the Advisory Committee to provide minimum standards of judicially managed accountability and recovery courts in developing guidelines for the program for recommendation to the Director of the AOC (previously, directed the Advisory Committee to consider the Substance Abuse and the Courts Action Plan and other recommendations of the Substance Abuse and the Courts State Task Force).

Amends GS 7A-796, concerning the makeup of a local judicially managed accountability and recovery court committee. Establishes that the local committee consists of persons appointed by the chief district court judge and the district attorney for that district, to be chosen from the provided list (previously appointed by the senior resident superior court judge with the concurrence of the chief district court judge and the district attorney). Amends and adds to the provided list of persons that can be appointed to a local committee as specified. Directs the local committee to develop local guidelines and procedures, not inconsistent with the State guideline and minimum standards (currently, minimum standards not specified), that are necessary for the operation and evaluation of the local judicially managed accountability and recovery court. Makes conforming change to direct the Director of AOC, in conjunction with the Advisory Committee, to develop criteria for eligibility, minimum standards, and other procedural and substantive guidelines for judicially managed accountability and recovery court operation.

Amends GS 7A-799 to establish that nothing in the Article confers a right or an expectation of a right to or recovery management for (currently does not specify recovery management) a defendant or offender within the criminal or juvenile justice system or a respondent in a juvenile petition for abuse, neglect, or both.

Makes conforming changes to GS 7A-800 and GS 7A-801, concerning the payment of costs of a treatment program and monitoring and reporting requirements.

Intro. by Randleman, J. Davis, Britt.

GS 7A

[View summary](#)

[Courts/Judiciary, Court System](#)

S 551 (2017-2018) **PROMOTE NC-THINKS**. Filed Mar 30 2017, *AN ACT TO SPUR PROMOTION OF THE NC-THINKS EMPLOYEE SUGGESTION PROGRAM*.

Amends Article 36A of Chapter 143 of the General Statutes by adding a new section concerning the promotion of NC-Thinks, an employee suggestion program, requiring the State Human Resources Commission to include details of the NC-Thinks program as a prominent part of the State Human Resources Manual. Also requires the Office of State Human Resources to promote the NC-Thinks program in a manner that all state employees can become aware of, and potentially utilize, the program. Requires each state agency, department, and institution to include on its main website a link to the specified website.

The act is effective when it becomes law.

Intro. by Alexander, McInnis.

GS 143

[View summary](#)

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

S 552 (2017-2018) **MODIFY SALES TAX REMITTANCE: BOAT/JET REPAIRS**. Filed Mar 30 2017, *AN ACT TO MODIFY THE ADMINISTRATION OF THE SALES TAX WITH RESPECT TO BOATS AND JETS*.

Amends GS 105-164.27A(a3) to authorize purchasers of boats, aircraft, and jet engines to elect to have the seller collect and remit the tax due on behalf of the purchaser. In that case, an invoice given to the purchaser bearing the proper amount of tax on a retail transaction extinguishes the purchaser's liability for the tax on the transaction. Where the seller does not separately state installation charges that are part of the sales price of tangible personal property or digital property for a boat, aircraft, or jet engine, tax is due on the total purchase price.

Amends GS 105-164.13 to exempt from retail sales and use tax the amount of repair, maintenance, and installation services for a boat, aircraft, or jet engine, for which the purchaser elects for the seller to collect and remit the tax due under GS 105-164.27A(a3).

Effective July 1, 2017, and applies to sales made on or after that date.

Intro. by Tillman, Cook.

GS 105

[View summary](#)

Government, Tax, Transportation

S 553 (2017-2018) [REVOKE CONSENT FOR INTERCOURSE](#). Filed Mar 30 2017, *AN ACT TO PROVIDE THAT A PERSON WHO CONTINUES TO ENGAGE IN INTERCOURSE AFTER CONSENT IS WITHDRAWN IS DEEMED TO HAVE COMMITTED THE ACT OF INTERCOURSE BY FORCE AND AGAINST THE WILL OF THE OTHER PERSON.*

Enacts new GS 14-27.8A to provide that a person who initially consents to vaginal intercourse is not deemed to have consented to any penetration occurring after the person withdraws consent during the course of that vaginal intercourse. Allows a person to withdraw consent to engage in vaginal intercourse in the middle of the intercourse, even if the actual penetration is accomplished with consent and even if there is only one act of vaginal intercourse. Requires the withdrawal of consent to be clearly communicated in a way that a reasonable person would understand to constitute withdrawal of consent. Provides that a defendant who continues the act of vaginal intercourse after consent is withdrawn is deemed to have committed the act of vaginal intercourse by force and against the will of the other person. Applies to offenses committed on or after December 1, 2017.

Intro. by J. Jackson.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 554 (2017-2018) [FAIR REDISTRICTING/POSTMARK&ABSENTEE BALLOTS](#). Filed Mar 30 2017, *AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON FAIR REDISTRICTING AND TO PROVIDE THAT ABSENTEE BALLOTS RECEIVED BY A COUNTY BOARD OF ELECTIONS BY MAIL ON THE DAY AFTER THE ELECTION THAT ARE NOT POSTMARKED ARE DEEMED TO HAVE BEEN POSTMARKED ON OR BEFORE ELECTION DAY UPON VERIFICATION OF RECEIPT BY THE COUNTY BOARD OF ELECTIONS.*

Includes whereas clauses.

Establishes the 14 member Joint Legislative Study Committee on Fair Redistricting (Committee) to provided guidance on specified issues to ensure that the 2020 House, Senate, and Congressional district plans are drawn fairly. Requires the Committee to ensure that districts are drawn free from unlawful racial or partisan gerrymandering and to establish redistricting principles, recommendations and guidance for the General Assembly. Requires the Committee to consider public input in the development of and in response to its final recommendations and to ensure that the districts drawn by the General Assembly abide by the Voting Rights Act and the United States and North Carolina Constitutions, laws, and applicable court precedents. Requires that the Committee provide the General Assembly with principles and guidance formulated from the study's findings for the 2020 redistricting process. Requires that the Committee study: (1) strategies for inviting, facilitating, and documenting public input into the redistricting process; (2) methods for map drawing that result in fair and equitable districts that exclude partisan data, the addresses of current lawmakers, the party affiliation or voting history of voters, and other data and micro-targeting designed to favor a particular party or politician; (3) tools used by state and federal courts to assess district maps for compliance

with the Voting Rights Act and the United States and North Carolina Constitutions, laws, and applicable court precedents; and (4) models used by other jurisdictions for reducing partisan and racial gerrymandering that include the permanent residency of incarcerated persons in the redistricting process.

