

The Daily Bulletin: 2017-04-04**PUBLIC/HOUSE BILLS**

H 21 (2017-2018) [DRIVER INSTRUCTION/LAW ENFORCEMENT STOPS](#). Filed Jan 25 2017, *AN ACT TO REQUIRE DRIVER INSTRUCTION ON LAW ENFORCEMENT PROCEDURES DURING TRAFFIC STOPS*.

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

Adds the North Carolina Police Benevolent Association to the entities the Division of Motor Vehicles is to consult with in preparing the description of law enforcement procedures during traffic stops and the actions a motorist should take for inclusion in a driver license handbook pursuant to the proposed changes to GS 20-88.1(d),

Adds the North Carolina Police Benevolent Association to the entities the Department of Public Instruction is to consult with in developing the instruction on law enforcement procedures for traffic stops required to be included in the driver education curriculum pursuant to the proposed changes to GS 115C-215(b).

Intro. by Goodman, Faircloth, McNeill, Earle.

[GS 20, GS 115C](#)

[View summary](#)

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

H 110 (2017-2018) [DOT/DMV CHANGES](#). Filed Feb 15 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*.

House committee substitute makes the following changes to the 1st edition. Deletes Section 10 of the act, which amended continuing education requirements for independent motor vehicle dealers in GS 20-288(a1). Makes organizational changes.

Intro. by Torbett, Iler, Shepard.

[GS 20, GS 136, GS 143](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Public Safety, State Agencies, Department of Transportation, State Government, State Personnel, Health and Human Services, Mental Health, Transportation](#)

H 117 (2017-2018) [PROTECT STUDENTS IN SCHOOLS](#). Filed Feb 15 2017, *AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR PUBLIC SCHOOL PERSONNEL EMPLOYMENT; TO PROVIDE FOR WRITTEN NOTICE PRIOR TO SUSPENDING WITHOUT PAY A TEACHER WHO IS INCARCERATED OR IN CUSTODY; AND TO REQUIRE NOTIFICATION TO THE STATE BOARD OF EDUCATION RELEVANT CRIMINAL HISTORY RELATED TO AN EDUCATOR'S RESIGNATION*.

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

Amends the long title.

Deletes the content of the 1st edition and replaces it, except retains the provision in the 1st edition defining *consumer reporting agency* at GS 115C-238.73(a)(1a).

Amends GS 115C-238.73 (appears to amend GS 115C-332 concerning public schools) and GS 115C-238.73 (regional schools) to define *consumer reporting agency*, and to direct local boards of education to uniformly require applicants for school personnel positions to be checked for criminal history, either by a consumer reporting agency, the Department of Public Safety, or both. Makes the provisions requiring fingerprinting and consent forms from applicants contingent upon the background check being performed by the Department of Public Safety, rather than a consumer reporting agency. Authorizes local boards of education to conditionally employ an applicant while the criminal history check is pending. Directs local boards of education to not employ or contract with individuals who refuse to consent to the criminal history check. Directs local boards of education to adopt policies providing for periodic checks of criminal history of employees by either a consumer reporting agency, the Department of Public Safety, or both. Directs local boards of education to indicate, upon inquiry by any other local board of education, charter school, or regional school, as to the reason for an employee's resignation or dismissal if an employee's criminal history was relevant to the resignation or dismissal.

Repeals GS 115C-218.90(b) (concerning criminal history checks for charter school employees).

Enacts new GS 115C-218.92 (School personnel criminal history checks). Defines terms as they are used in the statute. Directs charter school boards of directors to adopt policies uniformly requiring applicants for school personnel positions to be checked for a criminal history by the Department of Public Safety, a consumer reporting agency, or both, and authorizing the board of directors to grant conditional approval of an application while the board of directors is checking a person's criminal history. Directs boards of directors to refuse to employ or contract with applicants who refuse a criminal history check. Provides for the criminal history check to review the state and national criminal history repositories. Directs boards of directors to review criminal histories it receives, and to determine whether the results indicate that the individual poses a threat, or does not have the integrity or honesty to fulfill duties as school personnel, in making employment and contracting decisions. Directs boards of directors to provide whatever criminal histories they are given to the State Board of Education for it to determine whether the person's teaching license should be revoked. All information received through criminal history checks is privileged information and not a public record, but is for the exclusive use of the board of directors or the State Board of Education. Shields the board of directors, the State Board of Education, and their employees, from liability regarding any act or omission under this statute, except for gross negligence, wanton conduct, or intentional wrongdoing. Creates a Class A1 misdemeanor for applicants who willfully give false information on an employment application under this statute. Authorizes boards of directors to adopt policies providing for uniform periodic criminal history checks of employees by a consumer reporting agency, the Department of Public Safety, or both. Directs boards of directors to indicate, upon inquiry by any other charter school, local board of education, or regional school, whether an employee's criminal history was relevant to the employee's resignation or dismissal.

Amends GS 115C-325(f)(1) and GS 115C-325.5(a) to authorize a superintendent to suspend an incarcerated teacher without pay, without having to meet with the teacher prior to suspension. If the teacher is suspended without a meeting, the superintendent shall provide written notice and opportunity for the teacher to respond in writing.

Amends GS 115C-325(o)(2) and GS 115C325.9(b) to direct local boards of education to report to the State Board of Education the reason for an employee's resignation if criminal history is relevant to the resignation.

Applies to applications for employment received on or after January 1, 2018.

Intro. by Warren, Boswell, Faircloth, Horn.

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Employment and Retirement, Government, State Agencies, Department of Public Safety, State Board of Education

H 128 (2017-2018) [PROHIBIT DRONE USE OVER PRISON/JAIL](#). Filed Feb 16 2017, *AN ACT TO PROHIBIT THE USE OF AN UNMANNED AIRCRAFT SYSTEM NEAR A LOCAL CONFINEMENT FACILITY OR STATE OR FEDERAL CORRECTIONAL FACILITY.*

House committee substitute makes the following changes to the 3rd edition.

Amends proposed GS 15A-300.3, prohibiting the use of an unmanned aircraft system near a confinement or correctional facility. Amends subsection (a) to qualify that a local confinement facility is as defined in GS 153A-217. Makes the same change to the directive to the Division of Aviation of the Department of Transportation to petition the FAA as specified in Section 2 of the act.

Amends subsection (b) to clarify that the distance restrictions of subsection (a) [previously, the provisions of subsection (a)] do not apply to the listed exceptions. Amends the list of exceptions as follows. Amends the exception for a public utility or a provider to also except a commercial entity, provided that the public utility, provider or commercial entity complies with the specified qualifications. Amends those specified qualifications for a public utility, a provider, or a commercial entity to be excepted from the distance restrictions of subsection (a), to now provide: (1) that the unmanned aircraft system remains outside a horizontal distance of 150 feet (was, 100) or a vertical distance of 150 feet (was, 100) from any local confinement facility or State or federal correctional facility; (2) that the entity notifies the official in responsible charge of the facility at least 24 hours prior to operating the unmanned aircraft system (unchanged); (3) that the entity uses the unmanned aircraft system for the purpose of inspecting public utility or provider transmission lines, equipment, or communication infrastructure, or for another purpose directly related to the business of the public utility, provider, or commercial entity (previously, did not include purposes of inspecting communication infrastructure or other purpose directly related to business); (4) that the entity uses the unmanned aircraft system for commercial purposes pursuant to and in compliance with the FAA regulations, authorizations, or exemptions, and Article 10 of GS Chapter 63 (previously did not include Article 10 of GS Chapter 63); and (5) that the person operating the unmanned aircraft system does not physically enter the prohibited space without an escort from the facility (previously not included at all). Adds new exception from the distance restrictions in subsection (a) for an emergency management agency, as defined in GS 166A-19.3, emergency services personnel, firefighters, and law enforcement officers, when using an unmanned aircraft system in response to an emergency.

Amends subsection (c), subdivisions (1), to apply the penalty of a Class H felony and a \$1,500 fine to persons who use an unmanned aircraft system in violation of subsection (a) or pursuant to an exception in subsection (b) (previously, pursuant to an exception in subsection (b) not included), and who delivers or attempts to deliver a weapon to a local confinement facility or State or federal correctional facility.

Amends subsection (c), subdivision (2), to apply the penalty of a Class I felony and a \$1,000 fine to persons who use an unmanned aircraft system in violation of subsection (a) or pursuant to an exception in subsection (b) (previously, pursuant to an exception in subsection (b) not included), and who delivers or attempts to deliver contraband to a local confinement facility or State or federal correctional facility.

Adds new provision to require the Social Services Commission of the Department of Health and Human Services, at the request of the Division of Aviation, to provide the Division of Aviation a list of local confinement facilities, as defined in GS 153A-217, including facility location and a contact person for each facility. Requires the Department of Public Safety, at the request of the Division of Aviation, to provide the Division of Aviation a list of State correctional facilities, including facility location, a contact person for each facility, and each facility's operational status.

Intro. by McNeill, Torbett, Faircloth.

GS 15A

[View summary](#)

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

H 181 (2017-2018) **FIRST RESPONDERS ACT OF 2017**. Filed Feb 22 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS APPLYING TO FIRST RESPONDERS*.

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

Amends the list of persons required to be issued a custody order by the clerk or magistrate taking a respondent into custody for examination by a physician or eligible psychologist under GS 122C-261, to eliminate from the list of persons a security officer employed by the facility or employed by a company contracting with the facility who is present at and assigned to the 24-hour facility or area facility where the respondent is located. Makes conforming and technical change to GS 122C-261(b).

Intro. by Warren, Clampitt, Ford, Potts.

STUDY, GS 14, GS 20, GS 58, GS 105, GS 122C

[View summary](#)

Courts/Judiciary, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Government, Public Safety, State Agencies, Department of Transportation, Tax, Health and Human Services, Mental Health

H 325 (2017-2018) [AMEND ARSON LAW/PROSECUTOR FUNDS](#). Filed Mar 13 2017, *AN ACT TO MODIFY AND STRENGTHEN THE CRIMINAL LAWS REGARDING ARSON AND TO APPROPRIATE FUNDS TO THE CONFERENCE OF DISTRICT ATTORNEYS TO ESTABLISH AND SUPPORT A POSITION FOR A RESOURCE PROSECUTOR.*

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

Changes the act's long title.

Amends GS 58-79-1 to add the Office of the State Fire Marshal to the entities through which the Director of the State Bureau of Investigation is to investigate the cause, origin, and circumstances of every fire occurring in a municipality or county in which property was destroyed or damaged, with special attention as to whether the fire was the result of carelessness or design.
Effective when the act becomes law.

Makes technical changes to effective date provisions.

Intro. by McNeill, Hurley.

[APPROP, GS 14, GS 58](#)

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations

H 414 (2017-2018) [SWAIN COUNTY/OFFICIAL FLY FISHING MUSEUM \(NEW\)](#). Filed Mar 21 2017, *AN ACT DESIGNATING SWAIN COUNTY AS THE HOME TO THE FLY FISHING MUSEUM OF THE SOUTHERN APPALACHIANS.*

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

Amends the act's long and short titles.

Amends and makes technical changes to the whereas clauses related to trout streams and waters in Swain County.

Amends proposed GS 145-49 to designate Swain County as the home of the Fly Fishing Museum of the Southern Appalachians, located in Bryson City in the heart of the Great Smoky Mountains (previously, designated as the official location for trout fishing in the State of North Carolina).

Intro. by Clampitt.

[Swain, GS 145](#)

[View summary](#)

Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Cultural Resources and Museums

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

House committee substitute makes the following changes to the 1st edition. Amends GS 153A-331.1 by amending the documents upon which a performance guarantee can be released to require the sealed certification confirming that the street or road is fully complete and confirms to the approved plans and specifications be completed by a professional engineer of record (was, by the engineer of record).

Intro. by Torbett, Iler, Hastings, Shepard.

[GS 153A](#)

[View summary](#)

[Government, Local Government, Transportation](#)

H492 (2017-2018) [INCREASE PENALTIES FOR CERTAIN ASSAULTS](#). Filed Mar 27 2017, *AN ACT TO INCREASE THE CRIMINAL PENALTIES FOR ASSAULT ON ANY OF THE FOLLOWING PERSONS WHILE THE PERSON IS DISCHARGING OR ATTEMPTING TO DISCHARGE OFFICIAL DUTIES: FIREFIGHTERS, LAW ENFORCEMENT OFFICERS, EMERGENCY MEDICAL TECHNICIANS, MEDICAL RESPONDERS, HOSPITAL PERSONNEL, LICENSED HEALTH CARE PROVIDERS, STATE AND LOCAL GOVERNMENT OFFICERS AND EMPLOYEES, EXECUTIVE OFFICERS, LEGISLATIVE OFFICERS, JUDICIAL OFFICERS, AND ELECTED EXECUTIVE, LEGISLATIVE, AND JUDICIAL OFFICERS.*

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

Deletes proposed amendments to GS 14-33(c), concerning assault and battery as a Class A1 misdemeanor.

Intro. by Clampitt, Saine, Dollar.

[GS 14](#)

[View summary](#)

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

H 549 (2017-2018) [UNC BENCHMARK/REPORTING DATES](#). Filed Apr 4 2017, *AN ACT AUTHORIZING THE BOARD OF GOVERNORS TO SET THE EXPENDITURE BENCHMARK FOR THE PRESIDENT OF THE UNIVERSITY OF NORTH CAROLINA AT AN AMOUNT CONSISTENT WITH THE MAXIMUM BENCHMARK SET FOR CONSTITUENT INSTITUTIONS; AUTHORIZING THE BOARD OF GOVERNORS TO SUBMIT ANNUAL PROGRESS REPORTS ON THE INSTALLATION OF FIRE SPRINKLERS IN RESIDENCE HALLS; AND CHANGING THE DATE BY WHICH THE BOARD OF GOVERNORS SHALL BEGIN REPORTING ANNUALLY THE NUMBER OF STUDENTS WHO GRADUATED FROM EARLY COLLEGE HIGH SCHOOL AND APPLIED FOR ADMISSION TO A CONSTITUENT INSTITUTION.*

Amends GS 116-31.10 to apply the same expenditure benchmark, and accompanying requirements, to the President of the University of North Carolina that currently exist for constituent institutions. Amends GS 143-53.1 to make a conforming change.

Amends SL 2012-142 to require that the Board of Governors submit the currently required fire sprinkler reports on January 1 of each year (currently, on January 1 and July 1).

Amends SL 2015-241, Section 11.16, to require the Board of Governors to first submit the required annual report on cooperative innovative high school program graduates on September 30, 2017 (currently, March 1, 2017).

Intro. by Fraley.

[GS 116, GS 143](#)

[View summary](#)

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

H 550 (2017-2018) [ESTABLISH NEW NURSE LICENSURE COMPACT](#). Filed Apr 4 2017, *AN ACT REPEALING AND REPLACING NORTH CAROLINA'S CURRENT NURSE LICENSURE COMPACT.*

Identical to [H 338](#), filed 3/14/17.

Repeals GS 90-171.80 through GS 90-171.94 (Nurse Licensure Compact).

Enacts new GS 90-171.95 through GS 90-171.95J, as described below.

Specifies legislative findings and the purposes of the nurse licensure compact.

Defines several terms, including alternative program (nondisciplinary monitoring program approved by a licensing board), coordinated licensure information system (CLIS) (integrated process for collecting, storing, and sharing information on nurse licensure and related enforcement activities, administered by a nonprofit organization composed of and controlled by licensing boards), home state (party state which is the nurse's primary state of residence), and party state (any state that has adopted the Compact).

Provides that a multistate license to practice registered or licensed practical/vocational nursing issued by a home state to its resident will be recognized by each party state as authorizing a nurse to practice as a registered nurse (RN) or licensed practical/vocational nurse (LPN/VN) under a multistate licensure privilege. Requires states to implement specified procedures for considering the criminal records of applicants for initial multistate license. Specifies 11 requirements for an applicant to obtain or retain a multistate licensure privilege, including educational and criminal record requirements. Authorizes all party states to take adverse action against a nurse's multistate licensure privilege, and directs states who take such action to promptly notify the administrator of the CLIS. Directs the administrator to promptly notify the home state of any adverse actions by remote states. Requires nurses practicing in a party state to comply with the nursing practice laws of the state where the client is located, and subjects a nurse practicing in a party state under a multistate licensure privilege to the jurisdiction of that state's licensing board, courts, and laws. The Compact does not affect the requirements established by a party state for the issuance of a single-state license. Provides that any nurse holding a home state multistate license, on the effective date of this Compact, may retain and renew the license issued by the nurse's then-current home state, so long as a nurse who changes primary state of residence after the Compact's effective date meets the licensure requirements to obtain a multistate license from a new state, and a nurse whose failure to satisfy the licensure requirements due to a disqualifying event occurring after this Compact's effective date is ineligible to retain or renew a multistate license.

Directs the licensing board in a party state to ascertain, through the CLIS, whether an applicant for a multistate license has ever held a license issued by any other state, whether there are any encumbrances on or adverse actions against a license held by the applicant, and whether the applicant is participating in an alternative program. Directs that a nurse may only hold a multistate license in one party state at a time. Requires a nurse who changes primary state of residence to apply for licensure in the new home state. Authorizes nurses to apply for licensure in advance of a change in primary state of residence, and directs that the new home state not issue a license until the nurse provides satisfactory evidence of a change in primary state of residence and satisfies all applicable multistate license requirements. If a nurse moves from a party state to a nonparty state, the multistate license issued by the prior home state will convert to a single-state license, only valid in the former home state.

Authorizes a licensing board to take adverse action against a nurse's multistate licensure privilege to practice within a party state, to issue cease and desist orders on a nurse's authority to practice within that state, to complete pending investigations of a nurse who changes primary state of residence during the course of an investigation, to issue subpoenas, to obtain and submit fingerprint or other biometric information to the Federal Bureau of Investigation for criminal background checks, to recover from affected nurses the costs of investigations and disposition of cases resulting from adverse actions against that nurse as allowed by state law, and to take adverse action based on the factual findings of a remote state. Provides that adverse actions taken by a home state against a multistate license deactivates the multistate licensure privilege in all other party states. Directs that a home state licensing board must deactivate a multistate licensure privilege for a nurse participating in an alternative program, for the duration of the nurse's participation in the program.

Directs all party states to participate in a CLIS. Directs the Interstate Commission of Nurse Licensure Compact Administrators (Commission) to formulate necessary and proper procedures for the identification, collection, and exchange of information under this Compact. Directs licensing boards to promptly report to the CLIS any adverse action, current significant investigative information, application denials, and participation in alternative programs known to the licensing board. Provides that certain information in the CLIS may be transmitted only to party state licensing boards, and may not be shared with nonparty states or disclosed to other entities, and provides for the expungement of information in the CLIS consistent with state laws. Directs the Compact administrator of each party state to furnish a specified uniform data set to the Compact administrator of each other party state, as well as all investigative documents requested by another party state.

Establishes the Commission. Directs that each party state has one administrator (the head of the state licensing board or designee), entitled to one vote with regard to the promulgation of rules and creation of bylaws. Directs that the commission meets at least once during each calendar year, with additional meetings held consistent with the Commission's rules and bylaws. Meetings are open and public, and require public notice. Authorizes the Commission to meet in a closed, nonpublic meeting to discuss any of ten specified topics, including the noncompliance of a party state with its Compact obligations, and employment matters. Directs the Commission to keep minutes of a closed meeting, and to provide a summary of actions taken, and the reasons therefor,

including a description of the views expressed, to be kept under seal subject to release by a majority vote of the Commission or court order. Directs the Commission to prescribe bylaws and rules to govern its conduct, including the establishment of the Commission's fiscal years, procedures for calling and conducting meetings, and other topics. Directs the Commission to publish its bylaws and rules on its website. Directs the Commission to maintain its financial records, and to meet and take actions consistent with the Compact and its bylaws. Delegates fifteen powers to the Commission, including the power to adopt rules to facilitate the administration of the Compact, having the force of binding law on all party states, to bring and prosecute legal proceedings in its name, and to borrow money. Directs the Commission to pay for the reasonable expenses of its establishment, organization, and activities. Authorizes the Commission to levy and collect annual assessments from party states to cover the costs of its operations. Directs the Commission not to incur obligations prior to securing the funds adequate to meet them. Directs the Commission to keep accurate accounts of all receipts and disbursements, subject to annual audit. Provides that the administrators, officers, executive director, employees, and representatives of the Commission are immune from suit and liability for any claim arising within the scope of Commission employment, duties, or responsibilities, except for intentional, willful, or wanton misconduct, and directs the Commission to defend against any such suit against its administrators and so forth and to indemnify and hold harmless any such administrator and so forth for the amount of any settlement or judgment obtained against that person arising from the scope of their Commission employment, duties, or responsibilities.

Directs the Commission to exercise its rule-making powers subject to the criteria set forth in this Article and the rules adopted thereunder. Directs that rules have the same force and effect as provisions of this Compact. Directs that rules or amendments are to be adopted at regular or special meetings of the Commission. Requires 60 days' notice of the promulgation and adoption of a final rule by the Commission, including the time, date, and location of the meeting at which the rule will be considered and voted upon, the text of and reason for the proposed rule, a request for comments, and the manner of submitting comments. Directs Commission to allow the public to submit written data, facts, opinions, and arguments, and to hold a public hearing prior to adopting a rule, as specified. Directs the Commission to consider all written and oral comments received, and to take final action on the proposed rule by majority vote of all administrators. Allows the consideration and adoption of an emergency rule without prior notice, opportunity for comment, or hearing, so long as the usual rule-making procedures described above are retroactively applied to the rule as soon as reasonably possible, and no later than 90 days after the effective date of the rule. Defines emergency rules as those that must be adopted to meet an immediate threat to public health, safety, or welfare, to prevent a loss of Commission or party state funds, or to meet a deadline for the promulgation of an administrative rule that is required by federal law or rule. Authorizes the Commission to direct technical revisions to a previously adopted rule, subject to posting on the Commission's website, and challenge by any person within 30 days of posting, as specified.