Sets out additional requirements for Committee membership, powers, and staffing.

Requires the Committee to submit a final report by June 15, 2018, and requires a majority and minority party report if the majority of the Committee cannot agree. Terminates the Committee upon the earlier of the filing of the final report or June 15, 2018.

Amends GS 163-231(b) by amending one of the three conditions under which absentee ballots that are received after the required hour can still be accepted, to allow the ballots to be accepted when there is no postmark but they are received by the county board of elections no later than one day after the election by 5 pm. Requires when a ballot is received by mail one day after the election without a postmark, that the county board of elections verify receipt of the ballot by stamping on the ballot the date it was received.

Intro. by Bryant, McKissick, Robinson.

[STUDY, GS 163](#)

[View summary](#)

[Government, Elections, General Assembly](#)

S 555 (2017-2018) [SANITARY DISTRICTS/IMPACT FEES](#). Filed Mar 30 2017, *AN ACT AUTHORIZING SANITARY DISTRICTS TO IMPOSE IMPACT FEES FOR FUTURE MAINTENANCE AND EXPANSION OF THE WORK OF THE DISTRICT.*

Applies only to sanitary districts in counties with a Tier 1 annual ranking on November 30, 2016, as designated by the Department of Commerce.

Amends GS 130A-64 to provide that sanitary district boards shall apply service charges and rates based upon the exact benefits derived or to be derived (currently, just those that are derived), sufficient to provide funds for the present or future maintenance, (currently, unspecified maintenance) of the district, and other currently listed costs.

Effective July 1, 2017.

Intro. by Bryant.

[GS 130A](#)

[View summary](#)

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

S 556 (2017-2018) [HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS](#). Filed Mar 30 2017, *AN ACT PROVIDING FOR HEALTHY FAMILIES AND HEALTHY WORKPLACES BY ENSURING THAT ALL WORKERS HAVE EARNED PAID SICK DAYS TO ADDRESS THEIR OWN HEALTH NEEDS AND THE HEALTH NEEDS OF THEIR FAMILIES.*

Enacts new Article 3A of GS Chapter 95, to be cited as the Healthy Families and Healthy Workplaces Act (HFHW Act). Denotes that state public policy in promoting the general welfare of the people of North Carolina requires the enactment of new Article 3A under the police power of the state.

Provides definitions for the following terms as used in the HFHW Act: (1) child, (2) domestic violence, (3) employee, (4) employ, (5) employer, (6) federal act, (7) health care provider, (8) immediate family member, (9) parent, (10) paid sick time or paid sick days, (11) sexual assault, (12) stalking, and (13) small business.

Provides that the proposed HFHW Act does not apply to (1) bona fide volunteers in an organization where an employer-employee relationship does not exist or (2) any person who is exempt from the Wage and Hour Act under GS 95-25.14(a)(2) through (8), GS 95-25.14(b), GS 95-25.14 (b1), GS 95-25.14(c), and GS 95-25.14(e). Makes an exception regarding domestic workers, providing that they are exempt only if they are employed in the place of residence of their employer.

Provides that paid sick time begins to accrue at the start of employment at a rate of one hour of paid sick time for every 30 hours worked. Provides additional guidelines regarding discretionary advancement of sick time by the employer, limits on the amount of paid sick time accrued, and the accrual of paid sick time when there is a separation of employment followed by a rehiring by the same employer. Provides that with the exception of the specified exemptions to the proposed HFHW Act, any employee who works in North Carolina and who must be absent from work for the reasons delineated in proposed new GS 95-31.5(a) is entitled to paid sick time.

Directs that paid sick time is to be provided by an employer to an employee who meets any of the following reasons listed in proposed new GS 95-31.5: (1) to care for a member of the employee's immediate family suffering from health issues or to care for the employee's own health, unless the care is covered under federal law or (2) to allow an employee to address the psychological, physical, or legal effects on himself or herself or an immediate family member of domestic violence, sexual assault, or stalking. Permits the employer to require certification of the qualifying health issue or event when a paid sick time period covers more than three consecutive work days. Provides guidelines for determining what may be deemed acceptable certification. Provides that an employer may not require certification from a health care provider that is employed by the employer. Prohibits an employer from requiring the disclosure of details relating to domestic violence, sexual assault, stalking, or an employee's medical condition as a condition of providing paid sick time to an employee. Directs an employer to treat as confidential any information that the employer acquires about the employee or the employee's immediate family regarding domestic violence, sexual assault, stalking, or health conditions. Prohibits the employer from requiring an employee to secure a replacement worker as a condition of providing sick time under the proposed HFHW Act. Directs the employee to make a good faith effort, when the use of sick time is foreseeable, to provide the employer with advance notice. States that this act provides minimum requirements regarding paid sick time and should not be construed to limit, preempt, or otherwise affect other applicability of law, regulation, or policy that extends additional or greater protections to employees, nor should this proposed act be construed to discourage employers from adopting more generous paid sick time policies. Provides that employers already offering a paid sick time policy do not have to modify that policy providing that the paid sick time policy currently in place offers an employee, at his or her discretion, the option to take paid sick time that is equivalent to the amount and for the same purposes offered under the proposed HFHW Act.

Requires employers to provide notice to employees, in Spanish and English, of their entitlement to paid sick time as well as other related information. Notice may be provided by supplying each employee with a notice in Spanish and English or by conspicuously displaying a poster in the place of employment in both languages. Prohibits employers from retaliating against employees who request or use paid sick time. Provides that an employee has a right to file a complaint with the Commissioner of Labor (Commissioner) or in the General Court of Justice if an employer (1) denies an employee paid sick time or (2) retaliates against an employee for requesting or taking paid sick time.