Directs each party state to enforce and effectuate the Compact. Authorizes the Commission to receive service of process and have standing in any proceeding that may affect the powers, responsibilities, or actions of the Commission. Directs the Commission to provide written notice to any state that defaults on its Compact obligations of the nature of the default, the proposed means of curing the default, and any other Commission actions, and to provide remedial training and assistance regarding the default. Directs that a state that fails to cure a default may be terminated from membership in the Compact by a majority vote of the administrators. Termination shall only be imposed after all other means of securing compliance have been exhausted, and requires notice of intent to terminate to be given to the governor of the defaulting state, the executive officer of the defaulting state's licensing board, and each of the party states. Holds a terminated state responsible for all assessments, obligations, and liabilities incurred through the effective date of termination. Directs that the Commission does not bear any costs related to a state found to be in default, except as agreed upon in writing. Authorizes appeal by the defaulting state to the US District Court for the District of Columbia, or the federal district in which the Commission has its principal offices. Authorizes attorneys' fees for the prevailing party. Directs Commission to attempt to resolve disputes between party states related to the compact, and between party states and nonparty states. Directs Commission to promulgate a rule providing for mediation and binding dispute resolution. Authorizes party states to submit issues unresolvable by the Commission to an arbitration panel, composed of individuals appointed by the Compact administrator in each of the affected party states, and an individual mutually agreed upon by the Compact administrators of all the party states involved in the disputes, to be resolved by a decision of a majority of the arbitrators. Directs the Commission to enforce the provisions and rules of the Compact. Authorizes the Commission to initiate legal action in the US District Court for the District of Columbia, or the district in which the Commission has its principal offices against a party state in default to enforce compliance.

Directs that the Compact is effective and binding on the date that 26 or more states enact the Compact, or December 31, 2018, whichever is earlier. Directs that all party states that were also party states to the prior Nurse Licensure Compact are deemed to have withdrawn from that prior compact within six months after the effective date of this compact. Directs each party state to continue to recognize a nurse's multistate licensure privilege to practice in that party state under the prior compact, until the party

state has withdrawn from the prior compact. Authorizes party states to withdraw from the Compact by legislatively repealing it. Legislative repeal may not take effect until six months after enactment of the repealing statute. Withdrawal does not affect the state's licensing board's continuing requirement to report adverse actions and investigations prior to the effective date of the withdrawal. The Compact does not invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a nonparty state that is made in accordance with the other provisions of this Compact. Authorizes amendments to the Compact, but prevents amendments to the Compact from taking effect until enacted by all party states.

Contains liberal construction and severability clauses.

Directs the North Carolina Board of Nursing to report to the Revisor of Statutes when the Compact has been enacted by 26 member states.

Effective upon the earlier of when at least 26 states have enacted the Compact, or December 31, 2018.

Intro. by Szoka, Adcock, Boswell, White.

GS 90

[View summary](#)

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

H 551 (2017-2018) **STRENGTHENING VICTIMS' RIGHTS**. Filed Apr 4 2017, *AN ACT TO AMEND THE LAW AND CONSTITUTION OF NORTH CAROLINA TO PROVIDE BETTER PROTECTIONS AND SAFEGUARDS TO VICTIMS*.

Subject to voter approval at the statewide election in November 2018, amends Section 37 of Article I of the NC Constitution to amend the rights of victims of crime as follows.

Amends subsection (1) of Section 37, which delineates the basic rights of victims of crime. Eliminates all "prescribed by law" language in the existing detailed rights. Amends the following rights to now provide: (1) the right, upon request, to reasonable and timely notice of, and to be present at criminal and juvenile proceedings of the accused (currently, the right as prescribed by law to be informed of and to be present at court proceedings of the accused); (2) the right to be heard at sentencing or disposition of the accused and at any proceedings involving release, plea, parole, and during which a right of the victim is implicated (currently, the right to be heard at sentencing of the accused in a manner prescribed by law and at other times as prescribed by law or deemed appropriate by the court); (3) the right to receive full and timely restitution from the defendant (currently, the right as prescribed by law to receive restitution); and (4) the right, upon request, to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence (currently, the right as prescribed by law, and does not specify the victim is to request to receive notifications). Additionally, adds three rights to the list: (1) the right to reasonable protection from the accused or anyone acting at the direction of the accused, (2) the right to proceedings free from unreasonable delay and a prompt conclusion of the case, and (3) the right to be treated with fairness and respect for the victim's dignity and privacy.

Adds new subsection (1a) permitting the victim, the victim's next of kin, the victim's attorney, or other lawful representative, or the attorney for the government upon request of the victim, to assert and seek enforcement of the rights enumerated in subsection (1) and any other right afforded to the victim by law in any trial or appellate court, or before any other authority, with jurisdiction over the case. Directs the court or other authority to act promptly on a request. Provides that the victim does not have party status, and that the court is not to appoint an attorney for the victim under this subsection. Clarifies that nothing in this subsection alters the powers and responsibilities of the District Attorney.

Adds new subsection (1b) to define *victim* to include any person directly and proximately harmed by the commission of a felony, sexual offense, domestic criminal trespass, stalking offense, offense involving a violation of a protective order, or any offense in which assault or threats are an element, or a person against whom such an offense is committed. Provides that the term does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor, or incapacitated victim.

Makes conforming changes to subsection (2). Eliminates the provision permitting the General Assembly to provide other remedies to ensure adequate enforcement of the provisions of Section 37. Further, expands the provision clarifying that nothing

in Section 37 creates a claim for money damages against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof, to include officers thereof.

If approved, effective January 1, 2019.

Intro. by Dollar, R. Turner, Destin Hall, Earle.

CONST

[View summary](#)

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

H 552 (2017-2018) **GENERAL CONTRACTOR LICENSING AMENDMENTS**. Filed Apr 4 2017, *AN ACT TO UPDATE THE LAWS PERTAINING TO LICENSING OF GENERAL CONTRACTORS*.

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

Intro. by Brody.

GS 87

[View summary](#)

Business and Commerce, Occupational Licensing

H 553 (2017-2018) **LANE DEPARTURE DRIVER EDUCATION CURRIC./STUDY**. Filed Apr 4 2017, *AN ACT TO DIRECT THE DEPARTMENT OF PUBLIC INSTRUCTION TO STUDY THE ADVISABILITY OF ADDING LANE DEPARTURE TO THE ACTUAL*

DRIVING PORTION OF THE DRIVER EDUCATION CURRICULUM.

Requires the Department of Public Instruction (DPI) to coordinate with the Department of Transportation, and study whether to add lane departure to the actual driving portion of the driver education curriculum. Sets out what must be included in the study, including the advisability of adding an element to the driver education curriculum that would allow students participating in the actual driving portion of the course to experience lane departure and learn to avoid overcorrection, and the practicality of teaching students to respond to situations of lane departure during the actual driving portion of the driver education course. Requires that at least one representative from the North Carolina Driver and Traffic Safety Education Association, one instructor employed by a private driving school, and one public school teacher who is certified in driver education be involved in the study. Requires DPI to report its findings and recommendations to the Joint Legislative Education Oversight Committee by March 1, 2018.

Intro. by White.

STUDY

[View summary](#)

Courts/Judiciary, Motor Vehicle, Education, Elementary and Secondary Education, Government, State Agencies, Department of Public Instruction, Department of Transportation

H 554 (2017-2018) **FINES AND FORFEITURES/PAYMENT TO SCHOOLS.** Filed Apr 4 2017, *AN ACT TO DIRECT EXCESS RECEIPTS IN THE CIVIL PENALTY AND FORFEITURE FUND TO BE TRANSFERRED TO THE SCHOOL TECHNOLOGY FUND IN THE SAME FISCAL YEAR TO BE USED TOWARD PAYMENT OF THE 2008 COURT JUDGMENT ON CIVIL PENALTIES, FINES, AND FORFEITURES AND TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS TO SATISFY THE REMAINDER OF THE JUDGMENT.*

Includes whereas clauses.

Amends GS 115C-457.3 by adding requiring that any funds in excess of the appropriation made by the General Assembly under the statute (which requires the General Assembly to appropriate moneys in the Civil Penalty and Forfeiture Fund in the Current Operations Appropriations Act to the State Public School Fund for allotment by the State Board of Education, on behalf of the counties, to local school administrative units on a per pupil basis) for a fiscal year in the Current Operations Appropriations Act to be transferred to the School Technology Fund established in the same fiscal year in which the excess funds are collected.

Specifies that in any fiscal year in which excess funds are transferred to the School Technology Fund under new GS 115C-457.3(c), those funds must be allocated to local school administrative units to be credited toward the remaining judgment ordered in *North Carolina School Boards Association v. Moore*, 98 CVS 14158 (Wake County) until that judgment has been satisfied.

Requires the Legislative Research Commission (Commission) to study ways the State of North Carolina shall satisfy the remainder of the judgment ordered in *North Carolina School Boards Association v. Moore*, including sources of funding to satisfy the judgment and a time line for payments to be made that does not exceed a 10-year period. Requires the Commission to report the results of its study and its recommendations to the 2017 General Assembly.

Intro. by Saine.

STUDY, GS 115C

[View summary](#)

Education, Elementary and Secondary Education, Government, Budget/Appropriations, General Assembly

H 555 (2017-2018) **FUNDS/STREET GANG PREVENTION & INTERVENTION.** Filed Apr 4 2017, *AN ACT TO APPROPRIATE FUNDS TO THE GOVERNOR'S CRIME COMMISSION OF THE DEPARTMENT OF PUBLIC SAFETY FOR STREET GANG VIOLENCE PREVENTION AND INTERVENTION PROGRAMS.*

Appropriates \$20 million for 2017-18 from the General Fund to the Governor's Crime Commission (Commission) of the Department of Public Safety to provide grants for street gang violence prevention and intervention programs based on eligibility

criteria developed by the Commission, including a matching requirement of 25% and presentation of a written plan for the services to be provided by the funds. Requires that funds be available to public and private entities or agencies for juvenile or adult programs that meet the Commission's criteria. Requires the Commission to report on the uses of the funds by April 1, 2018, to the House of Representatives Appropriations Committee on Justice and Public Safety, the Senate Appropriations Committee on Justice and Public Safety, and the Fiscal Research Division. Effective July 1, 2017.

Intro. by Michaux.

APPROP

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Public Safety, State Agencies, Department of Public Safety

H 556 (2017-2018) **OFFICE OF EARLY CHILDHOOD EDUCATION**. Filed Apr 4 2017, *AN ACT TO ESTABLISH THE OFFICE OF EARLY CHILDHOOD EDUCATION*.

Enacts new Article 6D in GS Chapter 115C, creating an Office of Early Childhood Education (Office), to be located in, but acting independently of, the Department of Public Instruction (DPI). Specifies Office staffing and requires that the Superintendent of Public Instruction appoint the chief academic officer. Sets out provisions concerning staff salaries. Give the Office the power to (1) develop and implement a plan for a coordinated system of early care, education, and child development services with a focus on program outcomes in satisfying the health, safety, developmental, and educational needs of all children from birth to eight years, that includes specified components; (2) implement a statewide longitudinal evaluation of the educational progress of children from prekindergarten programs through grade three; and (3) collaborate with DPI, the Department of Health and Human Services (DHHS), and other relevant agencies to achieve the goal of a coordinated system of early care, education, and child development services for children from birth to eight years of age. Requires the Office to report quarterly to the Governor, State Board of Education, Superintendent, and the Secretary of DHHS on progress and implementation of any of the Office's duties and responsibilities.

Amends GS 126-5(c1) by adding the chief academic officer of the Office to the list of those individuals exempt from GS Chapter 126, the North Carolina Human Resources Act.

Requires that the Office study the governance of State government-wide management and provision of services for early childhood education and development and the role of a centralized agency or office that would be responsible for early childhood-related issues. Requires that the Office make recommendations to the General Assembly on alternative organizational structures to achieve greater efficiency and effective delivery of early childhood services. Specifies 11 items that must be considered in the study, including the coordination of home visitation services across programs for young children, the coordination of a comprehensive statewide system of professional development for providers and staff of early care and education and child development programs and services, and integration of early childhood care and education and special education services. Requires the Office to report by March 15, 2018, to the Joint Legislative Education Oversight Committee, the Joint Legislative Oversight Committee on Health and Human Services, and the Joint Legislative Commission on Governmental Operations on the results of the study, including its recommendations and any proposed legislation, and progress on the development and implementation of a plan for a coordinated system of early care, education, and child development services and any other activities under new GS 115C-64.26.

Requires the Superintendent of Public Instruction to appoint a chief academic officer of the Office within 60 days of the date this act becomes law.

Requires that the Office submit its initial quarterly report to the Governor, the State Board of Education, the Superintendent of Public Instruction, and the Secretary of the Department of Health and Human Services by May 15, 2018.

Specifies that the act becomes effective July 1, 2017, only if funds are appropriated in a Current Operations Appropriations Act for the 2017-18 fiscal year to implement the provisions of this act.

Intro. by Horn, Hurley, Lucas, L. Bell.

STUDY, GS 115C

H 557 (2017-2018) **MITIGATION SERVICES AMENDMENTS**. Filed Apr 4 2017, *AN ACT TO ENCOURAGE THE PROVISION OF MITIGATION SERVICES BY THE PRIVATE SECTOR*.

Identical to [S 611](#) filed on 4/4/17.

Amends GS 143-214.11 (Division of mitigation services; compensatory mitigation). Deletes the provision requiring compensatory mitigation to be coordinated by the Department of Environmental Quality (Department), and the provision requiring mitigation to be consistent with the basinwide restoration plans. Requires all compensatory mitigation to advance the functional improvement goals identified in any applicable basinwide restoration plan. Clarifies that the statute does not allow the Division of Mitigation Services to acquire land by condemnation. Provides that permit applicants shall satisfy compensatory mitigation requirements by participating in a private compensatory mitigation bank approved by the US Army Corps of Engineers, so long as the Department or the US Army Corps of Engineers has approved the use of the bank. If the Department or the US Army Corps of Engineers determines that it is not practicable for an applicant to satisfy compensatory mitigation requirements through a private compensatory mitigation bank, then an applicant may satisfy compensatory mitigation requirements by payment of a fee or by permittee-responsible mitigation. Deletes the other currently-authorized methods of mitigation. Deletes subsection (d1), concerning compensatory mitigation options for non-government entities. Directs the North Carolina Environmental Management Commission (Commission) to establish a schedule of compensatory mitigation fees for mitigation credits purchased by permit applicants, to be based on the actual costs to generate the credits, and not the currently described basis regarding ecological functions and values. Directs compensatory mitigation banks to register with the Division of Mitigation Services, and directs the Department to provide public access to the required information in their registration on their website.

Enacts new GS 143-214.16 (Limit Division of Mitigation Services fee in lieu of mitigation acceptance in certain river basins). Directs the Division of Mitigation Services to develop a program to increase the State's ability to utilize private mitigation banks to satisfy compensatory mitigation requirements. Provides requirements for the program.

Directs the Commission to adopt temporary rules by October 1, 2017, to implement new GS 143-214.16 and to set a revised schedule of mitigation fees consistent with amended GS 143-214.11(e), to remain in effect until permanent rules become effective. Effective when the bill becomes law.

Except as otherwise provided, effective October 1, 2017.

Intro. by Millis, McElraft, Bradford.

[GS 143](#)

[View summary](#)

Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality (formerly DENR)

H 558 (2017-2018) **STUDY/TEXTING WHILE DRIVING ENFORCEMENT**. Filed Apr 4 2017, *AN ACT DIRECTING THE DEPARTMENT OF JUSTICE AND PUBLIC SAFETY TO STUDY HOW TO IMPROVE ENFORCEMENT OF THE LAWS PROHIBITING THE UNLAWFUL USE OF A MOBILE PHONE WHILE OPERATING A MOTOR VEHICLE*.

Directs the Department of Justice and Public Safety, in consultation with the Department of Transportation (DOT), the Conference of District Attorneys, the Administrative Office of the Courts (AOC), the NC Sheriffs' Association, and the NC Association of Chiefs of Police, to study how to improve enforcement of the laws prohibiting the unlawful use of a mobile phone while operating a motor vehicle. Details the required contents of the study, including a survey of how other states address the unlawful use of a mobile phone while operating a motor vehicle including any relevant laws. Directs the Department of Justice and Public Safety to report its findings and recommendations to the Joint Legislative Oversight Committee on Justice and Public Safety and the Joint Legislative Transportation Oversight Committee by March 1, 2018.

Intro. by Ross, Faircloth, Hardister, McNeill.

[STUDY](#)

[View summary](#)

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

H 559 (2017-2018) [OUTDOOR HERITAGE ENHANCED](#). Filed Apr 4 2017, *AN ACT TO EXPAND THE USE OF FIREARMS FOR HUNTING OF WILD ANIMALS AND UPLAND GAME BIRDS ON SUNDAY AND TO ALLOW HUNTING OF MIGRATORY BIRDS ON SUNDAY*.

Amends GS 103-2 (Method of take when hunting on Sunday). Authorizes landowners, landowners' family members, and persons with written permission from the landowner, subject to rules established by the Wildlife Resources Commission, to hunt wild animals and upland game birds with firearms on Sunday on the landowner's property, subject to the following limitations: the use of a firearm to take deer that are run or chased by dogs on Sunday is prohibited, and hunting on Sunday within 500 yards of a place of worship or a residence not owned by the landowner is prohibited between 9:30 AM and 12:30 PM. Provides that hunting on Sunday is allowed on licensed controlled hunting reserves at any time. Any current restrictions not listed above are deleted. Authorizes persons, subject to rules established by the Wildlife Resources Commission, to hunt wild animals and upland game birds with firearms on Sunday on public lands of the State managed for hunting, subject to the same provisions listed above. Authorizes the hunting of migratory birds on Sunday on private and public lands, and public waters, subject to rules adopted by the Wildlife Resources Commission. Further subjects persons who hunt in a manner prohibited by Wildlife Resources Commission rules to the Class 3 misdemeanor for hunting in violation of this statute. Exempts military reservations, Wildlife Resources Commission field trials, and self-defense. Authorizes wildlife protectors to enforce this statute. Effective when the rules below become effective.

Directs the Wildlife Resources Commission to adopt permanent rules to regulate the time and location of Sunday hunting of migratory birds, using the procedure and time lines for temporary rules, subject to review by the Rules Review Commission, effective as provided by GS 150B-21.3(b).

Intro. by Millis, J. Bell.

[GS 103](#)

[View summary](#)

[Animals](#)

H 560 (2017-2018) [I/DD SERVICES WAITING LIST TRANSPARENCY](#). Filed Apr 4 2017, *AN ACT TO PROVIDE GREATER TRANSPARENCY REGARDING THE REGISTRY OF UNMET NEEDS FOR THE NORTH CAROLINA INNOVATIONS WAIVER AND THE WAITING LIST FOR STATE-FUNDED INTELLECTUAL AND DEVELOPMENTAL DISABILITY SERVICES*.

Identical to [S 608](#), filed 4/4/17.

Requires each Local Management Entities/Managed Care Organization (LME/MCO), beginning October 1, 2017, to twice yearly, give the Department of Health and Human Services (DHHS) the number of individuals within the LME/MCO's catchment area who are on the Registry of Unmet Needs for the North Carolina Innovations Waiver and who are on the waiting list for State-funded intellectual and developmental disability (I/DD) services. Specifies eight pieces of information that must be provided for those individuals, including age, current living arrangements, and length of time the individual has been on at least one of the two waiting lists. Requires that the information be provided to DHHS by April 1 and October 1 of each year. No later than January 1 of each year requires DHHS to report that consolidated, redacted, information to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Fiscal Research Division. Specifies that reports from LME/MCOs and from DHHS are required under this section until behavioral health services for Medicaid recipients are no longer excluded from capitated Prepaid Health Plan contracts.

Intro. by Malone, Dobson, Lambeth.

[UNCODIFIED](#)

[View summary](#)

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

H 561 (2017-2018) [SANITARY DISTRICTS/IMPACT FEES](#). Filed Apr 4 2017, *AN ACT AUTHORIZING SANITARY DISTRICTS TO IMPOSE IMPACT FEES FOR FUTURE MAINTENANCE AND EXPANSION OF THE WORK OF THE DISTRICT.*

Identical to [S 555](#), filed 3/30/17.

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 Wray.

[GS 130A](#)

[View summary](#)

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

H 562 (2017-2018) [ENHANCED PENALTY FOR SECOND DEGREE TRESPASS](#). Filed Apr 4 2017, *AN ACT TO INCREASE THE PENALTY FOR SECOND DEGREE TRESPASS ONTO CERTAIN PREMISES.*

Amends GS 14-159.13 (Second degree trespass) to provide that violations of this statute are Class 1 misdemeanors instead of Class 3 misdemeanors if the offense occurs in a multi-occupancy bathroom, shower, or changing facility. Effective December 1, 2017, and applies to offenses committed on or after that date.

Intro. by Brenden Jones, Murphy, Grange, Malone.

[GS 14](#)

[View summary](#)

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

H 563 (2017-2018) [WHOLE WOMAN'S HEALTH ACT](#). Filed Apr 4 2017, *AN ACT REPEALING LAWS IN CONFLICT WITH THE UNITED STATES SUPREME COURT DECISION IN WHOLE WOMAN'S HEALTH V. HELLERSTEDT.*

Identical to [S 588](#) filed on 4/4/17.

Includes whereas clauses.

Establishes that the act is to be known as The Whole Woman's Health Act.

Renames GS 14-45.1 to When abortion not unlawful; abortion statistics; abortion opt-out for health care providers (currently, When abortion not unlawful).

Amends GS 14-45.1, establishing that is it not unlawful to advise, procure, or cause a miscarriage or abortion when the procedure is performed by a health care provider operating within his or her scope of practice (current law provides that is is not unlawful, during the first 20 weeks of a woman's pregnancy, to advise, procure, or cause a miscarriage or abortion when the procedure is performed by a qualified physician licensed to practice medicine in NC in a hospital or clinic certified by the Department of Health and Human Services to be a suitable facility for the performance of abortions).

Establishes that it is not unlawful, after the twentieth week of a woman's pregnancy, to advice, procure, or cause a miscarriage or abortion when the procedure is performed by a qualified physician licensed to practice medicine in NC in a hospital or clinic licensed or certified by the Department of Health and Human Services (currently, only when the procedure is performed by a

qualified physician licensed to practice medicine in NC in a hospital licensed by the Department and there is a medical emergency as defined in GS 90-21-81(5)).

Deletes subsection (b1), which required qualified physician's advising, procuring, or causing a miscarriage or abortion after the sixteenth week or twentieth week of a woman's pregnancy to record certain information or analysis and provide that information to the Department of Health and Human Services.

Deletes subsection (g), which defined qualified physician to mean (1) a physician who possesses, or is eligible to possess, board certification in obstetrics or gynecology; (2) a physician who possesses sufficient training based on established medical standards in safe abortion care, abortion complications, and miscarriage management, or (3) a physician who performs an abortion in a medical emergency as defined by GS 90-21.81(5).

Makes conforming changes.

Enacts Article 1L, Access to Abortion to GS Chapter 90, establishing that a State law or regulation that places a burden on a woman's access to abortion is unenforceable if the law or regulation does not confer legitimate health benefits when considering the burdens imposed by the law or regulation on abortion access together with the benefits conferred by the law or regulation. Establishes that a State law or regulation places a burden on access to abortion if the law: (1) forces abortion providers to cease providing abortions; (2) increases the time a woman must wait to have an abortion; (3) requires a meaningful increase in the distance a woman must travel to access care; (4) requires medically unnecessary visits to a health care facility or clinic; (5) requires a health care provider to perform a medical service that the provider would not otherwise perform; (6) increases the risk to a woman's health; (7) causes a meaningful increase in the cost of a procedure; (8) serves no purpose other than to stigmatize patients and abortion providers; or (9) serves no purpose or effect other than to decrease or eliminate access to abortion. Establishes that a State law or regulation confers a legitimate health benefit if it (1) expands women's access to medically accurate, comprehensive, and unbiased health care services; or (2) increased patient safety, according to evidence-based research.

Repeals Articles 1I (Woman's Right to Know Act) and 1K (Certain Abortions Prohibited) of GS Chapter 90.

Effective October 1, 2017.

Intro. by Fisher, Cunningham, Meyer, B. Richardson.

GS 14, GS 90

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health

H 565 (2017-2018) **MODIFY COMPOSITION/911 BOARD**. Filed Apr 4 2017, *AN ACT TO MODIFY THE COMPOSITION OF THE 911 BOARD*.

Amends GS 143B-1401 to add three members to the 911 Board within the Department of Information Technology, each member being an individual currently managing a PSAP appointed upon the recommendation of the North Carolina Emergency Management Association, with one individual appointed by the Governor from the Central Branch, one appointed by the Speaker of the House of Representatives from the Western Branch, and one appointed by the President Pro Tempore of the Senate from the Eastern Branch, based on the branches defined by the North Carolina Division of Emergency Management.

Effective July 1, 2017.

Intro. by Clampitt.

GS 143B

[View summary](#)

Government, Public Safety

H 567 (2017-2018) **STUDY HEXAVALENT CHROMIUM IN GROUNDWATER**. Filed Apr 4 2017, *AN ACT TO STUDY ADVERSE IMPACTS ON DRINKING WATER OF RESIDENTS IN DIVIDED NEIGHBORHOODS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS*.

Amends GS 130A-309.211 to direct the Department of Environmental Quality to conduct a study of the distribution and levels of hexavalent chromium in the groundwater beneath a divided neighborhood (as defined) to determine if all households in the partially impacted neighborhood should receive a permanent replacement water supply. Makes technical changes.

Intro. by Bumgardner.

[STUDY, GS 130A](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality \(formerly DENR\), Health and Human Services, Health, Public Health](#)

PUBLIC/SENATE BILLS

S 68 (2017-2018) [STUDENT ATTENDANCE/PAGE PROGRAM RECOGNITION](#). Filed Feb 9 2017, *AN ACT TO ENCOURAGE LOCAL BOARDS OF EDUCATION TO ADOPT STUDENT ATTENDANCE RECOGNITION PROGRAMS AND TO PROVIDE THAT STUDENTS SERVING AS LEGISLATIVE OR GOVERNOR'S PAGES SHALL BE ELIGIBLE FOR PARTICIPATION IN THESE PROGRAMS.*

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

To be summarized.

Intro. by D. Davis, Barefoot.

[View summary](#)

S 140 (2017-2018) [REVISE STATE NATURE AND HISTORIC PRESERVE](#). Filed Feb 28 2017, *AN ACT TO ALLOW THE INSTALLATION OF A PUBLIC SAFETY TELECOMMUNICATIONS FACILITY IN CHIMNEY ROCK STATE PARK.*

Senate amendment makes the following change to the 1st edition:

Includes lands and waters within Chimney Rock State Park as of May 2, 2017 (current law May 6, 2014, 1st edition April 4, 2017) within the State Nature and Historic Preserve.

Intro. by Hise.

[GS 143](#)

[View summary](#)

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

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 2nd edition.

Amends proposed GS 87-21(l) to additionally exclude a residential energy service network (RESNET) certified home energy rater from the provisions of Article 2 of GS Chapter 87 to the extent the person does not claim to be a plumbing or heating contractor and is not acting in the capacity of a plumbing or heating contractor in the course of the person's duties.

Intro. by Tucker.

[GS 87](#)

[View summary](#)

**Business and Commerce, Occupational Licensing,
Development, Land Use and Housing, Building and
Construction**

S 299 (2017-2018) **HABITUAL IMPAIRED DRIVING/10-YEAR PERIOD**. Filed Mar 15 2017, *AN ACT TO ADJUST HOW THE TEN-YEAR PERIOD FOR DETERMINING WHETHER A PERSON COMMITTED THE OFFENSE OF HABITUAL IMPAIRED DRIVING IS CALCULATED.*

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

Provides that time spent incarcerated should only be excluded from the 10-year period determining the offense of habitual impaired driving if the incarceration was for an offense involving impaired driving.

Intro. by J. Jackson, Newton, Britt.

GS 20

[View summary](#)

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

S 308 (2017-2018) **AMEND VARIOUS DWI STATUTES**. Filed Mar 16 2017, *AN ACT TO PROVIDE THAT THE STATUTE OF LIMITATIONS FOR MISDEMEANORS IS SATISFIED IF CHARGED WITHIN TWO YEARS OF THE OFFENSE AND TO PROVIDE THAT THE RESULTS OF HGN TESTS SHALL BE ADMISSIBLE WHEN GIVEN BY A PERSON WHO HAS SUCCESSFULLY COMPLETED HGN TRAINING AND THE TEST IS ADMINISTERED IN ACCORDANCE WITH THE PERSON'S TRAINING.*

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

Amends the long title.

Deletes the proposed provision in GS 15-1 tolling that statute of limitations during the time a misdemeanor is dismissed with leave.

Deletes the proposed provision in GS 8C-1, Rule 702, requiring an expert witness on the issue of impairment to have administered a drug influence evaluation.

Intro. by J. Davis.

GS 8C, GS 15

[View summary](#)

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

S 584 (2017-2018) **PILOT PROJECT: TABLETS FOR INMATES**. Filed Apr 4 2017, *AN ACT TO DIRECT THE DIVISION OF ADULT CORRECTION TO DEVELOP AND IMPLEMENT A PILOT PROJECT TO ALLOW ADULT OFFENDERS AND JUVENILES WHO ARE IN GOOD STANDING TO HAVE ACCESS TO COMPUTER TABLETS FOR THE PURPOSE OF CONTINUING EDUCATION, BEHAVIORAL MODIFICATION, AND REHABILITATIVE PROGRAMMING IN PREPARATION FOR REENTRY INTO SOCIETY.*

Directs the Division of Adult Correction (Division) of the Department of Public Safety to establish and implement a pilot project to allow adult offenders and juveniles who (1) are on good behavior and (2) are within two years from their projected release date to have access to computer tablets. Provides that those eligible are to have access to computer tablets for the purposes of taking continuing education classes, vocational classes, parenting classes, domestic violence or anger management classes, and other programs approved by the Division. Establishes that the Division is to determine what databases are accessible from the tablets. Sets forth that the purpose of the project is to prevent recidivism by allowing adult offenders and juveniles to build educational credentials, participate in prerelease planning and preparations activities, build social support in the outside community, and expose adult offenders and juveniles to updated technology prior to release.

Directs the Division to select one or more State correctional institutions, youth development centers, and residential treatment facilities to implement the pilot project. Further directs the Division to use available funds to conduct the pilot project during the 2016-17 and 2017-18 fiscal years.

Directs the Division to report on the results of the pilot project to the 2019 Regular Session of the General Assembly upon its convening.

Intro. by McKissick, Bishop, Britt.

STUDY

[View summary](#)

Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Corrections (Sentencing/Probation)

S 585 (2017-2018) **STUDY INTERGOVERNMENTAL RELATIONS**. Filed Apr 4 2017, *AN ACT TO REQUIRE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE RELATIONSHIP AMONG FEDERAL, STATE, AND LOCAL GOVERNMENT POWERS, DUTIES, AND RESPONSIBILITIES*.

Directs the Legislative Research Commission (LRS) to authorize a Joint Committee to study the relationship between and limitations and powers of the federal government, the State, and local governments in this State, and to provide legislative recommendations, to be reported to the LRC no later than April 15, 2018.

Effective July 1, 2017.

Intro. by Wells.

STUDY

[View summary](#)

Government, General Assembly, State Government, Local Government

S 586 (2017-2018) **REQUIRE U.S. CIVICS TEST IN HIGH SCHOOLS**. Filed Apr 4 2017, *AN ACT TO REQUIRE A HIGH SCHOOL CIVICS TEST IDENTICAL TO THE CIVICS PORTION OF THE U.S. NATURALIZATION TEST*.

Amends GS 115C-81(g) to require the administration of a statewide test in high school civics classes, identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services, with passage of the test required to pass the course. Provides for exceptions to accommodate individualized education programs, and for a notation of passage on high school transcripts. Deletes language applying the question requirements in subdivision (4) beginning with the 2016-17 school year.

Amends GS 115C-218.85 to set out the same requirements in charter schools.

Applies beginning with students entering the ninth grade in the 2017-18 school year.

Intro. by Ballard, Tillman, Brock.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

S 587 (2017-2018) **TAX RETURNS UNIFORMLY MADE PUBLIC ACT**. Filed Apr 4 2017, *AN ACT REQUIRING A CANDIDATE FOR PRESIDENT OR VICE PRESIDENT OF THE UNITED STATES TO FILE THE CANDIDATE'S FEDERAL INCOME TAX RETURN BEFORE THE CANDIDATE'S NAME APPEARS ON THE GENERAL ELECTION BALLOT*.

Amends GS 163-209, pertaining to the names of presidential electors printed on ballots, by enacting new subsection (a1) establishing that the name of a candidate for President or Vice President can appear on the general election ballot only if the candidate has filed with the State Board of Elections (Board), no later than 70 days before the date of the general election, (1) a

copy of the candidate's federal income tax returns for the five years preceding the year of the general election and (2) written consent, in form prescribed by the Board, for the public disclosure of the candidate's federal income tax returns required by new subsection (a1). Directs the Board to make the federal income tax returns submitted under new subsection (a1) publicly available on the State Board of Elections website within seven days after filing. Requires the Board, in consultation with the Secretary of the Department of Revenue or the Secretary's designee, to redact any personal information or other information the Secretary or the designee determines must be kept confidential by law. Expressly prohibits a candidate's name from being printed on the official general election ballot if the candidate for President or Vice President fails to timely file the federal income tax returns and written consent with the Board as required under new subsection (a1). Makes conforming changes to GS 163-209(a) and GS 163-165.5(a)(3). Applies to elections held on or after the date the act becomes law.

Intro. by Chaudhuri.

GS 163

[View summary](#)

Government, Elections, Tax

S 588 (2017-2018) **WHOLE WOMAN'S HEALTH ACT**. Filed Apr 4 2017, *AN ACT REPEALING LAWS IN CONFLICT WITH THE UNITED STATES SUPREME COURT DECISION IN WHOLE WOMAN'S HEALTH V. HELLERSTEDT*.

Includes whereas clauses.

Establishes that the act is to be known as The Whole Woman's Health Act.

Renames GS 14-45.1 to When abortion not unlawful; abortion statistics; abortion opt-out for health care providers (currently, When abortion not unlawful).

Amends GS 14-45.1, establishing that is it not unlawful to advise, procure, or cause a miscarriage or abortion when the procedure is performed by a health care provider operating within his or her scope of practice (current law provides that is is not unlawful, during the first 20 weeks of a woman's pregnancy, to advise, procure, or cause a miscarriage or abortion when the procedure is performed by a qualified physician licensed to practice medicine in North Carolina in a hospital or clinic certified by the Department of Health and Human Services to be a suitable facility for the performance of abortions).

Establishes that it is not unlawful, after the twentieth week of a woman's pregnancy, to advice, procure, or cause a miscarriage or abortion when the procedure is performed by a qualified physician licensed to practice medicine in North Carolina in a hospital or clinic licensed or certified by the Department of Health and Human Services (currently, only when the procedure is performed by a qualified physician licensed to practice medicine in North Carolina in a hospital licensed by the Department and there is a medical emergency as defined in GS 90-21-81(5)).

Deletes subsection (b1), which required qualified physician's advising, procuring, or causing a miscarriage or abortion after the sixteenth week or twentieth week of a woman's pregnancy to record certain information or analysis and provide that information to the Department of Health and Human Services.

Deletes subsection (g), which defined qualified physician to mean (1) a physician who possesses, or is eligible to possess, board certification in obstetrics or gynecology; (2) a physician who possesses sufficient training based on established medical standards in safe abortion care, abortion complications, and miscarriage management; or (3) a physician who performs an abortion in a medical emergency as defined by GS 90-21.81(5).

Makes conforming changes.

Enacts Article 1L, Access to Abortion to GS Chapter 90, establishing that a State law or regulation that places a burden on a woman's access to abortion is unenforceable if the law or regulation does not confer legitimate health benefits when considering the burdens imposed by the law or regulation on abortion access together with the benefits conferred by the law or regulation. Establishes that a State law or regulation places a burden on access to abortion if the law: (1) forces abortion providers to cease providing abortions, (2) increases the time a woman must wait to have an abortion, (3) requires a meaningful increase in the distance a woman must travel to access care, (4) requires medically unnecessary visits to a health care facility or clinic, (5) requires a health care provider to perform a medical service that the provider would not otherwise perform, (6) increases the risk to a woman's health, (7) causes a meaningful increase in the cost of a procedure, (8) serves no purpose other than to stigmatize patients and abortion providers, or (9) serves no purpose or effect other than to decrease or eliminate access to abortion.

Establishes that a State law or regulation confers a legitimate health benefit if it (1) expands women's access to medically accurate, comprehensive, and unbiased health care services or (2) increases patient safety, according to evidence-based research.

Repeals Articles 1I (Woman's Right to Know Act) and 1K (Certain Abortions Prohibited) of GS Chapter 90.

Effective October 1, 2017.

Intro. by Chaudhuri, Van Duyn, Bryant.

GS 14, GS 90

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health

S 589 (2017-2018) **FANTASY SPORTS REGULATION**. Filed Apr 4 2017, *AN ACT TO REQUIRE REGISTRATION OF FANTASY SPORTS CONTEST OPERATORS WITH THE DEPARTMENT OF THE SECRETARY OF STATE*.

Identical to [H 279](#), filed 3/8/17.

Enacts new GS 78E-1, and captions new GS Chapter 78E as Fantasy Sports Contests.

Defines several terms, including *fantasy contest* (an online fantasy or simulated game or contest in which an entry fee is charged and the value of prizes offered to winners is established and made known to the participants in advance; winning outcomes reflect the relative knowledge and skill of the participants, determined by accumulated statistical results of the performance of individuals; and winning outcomes are not based on the score, point spread, or any performance of any single actual team or combination of teams or any individual athlete or player in any single actual event) and *operator* (a person or entity that offers fantasy contests to members of the public, not including internet service providers or mobile data service providers merely as a result of that entity's transporting general traffic).

Prohibits fantasy contests from being offered unless the operator has been registered with the Department of the Secretary of State (Department).

Directs the Department to register applicants if the applicant (1) submits an application including six specified pieces of identifying information; (2) submits evidence that the operator has established commercially reasonable procedures for fantasy contests that are intended to achieve eight listed goals, including preventing participation in the contest by the operator and its employees and family and preventing the co-mingling of player funds from operational funds; and (3) submits an initial registration fee of 10% of the operator's gross fantasy contest revenues from the previous calendar year, not to exceed \$10,000, and not to be less than \$2,500. Directs that registrations expire five years after issuance or renewal, and directs the Department to renew the registration of an operator that submits a completed application and renewal fee equal to the lesser of \$5,000 or 10% of the operator's net revenue from the previous calendar year. Authorizes operators applying for registration who have been in continuous operation in the State for at least 180 days as of the effective date of the act to continue to offer fantasy contests until 60 days after applications for registration are published by the Department, and authorizes operators who have applied for registration during that 60-day period to continue to operate while registration is pending. Authorizes the Department to require an applicant to suspend operations upon reasonable cause to believe that the operator may be in violation of GS Chapter 78E until registration is issued or denied. Directs the Department to issue a registration within 60 days of receipt of application, or to provide the operator with justification for not issuing a registration within that time.

Authorizes the Department to deny, revoke, or suspend a registration upon determination that an operator, or any of its officers, partners, principal stockholders, or directors, has (1) knowingly made a false statement of material fact or has deliberately failed to disclose requested information; (2) committed an illegal, corrupt, or fraudulent act, practice, or conduct in connection with any fantasy contest in any jurisdiction, or has been convicted of a felony, crime of moral turpitude, or any criminal offense involving dishonesty or breach of trust within 10 years prior to the date of application; (3) knowingly failed to comply with GS Chapter 78E or Department requirements; (4) defaulted on any obligation or debt to the State; or (5) failed to be qualified to do business in the State or is not subject to the jurisdiction of State courts. Authorizes the Department to suspend or revoke an operator's registration after hearing with 30 days' notice, where a violation of GS Chapter 78E is found by a preponderance of the evidence. Authorizes the Department to assess a civil penalty up to \$1,000 for any violation of GS Chapter 78E, limited to \$10,000 for a continuing violation, to be remitted to the Civil Penalty and Forfeiture Fund. Authorizes the Department to revoke a registration if

it finds that facts not known by it at the time of application indicate that a registration should not have been issued. Authorizes the Department to take emergency action to suspend a registration for a period not to exceed seven business days to protect the public health, safety, and welfare, pending a hearing and final determination, and directs the Department to give the operator five business days' notice of the date, time, and place of the hearing. Directs the Department to give written notice of any denial, suspension, or revocation of registration, or of any civil penalty. Authorizes an operator to seek review under GS Chapter 150B.

Directs a registered operator to file an annual report with the Department indicating compliance with GS Chapter 78E, conduct an independent financial audit and submit a copy to the Department at least every two years, notify the Department of material changes to information provided in registration applications, and notify the Department if the operator ceases to offer fantasy contests in the State.

Directs any person who acquires a controlling interest of a registered operator to register with the Department. Authorizes the operator to continue to operate during the registration period. Authorizes the Department to suspend the operation of any fantasy contest until the registration is issued or denied.

Authorizes the Department to carry out the provisions of GS Chapter 78E, and to adopt rules necessary to carry out GS Chapter 78E. Authorizes the Department to apply to superior court for an injunction to restrain persons from violating GS Chapter 78E or the Department's rules. Directs the Department to bring actions under this statute in the county where the operator maintains its principal place of business or where the alleged acts occurred. Authorizes the Department to investigate any operator, upon reasonable cause, to determine whether a violation of GS Chapter 78E has occurred.

Directs that reports, data, or documents submitted to the Department under the audit requirements, and records containing information about the character or financial responsibility of the operator or its principal stockholders submitted under the application requirements, are confidential and not public records.

Clarifies that fantasy contests under GS Chapter 78E are not gambling, lotteries, gaming, or any activity prohibited by GS Chapter 14, GS Chapter 16, or GS Chapter 19, or any other provision of law, and that prize money for a fantasy contest is not part of a gaming contract under GS Chapter 16.

Clarifies that the statute does not limit an operator from controlling or conducting its contests, or from providing uniform gameplay platforms for players in multiple jurisdictions.

Amends GS 18B-500 to authorize alcohol law enforcement agents to enforce GS Chapter 78E, and to serve and execute notices, orders, or demands issued by the Secretary of State under GS Chapter 78E.

Effective January 1, 2018.

Intro. by Gunn, Blue, Lee.

[GS 18B, GS 78E](#)

[View summary](#)

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

S 590 (2017-2018) [NC CONSUMER FIREWORKS SAFETY ACT](#). Filed Apr 4 2017, *AN ACT TO PERMIT THE SALE, POSSESSION, AND DISCHARGE OF CERTAIN CONSUMER FIREWORKS AND TO LEVY AN EXCISE TAX ON THE SALES OF CONSUMER FIREWORKS*.

Amends GS 14-410 to establish that it is permissible for pyrotechnics that are consumer fireworks to be advertised, sold, used, transported, handled, or discharged within the State, so long as the advertising, sale, use, transportation, handling, or discharge comply with Part 2 of Article 82A of GS Chapter 58, enacted below. Changes the age to which it is unlawful to sell pyrotechnics, establishing that it is unlawful for any individual, firm, partnership, or corporation to sell pyrotechnics as defined in GS 14-414(2), (3), (4)c., (5), or (6) to persons under the age of 18 (currently, under the age of 16). Makes conforming changes to the statute's title.

Recodifies GS 58-82A-1 through GS 58-82A-55 as Part 1 of Article 82A of GS Chapter 58, and names it Display Pyrotechnics Training Permitting and enacts new Part 2, Consumer Fireworks, as follows. Defines *consumer fireworks* to mean any small fireworks device designed primarily to produce visible effects by combustion or deflagration that (1) is categorized as a 1.4G firework device under Standard 87-1 of the American Pyrotechnics Association and (2) complies with the construction, chemical

composition, and labeling regulations of the US Consumer Product Safety Commission, as set forth in the CFR, volumes 16 and 49. Makes conforming change to amend GS 14-410(c), to define *consumer fireworks* as the term is defined in GS 58-82A-80(1) (as just described), unless otherwise excluded by the Commissioner under the authority granted in GS 58-82A-105, described below. Defines other terms applicable to new Part 2.