Authorizes the Commissioner to enforce and administer the provisions of the proposed HFHW Act. Provides criteria regarding employer's liability for a violation under the proposed HFHW Act, including provisions for the potential awarding of liquidated damages for a violation of the act. Directs that actions under the proposed HFHW Act must be brought within two years pursuant to GS 1-53. Also provides that the rights and remedies created under the HFHW Act are supplementary to all existing common law and statutory rights and remedies. Directs the Commissioner to adopt rules to implement the proposed act. Provides that the provisions of the proposed act are severable.

Makes conforming changes to GS 95-241(a).

Contains a number of whereas clauses.

Effective July 1, 2017, and applies only to covered employment on or after that date and does not apply to any collective bargaining agreement entered into before July 1, 2015, still in effect on that date.

Intro. by Bryant, Robinson, Foushee.

[GS 95](#)

[View summary](#)

[Employment and Retirement, Government, State Agencies, Health and Human Services, Health](#)

S 558 (2017-2018) **SCHOOL ROAD IMPROVEMENT GRANT PROGRAM**. Filed Mar 30 2017, *AN ACT TO ESTABLISH THE SCHOOL ROAD IMPROVEMENT GRANT PROGRAM*.

Discontinues transfers from the Highway Fund to the following accounts, and closes the accounts, beginning in the 2017-18 fiscal year: (1) Department of Agriculture, Gasoline Inspection Fee, (2) State Ethics Commission, (3) Department of Revenue, Gasoline Tax Collections, (4) Department of Revenue, International Registration Plan, (5) Department of Health and Human Services, Chemical Testing, (6) Office of the State Controller, Best Shared Services, and (7) Motor Carrier Safety.

Reduces the allocation from the Highway Fund to the Reserve for General Maintenance for the 2017-18 fiscal year by \$11,104,270.

Establishes a School Road Construction Account within the Highway Fund. Appropriates \$25 million in nonrecurring funds for 2017-18 from the Highway Fund to the School Road Construction Account.

Directs the Department of Public Instruction (DPI) to use the School Road Construction Account to establish the School Road Improvement Grant Program to award grants to local boards of education and charter schools to make necessary improvements to State roads due to public school construction or expansion.

Authorizes local boards of education to apply for one-year grants of up to \$500,000 if they are required to perform necessary improvements to State roads connected to a public school due to construction or expansion, to be spent over a five-year period from the initial reward.

Requires local boards of education or charter schools to provide matching, non-State funds, at specified rates, to be eligible for a grant under this Program.

Directs the DPI and Department of Transportation (DOT) to establish guidelines and criteria for local boards of education and charter school to apply for grants, by September 15, 2017. Directs DPI to accept applications for grants through November 30, 2017. Provides requirements for the applications. Directs DOT to provide DPI with supporting documentation or engineering estimates related to applications by January 15, 2017.

Directs DPI to select grant recipients by February 1, 2018. Provides an order of priority for grant recipients, and provides instruction for selecting grants within each priority category.

Directs DPI and DOT to report on the Program, including specified information, to the Joint Legislative Education Oversight Committee and the Joint Legislative Transportation Oversight Committee by February 15, 2018, and biennially thereafter until the completion of the last project funded by a grant under the Program, to the offices of the President Pro Tem of the Senate and the Speaker of the House of Representatives, the Fiscal Research Division, the Joint Legislative Education Oversight Committee, and the Joint Legislative Transportation Oversight Committee.

Provides that if a Current Operations Appropriations Act for 2017-18 is not enacted by July 1, 2017, funds subject to the eliminations and reductions specified in this act shall not be expended. This provision expires upon the enactment of a Current Operations Appropriations Act for 2017-18.

Effective only if funds are appropriated in a Current Operations Appropriations Act for 2017-18 to implement the provisions of this act.

Intro. by Meredith.

APPROP, UNCODIFIED

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, Department of Public
Instruction, Department of Transportation, Transportation**

S 559 (2017-2018) **FINGERPRINTING UPON ARREST**. Filed Mar 30 2017, *AN ACT TO CLARIFY THAT WHEN A PERSON IS CHARGED WITH AN OFFENSE WHICH REQUIRES MANDATORY FINGERPRINTING, FINGERPRINTING WILL BE ORDERED BY THE COURT IF THE OFFENDER WAS NOT ARRESTED AND FINGERPRINTED AT THE TIME OF THE OFFENSE*.

Amends GS 15A-502. Directs a court to order a person charged for an offense for which fingerprints are required, but not arrested for that offense, to submit to fingerprinting by the Sheriff or other appropriate law enforcement agency at the earliest practical opportunity. Directs the sheriff to report a failure to appear for fingerprinting as ordered, and authorizes the court to initiate criminal contempt proceedings against the person.

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

Intro. by J. Jackson, Britt.

[GS 15A](#)

[View summary](#)

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

S 560 (2017-2018) [CITIZEN'S WARRANTS](#). Filed Mar 30 2017, *AN ACT TO PROVIDE THAT A PRIVATE CITIZEN'S SHOWING OF PROBABLE CAUSE TO THE MAGISTRATE SHALL INCLUDE SUFFICIENT INFORMATION SUPPORTED BY OATH OR AFFIRMATION THAT A CRIME HAS OCCURRED AND SHALL ISSUE AS A SUMMONS UNLESS A SUBSTANTIAL LIKELIHOOD EXISTS THAT THE DEFENDANT WILL NOT RESPOND TO A SUMMONS.*

Amends GS 15A-304, pertaining to warrants for arrest, to add new subsection (d1) establishing provisions to authorize a magistrate to issue a citizen's warrant or criminal summons, based solely on information supplied by a private person.

Requires the information provided by a private person to be supported by oath or affirmation and be sufficient for the magistrate to make an independent judgment that there is probable cause to believe that a crime has been committed and that the person to be arrested committed it. Requires the information to be shown by one or more of the methods listed in existing subsection (d) for showing probable cause for a warrant for arrest, which include by affidavit, oral testimony under oath or affirmation before the issuing official, or oral testimony under oath or affirmation presented by a sworn law enforcement officer to the issuing official by means of a clear audio and video transmission.

Directs that a citizen's summons rather than a citizen's warrant be issued unless: (1) the accused has a history of failure to appear before the court as required; (2) there is evidence that the accused is likely to escape or otherwise flee the State in order to avoid prosecution for the offense alleged; (3) there is evidence of imminent danger of harm to persons or property if the accused is not taken into custody; (4) the location of the accused is not readily discoverable, in that a criminal summons would be unlikely to be served before any court date assigned at the time of issue; (5) a relevant statute provides that arrest is mandatory for an offense charged; or (6) the seriousness of the offense constitutes grounds for an arrest warrant.