Places the following conditions on the possession and use of consumer fireworks: (1) the person possessing or using the consumer fireworks must be at least 18 years old; (2) the use of consumer fireworks may occur only between the hours of 10 am and 10 pm except for other specified times on July 4th and December 31st and the following January 1st; (3) the discharge of consumer fireworks is prohibited in or on the premises of a public or private primary or secondary school unless the person has received written authorization from the school; on the campus of a college or university unless the person has received written authorization from the college or university; and within 1,500 feet of a hospital, veterinary hospital, licensed child care center, fireworks retailer, fireworks distributor, gas station, or bulk storage facility for petroleum products or other explosive or flammable substances; and (4) the possession or discharge of consumer fireworks is prohibited in or on the premises of any public park or public space, except as otherwise permitted by the person, state agency, or unit of local government owning or otherwise controlling the park, property, or space.

Prohibits selling consumer fireworks or ground and handheld sparkling devices and novelties without a permit from a county or city authorized to issue retail fireworks and sparkling device permits. Sets out conditions that must be met for permits to be issued to a person to operate a fireworks retailer or a sparkling device retailer and establishes permit fees. Prohibits a county or city from restricting or excluding the transportation of consumer fireworks across or through the county or city.

Sets out conditions that must be contained in any permit issued for a fireworks retailer or consumer fireworks distributor, and the additional conditions that must be contained in any permit issued for a consumer fireworks permanent retailer. Requires a permit issued to an incidental sparkling device retailer or a sparkling device temporary retailer to allow the sale of ground and handheld sparkling devices and novelties only, and to require compliance with NFPA standards applicable to those sales. Defines NFPA standards to mean Standard 1124 of the National Fire Protection Association, 2006 edition, as it applies to the retail sale or distribution of consumer fireworks, except as provided in Part 2.

Sets out provisions concerning the power of the Commissioner of Insurance to exclude certain types or categories of pyrotechnics from the definition of consumer fireworks so long as the determination is evidence-based, and prohibiting the use of consumer fireworks during declared hazardous forest fire conditions.

Establishes that GS 14-415 (violations of the prohibition on the manufacture, sale and use of pyrotechnics) and GS 58-2-70 (Civil penalties or restitution for violations; administrative procedure) apply to violations of Part 2. Authorizes the Commissioner, a State law enforcement officer, a municipal law enforcement officer, a code enforcement officer, or a fire safety official to petition the district court to seize or remove, at the expense of the permit holder, fireworks sold, offered for sale, stored, possessed or used in violation of Part 2. Authorizes the Commissioner or a permitting authority to suspend or revoke the license if a permittee is found guilty of (1) selling fireworks or explosives not defined in Chapter 83 of Standard 87-1 of the American Pyrotechnics Association or (2) selling fireworks without a valid permit. Alternatively, or additionally, authorizes the Commissioner or permitting authority to order the payment of the civil penalty that is no less than \$1,000 and no more than \$10,000. Sets out factors the Commissioner or local permitting authority is to consider in determining the amount of the penalty. Directs the clear proceeds of the penalty to be remitted to the Civil Penalty and Forfeiture Fund in accordance with GS 115C-457.2. Clarifies that payment of the civil penalty is to be in addition to payment of any other penalty for a violation of state criminal laws.

Authorizes the permitting authority, by majority vote, to suspend the permit of a person authorized to sell consumer fireworks or sparkling devices for engaging in: (1) selling consumer fireworks or sparkling devices within the State without a valid permit; (2) selling consumer fireworks or sparkling devices to a person who appears to be under the influence of alcohol or drugs; or (3) knowingly aiding or assisting in procuring, furnishing, giving, selling, or delivering consumer fireworks or sparkling devices to a person under the age of 18. Provides that it is an affirmative defense to any disciplinary action taken pursuant to this provision that the permit holder procured, furnished, gave, sold, or delivered consumer fireworks or sparkling devices to a person under the age of 18 in reasonable reliance upon fraudulent proof of age presented to the permit holder. Sets forth that a person whose permit has been suspended under this provision must receive a hearing before the applicable body within 10 days of the suspension, and if the suspension is upheld, the person can seek judicial review in superior court.

Enacts new GS 153A-130.1 and GS 160A-190.1 allowing counties and cities to, by ordinance, regulate the use and sales of consumer fireworks and sparkling devices to the public. Prohibits application of a county ordinance regulating the use and sales

of consumer fireworks and sparkling devices to the public to a city located within the county that has adopted a city ordinance to regulate the use and sales of consumer fireworks and sparkling devices to the public.

Enacts Article 2E to Subchapter I of GS Chapter 105, requiring an excise tax to be levied on consumer fireworks at the rate of 5% of the cost price of the products. Establishes that a person who sells consumer fireworks at retail is subject to and liable for this tax. Sets forth other provisions pertaining to tax on consumer fireworks, including filing monthly reports, discounts for timely filing a report and timely paying the tax, refunds, recordkeeping, and use of the tax. Applies to the cost price paid for fireworks on or after July 1, 2017.

Effective July 1, 2017.

Intro. by Brock, Gunn.

[GS 14, GS 58, GS 105](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Tax](#)

S 591 (2017-2018) [SITE AND BUILDING DEVELOPMENT FUND](#). Filed Apr 4 2017, *AN ACT TO CREATE A FUND TO PROVIDE LOANS TO LOCAL GOVERNMENT UNITS FOR THE DEVELOPMENT OF SITES AND BUILDINGS*.

Enacts new GS 143B-437.022 to create the Site Building and Development Fund (Fund), as a restricted reserve in the Department of Commerce (Department). Provides that the Fund can be used only for providing loans to local government units for the acquisition and development of qualified business facilities, as specified, and for expenses directly related to the operation of the Fund as well as the administration of the approved loans from the Fund, including the costs of the required development plan.

Sets out and defines the terms to be used for the Fund, including *development plan*, *nonprofit economic development corporation*, and *qualified business facilities*. Requires local governments to submit an application for a project to be considered for a loan from the Fund. Directs the Department to prescribe the form of the application, application process, and the information necessary to evaluate the qualified business facility. Requires the Department to develop written guidelines to identify and evaluate qualified business facilities as well as issue written findings for any application approved for a loan. Sets out five factors the Department must consider in approving loan applications, including consistency with the economic development goals of the State and of the area where the qualified business facility will be located, and the necessity of a loan from the Fund for the completion of the qualified business facility.

Requires the Department to obtain a strategic analysis of potential qualified business facilities (Development Plan) and requires the analysis to be updated every four years. The Department must also contract with an entity having demonstrated experience in site selection services for business as well as experience in evaluating sites for business recruitment purposes.

Requires the Department to determine the amount of the loan awarded from the Fund, preferred form, details of the loan participation, and safeguards to protect the State's investment. Sets the maximum outstanding loan balance from the Fund to qualified business facilities located in tier three counties, based on the designation assigned pursuant to GS 143B-437.08, to be 30% of the differences between the cumulative total appropriations into the Fund and the total expenses paid from the Fund.

Sets out five loan terms that all loans from the Fund must meet, including that the loan is evidenced by a promissory note and secured by a first deed of trust, that the maximum duration of the loan is 15 years, and that the interest rate will be 0% for tier one counties, 1% for tier two counties, and 2% for tier three counties. Allows one or more financial institutions to hold a security interest in the property with priority equal to the security interest for the loan if there is a written intercreditor agreement that provides that any loss, in the event of default, is shared proportionately among the creditors. Provides the Department is responsible for monitoring the loan and repayment and must remit all amounts paid to the Fund. Allows the Department discretion to release property from the first deed of trust and restructure the terms of the loan if adequate security remains for the outstanding balance.

Requires the Department to publish the guidelines for qualified business facilities at least 20 days before the effective date of any guidelines. Directs that the guidelines be published on the Department's Web site and notice be provided to persons who have

requested it. Also requires written comments on proposed guidelines to be accepted during the 15 business days that begin after the Department has completed specified notice requirements.

Requires the Department to submit a written report on the Fund to the Joint Legislative Commission on Governmental Operations on September 1 of each year, until the Fund has no assets. The report must also be posted on its website. Sets out what the report, at a minimum, must contain, including lists of all outstanding loans and loan information, written findings that address applications approved for loans, and details about any defaults and repayment.

Amends GS 150B-1(d) to exempt the Department from rulemaking requirements in regards to developing criteria and guidelines as specified above. Further provides that the provisions of this bill are not subject to the terms found in GS 160A-20, concerning security interest of cities and towns.

Establishes that this act does not obligate the General Assembly to appropriate funds to implement the act.

Intro. by Gunn, Horner, McInnis.

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

[View summary](#)

[Business and Commerce, Development, Land Use and Housing, Building and Construction, Community and Economic Development, Government, APA/Rule Making, Budget/Appropriations, State Agencies, Department of Commerce, State Government, State Personnel, Local Government](#)

S 592 (2017-2018) [SMALL BUSINESS ACCESS TO CAPITAL ACT](#). Filed Apr 4 2017, *AN ACT TO INCREASE ACCESS TO CAPITAL FOR SMALL BUSINESSES BY APPROPRIATING FUNDS TO THE CAROLINA SMALL BUSINESS DEVELOPMENT FUND.*

Appropriates \$5 million for 2017-18 and \$5 million for 2018-19 from the General Fund to the Carolina Small Business Development Fund to increase small business lending and business services across the State. Requires that the Carolina Small Business Development Fund report on the use of the funds. Effective July 1, 2017.

Intro. by Gunn, Ford.

[APPROP](#)

[View summary](#)

[Business and Commerce, Government, Budget/Appropriations](#)

S 593 (2017-2018) [ARBITRATION AND MEDIATION FOR BUSINESS COURT](#). Filed Apr 4 2017, *AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF AN ARBITRATION AND MEDIATION PROGRAM FOR THE NORTH CAROLINA BUSINESS COURT.*

Enacts new GS 7A-45.6 (Arbitration and mediation programs for Business Court). Directs the Director of the Administrative Office of the Courts (Director) and the Chief Justice to establish an arbitration program within the North Carolina Business Court, and to determine the form of appeal for nonbinding arbitrations in cases arbitrated under that program. Authorizes, but does not direct, the Director to establish a mediation program for the Business Court.

Intro. by Barringer, Lee, Newton.

[GS 7A](#)

[View summary](#)

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

S 594 (2017-2018) [FAMILY/CHILD PROTECTION & ACCOUNTABILITY ACT](#). Filed Apr 4 2017, *AN ACT TO REFORM THE CHILD WELFARE SYSTEM IN THIS STATE; IMPROVE ACCOUNTABILITY AND STATE OVERSIGHT OF THE CHILD WELFARE SYSTEM; REQUIRE THE STATE TO DEVELOP A PLAN FOR A REGIONAL SYSTEM OF SOCIAL SERVICES DEPARTMENTS;*

ESTABLISH A CHILD WELL-BEING TRANSFORMATION COUNCIL TO IMPROVE COORDINATION, COLLABORATION, AND COMMUNICATION AMONG CHILD-SERVING AGENCIES; ESTABLISH A PILOT PROGRAM TO HELP YOUTH IN SUBSTITUTE CARE OBTAIN DRIVERS LICENSES; ESTABLISH A PILOT PROGRAM TO AUTHORIZE A WAIVER OF THE EMPLOYMENT REQUIREMENT FOR FOSTER PARENTS OF CHILDREN RECEIVING INTENSIVE ALTERNATIVE FAMILY TREATMENT; REDUCE THE TIME FRAME A PARENT HAS TO APPEAL FROM A TERMINATION OF PARENTAL RIGHTS ORDER; AND REDUCE THE TIME FRAME FOR LICENSURE APPROVAL REGARDING FOSTER CARE.

Includes whereas clauses.

Directs the Department of Health and Human Services (DHHS) to develop a plan for creating no more than 30 regional social services departments. Requires DHHS to submit a preliminary plan to the legislature by January 15, 2019, and a final plan by March 31, 2019. If DHHS fails to meet the deadline for the final plan, the legislature shall develop the plan. The plan must provide for implementation of the regional system by January 1, 2022.

Directs the School of Government at the University of North Carolina at Chapel Hill to convene a Social Services Regionalization Working Group (Working Group) to develop recommendations regarding the Department's plan. Specifies the membership of the Working Group, authorizes the co-chairs to appoint ad hoc subcommittees, and details the issues that the group must consider. Requires the Working Group to submit an interim report by June 30, 2018, and a final report by December 1, 2018. Appropriates \$48,400 in FY 2017-18 and \$24,700 in FY 2018-19 from the General Fund to the School of Government. Also appropriates from the General Fund to DHHS \$38,039 in FY 2017-18 and \$16,303 in FY 2018-19 for reimbursement of expenses related to the Working Group. Appropriations effective July 1, 2017.

Directs the Office of State Budget and Management (OSBM), in consultation with DHHS, to contract with an outside organization to evaluate the state's child welfare system, develop a plan for reforming the system, and provide ongoing evaluation and oversight of the state's implementation of the reform plan. Specifies issues that the outside organization must address in its evaluation and reform plan. Requires the outside organization to develop a Dashboard, which must be a standard set of performance and outcome metrics that indicate how effectively the child welfare system is working. Directs DHHS to conduct a comprehensive review of all child welfare policies and update them as appropriate to conform with changes in the system related to both regionalization and child welfare reform. Requires that all drafts of revised policies must be reviewed by the outside organization. Requires OSBM, DHHS, and the outside organization to submit several reports to the legislature throughout the contracting, reform, and policy review processes. Appropriates \$3.1 million from the General Fund to DHHS to implement the requirements related to child welfare reform. Appropriation effective July 1, 2017.

Amends GS 108A-74 to establish a new system for state oversight of administration of child welfare programs at the local level. Directs DHHS to establish performance and outcome metrics for child welfare programs and requires local social services agencies to meet mandated performance requirements aligned with those metrics. If a local social services agency fails to meet the requirements, DHHS and the local agency must enter into a corrective action plan. If a local social services agency fails to complete the corrective action plan, DHHS must temporarily assume administration of all or part of the agency's child welfare program. Authorizes DHHS to restore administrative responsibilities to the local agency once the Secretary determines that the agency will be able to meet performance requirements. Effective six months after all 100 counties have implemented the child welfare component of the North Carolina Families Accessing Services through Technology (NCFAST) system.

Creates new GS Chapter 143, Article 81, establishing the Child Well-Being Transformation Council (Council). Provides that the Council will serve as a means for coordination, collaboration, and communication among private and public organizations involved in providing public services to children. New GS 143-775 specifies composition requirements, appointing authorities, and terms. Requires that initial members be appointed on or after July 1, 2018. New GS 143-776 outlines the powers and duties of the Council. Directs the Council to focus initially on the child protective services system but authorizes the Council to expand beyond child protective services after 2022. Requires the Council to submit annual reports to the legislature. Appropriates \$12,692 in FY 2018-19 from the General Fund to the Legislative Services Commission to support the Council. All provisions related to the Council, including the appropriation, are effective July 1, 2017.

Directs DHHS to establish a two-year pilot program to reimburse costs associated with obtaining a driver's license, including education, fees, and insurance, for older youth who are in substitute care. Directs DHHS to report to the legislature by March 1, 2018. Appropriates to DHHS \$75,000 for FY 2017-18 and \$75,000 for FY 2018-19. All provisions related to this pilot program are effective July 1, 2017.

Directs DHHS to establish a pilot program that allows for a waiver of the requirement that foster parents maintain outside employment if the foster home is utilizing Intensive Alternative Family Treatment (IAFT). DHHS shall solicit participation in the pilot from local management entities/managed care organizations (LME/MCOs). Participating LME/MCOs must compare specified outcome data for foster youth utilizing IAFT who are participating in the pilot with those who are not. LME/MCOs must submit reports to DHHS and DHHS must submit a report to the legislature by December 1, 2018.

Amends GS 7B-1001(a)(5) to shorten the amount of time a parent has to appeal orders entered pursuant to GS 7B-906.2(b) (concurrent permanent plans) from 180 days to 65 days.

Amends GS 131D-10.3 to add a new paragraph (d1) requiring DHHS to grant or deny a license to provide foster care or therapeutic foster care within three months of the date of application. Also directs DHHS to further examine the system for processing these applications to further reduce the time frames.

Except as otherwise provided above, provisions are effective when they become law.

Intro. by Barringer, Harrington, Tucker.

[APPROP, UNCODIFIED, GS 7B, GS 108A, GS 131D, GS 143](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Motor Vehicle, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, State Government, Executive, Local Government, Health and Human Services, Social Services, Child Welfare](#)

S 595 (2017-2018) [STRENGTHENING VICTIMS' RIGHTS](#). Filed Apr 4 2017, *AN ACT TO AMEND THE LAW AND CONSTITUTION OF NORTH CAROLINA TO PROVIDE BETTER PROTECTIONS AND SAFEGUARDS TO VICTIMS*.

Identical to [H 551](#) filed on 4/4/17.

Subject to voter approval at the statewide election in November 2018, amends Section 37 of Article I of the NC Constitution to amend the rights of victims of crime as follows.

Amends subsection (1) of Section 37, which delineates the basic rights of victims of crime. Eliminates all "prescribed by law" language in the existing detailed rights. Amends the following rights to now provide: (1) the right, upon request, to reasonable and timely notice of, and to be present at criminal and juvenile proceedings of the accused (currently, the right as prescribed by law to be informed of and to be present at court proceedings of the accused); (2) the right to be heard at sentencing or disposition of the accused and at any proceedings involving release, plea, parole, and during which a right of the victim is implicated (currently, the right to be heard at sentencing of the accused in a manner prescribed by law and at other times as prescribed by law or deemed appropriate by the court); (3) the right to receive full and timely restitution from the defendant (currently, the right as prescribed by law to receive restitution); and (4) the right, upon request, to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence (currently, the right as prescribed by law, and does not specify the victim is to request to receive notifications). Additionally, adds three rights to the list: (1) the right to reasonable protection from the accused or anyone acting at the direction of the accused; (2) the right to proceedings free from unreasonable delay and a prompt conclusion of the case; and (3) the right to be treated with fairness and respect for the victim's dignity and privacy.

Adds new subsection (1a) permitting the victim, the victim's next of kin, the victim's attorney, or other lawful representative, or the attorney for the government upon request of the victim, to assert and seek enforcement of the rights enumerated in subsection (1) and any other right afforded to the victim by law in any trial or appellate court, or before any other authority, with jurisdiction over the case. Directs the court or other authority to act promptly on a request. Provides that the victim does not have party status, and that the court is not to appoint an attorney for the victim under this subsection. Clarifies that nothing in this subsection alters the powers and responsibilities of the District Attorney.

Adds new subsection (1b) to define victim to include any person directly and proximately harmed by the commission of a felony, sexual offense, domestic criminal trespass, stalking offense, offense involving a violation of a protective order, or any offense in

which assault or threats are an element, or a person against whom such an offense is committed. Provides that the term does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor, or incapacitated victim.

Makes conforming changes to subsection (2). Eliminates the provision permitting the General Assembly to provide other remedies to ensure adequate enforcement of the provisions of Section 37. Further, expands the provision clarifying that nothing in Section 37 creates a claim for money damages against the State, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof, to include officers thereof.

If approved, effective January 1, 2019.

Intro. by Barringer, B. Jackson, Daniel.

CONST

[View summary](#)

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

S 596 (2017-2018) **PROTECT LAW ENFORCEMENT OFFICERS**. Filed Apr 4 2017, *AN ACT TO PROTECT MUNICIPAL LAW ENFORCEMENT OFFICERS WHO REPORT IMPROPER OR UNLAWFUL GOVERNMENT ACTIVITY FROM RETALIATION*.

Enacts GS 160A-290, establishing a state policy to encourage municipal law enforcement officers to report in writing to their supervisor, department head, or other appropriate authority evidence of activity that constitutes: (1) a violation of State or federal law, rule, or regulation; (2) fraud; (3) misappropriation of State and local government resources; (4) substantial and specific danger to the public health and safety; and (5) gross mismanagement, a gross waste of monies, or gross abuse of authority. Defines *municipal law enforcement officer* to mean a full-time paid employee of an employing agency who is actively serving in a position with assigned primary duties and responsibilities for prevention and detection of crime or the general enforcement of the criminal laws of the State or serving civil processes and who possesses the power of arrest by virtue of an oath administered under the authority of the State. Defines *employing agency* to mean a city or unified city-county government police agency.

Establishes the following prohibitions in the absence of binding personnel policies, Codes of Conduct, or other procedures protecting employees from retaliation. Prohibits an employing agency from discharging, threatening, or otherwise discriminating against a municipal law enforcement officer regarding the officer's compensation, terms, conditions, location, or privileges of employment because the officer or a person acting on behalf of the officer reports or is about to report, in writing, any activity constituting any of the previously listed descriptions, unless the officer knows or has reason to believe that the report is inaccurate. Prohibits a municipal law enforcement officer from retaliating against another municipal law enforcement officer because the officer or a person acting on behalf of the officer reports or is about to report, in writing, any activity constituting any of the previously listed descriptions.

Establishes a right of action and remedies for injuries stemming from a violation of the new statute. Lists remedies to include damages, injunction, reinstatement of the officer, payment of back wages, full reinstatement of fringe benefits and seniority rights, costs, reasonable attorneys' fees, or any combination thereof. Sets a one-year statute of limitations for a claim arising under this statute from the date the alleged violation occurred. Clarifies that any claim arising under Article 21 of GS Chapter 95, Retaliatory Employment Discrimination, can be maintained pursuant to those provisions, and can only be redressed by relief available under that Article. Specifies allowable remedies.

Makes it the duty of the employing agency of the municipal law enforcement officer to post notice to keep officers informed of their protections and obligations under the new statute. Provides that it is the responsibility of the State to pay for the production of these postings for distribution.

Makes it s Class 2 misdemeanor for any municipal officer to be found guilty in a judicial proceeding for knowingly filing a false writing under the provisions of the new statute.

Effective October 1, 2017, and applies to acts incurring liability on or after that date.

Intro. by Barringer, Randleman, Newton.

GS 160A

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[Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure, Employment and Retirement, Government, Public Safety, Local Government](#)

S 597 (2017-2018) [APPRENTICESHIPNC](#). Filed Apr 4 2017, *AN ACT TO TRANSFER THE ADMINISTRATION OF THE STATE APPRENTICESHIP PROGRAM FROM THE DEPARTMENT OF COMMERCE TO THE COMMUNITY COLLEGES SYSTEM OFFICE.*

Transfers the Apprenticeship Program and the Apprenticeship Council to the North Carolina Community Colleges System Office as a Type I transfer under GS 143A-6. Authorizes the State Board of Community Colleges, the Community Colleges System Office, and the Office of State Budget and Management to take all necessary steps to make this transfer.

Enacts new GS 115D-5.3 (ApprenticeshipNC Program; Apprenticeship Council; transfer). Makes the above transfer.

Amends GS Chapter 94 as follows.

Amends the caption to read "ApprenticeshipNC." Amends the purposes described in GS 94-1.

Directs the State Board of Community Colleges (currently the Secretary of Commerce) to appoint the Apprenticeship Council. Transfers appointment of one ex officio member from the Department of Community Colleges to the Department of Commerce. Transfers actions and responsibilities currently assigned to the Department of Commerce, or its Secretary, to the State Board of Community Colleges. Revises membership on the council to consist of three representatives each of employers and employees, and two members of the public at large. Does not affect the terms of members of the Apprenticeship Council as of the effective date of this act. Directs the Apprenticeship Council to file its required annual report to the Community Colleges System Office.

Provides that the Director of ApprenticeshipNC reports to the Vice President of Economic Development and the Vice President of Academic Programs and Student Services within the Community Colleges System Office. Subjects appointment and employment of clerical, technical, and professional help to the recommendation and supervision of the Director.

Subjects the Director to the supervision of the Vice President of Economic Development within the Community Colleges System Office (currently, the Secretary of Commerce).

Makes technical and conforming changes to GS Chapter 94.

Transfers \$350,000, of the Workforce Investment Act funds awarded to the Department of Commerce by the United States Department of Labor to the Community Colleges System Office, on a recurring basis for the 2017-19 fiscal biennium, to administer ApprenticeshipNC.

Appropriates \$500,000 in recurring funds for 2017-18 from the General Fund to the Community Colleges System Office to increase apprenticeship opportunities in the State.

Directs the Department of Commerce to submit a Workforce Innovation and Opportunity Act State Plan amendment to the US Department of Labor to reflect the changes above, effective when the bill becomes law.

Except as otherwise provided, effective July 1, 2017.

Intro. by Barefoot, Tillman, Hise.

[APPROP, GS 94, GS 115D](#)

[View summary](#)

[Employment and Retirement, Government, Budget/Appropriations, State Agencies, Community Colleges System Office, Department of Commerce](#)

S 598 (2017-2018) [FUTURE TEACHERS OF NORTH CAROLINA](#). Filed Apr 4 2017, *AN ACT TO ESTABLISH FUTURE TEACHERS OF NORTH CAROLINA.*

Enacts Article 29A to GS Chapter 116, establishing the Future Teachers of North Carolina (FTNC) program to provide professional development and curricula for courses that provide a challenging introduction to teaching as a profession for high

school students through courses offered by participating high schools in conjunction with college partners. Provides that the purpose of the FTNC program is to encourage high-achieving high school students with strong academic, interpersonal, and leadership skills to consider teaching as a career. Establishes that FTNC courses are to include both content on pedagogy and the profession of teaching and field experiences for high school students.

Enacts GS 116-239.5 to provide for oversight of FTNC. Locates the administration of FTNC in UNC General Administration. Directs the President to elect three constituent institutions with highly successful schools of education located in the western, central, and eastern regions of the State, respectively, to collaborate on development of curricula for FTNC and to provide professional development to high school teachers who will teach FTNC courses. Directs the three institutions to work with other constituent institutions and other institutions of higher education in the State to seek input in the development of curricula and professional development for FTNC, and to create a network of college faculty to provide support to high schools offering FTNC courses.

Encourages all high schools in the State to offer FTNC courses to students. Directs a high school to apply to offer FTNC courses with the geographically appropriate constituent institution overseeing FTNC and ensure that all teachers teaching FTNC courses have received appropriate training. Directs high schools to seek a partner institution of higher education to provide support from college faculty. Requires participating high schools to report demographic, survey, and other available outcome data to UNC General Administration as necessary for completion of the FTNC annual report required in GS 116-239.10, enacted below.

Requires constituent institutions that partner with high schools to offer dual credit for high school students who successfully complete the FTNC course with a grade of B or higher, and encourages other institutions of higher education that partner with high schools to do the same. Directs constituent institutions, and encourages other institutions of higher education, to provide data annually to UNC General Administration on students who have received dual credit for completion of an FTNC course and student who applied for admission into an educator preparation program at a constituent institution who indicated in the application for admission that the student completed an FTNC course.

Enacts GS 116-239.10, requiring UNC General Administration to annually report, beginning October 15, 2019, on six specifications concerning the FTNC program as provided by the statute.

Directs UNC General Administration to report by October 15, 2018, on the number of site applications received, the number of teachers provided professional development, the number of local school administrative units and high schools offering FTNC, and the number of sections of the course being offered for the 2018-19 school year.

Appropriates \$287,500 in recurring funds from the General Fund to the UNC Board of Governors for the 2017-18 fiscal year to establish and develop curricula and provide professional development for high school teachers for the FTNC program at three constituent institutions.

Effective July 1, 2017. Directs the selected constituent institutions to make available all site applications and provide professional development to high school teachers by February 1, 2018.

Intro. by Barefoot, Meredith, Britt.

[APPROP, GS 116](#)

[View summary](#)

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

S 599 (2017-2018) [EXCELLENT EDUCATORS FOR EVERY CLASSROOM](#). Filed Apr 4 2017, *AN ACT TO ESTABLISH THE PROFESSIONAL EDUCATOR PREPARATION AND STANDARDS COMMISSION, TO AUTHORIZE THE EXPANSION OF EDUCATOR PREPARATION PROGRAMS AND TO CREATE A SYSTEM THAT HOLDS ALL PROGRAMS ACCOUNTABLE, TO REORGANIZE AND CLARIFY THE EDUCATOR LICENSURE PROCESS, AND TO ENSURE AVAILABILITY OF INFORMATION ON TEACHER VACANCIES OCCURRING IN NORTH CAROLINA PUBLIC SCHOOLS.*

Enacts new GS Chapter 115, Article 17C (Professional Educator Preparation and Standards Commission).

Establishes a 16-member Professional Educator Preparation and Standards Commission (Commission) under, but independent of, the State Board of Education (SBOE), consisting of seven members each appointed by the President Pro Tempore of the

Senate and the Speaker of the House of Representatives, as specified, the State teacher of the year, and the Superintendent of Public Instruction or his or her designee. Members serve two-year terms, beginning on September 1, 2017. Provides for the organization, meeting, compensation, and supporting personnel of the Commission.

Directs the Commission to develop and recommend to SBOE rules related to all aspects of educator preparation programs and professional standards for North Carolina educators, in accordance with GS Chapter 115, Articles 17D & 17E and to make requested recommendations to the SBOE on those subjects. Directs SBOE to adopt or reject the rules recommendations without making substantive changes. Directs SBOE to develop and adopt its own rules in the event that the SBOE twice fails to adopt the Commission's recommendations. Directs the Commission to report to the Joint Legislative Education Oversight Committee and the SBOE, by December 1, 2018, on its activities, recommendations, and findings.

Repeals GS 115C-296.8 through GS 115C-296.13 (regarding approval, admissions, pedagogy, clinical partnerships, lateral entry, and reporting for educator preparation programs), and GS 115C-309 and GS 115C-310 (regarding student teachers).

Enacts new GS Chapter 115C, Article 17D (Educator Preparation Programs).

Defines 16 terms as they are used in the Article.

Requires Educator Preparation Programs (EPPs) to prepare students for educator licensure and to meet the standards of this Article. Authorizes and directs SBOE to authorize and recognize EPPs as specified, and authorizes SBOE to regulate EPPs in accordance with this Article. Directs SBOE to adopt rules for approving EPPs, including a rigorous approval process, an application process, peer review, and technical assistance, and an approval period of five years, and five listed required minimums for approval standards. Directs EPPs seeking approval to complete the SBOE application process, and to undergo a peer review process. Directs SBOE to provide technical assistance to EPPs seeking approval, on four listed topics including improving education quality and EPP performance.

Prohibits EPPs from admitting students that do not meet one of three listed criteria regarding education or test performance, or students with a grade point average below 2.7. Provides requirements for cohort grade point averages.

Directs SBOE to include listed minimum requirements with demonstrated competencies in its rules on required EPP instruction, including instructional requirements for all EPPs, instructional requirements for EPPs providing training for elementary education teachers, EPPs providing training for elementary and special education general curriculum teachers, and instructional requirements for EPPs providing training for middle and high school teachers.

Directs EPPs to establish and maintain partnerships with schools that are focused on student achievement, continuous school improvement, and the professional development of educators, as well as those preparing educators. Requires EPPs to enter into memoranda of understanding with local school administrative units or partner schools where students are placed or employed. Provides requirements for the Memoranda, including one for a plan for collaborative clinical educator or mentor selection, orientation, and student placement. Directs EPPs, to the extent practical, to require field experience in every semester, as specified. Directs EPPs to require clinical practice in the form of an internship or a residency, as specified. Directs EPPs to ensure that clinical educators that supervise students in internships and residencies meet listed requirements regarding licensure, experience, and performance. Provides that an intern under the supervision of a clinical educator or principal has the protection of the laws accorded to a licensed educator. Directs EPPs to require a nationally normed and valid pedagogy assessment to determine clinical practice performance, as determined by SBOE.

Directs SBOE to consult with the Board of Governors of the University of North Carolina (BOG) and the North Carolina Independent Colleges and Universities, to develop and adopt a program to facilitate the processes by which teacher assistants become teachers, in which teacher assistants are enrolled in a recognized EPP and are employed in a NC public school. Provides nonbinding guidance and discretionary authority for local school administrative units in administering the program.

Directs SBOE to adopt rules to establish standards of performance to govern continuing accountability for EPPs, based on four listed types on information, including proficiency and growth of students taught by educators holding an initial professional license. Directs SBOE to require all recognized EPPs to submit annual performance reports, including 13 listed indicators, to itself, the BOG, and the board of trustees of the entity submitting the report. Directs SBOE to provide, upon request, certain data required to be included in an EPPs annual performance report, with provisions for maintaining confidentiality of information in a teacher's personnel file.

Directs SBOE to adopt rules establishing risk factors for assessment of the overall risk level of each EPP, including a history of the EPPs compliance with State law and rules, and whether the EPP meets the accountability performance standards in this Article.

Directs SBOE to at least annually review the accountability status of each EPP, and to adopt rules necessary for sanction of EPPs that do not meet accountability standards or comply with State law or rules, including the assignment of warned, probation, or revoked statuses according to listed criteria, and other sanctions deemed necessary, including at least one of four listed possible sanctions. Requires the revocation of an EPPs accountability status to comply with notice requirements, and to be effective for at least two years. Prohibits an EPP with revoked status from admitting new students, but allows the EPP to continue training students previously admitted, with the assistance of SBOE and other EPPs if necessary. Provides notice requirements for revocation of an EPPs authorized status.

Directs SBOE to create a report card for each EPP that summarizes the information collected in the annual performance reports, and to publish the report cards on its website annually, beginning December 15, 2019, and to submit the report to the Joint Legislative Education Oversight Committee annually by that date.

Directs SBOE to adopt rules necessary to establish a process for a student to report a violation of this Article to the Board. Directs SBOE to require EPPs to notify students of the complaint process, as specified. Directs SBOE to post the complaint process on its website. Provides that SBOE has no authority to mediate, arbitrate, or resolve contractual or commercial issues between an EPP and a student.

Enacts new GS 115C-284.1, providing that rules for approval of school administrator preparation programs must incorporate the criteria developed under GS 116-74.21 for assessing proposals under the School Administrator Training Program.

Repeals GS 115C-296, concerning educator licensure.

Enacts new GS 115C-300.1 (New teacher induction programs). Directs SBOE to develop a new teacher induction program to provide ongoing support for teachers entering the profession. Directs SBOE to develop and distribute guidelines to local boards of education on optimum working conditions for new teachers. Directs SBOE to develop and coordinate a mentor teacher training program. Directs SBOE to allot funds for mentoring services to local school administrative units based on the highest number of employees in the preceding three school years who are paid with State, federal, or local funds, on specified steps of the salary schedules, to be used to provide mentoring support to eligible employees in accordance with a plan approved by SBOE.

Enacts new GS Chapter 115C, Article 17E (Licensure).

Defines five terms as they are used in the Article.

Directs SBOE to adopt rules for the issuance, renewal, and extension of licenses for professional educator positions, and determine and fix the salary for each grade and type of license it authorizes, in consultation with the Commission, BOG, State Board of Community Colleges, EPPs, and other public and private agencies.

Directs SBOE to establish a fee schedule for six listed services for professional educator licensure and administrative changes, not to exceed the actual cost of providing the service. Directs SBOE to report to the Joint Legislative Education Oversight Committee by March 15 in any year that the amount of fees in the fee schedule has been modified during the previous 12 months.

Directs SBOE to require applicants for initial professional licenses to meet a certain score on a standard examination, and to require elementary education and special education general curriculum teachers also to meet a certain score on examinations specific to teaching reading and mathematics. Directs SBOE to adopt rules establishing the minimum scores and other measures necessary to assess qualifications of professional educators. Exempts SBOE, for the purpose of these rules and examinations, from GS Chapter 150B, Article 2A (regarding rulemaking). Directs SBOE to provide 30 days' written notice to all recognized EPPs and all local boards of education before changing any rule regarding examinations and other assessments. Provides for the timeline for applicants to fulfill testing requirements.

Directs SBOE to adopt rules for the issuance of six listed classes of teacher licenses, including required levels of preparation for each classification. Directs SBOE to establish classification and levels of preparation necessary for issuance of licenses for administrators and student services personnel.

Requires applicants with an out-of-state teacher's license to provide evidence of their effectiveness with their initial applications. Individuals who do not include evidence are only eligible for an initial professional license.

Directs SBOE to adopt rules establishing the requirements for renewal of all professional educator licenses, including four listed requirements, including continuing education credit requirements. Directs SBOE to reevaluate the licensure renewal rules at least once every five years.

Directs SBOE to adopt rules to establish the reasons and procedures for the suspension and revocation of licenses. Directs SBOE to automatically revoke the license of a professional educator without the right to a hearing upon verification of the identity of a professional educator together with a certified copy of a criminal record showing that the educator submitted a plea of guilty or nolo contendere, or has been finally convicted of, any of 23 listed crimes, including murder or child abuse. Provides an opportunity for the educator to show that they are not the same person as the person listed in the criminal record. Directs SBOE to revoke the license of a professional educator that receives a rating on any standard that was identified as an area of concern on the mandatory improvement plan that was below proficient or otherwise represented unsatisfactory or below standard performance. Authorizes SBOE to revoke or refuse to renew a professional educator's license when the board identifies the school in which the professional educator is employed as low-performing, and the assistance team assigned to that school recommends the revocation or refusal. Authorizes SBOE to issue subpoenas and contract with individuals to conduct investigations with regard to proceedings to suspend or revoke licenses.

Amends GS 93B-15.1(i), GS 115C-296.7(g), GS 115C-333(d), GS 115C-333.1(f), GS 115D-5(p), GS 116-239.5(a), and GS 116-239.13(5), to make conforming changes.

Amends GS 115C-12(22) to direct SBOE to monitor and compile an annual report on the state of the teaching profession in NC that includes data on the decisions of teachers to leave the teaching profession, and data on teaching positions that local boards of education are unable to fill. Deletes all other provisions. Enacts new GS 115C-299.5 (Duty to monitor the state of the teaching profession), re-enacting the provisions deleted from GS 115C-12(22). Further requires the annual report to include data on teaching positions that local boards of education are unable to fill with a teacher licensed in that subject area by the fortieth instructional day of the local school administrative unit's calendar, aggregated as specified.

Directs SBOE to complete the first annual report on the state of the teaching profession, including information on vacancies in the teaching profession, no later than December 15, 2017.

Applies beginning with the 2017-18 school year. Rules required by this act must be adopted by February 1, 2018. Directs SBOE to accept applications from EPPs for initial approval no later than March 1, 2018, for EPPs applying to accept students in the 2018-19 school year. EPPs approved by SBOE prior to July 1, 2017, are considered initially authorized until the earlier of June 30, 2020, or the date of its five-year renewal. All EPPs operating in the State on June 30, 2018, or thereafter, must submit annual performance reports beginning with the 2018-19 school year. Directs SBOE to monitor data quality, and report on its monitoring and recommended legislative changes to the Joint Legislative Education Oversight Committee by December 15, 2020. Directs SBOE not to assign an accountability status to any EPP during the 2018-19, 2019-20, or 2020-21 school years, but may require technical assistance to an EPP based on reported performance measures. Directs SBOE only to assign accountability statuses of warned and probation during the 2021-22 and 2022-23 school years. Authorizes SBOE to begin assigning the accountability status of revoked beginning with the 2023-24 school year.

Intro. by Barefoot.

[GS 93B, GS 115C, GS 115D, GS 116](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Education, Elementary and Secondary Education, Government, State Agencies, State Board of Education](#)

S 600 (2017-2018) **BRITNY'S LAW: IPV HOMICIDE**. Filed Apr 4 2017, *AN ACT TO ACKNOWLEDGE AND PROVIDE FOR DOMESTIC VIOLENCE HOMICIDE IN THE STATUTORY SCHEME FOR FIRST AND SECOND DEGREE HOMICIDE*.

Enacts new GS 14-17(a1) presuming a murder to be a willful, deliberate, and premeditated killing, making it murder in the first degree, a Class A felony, if the murder is committed upon a spouse, former spouse, a person with whom the defendant lives or has lived as if married, a person with whom the defendant is or has been in a dating relationship, or a person with whom the defendant shares a child in common, if the murder was perpetrated by malice as described in the statute and the perpetrator has:

- (1) previously been convicted of one of the following offenses involving the same victim: a. any crime involving the violation of

a domestic violence protective order under GS 50B-4(a), (f), (g), or (g1) or GS 14-269.8 when the same victim is the subject of the domestic violence protective order; b. any crime in which assault is an element; c. GS 14-277.1 (communicating threats) or GS 14-196 (harassing phone calls); or d. any felony listed in GS 15A-830; (2) previously stalked the victim; or (3) on more than one prior occasion engaged in an act of domestic violence against the victim. Applies to offenses committed on or after December 1, 2017.

Intro. by Barefoot, J. Jackson, Britt.

GS 14

[View summary](#)

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

S 601 (2017-2018) **GANG NUISANCE ABATEMENT ACT**. Filed Apr 4 2017, *AN ACT TO STANDARDIZE CRITERIA FOR CLASSIFICATION OF CRIMINAL GANG MEMBERSHIP AND ACTIVITY AND TO AMEND THE CURRENT GANG NUISANCE ABATEMENT ACT*.

Repeals GS 14-50.16 (Pattern of criminal street gang activity).

Renames Article 13A of GS Chapter 14 as North Carolina Criminal Gang Suppression Act (currently, North Carolina Street Gang Suppression Act). Makes conforming changes to GS 14-50.15. Enacts GS 14-50.16A to define criminal gang to mean any ongoing organization, association, or group of three or more persons, whether formal or informal, that (1) has as one of its primary activities the commission of criminal or delinquent acts and (2) shares a common name, identification, signs, symbols, tattoos, graffiti, attire, or other distinguishing characteristics, including common activities, customs, or behaviors. Provides that the term does not include three or more persons associated in fact, whether formal or informal, who are not engaged in criminal gang activity. Additionally, defines the terms criminal gang activity, criminal gang leader or organizer, and criminal gang member.

Renames Article 13B of GS Chapter 14 to North Carolina Criminal Gang Nuisance Abatement Act (currently, North Carolina Street Gang Nuisance Abatement Act). Makes conforming changes throughout the Article to refer to criminal gang(s) instead of street gang(s).

Amends GS 14-50.42, declaring real property used, etc. by criminal gangs for the purpose of conducting criminal gang activity, as defined in GS 14-50.16A(2) (enacted above; currently refers to GS 14-50.16(c) which is repealed by this act), a public nuisance. Establishes that proof that criminal gang activity by a member of a criminal gang is regularly committed at any real property or proof that the real property is regularly used for engaging in criminal gang activity by a member of a criminal gang is prima facie evidence that the owner or person who has legal possession of the real property knowingly committed the act. Defines regularly for purposes of the statute to mean at least two times in a period of not more than 12 months. Adds new provision establishing that evidence the defendant knew, or by the exercise of due diligence should have known, of the criminal gang activity constitutes proof of knowledge.

Makes conforming changes to GS 14-50.43, declaring criminal gangs regularly engaging in criminal street gang activities a public nuisance, to reference the definitions enacted in GS 14-50.16A. Adds that the term regularly means at least two times (currently at least five times) in a period of not more than 12 months for purposes of the statute.

Amends subsection (b) to now provide that (1) any criminal gang, as an incorporated association and in the name by which it is commonly known and without naming any of the individual members composing it, (2) any person who regularly associates with others to engage in criminal gang activity, and (3) any person who directs, participates in, assists in, conducts, furthers, suggests, requests, authorizes, or causes criminal gang activity, can be made a defendant in a suit brought to abate any public nuisance resulting in criminal gang activity. Adds new provision permitting the complaint to also name, as a class of defendants, all unknown gang members. Provides that service of process upon any leader, officer, or organizer of a criminal gang or three members of a criminal gang, or any person representing a criminal gang or criminal gang member, constitutes adequate service upon a criminal gang. Prohibits from being discoverable the identity or location of a confidential informant used to establish criminal gang membership or criminal gang activity in any action pursuant to Article 13B. Permits criminal gang activity, membership, association, leadership, and existence to be proven through testimony of a fact witness, an expert witness, or a combined fact-expert witness pursuant to the rules of evidence.