Amends subsection (a) to make organizational changes and to add the term *citizen's warrant*. Amends subsection (c) to make the requirements concerning the statement of the crime apply to both a warrant for arrest and a citizen's warrant. Makes change to subsection (d) to clarify that those provisions apply to warrants for arrest. Makes technical changes.

Effective December 1, 2017, and applies to warrants issued on or after that date.

Intro. by J. Jackson, Britt, Tucker.

[GS 15A](#)

[View summary](#)

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

S 561 (2017-2018) [EXPUNCTION - CHARGES DISMISSED/NOT GUILTY](#). Filed Mar 30 2017, *AN ACT TO PROVIDE THAT CHARGES THAT ARE DISMISSED OR FOR WHICH THERE ARE FINDINGS OF NOT GUILTY OR NOT RESPONSIBLE MAY BE EXPUNGED WITHOUT REGARD AS TO WHETHER THE PERSON HAS RECEIVED A PRIOR EXPUNCTION.*

Amends GS 15A-146 (Expunction of records when charges are dismissed or there are findings of not guilty). Deletes the provisions requiring a person not to have already received an expunction and requires the court to find that the charge was dismissed or a finding of not guilty or not responsible was entered. Makes technical changes.

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

Intro. by J. Jackson, Britt, B. Jackson.

[GS 15A](#)

[View summary](#)

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

S 562 (2017-2018) [LOCAL FUNDS FOR CHARTER SCHOOLS](#). Filed Mar 30 2017, *AN ACT TO REQUIRE A BOARD OF COUNTY COMMISSIONERS TO APPROPRIATE A PER PUPIL AMOUNT OF FUNDS TO A CHARTER SCHOOL FOR EACH STUDENT ENROLLED IN THE CHARTER SCHOOL WHO RESIDES IN A LOCAL SCHOOL ADMINISTRATIVE UNIT LOCATED IN THAT COUNTY.*

Enacts GS 115C-218.106 to mandate, for each student enrolled in a charter school, the board of county commissioners of the county in which the local administrative unit is located where the student resides must appropriate to that charter school an amount equal to the per pupil appropriation from the county to the local school administrative unit(s) for local current expense. Directs the total membership of the charter school of students residing in the county for the budget year to be determined and certified to the charter school and the board of county commissioners by the State Board of Education by October 1 of each school year. Provides that the amount of the per pupil appropriation that consists of revenue derived from supplemental taxes is only to be provided to a charter school located in the tax district for which the taxes are levied and in which the student resides. Directs funds to be transferred from the board of county commissioners to a charter school at the same time that funds are transferred to the local school administrative unit or units.

Amends GS 115C-218.105 to eliminate all provisions pertaining to local funds for a charter school. Makes conforming change to repeal GS 115C-448(d).

Amends GS 153A-149(b) to provide that each county can levy property taxes without restriction as to the rate or amount for the purpose of providing the county's share of the cost of kindergarten, elementary and secondary public schools, which includes charter schools chartered under Article 14A of GS Chapter 115C (currently, does not specify charter schools are included), and post-secondary public education.

Amends statutory references in Section 8.35(e) of SL 2014-100, to now require the State Board of Education to provide State funding to a virtual charter school participating in the virtual charter school pilot program as provided in GS 115C-218.105, and to provide the amount of local funds provided to participating charter school pursuant to GS 115C-218.106 is to be the lesser of \$790 per pupil or the amount computed in accordance with GS 115C-218.106.

Applies beginning with county budget ordinances adopted on or after the date the act becomes law.

Intro. by Tucker, McInnis, Curtis.

[GS 115C, GS 153A](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 563 (2017-2018) [BUSINESS COURT CHANGES](#). Filed Mar 30 2017, *AN ACT TO AMEND THE LAW GOVERNING THE NORTH CAROLINA BUSINESS COURT TO PROVIDE THAT A TAX CONTESTATION CASE MUST INVOLVE AN AMOUNT IN CONTROVERSY OF AT LEAST TEN THOUSAND DOLLARS IN ORDER TO BE DESIGNATED A MANDATORY COMPLEX BUSINESS CASE.*

Amends GS 7A-45.4(b)(1) to further require an action involving a material issue of tax law, or containing a constitutional challenge to a tax statute, to have an amount in controversy of at least \$10,000, to be designated a mandatory complex business case.

Amends GS 105-241.16 to direct that petitions for judicial review of final decisions in contested tax cases at the Office of Administrative Hearings be filed in accordance with the procedures for a mandatory business case if the amount in controversy is at least \$10,000.

Effective October 1, 2017, and applies to actions commenced on or after that date.

Intro. by Barringer, Newton, Lee.

[GS 7A, GS 105](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Court System, Government, Tax](#)

S 565 (2017-2018) [PEOPLE FIRST 2017](#). Filed Mar 30 2017, *AN ACT PERTAINING TO STATUTORY AND ADMINISTRATIVE RULE REFERENCES TO PEOPLE WITH DISABILITIES*.

Directs the General Statutes Commission to recommend to the 2018 session of the 2017 General Assembly and to the 2019 Regular Session of the General Assembly any statutory changes and drafting policies needed to make the General Statutes and administrative rules refer to a person with a disability as a person first, distinguishing instances where a word or phrase is required by federal law or regulation, describes a medical diagnosis, or refers to nonliving entities.

Intro. by Barringer, Krawiec, Lee.

[UNCODIFIED](#)

[View summary](#)

[Government, General Assembly, Health and Human Services, Health](#)

S 566 (2017-2018) [POSTPONE ASSUMED NAME REVISIONS](#). Filed Mar 30 2017, *AN ACT TO POSTPONE THE IMPLEMENTATION OF NEW ARTICLE 14A OF CHAPTER 66 OF THE GENERAL STATUTES, WHICH REVISED THE LAW ON ASSUMED BUSINESS NAMES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION*.

Identical to [H 228](#), filed 3/2/17.

Postpones implementation of GS 66 Chapter 14A (intends Article 14A, the Assumed Business Name Act) to July 1, 2018 (was, July 1, 2017).