Amends subsection (c) to now provide that a court finding that a public nuisance exists under this statute may enter an order enjoining the criminal gang or defendant in the suit (currently, only the defendant) from engaging in criminal gang activities and impose other reasonable requirements. Details that possible reasonable requirements include ordering any person not to associate with other persons associated with a criminal gang and to divest himself or herself of any involvement or interest, direct or indirect, in a criminal gang, to prevent the defendant or a gang from engaging in future criminal gang activities. Explicitly states that any gang member who is not specifically named in an injunction can be subject to the order after personal service with a copy of the injunction.

Eliminates the provision that sets an order entered into under the statute to expire one year after entry unless extended by the court for good cause established by the plaintiff after a hearing. Makes conforming change.

Adds new subsection (e), establishing that in any proceeding pursuant to Article 13B, expert testimony is admissible to show particular conduct, status, and customs indicative of criminal gangs and criminal gang activity. Details possible expert testimony that can be used in those proceedings.

Adds new subsection (f) to provide that, in case of violation of any injunction granted under Article 13B, the court, or in vacation a judge thereof, can (1) find the defendant guilty of contempt and punish the defendant as provided in GS 19-4, and/or (2) find the defendant guilty of violating orders of the court as provided in GS 14-226.1.

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

Intro. by Lee, Britt.

[GS 14](#)

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

S 602 (2017-2018) [LIEN AGENT/NOTICE OF CANCELLATION](#). Filed Apr 4 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING LIEN AGENTS FOR THE PURPOSE OF PROVIDING FOR THE CANCELLATION OF A NOTICE TO LIEN AGENT*.

Amends GS 44A-11.1 (Lien agent; designation and duties). Provides that attorneys who contact a lien agent in writing and request copies of the notices to lien agent and cancellations of notice to lien agent received by the lien agent by the specified time frame has fulfilled the attorney's professional obligation as a closing attorney to check such notices and cancellations.

Amends GS 44A-11.2 (Identification of lien agent; notice to lien agent; effect of notice). Authorizes a potential lien claimant who has been paid an amount satisfactory to resolve the notice to Lien Agent previously filed to file a Cancellation of Notice to Lien Agent with the designated lien agent within 15 days of receipt of payment utilizing an Internet Web site, as specified. Authorizes a potential lien claimant to file a Cancellation of Notice to Lien Agent with the designated lien agent for any reason at any time. Lists required information for a Cancellation of Notice to Lien Agent. Provides that a Cancellation of Notice to Lien Agent received by the lien agent from a potential lien claimant cancels and discharges the Notice to Lien Agent and corresponding protections as to the subject matter of the Notice. Provides that later Notices do not relate back to the original Notice. Provides that Notices to Lien Agents are discharged five years from the date of filing if not cancelled or renewed pursuant to this statute.

Amends GS 58-26-45 to raise the fee for services rendered pursuant to each designation as a lien agent for improvements to one- or two- family dwellings from \$25 to \$30, and for services rendered pursuant to each designation as a lien agent for all other improvements to real property from \$50 to \$58. Makes conforming changes.

Effective January 1, 2018.

Intro. by Lee.

[GS 44A, GS 58](#)

[View summary](#)

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

Enacts Article 39A in GS Chapter 115C, establishing the North Carolina Personal Savings Account Program for the purpose of providing the option for a parent to better meet the individual educational needs of the parent's eligible child.

Directs the State Treasurer to make available, no later than February 1 of each year, applications to eligible students for the award of scholarship funds for a personal education savings account (PESA) to be used for qualifying education expenses to attend a nonpublic school. Provides that an eligible student is a student residing in NC, who has not yet received a high school diploma, and who meets the specified requirements. The requirements include (1) the student meets one of seven qualifications; (2) the student has not been enrolled in a postsecondary institution in a matriculated status eligible for enrollment for 12 hours of academic credit; and (3) the student is a child with a disability, as defined by GS 115C-106.3. Defines PESA to mean a bank account provided to a parent for the purpose of holding scholarship funds awarded by the State Treasurer for an eligible student to be used for qualifying education expenses under GS 115C-537.9. Additionally, defines nonpublic school and parent.

Requires information about scholarship funds and the application process be made available on the State Treasurer's website. Requires applications to be submitted electronically. Directs the State Treasurer to begin selecting recipients for scholarships and details selection priority. Directs that the scholarships are to be awarded each year to eligible students in an amount equal to the statewide average per pupil allocation for average daily membership for charter schools plus the State allocation per funded child with disabilities for the fiscal year in which the application is received. Provides that recipients must receive scholarship funds deposited in equal amounts to a PESA in each quarter of the fiscal year. Sets forth provisions concerning PESA deposits and debit cards, required expense reports by parents, and remaining funds at the end of the fiscal year.

Sets forth eligibility provisions concerning receiving other specified scholarship programs in addition to a PESA.

Establishes that applications for scholarship funds and personally identifiable information related to eligible students receiving funds are not public records.

Directs the State Treasurer to establish rules for verifying information on applications, and requires the Treasurer to select and verify 6% of applications annually. Provides for the access of information from household members, and authorizes the State Treasurer to revoke the award of funds if a household fails to cooperate with verification efforts.

Requires the annual electronic submission of a parental agreement, provided by the State Treasurer, prior to receiving the scholarship funds. Details the conditions a parent must agree to in order to receive scholarship funds under Article 39A. Establishes that a parent or eligible student's failure to comply with this provision forfeits the funds, and states that those funds can be awarded to another eligible student. Prohibits a nonpublic school or a provider of services purchases from refunding or abating any scholarship funds to a parent or eligible student in any manner, and requires the parent to notify the State Treasurer if a refund is required.

Establishes that funds received pursuant to Article 39A are not taxable income to the parent, legal guardian, or legal custodian of an eligible student or to the eligible student.

Directs the Division of Nonpublic Education of the Department of Administration (Division) to provide annually by February 1 to the State Treasurer a list of all nonpublic schools operating in the State that meet the requirements of Part 1, 2, or 3, of Article 39 of GS Chapter 115C. Directs the State Treasurer to provide information about PESAs to the Division. Directs the Division to provide information about PESAs to all qualified nonpublic schools on an annual basis.

Sets forth provisions for the administration of the PESA program. Directs the State Treasurer to establish rules and regulations for administration, and details four parameters that must be included. Permits the State Treasurer to contract with a private financial management firm or institution to manage PESAs in accordance with Article 39A. Requires the State Treasurer to conduct annual audits of PESAs, and permits the auditing of a random sampling of PESAs as needed to ensure compliance with the Article's requirements. Allows the State Treasurer to contract with an independent entity to conduct these audits. Authorizes the State Treasurer to remove a parent or eligible student from the program for failure to comply with the terms of the parental agreement, for failure to comply with applicable laws, or because the student is no longer an eligible student.

Directs the State Treasurer to annually report by September 1 to the Joint Legislative Education Oversight Committee. Details information required to be included in the reports, including the number of substantiated cases of fraud by recipients and the number of parents and students removed from the program for noncompliance with the Article's provisions.

Amends GS 105-153.5(b) to provide for the amount deposited during the taxable year to a PESA under Article 39A of GS Chapter 115C to be deducted from the taxpayer's gross adjusted income in calculating NC taxable income.

Provides that the above provisions are applicable beginning with the 2018-19 school year.

Makes conforming change to GS 115C-555, concerning qualifications of nonpublic schools.

Appropriates \$20 million in nonrecurring funds to the State Treasurer for the 2017-18 fiscal year to establish the PESA program. Appropriates \$20 million in recurring funds to the State Treasurer for the 2018-19 fiscal year for the award of scholarships to eligible students.

Effective July 1, 2017.

Intro. by Lee, Barefoot, Clark.

[APPROP, GS 115C](#)

[View summary](#)

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

S 604 (2017-2018) [HOMEMADE ALCOHOLIC BEVERAGE TASTING PERMIT](#). Filed Apr 4 2017, *AN ACT TO REVISE THE LAWS GOVERNING ORGANIZED AFFAIRS, EXHIBITIONS, AND COMPETITIONS WHERE CERTAIN HOMEMADE ALCOHOLIC BEVERAGES ARE OFFERED FOR CONSUMPTION FREE OF CHARGE.*

Amends GS 18B-902(d) to require a \$50 fee for applications for homemade alcoholic beverage competitions and tastings permits.

Amends GS 18B-1001 authorize on-premises malt beverage permittees to host on the permittee's licensed premises, in a part of the premises not open to the general public, homebrew club meetings or events where homemade malt beverages may be consumed by participants of legal age in the meeting or event. Makes technical changes. Authorizes special occasion permittees to further permit hosts to bring donated homemade malt beverages, meads, wines, and fermented fruit juices onto the premises to serve to guests, and authorizes special occasion permits to be issued to nonprofit organizations. Authorizes limited special occasion permittees to further bring donated homemade malt beverages, meads, wines, and fermented fruit juices onto the premises of a business as currently authorized, and to engage in the activities authorized under new subdivision (21). Enacts new subdivision (21), authorizing homemade alcoholic beverage competition and tasting permits. Permittees under new subdivision (21) may host on their licensed premises an organized affair, exhibition, or competition, where the licensee, or the licensee's employee or agent, may serve for consumption on the licensed premises, homemade alcoholic beverages as specified. Provides that the homemade alcoholic beverage permittee is solely liable for any violations of GS Chapter 18B in connection with the affair, exhibition, or competition. Directs the ABC Commission to adopt rules to assure that tastings are not a subterfuge for the unlawful sale or distribution of alcoholic beverages.

Authorizes the ABC Commission to adopt temporary rules to implement this act, remaining in effect until permanent rules replacing them become effective.

Effective July 1, 2017.

Intro. by Sanderson.

[GS 18B](#)

[View summary](#)

Alcoholic Beverage Control

S 605 (2017-2018) [ATTORNEY OPTIONS/IOLTA FUNDS](#). Filed Apr 4 2017, *AN ACT TO ALLOW AN ATTORNEY TO SELECT THE RECIPIENT OF IOLTA FUNDS FROM AMONG THE PROGRAMS ADOPTED BY THE STATE BAR COUNCIL AND APPROVED BY THE NORTH CAROLINA SUPREME COURT.*

Enacts new GS 84-21(a1) requiring the State Bar Council (Council) to adopt rules to allow an attorney to designate which of the programs selected by the Council and approved by the North Carolina Supreme Court for receipt of funds under the Interest on Lawyers' Trust Account Program (IOLTA) will receive the interest generated from the pooled funds in the attorney's IOLTA account. Makes conforming changes to GS 45A-9. Effective October 1, 2017.

Intro. by Rabon, B. Jackson.

GS 45A, GS 84

[View summary](#)

[Courts/Judiciary, Court System](#)

S 606 (2017-2018) [ONE-YEAR EDPNC CONTRACT MODIFICATIONS](#). Filed Apr 4 2017, *AN ACT TO MODIFY THE CONTRACTUAL REQUIREMENTS OF THE ECONOMIC DEVELOPMENT PARTNERSHIP OF NORTH CAROLINA FOR ONE YEAR*.

Directs the Secretary (probably intends the Secretary of Commerce) to enter into negotiations with the Economic Development partnership of North Carolina to amend the contract with the Partnership to reduce to \$750,000 the amount the Partnership must fund-raise for the fund-raising year in effect as of the effective date of this act.

Intro. by Tucker.

UNCODIFIED

[View summary](#)

[Development, Land Use and Housing, Community and Economic Development](#)

S 607 (2017-2018) [JOB ORDER CONTRACTING METHOD](#). Filed Apr 4 2017, *AN ACT AUTHORIZING PUBLIC CONTRACTS TO UTILIZE THE JOB ORDER CONTRACTING METHOD OF CONSTRUCTION OR REPAIR CONTRACTS*.

Contains whereas clauses.

Amends GS 143-49 to authorize and direct the Secretary of Administration to establish procedures permitting State government, or any of its departments, institutions, or agencies, to join with any nonprofit organization in this state or another state, in addition to the currently listed governmental entities, in cooperative purchasing plans, projects arrangements or agreements, including for construction or repair work through job order contracting. The procedures may not require a governmental entity to secure informal quotes or any other competition for construction or repair work through job order contracting if the initial contract was competitively bid.

Amends GS 143-128 to authorize public bodies to award contracts to erect, construct, alter, or repair buildings pursuant to new GS 143-128.1D.

Enacts new GS 143-128.1D (Job order contracting contracts). Defines twelve terms as they are used in the statute, including *job order contract* (competitively bid, fixed priced, indefinite quantity procurement contract, as compiled from a unit price catalog of construction or repair tasks that is awarded to the most qualified job order contractor bidder by or under the authority of a governmental entity). Directs governmental entities to award job order contracts as follows: (1) the governmental entity shall prepare a set of solicitation documents, including a unit price catalog and preestablished unit prices, contract specifications, and any other necessary information. (2) The governmental entity shall provide a guaranteed minimum amount of construction or repair work of at least \$30,000 to be awarded under the contract. (3) A job order contractor must bid one or more adjustment factors to the unit prices listed in the catalog based on the job order contract technical specifications. (4) The governmental entity shall award the job order contract to the lowest responsive, responsible bidder. (5) The governmental entity may award multiple job order contracts through a single request for bid, as specified. Authorizes governmental entities to establish a procedure to prequalify job order contractors, at minimum requiring the contractor to provide seven listed types of information. A single job order contract must not exceed \$20 million in the first term of the contract, and if extended or renewed, a maximum of \$40 million over the subsequent two terms of the contract. Initial job order contract terms may not exceed 12 months, with the option of extending or renewing for two 12-month periods. Authorizes the governmental entity to issue job orders to the job order contractor, based on a project scope of work prepared by the governmental entity as well as a proposal from the contractor. Price limits shall be adjusted on January 1, 2018, and annually thereafter, to reflect the percentage change in the North Carolina

Consumer Price Index. Requires contractors to provide a payment and performance bond to the governmental entity for job orders. Requires governmental entities to make a good-faith effort to comply with GS 143-128.2 and GS 143-128.4 concerning minority and historically under utilized businesses.

Amends GS 143-129(e)(3), (e)(9), (e)(9a), (g), and (g)(3), to provide that the purchases currently exempt from GS Chapter 143, Article 8 (public contracts) described in those subsections include construction or repair work, including construction or repair work through job order contracting pursuant to GS 143-128.1D, and purchases of apparatus, supplies, materials, or equipment.

Intro. by Tucker.

GS 143

[View summary](#)

**Business and Commerce, Government, State Agencies,
Department of Administration**

S 608 (2017-2018) **I/DD SERVICES WAITING LIST TRANSPARENCY**. Filed Apr 4 2017, *AN ACT TO PROVIDE GREATER TRANSPARENCY REGARDING THE REGISTRY OF UNMET NEEDS FOR THE NORTH CAROLINA INNOVATIONS WAIVER AND THE WAITING LIST FOR STATE-FUNDED INTELLECTUAL AND DEVELOPMENTAL DISABILITY SERVICES*.

Requires each Local Management Entities/Managed Care Organization (LME/MCO), beginning October 1, 2017, to, twice yearly, give the Department of Health and Human Services (DHHS) the number of individuals within the LME/MCO's catchment area who are on the Registry of Unmet Needs for the North Carolina Innovations Waiver and who are on the waiting list for State-funded intellectual and developmental disability (I/DD) services. Specifies eight pieces of information that must be provided for those individuals, including age, current living arrangements, and length of time the individual has been on at least one of the two waiting lists. Requires that the information be provided to DHHS by April 1 and October 1 of each year. No later than January 1 of each year requires DHHS to report that consolidated, redacted information to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and the Fiscal Research Division. Specifies that reports from LME/MCOs and from DHHS are required under this section until behavioral health services for Medicaid recipients are no longer excluded from capitated Prepaid Health Plan contracts.

Intro. by Tucker, Krawiec, Horner.

UNCODIFIED

[View summary](#)

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

S 609 (2017-2018) **UNIFORM GROUP PRACTICE PROVIDER CREDENTIALING**. Filed Apr 4 2017, *AN ACT TO AMEND THE UNIFORM PROVIDER CREDENTIALING STATUTE TO THOROUGHLY ACCOUNT FOR THE CREDENTIALING OF HEALTH CARE PRACTITIONERS WHO JOIN A GROUP PRACTICE THAT HAS AN EXISTING CONTRACT WITH A HEALTH INSURER*.

Amends GS 58-3-230, concerning uniform health care provider credentialing.

Adds new subsection (a1), establishing that an insurer that has an existing contract with a group practice to participate in a health benefit plan network and that credentials providers for its networks, must maintain a process to assess and verify the qualifications of a new health care practitioner that joins the group practice within 60 days of receipt of a completed provider credentialing application form approved by the Commissioner of Insurance. Requires the insurer to provide to the group practice a list of all information and supporting documentation required for credentialing a new health care practitioner that joins the practice. Details parameters of the credentialing process for a new health care practitioner that joins a group practice that has an existing contract with an insurer to participate in a health benefit plan, including various notice requirements for an insurer in receipt of a new practitioner application, and provisions regarding claims filed while a credentialing application is pending and upon approval of the application. Makes conforming changes to subsection (a).

Makes organizational changes to subsection (c). Adds the term *existing contract*, and defines the term to mean a participating provider agreement between a group practice and an insurer under which practitioners bill for services provided to patients covered by a health benefit plan provided by the insurer.

Effective October 1, 2017, and applies to provider credentialing applications received on or after that date.

Intro. by Gunn.

GS 58

[View summary](#)

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

S 610 (2017-2018) **EQUALIZE TREATMENT OF WASTEWATER PRODUCTS**. Filed Apr 4 2017, *AN ACT TO EQUALIZE THE SALES TAX TREATMENT OF WASTEWATER DISPERSAL PRODUCTS*.

Identical to [H 548](#), filed 4/3/17.

Amends GS 105-164.13(68) to exempt the sale of wastewater dispersal products approved by the ON-Site Water Protection Branch of the Department of Health and Human Services under GS Chapter 130A, Article 11 from sales tax. Deletes the provision allowing an exemption for products to be used in a wastewater dispersal system that were made of 75% recycled materials.

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

Intro. by Brock.

GS 105

[View summary](#)

Government, Tax, Health and Human Services, Health, Public Health, Public Enterprises and Utilities

S 611 (2017-2018) **MITIGATION SERVICES AMENDMENTS**. Filed Apr 4 2017, *AN ACT TO ENCOURAGE THE PROVISION OF MITIGATION SERVICES BY THE PRIVATE SECTOR*.

Amends GS 143-214.11 (Division of mitigation services; compensatory mitigation). Deletes the provision requiring compensatory mitigation to be coordinated by the Department of Environmental Quality (Department), and the provision requiring mitigation to be consistent with the basinwide restoration plans. Requires all compensatory mitigation to advance the functional improvement goals identified in any applicable basinwide restoration plan. Clarifies that the statute does not allow the Division of Mitigation Services to acquire land by condemnation. Provides that permit applicants shall satisfy compensatory mitigation requirements by participating in a private compensatory mitigation bank approved by the US Army Corps of Engineers, so long as the Department or the US Army Corps of Engineers has approved the use of the bank. If the Department or the US Army Corps of Engineers determines that it is not practicable for an applicant to satisfy compensatory mitigation requirements through a private compensatory mitigation bank, then an applicant may satisfy compensatory mitigation requirements by payment of a fee or by permittee-responsible mitigation. Deletes the other currently-authorized methods of mitigation. Deletes subsection (d1), concerning compensatory mitigation options for non-government entities. Directs the North Carolina Environmental Management Commission (Commission) to establish a schedule of compensatory mitigation fees for mitigation credits purchased by permit applicants, to be based on the actual costs to generate the credits, and not the currently described basis regarding ecological functions and values. Directs compensatory mitigation banks to register with the Division of Mitigation Services, and directs the Department to provide public access to the required information in their registration on their website.

Enacts new GS 143-214.16 (Limit Division of Mitigation Services fee in lieu of mitigation acceptance in certain river basins). Directs the Division of Mitigation Services to develop a program to increase the State's ability to utilize private mitigation banks to satisfy compensatory mitigation requirements. Provides requirements for the program.

Directs the Commission to adopt temporary rules by October 1, 2017, to implement new GS 143-214.16 and to set a revised schedule of mitigation fees consistent with amended GS 143-214.11(e), to remain in effect until permanent rules become effective. Effective when the bill becomes law.

Except as otherwise provided, effective October 1, 2017.

Intro. by Brock, Cook.

GS 143

[View summary](#)

**Environment, Environment/Natural Resources, Government,
State Agencies, Department of Environmental Quality
(formerly DENR)**

S 612 (2017-2018) **PET BOARDING FACILITIES**. Filed Apr 4 2017, *AN ACT TO CLARIFY STAFFING STANDARDS FOR BOARDING KENNELS OFFERING DOG DAY CARE SERVICES*.

Amends the definitions set forth in GS 19A-23 as the terms apply to the Animal Welfare Act as follows. Provides that *housing facility* means any room, building, or area used to contain primary enclosures or common areas. Provides that *primary enclosure* means any structure used to immediately restrict four or fewer animals (currently, restrict an animal) to a limited amount of space, such as a room, pen, cage compartment or hutch.

Amends GS 19A-24(a)(1), which requires the Board of Agriculture to establish standards for the care of animals at animal shelters, boarding kennels, pet shops, and public auctions. Amends the subdivision to now provide that a boarding kennel that offers dog day care services and as to each common area (1) has a ratio of dogs to employees and supervisors within the housing facility of not more than 15 to one (currently 10 to one), and (2) has no more than 50 dogs in any common area at any time, is not subject to any regulations that impose further supervisory requirements on the number of dogs that are permitted within the common area or any primary enclosure beyond a requirement that at least one staffer be present in a common area at all times when 10 or more dogs are within the common area. Defines *common area* as any area within a housing facility providing an open space where more than four dogs are free to exercise or play together.

Effective October 1, 2017.

Intro. by Brock, Sanderson.

GS 19A

[View summary](#)

Animals, Business and Commerce

S 613 (2017-2018) **ATTORNEY'S FEES & COSTS/STATE PREVAILS**. Filed Apr 4 2017, *AN ACT TO ALLOW ATTORNEY'S FEES WHEN THE STATE IS THE PREVAILING PARTY IN CERTAIN CIVIL ACTIONS AND CLARIFY AND STANDARDIZE THE REQUIREMENTS TO AWARD ATTORNEY'S FEES IN ACTIONS INVOLVING THE STATE*.

Amends GS 6-19.1. Amends the caption to read "Attorney's fees in certain actions involving the State." Applies the currently existing statute to cases where attorneys' fees are assessed against an agency of the State.

Enacts new subsection (c), for cases where the State is the prevailing party. Requires the Court to allow the State to recover reasonable attorney's fees and costs in any civil action or other proceeding where the state prevails, and the claim or issue involves either a contest of the state's ability to construct transportation improvements, or relief based on environmental impact. Provides that attorney's fees include those applicable to any administrative portion of the case. Specifies that contracts between the law firm and named parties to reimburse the firm for attorney's fees are valid and enforceable. Allows law firms to avoid liability if the named parties post a bond for the payment of attorney's fees and costs in an amount determined by the judge.

Further requires a judge awarding attorneys' fees to issue the award via written order including the factual basis and amount to be awarded.

Defines law firm and State.

Effective September 1, 2017, and applies to actions or proceedings filed on or after that date.

Intro. by McInnis, Tucker.

GS 6

[View summary](#)

Courts/Judiciary, Civil, Civil Law

S 614 (2017-2018) [WITHHOLDINGS FOR PROPERTY SALES: NONRESIDENTS](#). Filed Apr 4 2017, *AN ACT TO REQUIRE WITHHOLDINGS BY A BUYER OF PROPERTY FROM A NONRESIDENT SELLER*.

Enacts GS 105-163.3A, requiring a person who purchases residential real property, or residential real property and associated tangible personal property, from a nonresident seller to withhold the lesser of (1) the net proceeds payable to the nonresident seller, or (2) an amount equal to the product of the individual income tax percentage provided in GS 105-153.7 multiplied by the gain recognized on sale.

Defines *nonresident seller* as (1) an individual whose permanent home is outside of NC on the date of the sale; (2) a partnership whose principal place of business is located outside of NC; (3) a trust administered outside of NC; or (4) an estate of a decedent whose permanent home was outside of NC at the time of death. Defines *sale* to mean a transfer where gain or loss is computed in accordance with Section 1001 of the Internal Revenue Code (Code) together with any modifications provided in Part 2 of Article 4 of Subchapter I of GS Chapter 105 (concerning individual income tax). Establishes that sale does not include (1) tax exempt or tax deferred transactions other than installment sales, (2) transactions to the extent the gain on the sale of a principal residence is excluded in accordance with Section 121 of the Code, or (3) other transactions excluded by the Department of Revenue on the grounds that the benefits to the State are insufficient to justify the burdens imposed by the statute.

In the case where the seller finances all or part of the transaction, in lieu of remitting the tax due on each installment payment, the seller can give the buyer an affidavit stating that for State income tax purposes the seller will elect out of installment sales treatment, as defined by Section 453 of the Code, and remit the entire amount of tax to be due over the period of the installment agreement.

Excepts from the provisions of the statute a nonresident seller who (1) has filed at least one State income tax return and is not delinquent with respect to filing State income tax returns; (2) has been in business in NC during the last two taxable years, including the year of sale, and will continue in substantially the same business in NC after the sale; and (3) is registered to do business in NC.

Concerning remittance, establishes that a person who holds an amount pursuant to the statute is liable for the collection and payment of the amount, and must remit the amount withheld to the Department of Revenue on or before the fifteenth day of the month following the month in which the sale takes place, unless the time for remittance is extended by the Department for a seller-financed sale. Clarifies that the statute does not make a lending institution, real estate agent, or closing attorney liable for collection and payment of amounts withheld, however the statute does require those entities and agents to remit the amount the entity or agent has withheld within the time frame provided.

Details information the closing attorney is required to report to the Department of Revenue for every sale for which withholding is required by the statute.

Upon submitting additional documentation of an error to the Department of Revenue, allows for the nonresident seller to request a refund for any amount over withheld or pay any amount due if a withholding payment contains a computational error or results in excess withholding based on the amount of gain required to be recognized from the sale.

Effective July 1, 2017, and applies to sales of residential real property, or residential real property and associated tangible personal property, occurring on or after that date.

Intro. by McInnis, Tucker.

GS 105

[View summary](#)

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

S 615 (2017-2018) [NORTH CAROLINA FARM ACT OF 2017](#). Filed Apr 4 2017, *AN ACT TO AMEND CERTAIN LAWS GOVERNING AGRICULTURAL MATTERS*.

Amends GS 106-498, requiring a satisfactory bond to be furnished by a handler of fruits and vegetables prior to being issued a permit from the Commissioner of Agriculture to contract with a producer. Provides that the bond must be payable to the state and

must be conditioned upon the fulfilling of all financial obligations incurred by the handler with all producers with whom the handler transacts business (currently, with whom the handler contracts). Further provides that any producer alleging any injury by the fraud, deceit, willful injury or failure to comply with the terms of any agreement by a handler (currently, with the terms of any written contract by a handler) can bring suit on the bond against the principal and his suerty in any court of competent jurisdiction, and can recover the damages found to be caused by those acts. Effective October 1, 2017.

Amends GS 153A-340, pertaining to the power granted to a county to adopt zoning and development regulation ordinances for the purpose of promoting health, safety, morals, and general welfare. Amends subdivision (1) of subsection (b) to provide that these regulations cannot affect property used for bona fide farm purposes (currently, allows regulations to affect property used for bona fide farm purposes, but limited the regulations as provided in subdivision (3) concerning swine farms). Makes conforming change to eliminate subdivision (3), and makes technical changes. Makes conforming change to GS 106-743.4(a).

Directs the Environmental Management Commission (Commission) to classify facilities that store products that are (1) grown, produced, or generated on one or more agricultural operations, and (2) that are renewable energy resources as defined in GS 62-133.8(a)(8), as agricultural operations that are exempt from the requirements of 15A NCAC 02D .1806. Establishes that this directive expires on the date that the required permanent rules, as set out below, are adopted. Further, provides that until the effective date of the required revised permanent rule, the Commission is to implement 15A NCAC 02D .1806 as described in the directive above. Directs the Commission to adopt rules to amend 15A NCAC 02D .1806 consistent with the directive to the Commission.

Amends GS 105-277.3(a), which sets forth classes of property designated as special classes of property that must be appraised, assessed, and taxed as provided in GS 105-277.2 through GS 105-277.7. Amends the provisions concerning agricultural land's income requirement of at least \$1,000 for the three years preceding January 1 of the year for which the benefit is claimed, to include income for grazing fees for livestock in the gross income used to meet the income requirement. Effective for taxes imposed for taxable years beginning on or after July 1, 2017.

Amends GS 68-17, to add new subsection (b) to provide for abandoned livestock. Deems livestock abandoned when (1) it is placed in the custody of any other person for treatment, boarding, or care; (2) the owner of the livestock does not retake custody of the animal within one month after the last day the owner paid a fee to the custodian for the treatment, boarding, or care of the livestock; and (3) the custodian has made reasonable attempts to collect any past-due fees during the one-month period. Provides the following in the case that, after the one-month period, the custodian of the abandoned livestock has been unsuccessful in collecting the past-due fees and the owner of the livestock has not retaken custody of the livestock. Authorizes the custodian to sell or transfer the livestock by executing an affidavit that identifies the buyer or transferee of the livestock and certifies compliance with the criteria and requirements of new subsection (b). Provides that if the custodian is unable to sell or transfer the livestock, the custodian has the option of otherwise humanely disposing of the abandoned livestock. Requires a custodian to provide written notice of the provisions of new subsection (b) in conspicuous type to the owner of livestock at the time the livestock is delivered for treatment, boarding, or care, as specified.

Intro. by B. Jackson, Sanderson, Brock.

[GS 68, GS 105, GS 106, GS 153A](#)

[View summary](#)

[Agriculture, Animals, Government, State Agencies, Department of Environmental Quality \(formerly DENR\), Tax, Local Government](#)

S 616 **[LIMIT LOOK-BACK FOR IMMATERIAL IRREGULARITIES](#)**. Filed Apr 4 2017, *AN ACT TO LIMIT THE LOOK-BACK FOR IMMATERIAL IRREGULARITIES FROM TEN YEARS TO FIVE YEARS*.

Amends GS 105-394 to provide that immaterial irregularities in listing, appraisal, or assessment of property for taxation, or in the levy or collection of the property tax or any other property tax proceeding or requirement, shall be taxed for the year in which the immaterial irregularity was discovered and for any of the preceding five years during which it escaped proper taxation in accordance with the assessed value it should have been assigned in each of the years for with it is to be taxed and the rate of tax imposed in each such year. Makes technical changes.

Intro. by J. Davis.

[GS 105](#)

[View summary](#)

Government, Tax

S 617 (2017-2018) **ELIMINATE EMERGENCY RECALL JUDGES**. Filed Apr 4 2017, *AN ACT TO ELIMINATE ALL EMERGENCY JUSTICES AND JUDGES EXCEPT FOR RETIRED SPECIAL SUPERIOR COURT JUDGES WHO RETIRED FROM THE BUSINESS COURT WHO MAY BE RECALLED TO SERVE AS EMERGENCY JUDGES ON THE BUSINESS COURT.*

Repeals GS 7A-39.1, GS 7A-39.3, GS 7A-39.5, GS 7A-39.6, GS 7A-39.7, GS 7A-39.8, GS 7A-39.9, GS 7A-39.10, GS 7A-39.13, GS 7A-39.14, GS 7A-39.15, and GS 7A-45.2, all regarding emergency judges and justices.

Amends GS 7A-48, GS 7A-50, GS 7A-52, and GS 7A-53 to make those statutes apply only to special superior court judges hearing complex business cases.

Amends the title of GS Chapter 7A, Article 8, to reflect the changes by this bill.

Amends GS 90-21.62 to delete the provision authorizing arbitration by an emergency superior court judge.

Amends GS 115C-431 to delete the provision authorizing an emergency judge to resolve disputes between county boards of education and boards of commissioners.

Amends GS 7A-374.2, GS 7A-376, and GS 135-71 to make conforming changes.

Intro. by Randleman.

GS 7A, GS 90, GS 115C, GS 135

[View summary](#)

Courts/Judiciary, Court System

S 619 (2017-2018) **JLCEP STUDY GRID MODERNIZATION**. Filed Apr 4 2017, *AN ACT TO DIRECT THE JOINT LEGISLATIVE COMMISSION ON ENERGY POLICY TO STUDY INVESTMENT TO ENHANCE AND MODERNIZE THE ELECTRICAL GRID.*

Directs the Joint Legislative Commission on Energy Policy (Commission) to study known and measurable costs and benefits of grid modernization investment by investor-owned electric public utilities, and report its findings and recommendations to the 2017 General Assembly by March 1, 2018. Directs public utilities to cooperate with the Commission's information requests. Appropriates \$300,000 for 2017-18 from the General Fund to the Commission to conduct the study.

Intro. by Rabon, Brown, Wade.

APPROP, STUDY

[View summary](#)

Environment, Energy, Government, Budget/Appropriations, Public Enterprises and Utilities

S 620 (2017-2018) **ELIMINATE DUPLICATION/PED STUDY**. Filed Apr 4 2017, *AN ACT DIRECTING THE PROGRAM EVALUATION DIVISION TO STUDY WAYS TO ELIMINATE DUPLICATION OF PROFESSIONAL SERVICES IN STATE AGENCIES.*

Directs the Joint Legislative Program Evaluation Oversight Committee to include in the biennial work plan of the Program Evaluation Division an evaluation of duplicative professional services within State agencies, focusing on legal services provided to State agencies by in-house attorneys and attorneys located in the NC Department of Justice.

Intro. by Edwards, Newton.

STUDY

[View summary](#)

Government, General Assembly, State Agencies, Department of Justice

S 621 (2017-2018) [BUSINESS CONTRACTS/CHOICE OF LAW AND FORUM](#). Filed Apr 4 2017, *AN ACT TO VALIDATE CHOICE OF NORTH CAROLINA LAW AND FORUM PROVISIONS IN BUSINESS CONTRACTS*.

Enacts new GS Chapter 1G, the North Carolina Choice of Law and Forum in Business Contracts Act.

Defines terms as they are used in the Chapter, including *business contract* (a contract or undertaking entered into primarily for business or commercial purposes, not including consumer contracts or employment contracts).

Provides that the parties to a business contract may agree in the contract that North Carolina law shall govern their rights and duties, whether or not the parties, the contract, or the transaction bears a reasonable relation to the State, or a provision of the contract is contrary to the fundamental policy of the jurisdiction whose law would apply in the absence of the parties' choice of North Carolina law, except to the extent GS 25-1-301(c) conflicts, at which point that statute controls.

Authorizes parties to business contracts to bring an action in this State's courts for a dispute arising from the business contract if the contract contains a provision designating North Carolina law as the law governing the contract, and a provision designating North Carolina's courts as the venue for disputes under the contract. Provides that agreeing to such a contract makes a party consent to personal jurisdiction of this State's courts. Authorizes contracts to designate one or more counties as the proper venue for a dispute arising from the contract, and in the absence of such a clause parties may bring an action in any county in this State. Authorizes Courts to change the place of trial to another county in this State.

Does not affect choice of law or forum provisions in non-business contracts, confer subject matter jurisdiction, or affect the designation of an action as a mandatory complex business case.

Amends GS 25-1-301 to make conforming changes.

Applies to business contracts entered into before, on, or after the date this act becomes law.

Intro. by Barringer.

[GS 1G, GS 25](#)

[View summary](#)

[Business and Commerce](#)

S 623 (2017-2018) [SCHOOL BUS FLEXIBILITY](#). Filed Apr 4 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO LOCAL BOARDS OF EDUCATION IN THE USE OF SCHOOL BUSES*.

Amends GS 115C-243. Amends the caption to read "Use of school buses by senior citizen groups, government entities, and nonprofits." Authorizes local boards of education to further enter into agreements with any tax-exempt nonprofit corporation to provide the use of school buses for transportation service. Authorizes use by any authorized entity on legal holidays, weekends, or breaks between school years. Requires the schedule of charges for use under this statute to include a charge by the hour and by the mile which will cover all costs both fixed and variable, including depreciation, gasoline, fuel, labor, maintenance, wages, and insurance (currently, these are set in a schedule by the State Board of Education, and the local board's schedule may not differ except with regard to charges to cover wages). Directs the local board of education to report the schedule to the Superintendent of Public Instruction each year. Authorizes buses used under this section to travel anywhere in the State. Makes conforming changes.

Intro. by Ballard, Tillman.

[GS 115C](#)

[View summary](#)

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

S 624 (2017-2018) [OUTDOOR HERITAGE ENHANCED](#). Filed Apr 4 2017, *AN ACT TO EXPAND THE USE OF FIREARMS FOR HUNTING OF WILD ANIMALS AND UPLAND GAME BIRDS ON SUNDAY AND TO ALLOW HUNTING OF MIGRATORY BIRDS ON SUNDAY*.

Identical to [H 559](#), filed 4/4/17.

Amends GS 103-2 (Method of take when hunting on Sunday). Authorizes landowners, landowners' family members, and persons with written permission from the landowner, subject to rules established by the Wildlife Resources Commission, to hunt wild animals and upland game birds with firearms on Sunday on the landowner's property, subject to the following limitations: the use of a firearm to take deer that are run or chased by dogs on Sunday is prohibited, and hunting on Sunday within 500 yards of a place of worship or a residence not owned by the landowner is prohibited between 9:30 AM and 12:30 PM. Provides that hunting on Sunday is allowed on licensed controlled hunting reserves at any time. Any current restrictions not listed above are deleted. Authorizes persons, subject to rules established by the Wildlife Resources Commission, to hunt wild animals and upland game birds with firearms on Sunday on public lands of the State managed for hunting, subject to the same provisions listed above. Authorizes the hunting of migratory birds on Sunday on private and public lands, and public waters, subject to rules adopted by the Wildlife Resources Commission. Further subjects persons who hunt in a manner prohibited by Wildlife Resources Commission rules to the Class 3 misdemeanor for hunting in violation of this statute. Exempts military reservations, Wildlife Resources Commission field trials, and self-defense. Authorizes wildlife protectors to enforce this statute. Effective when the rules below become effective.

Directs the Wildlife Resources Commission to adopt permanent rules to regulate the time and location of Sunday hunting of migratory birds, using the procedure and time lines for temporary rules, subject to review by the Rules Review Commission, effective as provided by GS 150B-21.3(b).

Intro. by Alexander, McInnis, Britt.

[GS 103](#)

[View summary](#)

[Animals](#)

S 625 (2017-2018) [SUMMONS FOR PRIVATE WARRANTS](#). Filed Apr 4 2017, *AN ACT TO REQUIRE THAT WHEN PROBABLE CAUSE IS FOUND FROM AN AFFIDAVIT OR TESTIMONY BY A PRIVATE CITIZEN, THE JUDICIAL OFFICIAL SHALL ISSUE A SUMMONS AND NOT A WARRANT.*

Amends GS 15A-304 to direct judicial officials finding probable cause based on information, in an affidavit or oral testimony under oath or affirmation before the official, from a private citizen, to issue a criminal summons under GS 15A-303 and not a warrant for arrest. Makes a conforming change.

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

Intro. by D. Davis.

[GS 15A](#)

[View summary](#)

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

S 626 (2017-2018) [PERMIT SUPERINTEND. SPOUSES TO WORK](#). Filed Apr 4 2017, *AN ACT TO PERMIT SPOUSES OF SUPERINTENDENTS TO BE EMPLOYED BY A LOCAL BOARD OF EDUCATION.*

Amends GS 14-234 (Public officers or employees benefiting from government contracts; exceptions) to provide that the statute does not apply to employment contracts between local boards of education and the spouse of the superintendent of the local school administrative unit.

Intro. by D. Davis, Tillman.

[GS 14](#)

[View summary](#)

[Education](#)

S 627 (2017-2018) [MINORITY COLLEGES ADVISORY BOARD](#). Filed Apr 4 2017, *AN ACT TO CREATE THE HISTORICALLY MINORITY COLLEGES AND UNIVERSITIES ADVISORY BOARD.*

Establishes a 19-member Historically Minority Colleges and Universities Advisory Board (Board) within the University of North Carolina General Administration, seven members each appointed as specified by the President Pro Tempore of the Senate and the Speaker of the House of Representatives, and five appointed by Chancellors of the historically minority constituent institutions. Directs the Board to study strategies and actions that can increase the rates of enrollment, retention, and graduation for historically minority colleges and universities that are constituent institutions of the University of North Carolina. Provides for the administration, meeting space, and compensation for the Board. Directs the Board to submit its preliminary findings to the Board of Governors of the University of North Carolina by December 15, 2017, and a final report to the Joint Legislative Education Oversight Committee by March 15, 2018. The Board terminates on March 15, 2018, or upon the filing of its final report, whichever happens first.

Intro. by D. Davis, Bryant, Robinson.

STUDY

[View summary](#)

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

S 631 (2017-2018) **PROTECT RIGHT TO WORK/CONFORMING CHANGES**. Filed Apr 4 2017, *AN ACT CLARIFYING THE STATE'S LABOR LAWS PROTECTING A PERSON'S RIGHT TO WORK*.

Effective only if voters approve a constitutional amendment in November 2018 protecting the right to work as set forth in legislation filed during the 2017 Regular Session of the General Assembly (S 632 proposes such an amendment).

Amends GS 95-78 to define *labor organization* as any trade union, labor union, or other labor association.

Amends GS 95-79, GS 95-80, GS 95-81, GS 95-82, GS 95-83, and GS 95-84 to make technical and conforming changes.

Intro. by B. Jackson, Daniel, Edwards.

GS 95

[View summary](#)

Employment and Retirement

S 632 (2017-2018) **PROTECT NC RIGHT TO WORK CONSTITUTIONAL AMEND**. Filed Apr 4 2017, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO GUARANTEE A PERSON'S RIGHT TO WORK*.

Enacts new Article I, Sec. 38 (Right to Work) of the North Carolina Constitution, subject to an affirmative vote of the majority of voters at an election on November 6, 2018, as follows:

Provides that the right to live includes the right to work, which must be protected and maintained free from undue restraints and coercion, and shall not be denied or abridged on account of membership status in a labor organization. Provides that no person shall be required by an employer to become or remain a member of, abstain or refrain from membership in, or pay dues, fees, or other charges of any kind to a labor organization as a condition of employment or continuation of employment. Defines labor organization to mean any trade union, labor union, or other labor association. Applies to contracts entered into after the effective date of this section, and any renewal or extension of contracts that exist on that date.

Provides for the text of the ballot question. Effective upon certification of the election by the State Board of Elections to the Secretary of State.

Intro. by B. Jackson, Daniel, Edwards.

CONST

[View summary](#)

Constitution, Employment and Retirement

S 633 (2017-2018) **REDUCE ANNUAL STATE BAR FEES**. Filed Apr 4 2017, *AN ACT TO REDUCE THE ANNUAL FEES CHARGED BY THE NORTH CAROLINA STATE BAR*.

Amends GS 84-34, concerning membership fees and lists of members for the North Carolina State Bar. Lowers the maximum membership fee from \$300 to \$50. Lowers the maximum fee for paying membership fees late from \$30 to \$5. Effective July 1, 2017.

Intro. by B. Jackson, Rabon, Tucker.

GS 84

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Court System

S 657 (2017-2018) **STUDY HEXAVALENT CHROMIUM IN GROUNDWATER**. Filed Apr 4 2017, *AN ACT TO STUDY ADVERSE IMPACTS ON DRINKING WATER OF RESIDENTS IN DIVIDED NEIGHBORHOODS SURROUNDING COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS*.

Identical to [H 567](#) filed on 4/4/17.

Amends GS 130A-309.211 to direct the Department of Environmental Quality to conduct a study of the distribution and levels of hexavalent chromium in the groundwater beneath a divided neighborhood (as defined) to determine if all households in the partially impacted neighborhood should receive a permanent replacement water supply. Makes technical changes.

Intro. by Harrington.

STUDY, GS 130A

[View summary](#)

Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health

LOCAL/HOUSE BILLS

H 288 (2017-2018) **TOWN OF RAYNHAM/EXTEND MAYOR'S TERM OF OFFICE**. Filed Mar 8 2017, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF RAYNHAM TO EXTEND THE TERM OF OFFICE FOR THE MAYOR OF THE TOWN OF RAYNHAM FROM TWO YEARS TO FOUR YEARS AND TO ALLOW FOR ELECTIONS FOR THE MAJOR AND THE BOARD OF COMMISSIONERS TO BE CONDUCTED ON THE SAME SCHEDULE*.