Amends GS 66-71.15 to extend the validity of certificates of assumed name filed under former Article 14 to July 1, 2023 (currently July 1, 2022), and to extend the filing deadline for new certificates of assumed name under Article 14 to July 1, 2018 (currently July 1, 2017). Prohibits the register of deeds from transmitting information regarding withdrawal or transfer of assumed names if the certificate of assumed name was filed before July 1, 2018 (currently July 1, 2017).

Amends SL 2016-100 to make GS 1-69.1(a)(3) go into effect July 1, 2022 (currently July 1, 2021).

Intro. by Barringer, Tarte, Alexander.

[GS 66](#)

[View summary](#)

[Business and Commerce](#)

S 570 (2017-2018) [CHANGES TO THE JUVENILE CODE.-AB](#) Filed Mar 30 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE JUVENILE LAWS*.

Identical to [H 362](#) filed on 3/15/17.

Amends GS 7B-200(a) to grant the district court exclusive, original jurisdiction over proceedings to review the placement of a young adult in foster care under GS 108A-48 and GS 7B-910.1.

Amends GS 7B-404 (Immediate need for petition when clerk's office is closed). Directs magistrates, when the office of the clerk is closed, to accept petitions alleging a juvenile to be abused, neglected, or dependent, and petitions alleging the obstruction of or interference with an assessment required by GS 7B-302. Limited to emergency situations when a petition must be filed to obtain a

nonsecure custody order or an order under GS 7B-303 (interference with assessment), and any petitions accepted for filing under this statute must be delivered to the clerk's office for processing as soon as it opens for business.

Amends GS 7B-405 (Commencement of action). Clarifies that an action is commenced when a juvenile petition is accepted by a magistrate, as described above.

Amends GS 7B-407 (Service of summons) to clarify that a summons shall be served under GS 1A-1, Rule 4.

Amends GS 7B-505(a) to further allow temporary residential placement in the home of a parent, relative, nonrelative kin, or other person with legal custody of a sibling of the juvenile (was, a relative's home).

Amends GS 7B-505.1. Amends the caption to read "Consent for medical care for a juvenile placed in nonsecure custody of a department of social services." Authorizes the director of a county department of social services to further arrange for, provide, and consent to treatment for common pediatric illnesses and injuries that require prompt intervention. Also amends GS 7B-2503, concerning undisciplined juveniles and GS 7B-2506, concerning delinquent juveniles, by deleting provisions related to the director's authority over medical care and consent requirements be heard in the person's own behalf, and to examine witnesses.

Amends GS 7B-506 (hearing to determine need for continued nonsecure custody) to allow parties the right to introduce evidence (currently allows a specified list of parties). Provides that GS 7B-905.1 applies to determine visitation.

Amends GS 7B-906.1 to direct the court to conduct a review hearing within 90 days of the initial dispositional hearing held pursuant to GS 7B-901 in all instances (was, limited to instances where the parent, guardian, or custodian lost custody). Directs the court to schedule a permanency planning hearing within 30 days of determining that efforts to reunite a juvenile with either parent would be unsuccessful or inconsistent with the juvenile's health and safety. Adds that the statute does not apply to post-termination of parental rights' placement reviews. Makes a technical change.

Amends GS 7B-908 to require the court to further conduct placement reviews when parental rights have been relinquished under GS Chapter 48. Amends language throughout the statute to refer to permanent placement plans (instead of a singular plan). Makes conforming changes. Deletes references to the North Carolina Adoption Resource Exchange and the North Carolina Photo Adoption Listing service, and replaces them with the NC Kids Adoption and Foster Care Network and other child-specific recruitment programs. Directs the court to adopt concurrent permanent plans and identify the primary and secondary plan in accordance with GS 7B-906.2. Provides a contingency in which the court may order a placement that the court finds to be in the juvenile's best interest.

Amends GS 7B-910.1(d) to make a technical change.

Amends GS 7B-1106 to refer to service of process under GS 1A-1, Rule 4 (currently Rule 4(j)).

Amends GS 7B-3600 to replace references to GS 7B-903, GS 7B-2503, and GS 7B-2506 with GS 7B-505.1 and GS 7B-903.1.

Effective October 1, 2017.

Intro. by Daniel, Barringer.

GS 7B

[View summary](#)

**Courts/Judiciary, Juvenile Law, Abuse, Neglect and
Dependency, Delinquency**

S 575 (2017-2018) **LAND-USE REGULATORY CHANGES**. Filed Mar 30 2017, *AN ACT TO MAKE CHANGES TO THE LAND-USE REGULATORY LAWS OF THE STATE*.

Identical to [H 507](#), filed 3/28/17.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Intro. by Gunn, Wade, Krawiec.

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

[View summary](#)

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

Substantively identical to [H 431](#), filed 3/21/17.

Makes clarifying and technical changes to the definitions set out in GS 93A-1-4 as the terms apply to the North Carolina Appraisers Act. Adds the term evaluation and defines the term to mean a determination as to the value of real estate performed for a federally regulated financial institution in accordance with the Interagency Guidelines. Also adds the term Interagency Guidelines and defines the term to mean the Interagency Appraisal and Evaluation Guidelines issued jointly by the Federal Deposit Insurance Corporation, Federal Reserve System, National Credit Union Administration, Office of Thrift Supervision, and the Office of the Comptroller of the Currency.

Enacts GS 93E-1-15, Evaluations performed by appraisers, authorizing evaluations to be performed by persons licensed or certified by the North Carolina Appraisal Board so long as the evaluation is performed in accordance with the Interagency Guidelines. Requires appraisers performing evaluations to develop and report the evaluations in accordance with the Interagency Guidelines. Clarifies that the appraisers do not have to report evaluations in accordance with Standards 1 and 2 of the Uniform Standards of Professional Appraisal Practice but requires an evaluation report to contain a disclaimer, as specified, if the evaluation is not an appraisal performed in accordance with Standards 1 and 2 of the Uniform Standards of Professional Appraisal Practice.

Intro. by Gunn.

GS 93E

[View summary](#)

Development, Land Use and Housing, Property and Housing

S 579 (2017-2018) [THE CATHERINE A. ZANGA MEDICAL MARIJUANA BILL](#). Filed Mar 30 2017, *AN ACT ESTABLISHING THE NORTH CAROLINA MEDICAL CANNABIS ACT*.

Includes whereas clauses.

Adds new Article 43, "North Carolina Medical Cannabis Act," to GS Chapter 90. Provides broad civil and criminal immunity for a "qualified patient" or a "designated caregiver" for purchasing or possessing cannabis for medical use if the quantity does not exceed an "adequate supply" for the patient as determined by his or her physician. Adequate supply is defined by the Act to, among other things, (1) apply only to cannabis from an intrastate source, (2) limit permitted supply or garden space to amount needed for 3-month period and not more than 24 ounces, (3) limit use to alleviating symptoms or effects of a debilitating medical condition (also defined in the act). Requires the Department of Health and Human Services (DHHS) to issue "registry identification cards" to persons who qualify as qualified patients or designated caregivers, and provides that a card creates a rebuttable presumption of permissible use if the person does not possess more than an adequate supply. Specifies conditions under which provisions of the Act are applicable to minors. Prohibits a school, employer, or landlord from refusing to enroll, employ, or lease to, or to otherwise penalize, a person because of his or her status under the Act or the permissible possession or use of cannabis. Also provides immunity and protection from penalties for licensed producers of medical cannabis and for physicians for conduct consistent with the act. Provides other protections relating to conduct of law enforcement, child custody or visitation, constructive possession, and the unauthorized substances tax.

The Act does not permit a person to control a motor vehicle, aircraft, or motorboat while impaired by cannabis; undertake any task under the influence of cannabis that would constitute negligence or malpractice; or smoke cannabis in a school bus or on public transportation, on school grounds, in a correctional facility, or in any public place in the state. No government-sponsored medical assistance program or private health insurer is required by the Act to cover costs of medical use of cannabis, and an employer is not required to accommodate use in the workplace. Makes fraudulent representation to law enforcement of any fact relating to medical use of cannabis to avoid arrest or prosecution a Class 2 misdemeanor punishable by a fine of up to \$500 and any other applicable penalty. Specifies criteria and procedures for DHHS's issuance or renewal of registry identification cards and requires that DHHS maintain a confidential list of persons to whom cards are issued. Allows DHHS to verify for law enforcement whether a card is valid and to report to law enforcement about falsified or fraudulent information submitted to DHHS. Makes violation of the confidentiality provision a Class 1 misdemeanor, subject to a fine of up to \$1,000.

Directs the Department of Agriculture and Consumer Services to establish a medical cannabis supply system to provide a safe, regulated supply of quality medical cannabis for use by qualified patients with a valid registry identification card and to generate revenue sufficient to maintain and operate the system. Prohibits use of appropriations from the General Fund to establish or

operate the system, which must be funded by authorized fees. Establishes criteria for licensing of medical cannabis supply centers and producers of medical cannabis, as well as for suspending or revoking licenses. Requires the Department of Agriculture and Consumer Services to maintain a confidential list of licensees and specifies when it may release information to law enforcement. Requires the North Carolina Medical Care Commission to adopt rules to implement the supply system, and provides for temporary rules in the interim. Specifies when medical use of cannabis may be asserted as an affirmative defense to a criminal charge. Expresses the General Assembly's intent that the University of North Carolina system undertake scientific research regarding the efficacy and safety of the medical use of cannabis and, subject to approval by the UNC Board of Governors, directs the University to create the North Carolina Cannabis Research Program. Makes conforming changes to GS 106-121 (definitions under Food, Drugs, and Cosmetics Act). Amends GS 105-164.4(a) to impose a privilege tax of 5% on specified cannabis sales.

Effective December 1, 2018.

Intro. by Ford.

GS 90, GS 105, GS 106

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Agriculture and Consumer Services, Department of Health and Human Services, Tax, Health and Human Services, Health

ACTIONS ON BILLS

PUBLIC BILLS

H 2: PROVIDE CERTAIN PROPERTY TAX RELIEF.

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 7: LRC/STRENGTHEN SAVINGS RESERVE.

House: Concurred In S/Com Sub

House: Ordered Enrolled

H 31: MATERIAL FACT DISCLOSURE CLARIFICATIONS.

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 94: EMERGENCY MANAGEMENT/DRONE USE.

House: Reptd Fav Com Substitute

House: Re-ref Com On Transportation

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

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 140: DENTAL PLANS PROVIDER CONTRACTS/TRANSPARENCY.

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 142: RESET OF S.L. 2016-3.

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Placed on Today's Calendar
Senate: Passed 2nd Reading
Senate: Passed 3rd Reading
Senate: Special Message Sent To House
House: Special Message Received For Concurrence in S Com Sub
House: Added to Calendar
House: Added to Calendar
House: Concurred In S/Com Sub
House: Ordered Enrolled
Ratified
Pres. To Gov. 3/30/2017
Signed by Gov. 3/30/2017
Ch. SL 2017-4

H 150: STANDARDS FOR CHIROPRACTIC PEER REVIEW.

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

H 208: OCCUP. THERAPY/CHOICE OF PROVIDER.

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 216: DOC AND JJ COMBINED RECORDS.

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 225: ATTEMPTED ROBBERY IS LESSER INCLUDED.

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 243: STRENGTHEN OPIOID MISUSE PREVENTION (STOP)ACT.

House: Reptd Fav Com Substitute
House: Re-ref Com On Appropriations

H 252: BUILDING CODE REGULATORY REFORM.

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

House: Passed 2nd Reading

House: Passed 3rd Reading

H 284: 25-YEAR LEO RETIREMENT OPTION.

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 302: DODEA/CLINICAL EDUCATORS FOR STUDENT TEACHING.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

H 315: KELSEY SMITH ACT.

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 425: IMPROVE UTILIZATION OF MH PROFESSIONALS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

H 458: SCHOOL ANNUAL REPORT CARD.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 516: RESULTS FIRST FRAMEWORK.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 517: MANDATE WHEELCHAIRS AT OUTPATIENT FACILITIES.

House: Passed 1st Reading

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

H 518: SAFE ACT CHANGES.

House: Passed 1st Reading

House: RefTo Com On Judiciary IV

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

House: Passed 1st Reading

House: RefTo Com On Education - Community Colleges

H 522: CHANGE THE LOST ADJUSTMENT FACTOR.

House: Passed 1st Reading

House: RefTo Com On Finance

H 524: MARINE AQUACULTURE DEVELOPMENT ACT.

House: Passed 1st Reading

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

H 526: DOT/ROADSIDE MEMORIALS.

House: Passed 1st Reading

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

H 527: RESTORE/PRESERVE CAMPUS FREE SPEECH.

House: Passed 1st Reading

House: Ref to the Com on Education - Universities, if favorable, Judiciary I

H 528: TRAFFIC IMPACT ANALYSIS TIME FRAME.

House: Passed 1st Reading

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

H 529: AMEND FUNERAL LAWS.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

H 532: MODIFY UNC LABORATORY SCHOOLS.

House: Passed 1st Reading

House: Ref To Com On Education - Universities

H 533: MODERNIZE SYMBOL OF ACCESS.

House: Passed 1st Reading

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

H 534: COMPUTER CODING COURSE ELECTIVE.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 535: OPERATING FUNDS FOR LINVILLE NURSERY.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 536: INCREASE FUNDING FOR BEHAVIORAL HEALTH SVCS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 537: 2017 GOVERNOR'S BUDGET.

House: Passed 1st Reading

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

H 541: FUNDS/BROADBAND IN FRANKLIN AND NASH COUNTIES.

House: Filed

H 542: ELECTIONS/CITIES IN MORE THAN ONE CO.

House: Filed

H 543: CAREGIVER RELIEF ACT.

House: Filed

H 544: HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS.

House: Filed

H 545: MARINE FISHERIES ADVISORY COMMITTEE REFORMS.

House: Filed

H 546: RABIES QUARANTINE AMENDMENTS.

House: Filed

H 547: CUMBERLAND 12C SUPERIOR COURT DISTRICTS.

House: Filed

S 3: DOT/DMV CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Judiciary

S 8: EASE OCC. LIC. BURDENS ON MILITARY FAMILIES.

House: Reptd Fav

House: Re-ref Com On Finance

S 24: ALLOW RESTAURANTS TO USE OUTDOOR GRILLS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 140: REVISE STATE NATURE AND HISTORIC PRESERVE.

Senate: Passed 2nd Reading

S 154: CHARITABLE FUNDRAISING FOR NONPROFIT ORGS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 155: ECONOMIC & JOB GROWTH FOR NC DISTILLERIES.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

S 156: PLUMBING & HEATING CONTRACTORS CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

Senate: Reptd Fav

S 325: BILLION DOLLAR MIDDLE CLASS TAX CUT.

Senate: Reptd Fav

S 459: SENATE RESOLUTION PERTAINING TO SENATE RULES.

Senate: Adopted

S 460: AGRICULTURE AND FORESTRY NUISANCE REMEDIES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 461: MODIFY UNC LABORATORY SCHOOLS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 462: UNC/UTEACH PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 463: CAREGIVER RELIEF ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 464: INCREASE OVERSIGHT OF OLBS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 465: COURTHOUSE CONCEALED CARRY/ELECTED OFFICIALS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 466: CIHS FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 467: NORTH CAROLINA RETIREMENT REFORM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 468: QZAB USE MODIFICATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 469: PRESERVE MUNICIPAL SOLID WASTE CAPACITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 470: PERSONAL INJURY BANKRUPTCY TRUST CLAIMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 472: STREAMLINE CAP/CDSA SERVICES PILOT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 473: CLASS SIZE REPORTING/PRINCIPAL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 474: A COMMON SENSE REPEAL OF HB2.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 475: LOW-INCOME BUILDING PROJECT-HFA.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 476: TUITION GRANTS FOR NCSSM GRADUATES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 477: FREE HANDICAP PLACARD/CERTAIN ORGANIZATIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 478: STRENGTHEN YOUTH TOBACCO USE PREVENTION/FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 479: AMEND FUNERAL LAWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 480: PROTECTION FROM GOVERNMENT OVERREACH ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 481: WAIVER/PROHIBIT CERTAIN FOODS/SNAP.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 482: CHARTER SCHOOLS IN THE WORKPLACE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 483: NC COMPREHENSIVE SCHOOL ACCOUNTABILITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 484: PARTF FUNDING CONDITIONS AND MATCH.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 485: LIVESTOCK AND WILDLIFE PROTECTION ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 486: UNIFORM VOTING HOURS ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 487: INCREASE ENERGY EFFICIENCY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 488: MOTORCYCLE FINANCING CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 489: CLARIFY WORKERS' COMP. POLICY CANCELLATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 490: PORTABILITY OF LEAVE/CHARTER SCHOOLS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 492: T & U VISA/FEES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 493: C-PACE PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 494: READY MIX CONCRETE MILL SALES TAX EXEMPTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 495: ZOO STATE CONSTRUCTION EXEMPTIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 496: BANKING LAW AMENDMENTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 497: NONPROFIT SALES TAX EXEMPTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 498: HEALTHY FOOD SMALL RETAILER PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 499: CAPITAL FUNDS FOR RESIDENTIAL TBI SERVICES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 500: STRENGTHEN HUMAN TRAFFICKING LAW.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 501: 2017 DOL TECHNICAL CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 502: DOL/CAROLINA STAR PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 503: ONLINE PAPERLESS PISTOL PERMIT MODERNIZATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 504: EDUCATIONAL PROPERTY DEFINITION/FIREARMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 505: ADD MEMBER TO NC TRAINING STANDARDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 506: STUDY NC CRIMINAL JUSTICE SIZE AND EFFICIENCY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 507: RESTORE/PRESERVE CAMPUS FREE SPEECH.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 508: IMPAIRED DRIVING PUNISHMENT/USE OF CAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 509: INSURER INVESTMENT/TRANSACTION CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 510: SURPLUS EQUIPMENT AUCTIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 511: SCHOOL CONSTRUCTION FLEXIBILITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 512: STOP THE REVOLVING DOOR.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 515: NC SKILLS GAP STUDY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 516: STATE EMPLOYEES/PAID PARENTAL LEAVE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 517: NORTH CAROLINA NEW TEACHER SUPPORT ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 519: NCGRADE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 520: EMERGENCY WORKER PROTECTION ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 521: UNC/EQUAL OPPORTUNITY OFFICER.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 522: MANUFACTURED HOME PURCHASE AGREEMENT CHANGES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 523: EMS USE OF UAS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 524: DEPARTMENT OF REVENUE REGISTRATION ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 525: STUDY LEGISLATIVE TERM LIMITS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 527: REQUIRE PHYSICAL EDUCATION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 528: PROMOTE IDEOLOGICAL DIVERSITY - UNC FACULTY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 529: EMS - RECOMMENDATIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 530: PROTECT GOVERNMENT WHISTLEBLOWERS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 531: SCHOOL BOARDS CAN'T SUE COUNTIES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 532: LANDOWNER ENCROACHMENT AND TIMBER THEFT ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 533: MITIGATION SERVICES/DOT.

Senate: Filed

S 534: LEGAL SERVICES RENDERED FOR NONPROFITS.

Senate: Filed

S 535: SERVICE WORKER TAX REDUCTION ACTION.

Senate: Filed

S 536: ELECTIONS/CITIES IN MORE THAN ONE CO.

Senate: Filed

S 537: NORTH CAROLINA EQUAL PAY ACT.

Senate: Filed

S 538: SUDDEN CARDIAC ARREST TASK FORCE.

Senate: Filed

S 539: ENVIRONMENTAL REGULATORY REFORM ACT OF 2017.

Senate: Filed

S 540: COMPUTER CODING COURSE ELECTIVE.

Senate: Filed

S 541: TEACHER COMPENSATION/EXCEED MAX. CLASS SIZE.

Senate: Filed

S 542: PUBLIC SCHOOL BUILDING BOND ACT OF 2017.

Senate: Filed

S 543: HEALTH INSURANCE CLAIMS TRANSPARENCY ACT.

Senate: Filed

S 544: BUSINESS REGULATORY REFORM ACT OF 2017.

Senate: Filed

S 545: STATE NATURE AND HISTORIC PRESERVE ADDS/DELS.

Senate: Filed

S 546: ACCURACY/MEDICAID ELIGIBILITY DETERMINATIONS.

Senate: Filed

S 547: RESTITUTION REMISSION/NOTICE AND HEARING REQ.

Senate: Filed

S 548: STRENGTHEN HUMAN TRAFFICKING LAWS/STUDIES.

Senate: Filed

S 549: JUVENILE REINVESTMENT ACT.

Senate: Filed

S 550: MODERNIZATION OF DRUG COURT PROGRAM.

Senate: Filed

S 551: PROMOTE NC-THINKS.

Senate: Filed

S 552: MODIFY SALES TAX REMITTANCE: BOAT/JET REPAIRS.

Senate: Filed

S 553: REVOKE CONSENT FOR INTERCOURSE.

Senate: Filed

S 554: FAIR REDISTRICTRING/POSTMARK&ABSENTEE BALLOTS.

Senate: Filed

S 555: SANITARY DISTRICTS/IMPACT FEES.

Senate: Filed

S 556: HEALTHY FAMILIES & WORKPLACES/PAID SICK DAYS.

Senate: Filed

S 557: ANNEXATION OF ENCLAVES.

Senate: Filed

S 558: SCHOOL ROAD IMPROVEMENT GRANT PROGRAM.

Senate: Filed

S 559: FINGERPRINTING UPON ARREST.

Senate: Filed

S 560: CITIZEN'S WARRANTS.

Senate: Filed

S 561: EXPUNCTION - CHARGES DISMISSED/NOT GUILTY.

Senate: Filed

S 562: LOCAL FUNDS FOR CHARTER SCHOOLS.

Senate: Filed

S 563: BUSINESS COURT CHANGES.

Senate: Filed

S 564: JUVENILE JUSTICE REINVESTMENT ACT.

Senate: Filed

S 565: PEOPLE FIRST 2017.

Senate: Filed

S 566: POSTPONE ASSUMED NAME REVISIONS.

Senate: Filed

S 567: REFORM/CORRECT/WILLS AND TRUSTS.

Senate: Filed

S 568: NONADEMPTION OF SPECIFIC DEVICES.

Senate: Filed

S 569: UNIFORM POWER OF ATTORNEY ACT.

Senate: Filed

S 570: CHANGES TO THE JUVENILE CODE.-AB

Senate: Filed

S 571: CUSTOMARY AND REASONABLE FEES FOR APPRAISERS.

Senate: Filed

S 572: CONSUMER CREDIT/REVOLVING CREDIT CHARGES.

Senate: Filed

S 573: APPRAISAL ASSIGNMENT MODIFICATIONS.

Senate: Filed

S 574: CONSUMER CREDIT/REVOLVING CREDIT CHARGES.

Senate: Filed

S 575: LAND-USE REGULATORY CHANGES.

Senate: Filed

S 576: REAL ESTATE APPRAISAL CLARIFICATIONS.

Senate: Filed

S 577: CONSUMER CREDIT/DEFAULT CHARGE.

Senate: Filed

S 578: VETERAN-OWNED SMALL BUSINESS/ANNUAL REPORT.

Senate: Filed

S 579: THE CATHERINE A. ZANGA MEDICAL MARIJUANA BILL.

Senate: Filed

LOCAL BILLS

H 45: ROANOKE ISLAND FIRE DISTRICT CHANGES.

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 154: GASTONIA CHARTER REVISIONS.

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 245: AMEND W-S CHARTER/CERTAIN CANDIDATES.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 378: BERTIE/GATES COUNTY/AMBULANCE SERVICE.

House: Passed 2nd Reading

House: Passed 3rd Reading

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

House: Passed 1st Reading

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

H 521: SCHOOL CALENDAR FLEX./UNION COUNTY.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 523: SCHOOL CALENDAR FLEX./LINCOLN COUNTY.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 525: AMENDING BODY-WORN CAMERA PROCEDURES.

House: Passed 1st Reading

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

H 531: DARE COUNTY LOCAL TAX CLARIFICATION.

House: Passed 1st Reading

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

S 6: CORNELIUS ANNEXATION.

House: Passed 1st Reading

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

S 37: ROANOKE ISLAND FIRE DISTRICT CHANGES.

House: Passed 1st Reading

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

S 122: REPEAL CENTERVILLE CHARTER.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 04/04/2017