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

Amends the Charter of the Town of Raynham to provide that the members of the Board of Commissioners and the Mayor, beginning in 2017, and quadrennially thereafter, will be elected for terms of four years. Deletes the provision requiring Commissioners to be elected in a staggered fashion.

Repeals SL 1975-388, as amended, being Section 4 of the Charter of the Town of Raynham.

Validates all elections in the Town of Raynham since May 26, 1975, notwithstanding any irregularities. Ratifies and confirms any and all actions of the Board of Commissioners since May 26, 1975, notwithstanding electoral irregularities.

Intro. by Pierce.

Robeson

[View summary](#)

Government, Elections

H 447 (2017-2018) **LEXINGTON CITY BD. OF ED./CHANGE TO ELECTION**. Filed Mar 22 2017, *AN ACT TO CHANGE THE COMPOSITION OF THE LEXINGTON CITY BOARD OF EDUCATION FROM A NINE-MEMBER APPOINTED BOARD OF*

EDUCATION TO A SEVEN-MEMBER BOARD OF EDUCATION ELECTED ON A NONPARTISAN BASIS IN ODD-NUMBERED YEARS.

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

Deletes the proposed provision prohibiting a member of the Lexington City Board of Education from serving for more than two consecutive full terms without an intervening period of four years. Also deletes the related proposed provision providing that a vacancy filled by appointment or election for an unexpired portion of a term are not considered a full term.

Intro. by Potts, Watford.

Davidson

[View summary](#)

Education, Government, Elections

LOCAL/SENATE BILLS

S 51 (2017-2018) [WINSTON-SALEM/SERVICE BY PUBLICATION COST](#). Filed Feb 7 2017, *AN ACT PROVIDING THAT THE CITY OF WINSTON-SALEM MAY RECOVER THE COST OF SERVING COMPLAINTS AND ORDERS BY PUBLICATION IN HOUSING CODE ENFORCEMENT CASES.*

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

Further amends GS 160A-443 to clarify that the city of Winston-Salem can recover the actual cost (previously, the cost) of serving complaints and orders by publication in housing code enforcement cases. Additionally, adds that the act applies to complaints or orders pursuant to Part 6 of Article 19 of GS Chapter 160A (minimum housing standards provisions) issued on or after the date that the act becomes law.

Intro. by Lowe, Krawiec.

Forsyth

[View summary](#)

Development, Land Use and Housing, Property and Housing

S 105 (2017-2018) [FAIRMONT/VOLUNTARY ANNEXATION](#). Filed Feb 16 2017, *AN ACT ADDING CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF FAIRMONT.*

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

Intro. by Britt.

Robeson

[View summary](#)

S 115 (2017-2018) [CERTAIN TOWNS/SEWER FEE COLLECTIONS \(NEW\)](#). Filed Feb 21 2017, *AN ACT AUTHORIZING THE TOWNS OF BOLTON, FAIRMONT, PEMBROKE, PROCTORVILLE, ROWLAND, AND ST. PAULS TO BILL AND COLLECT FEES FOR SEWER SERVICES AS PROPERTY TAXES.*

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

Adds the towns of Bolton, Fairmont, Pembroke, Rowland, and St. Paul's to the towns authorized to bill and collect fees for sewer services as property taxes in GS 160A-314(a1) (the previous edition only added the town of Proctorville).

Intro. by Britt.

Columbus, Robeson

S 261 (2017-2018) [KANNAPOLIS DEANNEXATION](#). Filed Mar 14 2017, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF KANNAPOLIS.*

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

Adds new provision establishing that the act has no effect on the validity of any liens of the City of Kannapolis for ad valorem taxes or special assessments outstanding before the effective date of the act, June 30, 2017. Provides that those liens can be collected or foreclosed upon after the effective date of this act as though the property were still within the corporate limits of the City of Kannapolis.

Intro. by Brock.

Cabarrus, Rowan

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

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

Pres. To Gov. 4/4/2017

H 21: [DRIVER INSTRUCTION/LAW ENFORCEMENT STOPS.](#)

House: Reptd Fav Com Substitute

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

H 110: [DOT/DMV CHANGES.](#)

House: Reptd Fav Com Substitute

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

H 117: [PROTECT STUDENTS IN SCHOOLS.](#)

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 128: [PROHIBIT DRONE USE OVER PRISON/JAIL.](#)

House: Reptd Fav Com Sub 3

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

H 132: [HIGH ACHIEVING TUITION SCHOLARSHIPS.](#)

House: Reptd Fav

House: Re-ref Com On Education - Community Colleges

H 150: [STANDARDS FOR CHIROPRACTIC PEER REVIEW.](#)

House: Placed On Cal For 04/05/2017

H 181: [FIRST RESPONDERS ACT OF 2017.](#)

House: Reptd Fav Com Sub 2

House: Re-ref Com On Finance

H 302: DODEA/CLINICAL EDUCATORS FOR STUDENT TEACHING.

House: Placed On Cal For 04/05/2017

H 325: AMEND ARSON LAW/PROSECUTOR FUNDS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 332: MORROW MOUNTAIN STATE PARK LICENSE PLATE.

House: Reptd Fav

House: Re-ref Com On Finance

H 337: UNMANNED AIRCRAFT SYSTEMS LAW REVISIONS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

H 405: IMPACT FEES/REFUND TO HOMEOWNERS.

House: Serial Referral To Rules, Calendar, and Operations of the House Stricken

H 406: REPEAL ORANGE COUNTY IMPACT FEES.

House: Serial Referral To Finance Stricken

House: Withdrawn From Com

House: Re-ref to the Com on State and Local Government I, if favorable, Finance

H 414: SWAIN COUNTY/OFFICIAL FLY FISHING MUSEUM (NEW).

House: Reptd Fav Com Substitute

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

H 425: IMPROVE UTILIZATION OF MH PROFESSIONALS.

House: Placed On Cal For 04/05/2017

H 450: FUTURE READY STUDENT ACT OF 2017.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

H 457: PERFORMANCE GUARANTEES/SUBDIVISION STREETS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

H 468: DOT/FUNDING FOR PRELIMINARY ENGINEERING.

House: Reptd Fav

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

H 492: INCREASE PENALTIES FOR CERTAIN ASSAULTS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary II

H 547: CUMBERLAND 12C SUPERIOR COURT DISTRICTS.

House: Passed 1st Reading

House: Ref to the Com on Judiciary III, if favorable, Elections and Ethics Law

H 548: EQUALIZE TREATMENT OF WASTEWATER PRODUCTS.

House: Passed 1st Reading
House: Ref To Com On Finance

H 549: UNC BENCHMARK/REPORTING DATES.

House: Filed

H 550: ESTABLISH NEW NURSE LICENSURE COMPACT.

House: Filed

H 551: STRENGTHENING VICTIMS' RIGHTS.

House: Filed

H 552: GENERAL CONTRACTOR LICENSING AMENDMENTS.

House: Filed

H 553: LANE DEPARTURE DRIVER EDUCATION CURRIC./STUDY.

House: Filed

H 554: FINES AND FORFEITURES/PAYMENT TO SCHOOLS.

House: Filed

H 555: FUNDS/STREET GANG PREVENTION & INTERVENTION.

House: Filed

H 556: OFFICE OF EARLY CHILDHOOD EDUCATION.

House: Filed

H 557: MITIGATION SERVICES AMENDMENTS.

House: Filed

H 558: STUDY/TEXTING WHILE DRIVING ENFORCEMENT.

House: Filed

H 559: OUTDOOR HERITAGE ENHANCED.

House: Filed

H 560: IDD SERVICES WAITING LIST TRANSPARENCY.

House: Filed

H 561: SANITARY DISTRICTS/IMPACT FEES.

House: Filed

H 562: ENHANCED PENALTY FOR SECOND DEGREE TRESPASS.

House: Filed

H 563: WHOLE WOMAN'S HEALTH ACT.

House: Filed

H 564: REVISE IVC LAWS TO IMPROVE BEHAVIORAL HEALTH.

House: Filed

H 565: MODIFY COMPOSITION/911 BOARD.

House: Filed

H 566: PRIVATE PROTECTIVE SERVICES CHANGES.

House: Filed

H 567: STUDY HEXAVALENT CHROMIUM IN GROUNDWATER.

House: Filed

S 24: ALLOW RESTAURANTS TO USE OUTDOOR GRILLS.

Senate: Reptd Fav

S 68: STUDENT ATTENDANCE/PAGE PROGRAM RECOGNITION.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

S 131: REGULATORY REFORM ACT OF 2016.

House: Withdrawn From Com

House: Placed On Cal For 04/05/2017

S 138: ACCOUNTABILITY FOR TAXPAYER INVESTMENT BOARD.

Senate: Withdrawn From Com

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

S 140: REVISE STATE NATURE AND HISTORIC PRESERVE.

Senate: Amend Adopted A1

Senate: Passed 3rd Reading

Engrossed

S 156: PLUMBING & HEATING CONTRACTORS CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

S 160: HANDICAP PARKING PRIVILEGE CERTIFICATION.

Senate: Withdrawn From Com

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

S 222: SEARCH & RESCUE NAME/FUNDS.

Senate: Reptd Fav

Senate: Re-ref Com On Appropriations/Base Budget

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 270: LUMBERTON RIVERWALK FUNDS.

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 274: ROBESON FIRST RESPONDERS TRAINING/FUNDS.

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 308: AMEND VARIOUS DWI STATUTES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 317: HYPERTENSION AWARENESS DAY.

Senate: Reptd Fav

Senate: Re-ref Com On Health Care

S 320: SECRETARY OF ADMINISTRATION CONFIRMATION.

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

S 325: BILLION DOLLAR MIDDLE CLASS TAX CUT.

Senate: Amend Failed AI

Senate: Passed 2nd Reading

S 326: CLARIFY HUT & IMPROVE VEHICLE TITLING PROCESS.

Senate: Withdrawn From Com

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

S 333: REQUIRE USE OF DIRECTIONAL SIGNALS.

Senate: Withdrawn From Com

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

S 336: CATAWBA VALLEY CC/MANUFACTURING CENTER.

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 384: THE PHARMACY PATIENT FAIR PRACTICES ACT.

Senate: Withdrawn From Com

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

S 392: CONFIRMATION/SECRETARY OF DHHS.

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

S 460: AGRICULTURE AND FORESTRY NUISANCE REMEDIES.

Senate: Withdrawn From Com

Senate: Re-ref to Agriculture/Environment/Natural Resources. If fav, re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

S 467: NORTH CAROLINA RETIREMENT REFORM.

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations on Pensions, Compensation, and Benefits. If fav, re-ref to Rules and Operations of the Senate

S 469: PRESERVE MUNICIPAL SOLID WASTE CAPACITY.

Senate: Withdrawn From Com

Senate: Re-ref to State and Local Government. If fav, re-ref to Agriculture/Environment/Natural Resources. If fav, re-ref to Rules and Operations of the Senate

S 470: PERSONAL INJURY BANKRUPTCY TRUST CLAIMS.

Senate: Withdrawn From Com

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

S 475: LOW-INCOME BUILDING PROJECT-HFA.

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 476: TUITION GRANTS FOR NCSSM GRADUATES.

Senate: Withdrawn From Com

Senate: Re-ref to Education/Higher Education. If fav, re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 495: ZOO STATE CONSTRUCTION EXEMPTIONS.

Senate: Withdrawn From Com

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

S 501: 2017 DOL TECHNICAL CHANGES.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

S 580: UI FOR HIGH UNEMPLOYMENT AREAS/STATE FUNDING.

Senate: Passed 1st Reading

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

S 581: ESTABLISH MANDATORY DEMENTIA CARE TRAINING.

Senate: Passed 1st Reading

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

S 582: GSC TECHNICAL CORRECTIONS 2017.

Senate: Passed 1st Reading

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

S 583: OCCUP. THERAP./PHYS. THERAP. SALARIES.

Senate: Passed 1st Reading

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

S 584: PILOT PROJECT: TABLETS FOR INMATES.

Senate: Filed

S 585: STUDY INTERGOVERNMENTAL RELATIONS.

Senate: Filed

S 586: REQUIRE U.S. CIVICS TEST IN HIGH SCHOOLS.

Senate: Filed

S 587: TAX RETURNS UNIFORMLY MADE PUBLIC ACT.

Senate: Filed

S 588: WHOLE WOMAN'S HEALTH ACT.

Senate: Filed

S 589: FANTASY SPORTS REGULATION.

Senate: Filed

S 590: NC CONSUMER FIREWORKS SAFETY ACT.

Senate: Filed

S 591: SITE AND BUILDING DEVELOPMENT FUND.

Senate: Filed

S 592: SMALL BUSINESS ACCESS TO CAPITAL ACT.

Senate: Filed

S 593: ARBITRATION AND MEDIATION FOR BUSINESS COURT.

Senate: Filed

S 594: FAMILY/CHILD PROTECTION & ACCOUNTABILITY ACT.

Senate: Filed

S 595: STRENGTHENING VICTIMS' RIGHTS.

Senate: Filed

S 596: PROTECT LAW ENFORCEMENT OFFICERS.

Senate: Filed

S 597: APPRENTICESHIPNC.

Senate: Filed

S 598: FUTURE TEACHERS OF NORTH CAROLINA.

Senate: Filed

S 599: EXCELLENT EDUCATORS FOR EVERY CLASSROOM.

Senate: Filed

S 600: BRITNY'S LAW: IPV HOMICIDE.

Senate: Filed

S 601: GANG NUISANCE ABATEMENT ACT.

Senate: Filed

S 602: LIEN AGENT/NOTICE OF CANCELLATION.

Senate: Filed

S 603: EXCEPTIONAL EDUC. FOR EXCEPTIONAL CHILDREN.

Senate: Filed

S 604: HOMEMADE ALCOHOLIC BEVERAGE TASTING PERMIT.

Senate: Filed

S 605: ATTORNEY OPTIONS/IOLTA FUNDS.

Senate: Filed

S 606: ONE-YEAR EDPNC CONTRACT MODIFICATIONS.

Senate: Filed

S 607: JOB ORDER CONTRACTING METHOD.

Senate: Filed

S 608: IDD SERVICES WAITING LIST TRANSPARENCY.

Senate: Filed

S 609: UNIFORM GROUP PRACTICE PROVIDER CREDENTIALING.

Senate: Filed

S 610: EQUALIZE TREATMENT OF WASTEWATER PRODUCTS.

Senate: Filed

S 611: MITIGATION SERVICES AMENDMENTS.

Senate: Filed

S 612: PET BOARDING FACILITIES.

Senate: Filed

S 613: ATTORNEY'S FEES & COSTS/STATE PREVAILS.

Senate: Filed

S 614: WITHHOLDINGS FOR PROPERTY SALES: NONRESIDENTS.

Senate: Filed

S 615: NORTH CAROLINA FARM ACT OF 2017.

Senate: Filed

S 616: LIMIT LOOK-BACK FOR IMMATERIAL IRREGULARITIES.

Senate: Filed

S 617: ELIMINATE EMERGENCY RECALL JUDGES.

Senate: Filed

S 618: EDGE COMMITTEE DRAFT.

Senate: Filed

S 619: JLCEP STUDY GRID MODERNIZATION.

Senate: Filed

S 620: ELIMINATE DUPLICATION/PED STUDY.

Senate: Filed

S 621: BUSINESS CONTRACTS/CHOICE OF LAW AND FORUM.

Senate: Filed

S 622: BUSINESS CORPORATION ACT REVISIONS.

Senate: Filed

S 623: SCHOOL BUS FLEXIBILITY.

Senate: Filed

S 624: OUTDOOR HERITAGE ENHANCED.

Senate: Filed

S 625: SUMMONS FOR PRIVATE WARRANTS.

Senate: Filed

S 626: PERMIT SUPERINTEND. SPOUSES TO WORK.

Senate: Filed

S 627: MINORITY COLLEGES ADVISORY BOARD.

Senate: Filed

S 628: VARIOUS CHANGES TO THE REVENUE LAWS.

Senate: Filed

S 629: HEALTH CARE SERVICES BILLING TRANSPARENCY.

Senate: Filed

S 630: REVISE IVC LAWS TO IMPROVE BEHAVIORAL HEALTH.

Senate: Filed

S 631: PROTECT RIGHT TO WORK/CONFORMING CHANGES.

Senate: Filed

S 632: PROTECT NC RIGHT TO WORK CONSTITUTIONAL AMEND.

Senate: Filed

S 633: REDUCE ANNUAL STATE BAR FEES.

Senate: Filed

S 634: PRIVATE PROTECTIVE SERVICES CHANGES.

Senate: Filed

S 635: JUDICIAL ASSISTANTS FOR JUDGES.

Senate: Filed

S 636: INCREASE JUDICIAL PAY 20%.

Senate: Filed

S 637: SMALL FARMS TO HEALTHIER SCHOOLS INITIATIVE.

Senate: Filed

S 638: FUNDS TO ENHANCE TRIBAL RECOGNITION.

Senate: Filed

S 639: HEALTHY MOTHER, HEALTHY CHILD.

Senate: Filed

S 640: STUDY 64 BYPASS EFFECT & TRANSFER FUNDS.

Senate: Filed

S 641: UNIFORM SYSTEM DEVELOPMENT FEES FOR WATER.

Senate: Filed

S 642: BURDEN OF PROOF - PLANNING AND ZONING.

Senate: Filed

S 643: ESTABLISH VETERANS TREATMENT COURT.

Senate: Filed

S 644: INCREASE DIVERSITY AMONG PHYSICIAN ASSISTANTS.

Senate: Filed

S 645: KEEP BOTH PARENTS IN LIFE OF CHILD.

Senate: Filed

S 646: UNIVERSAL VOTER REGISTRATION.

Senate: Filed

S 647: JLEOC STUDY/ESSA/SCHOOL REPORT CARD.

Senate: Filed

S 648: LEGALIZE MEDICAL MARIJUANA.

Senate: Filed

S 649: PUBLIC RECORDS ACCESS - NC RESIDENTS ONLY.

Senate: Filed

S 650: STATE PENSION/RET. HEALTH BEN. FUND SOLVENCY.-AB

Senate: Filed

S 651: DRIVERS LICENSE/RECIPROCITY W/FOREIGN NATION.

Senate: Filed

S 652: INCREASE ACCESS TO HIGHER EDUCATION.

Senate: Filed

S 653: SOG - STUDY GUBERNATORIAL TRANSITION.

Senate: Filed

S 654: MAKE NC BETTER FOR BUSINESS/REVENUE LAWS.

Senate: Filed

S 655: CHANGE DATE WHEN PRIMARY ELECTIONS HELD.

Senate: Filed

S 656: ELECTORAL FREEDOM ACT OF 2017.

Senate: Filed

S 657: STUDY HEXAVALENT CHROMIUM IN GROUNDWATER.

Senate: Filed

S 658: CHARTER SCHOOL FUNDS.

Senate: Filed

S 659: SECRETARY OF COMMERCE CONFIRMATION.

Senate: Filed

S 660: ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS.

Senate: Filed

S 661: SCH. DIST. HOLD HARMLESS/HURRICANE MATTHEW.

Senate: Filed

S 662: CHARTER SCHOOL TRANSPORTATION GRANT PROGRAM.

Senate: Filed

S 663: THE I. BEVERLY LAKE, JR., FAIR TRIAL ACT.

Senate: Filed

S 664: RESTORE ED.-BASED SALARY SUPPLEMENTS.

Senate: Filed

S 665: THE I. BEVERLY LAKE, JR., FAIR TRIAL ACT.

Senate: Filed

S 666: CAPITAL PROCEDURE/SEVERE DISABILITY.

Senate: Filed

S 667: AMEND VARIOUS INNOCENCE COMMISSION STATUTES.

Senate: Filed

S 668: ENHANCED PENALTY FOR SECOND DEGREE TRESPASS.

Senate: Filed

S 669: SE NC AG EVENTS CENTER/FUNDS.

Senate: Filed

S 670: SALES TAX EXEMPTION - AGRICULTURAL FAIRS.

Senate: Filed

S 671: SALES TAX: MANUFACTURED HOMES.

Senate: Filed

S 672: LACK OF POSTMARK/ABSENTEE BALLOTS.

Senate: Filed

S 673: KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & REG.

Senate: Filed

S 674: SCH. DIST. HOLD HARMLESS/HURRICANE MATTHEW.

Senate: Filed

S 675: LACK OF POSTMARK/ABSENTEE BALLOTS.

Senate: Filed

LOCAL BILLS

H 288: TOWN OF RAYNHAM/EXTEND MAYOR'S TERM OF OFFICE.

House: Reptd Fav Com Substitute

House: Re-ref Com On Elections and Ethics Law

H 331: CORRECT BOARD MEMBER TERMS/TOWN OF OAKBORO.

House: Reptd Fav

House: Re-ref Com On Elections and Ethics Law

H 349: CURRITUCK-DEVELOPER FUNDS FOR ROAD CONSTR.

House: Reptd Fav

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

H 408: FILLING VACANCY/CABARRUS COUNTY BD. OF COMM.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

H 420: ROCKINGHAM CTY TOURISM DEVELOPMENT AUTHORITY.

House: Reptd Fav

House: Re-ref Com On Commerce and Job Development

H 426: SANFORD-LEE COUNTY AIRPORT AUTHORITY CHANGES.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

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

House: Reptd Fav Com Substitute

House: Re-ref Com On Elections and Ethics Law

H 449: HENDERSON CTY/LAW ENFORCEMENT TRAINING CENTER.

House: Reptd Fav

House: Re-ref Com On Education - Community Colleges

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/05/2017

S 51: WINSTON-SALEM/SERVICE BY PUBLICATION COST.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 105: FAIRMONT/VOLUNTARY ANNEXATION.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 115: CERTAIN TOWNS/SEWER FEE COLLECTIONS (NEW).

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 122: REPEAL CENTERVILLE CHARTER.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 185: ABOLISH COLUMBUS COUNTY CORONER.

Senate: Withdrawn From Com

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

S 261: KANNAPOLIS DEANNEXATION.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance