

The Daily Bulletin: 2017-04-06

PUBLIC/HOUSE BILLS

H 212 (2017-2018) [ZETA PHI BETA SPECIAL REGISTRATION PLATE](#). Filed Feb 28 2017, *AN ACT TO REAUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A SPECIAL REGISTRATION PLATE FOR THE ZETA PHI BETA SORORITY.*

House committee substitute to the 1st edition makes the following change. Changes the effective date of the act from July 1, 2017, to when the act becomes law.

Intro. by Gill, Pierce, Holley, B. Richardson.

GS 20

[View summary](#)

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

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

House amendment makes the following changes to the 2d edition.

Makes technical changes to proposed GS 143-166.90 and proposed GS 143-166.92.

Provides that the act is effective when it becomes law and applies to firefighters and rescue squad workers retiring on or after July 1, 2022, with at least 5 years of continuous service that was rendered on or after July 1, 2017.

Intro. by Dollar, Malone, Saine, Clampitt.

GS 143

[View summary](#)

Employment and Retirement, Government, State Government, State Personnel

H 384 (2017-2018) [INCREASE PENALTIES/ORGANIZED RETAIL THEFT](#). Filed Mar 15 2017, *AN ACT TO STRENGTHEN THE ORGANIZED RETAIL THEFT LAWS.*

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

Amends GS 14-72.11 to require an offender to know or have reasonable grounds to believe that property is stolen, for larceny against a merchant by exchanging that property for some other item of value to be considered a Class H felony. Replaces the current proposed Class H felony for persons who commit larceny against a merchant by returning stolen property while utilizing fictitious identification, with a Class H felony for persons who commit larceny against a merchant by exchanging property, knowing or having reasonable grounds to believe the property is stolen, for cash, a gift card, a merchandise card, or some other item of value, and use fictitious identification to prevent the merchant from properly identifying the person seeking to exchange the property.

Amends GS 14-86.6 to add the requirement that a offender be leader of two or more other persons associated for the purpose of engaging in organized retail theft (was, acts of a leader of an organized retail theft enterprise) to be guilty of the proposed Class G felony for acting as a leader of such a group. Deletes the changes to the definition of organized retail theft enterprise in GS 14-86.5. Authorizes the aggregation of thefts occurring in more than one county in alleging a violation of this statute.

Intro. by Fraley, Jordan, Warren, Wray.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

H 389 (2017-2018) [SCHOOL CALENDAR FLEXIBILITY PILOT PROGRAM](#). Filed Mar 15 2017, *AN ACT TO ESTABLISH THE SCHOOL CALENDAR FLEXIBILITY PILOT PROGRAM*.

House amendment #1 changes the directive to the Department of Commerce to now direct the Department to study the effect of the School Calendar Flexibility Pilot Program on the travel and tourism industry for all 100 counties of the State (previously, directed to study the effect of the Program on the tourist industry).

Intro. by Warren, Horn, Johnson, McGrady.

STUDY

[View summary](#)

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

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

House amendment #1 further amends GS 122C-236.1(a), which authorizes the Secretary of Health and Human Services to waive the requirements of the currently specified statutes when the Secretary has received a request from an LME to substitute a listed or previously proposed professional for a physician or eligible psychologist to conduct the initial examinations for the involuntary commitment of individuals with a mental illness or substance use disorder. Adds a new subdivision to require that the professionals referenced in subsection (a) that are performing the examination are prohibited from being related by blood or marriage to the individuals meeting the criteria for examination.

Intro. by Dobson, Dollar, Murphy, Earle.

GS 55B, GS 122C

[View summary](#)

Business and Commerce, Corporation and Partnerships, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health

H 450 (2017-2018) [FUTURE READY STUDENT ACT OF 2017](#). Filed Mar 22 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE GENERAL STATUTES PROVIDING FOR CAREER AND TECHNICAL EDUCATION*.

House amendment #1 makes the following changes to the 1st edition.

Makes conforming changes to GS 115D-5(b)(12), permitting the State Board of Community Colleges to provide for waiver of tuition and registration fees for all courses (currently, all curriculum courses) taken by high school students at community colleges, in accordance with GS 115D-20(4). Makes conforming changes to GS 115D-20(4)a.2, permitting local community colleges to collaborate with local administrative units to offer academic transition pathways for qualified junior and senior high school students that lead to a career technical education certificate, diploma, or State industry-recognized credential (currently, certificate or diploma). Provides that these provisions apply beginning with the 2017-18 school year.

Intro. by Horn, Johnson, Dixon, Williams.

GS 115C, GS 115D

[View summary](#)

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

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 amendment makes the following change to the 2nd edition.

Amends proposed GS 153A-331.1 to replace all references to the *engineer of record* or *professional engineer of record* with *professional engineer*.

Intro. by Torbett, Iler, Hastings, Shepard.

GS 153A

[View summary](#)

Government, Local Government, Transportation

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

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

Amends the long title.

Deletes the provisions repealing GS 53C-9-405 and GS 53C-9-406.

Amends GS 54-109.57A (Payable on Death accounts). Provides that a pledge of a Payable on Death account by any owner, unless otherwise specifically agreed between a credit union and all other owners in writing, is a valid pledge and transfer of the account or of the pledged amount, is binding on all owners and beneficiaries, does not operate to sever or terminate the joint ownership of all or any part of the account, and survives the death of any owner or any beneficiary.

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

GS 45, GS 53C

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Banking and Finance

H 483 (2017-2018) [VET. POSTTRAUMATIC STRESS/MITIGATING FACTOR](#). Filed Mar 27 2017, *AN ACT TO PROVIDE THAT A COURT MAY CONSIDER POSTTRAUMATIC STRESS DISORDER AS A MITIGATING FACTOR WHEN SENTENCING A PERSON WHO IS A VETERAN.*

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

Amends GS 15A-1340.16 to further authorize a defendant to prove combat service in the United States Armed Forces with a Form DD-214, as an alternative form of proof to a certification by the Secretary of Military and Veterans Affairs.

Provides that the act applies to offenses committed on or after October 1, 2017.

Intro. by G. Martin, Zachary, Reives, Rogers.

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections
(Sentencing/Probation), Criminal Law and Procedure,
Military and Veteran's Affairs**

H 484 (2017-2018) **SERVICEMEMBERS CIVIL RELIEF ACT**. Filed Mar 27 2017, *AN ACT TO ENACT THE NORTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT*.

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

Changes the definition of *dependent* provided in proposed GS 127B-27 to define the term as (1) the servicemember's spouse; (2) the servicemember's child as defined in 50 USC 3911(4); or (3) an individual for whom the servicemember provided more than one-half of the individual's support for 180 days immediately preceding an application for relief under new Article 4 (previously, defined the term only as defined in 50 USC 3911(4)).

Adds *military order* to the terms defined in proposed GS 127B-27. Defines the term to mean official military orders, or any notification, certification, or verification from the servicemember's commanding officer, with respect to the servicemember's current or future military duty status. Adds that in the case of the NC National Guard, the term order includes an order from the Governor pursuant to GS Chapter 127A, and in the case of the member of the National Guard of another state, includes an order from the governor of another state.

Changes the definition of *servicemember* provided in proposed GS 127B-27 to define the term to mean a member in military service as defined in subdivision (3) of the statute (previously, defined the term to be as defined in 50 USC 3911(1)).

Makes conforming change to proposed GS 127B-28.

Deletes proposed GS 127B-29, providing for dependent's rights and protections. Makes conforming changes to modify the statute numbers for the remaining proposed statutes of new Article 4.

Specifies that a civil action that can be commenced by the Attorney General under proposed GS 127B-30 (previously numbered GS 127B-31) includes actions under GS Chapter 75 (Monopolies, Trusts, and Consumer Protection). Adds to the remedies that a court can provide under the new statute any other remedy provided under GS Chapter 75. Enacts new GS 127B-33 to establish that a violation of new Article 4 is an unfair and deceptive trade practice for purposes of GS Chapter 75 (previously placed in proposed GS 127B-32, now numbered GS 127B-31, establishing a private right of action).

Adds a severability clause.

Intro. by G. Martin, Grange.

GS 127A, GS 127B

[View summary](#)

**Business and Commerce, Consumer Protection,
Courts/Judiciary, Civil, Civil Law, Military and Veteran's
Affairs**

H 488 (2017-2018) **EARLY RENTAL TERMINATION BY MILITARY MEMBERS**. Filed Mar 27 2017, *AN ACT TO ADD ADDITIONAL PROTECTIONS FOR ACTIVE AND RESERVE NATIONAL GUARD MEMBERS UPON EARLY TERMINATION OF A RENTAL AGREEMENT*.

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

Amends the long title.

Deletes all proposed amendments to GS 42-45.

Amends GS 42-45 to apply that statute to members of the Active Guard and Reserve under section 101 of the US Code, or a military technician under section 10216 of Title 10 of the US Code, in addition to the currently authorized members of the Armed forces of the United States.

[View summary](#)

H 578 (2017-2018) [REVISIONS TO OUTDOOR ADVERTISING LAWS](#). Filed Apr 5 2017, *AN ACT TO INCREASE SELECTIVE VEGETATION REMOVAL PERMIT FEES AND TO CLARIFY STANDARDS FOR SELECTIVE VEGETATION REMOVAL*.

Amends GS 136-18.7 to provide that the fee for a selective vegetation removal permit pursuant to Article 11 for an outdoor advertising location is \$600 for the initial three-year period listed in GS 136-133.4, and \$200 for any subsequent three-year renewal period. Applies to applications for permits received on or after the date the act becomes law.

Amends GS 136-93.2 to establish that the monetary value for existing trees removed and eligible for reimbursement to the Department of Transportation as provided in GS 136-93 or GS 136-133.1 from State rights-of-way is \$45 per caliper inch (currently, details process for the Department to determine the monetary value on an annual basis). Applies to trees removed on or after the date the act becomes law.

Amends Article 11 of GS Chapter 136, the Outdoor Advertising Control Act, as follows.

Adds to the definitions that apply to the Article, set out in GS 136-128. Adds the terms cross read face; direct read face; and viewing edge of the sign. Makes further technical changes to the statute.

Amends GS 136-133.1 (Outdoor advertising vegetation cutting or removal). Subsection (a) provides that the owner of an outdoor advertising sign permitted under GS 136-129(4) or GS 136-129(5) (technical change to statutory references) who obtains a selective vegetation removal permit, and the owner's designees, may cut, thin, prune, or remove vegetation in accordance with this statute, GS 136-93(b), GS 136-133.2, and GS 136-133.4. Amends and adds to the parameters set forth to determine the maximum cut or removal zone for vegetation for each sign face. Amends subsection (a1) to provide for the owner of an outdoor advertising sign who is a selective vegetation removal permittee to be permitted to cut or remove vegetation on private property within the zones marked by specified points with the written permission of the land owner, and the Department of Transportation, at the request of a selective vegetation removal permittee, to approve plans for the cutting, thinning, pruning, or removal of vegetation outside of the cut or removal zone defined in subsection (a) or within gores, medians, or other areas of the primary highway system (was, along acceleration or deceleration ramps) so long as the view to the outdoor advertising sign will be improved and the safety of the traveling public is protected (was, and the total aggregate area of cutting or removal does not exceed the maximum allowed in subsection (a) of this section). Amends subsection (b) to clarify that native dogwoods and native redbuds are to be preserved, to the extent possible. Permits a selective vegetation removal permittee to relocate, and replace if necessary, any native dogwoods or native redbuds existing within the cut or removal zone established in subsection (a) to a location within 2,500 feet on either side of the outdoor advertising structure, as measured along the edge of the pavement of the main travel way of the nearest controlled route. Further provides that if a native dogwood or native redbud cannot be preserved during relocation, a selective vegetation removal permittee is required to replace the native dogwood or native redbud with native dogwoods or native redbuds of the same cumulative caliper inches.

Amends GS 136-133.2 (Issuance or denial of a selective vegetation removal permit) to place existing language into new subsection (a). Adds new subsection (b) to allow permits to remove vegetation to be granted for outdoor advertising locations (1) where outdoor advertising has been relocated as allowed by law, and (2) that otherwise comply with the requirements of the statute and rules adopted by the Department of Transportation in accordance with the statute. Makes conforming change to existing language.

Amends GS 136-133.4 (Selective vegetation removal permits) to increase the time for which selective vegetation removal permits are valid to three years (currently, one year). Amends subsection (d) to provide that except for authorized chips or when the Department of Transportation and the permittee or the permittee's agent agree in writing to the contrary, all cut vegetation is required to be removed from the right-of-way and disposed of in areas provided by the permittee within 72 hours after commencement of the event that necessitated cutting the vegetation (currently, there is no time requirement). Prohibits the burning or burying of cut vegetation (currently, trimmings, laps, or debris) on the highway right-of-way. Provides that when chipping is

used to dispose of cut vegetation (currently, trimmings), chips can be neatly spread on a right-of-way at locations which the Department of Transportation determines will not be harmful to the environment or affect traffic safety. Applies to applications for permits received on or after the date the act becomes law.

Directs the Department of Transportation to adopt rules to implement the provisions of the act no later than six months after the effective date of the act. Sets forth the procedure the Department is to use to adopt the rules, including having the proposed rule published, accepting written comments on the proposed rule, and holding a public hearing on the proposed rule prior to adoption. Provides that a rule adopted in accordance with this provision becomes effective on the first day of the month following the month the Department of Transportation adopts the rule and submits the rule to the Codifier of Rules for entry into the NC Administrative Code. Any rule adopted more than six months after the effective date of this act must comply with the requirement of Article 2A of GS Chapter 150B.

Makes any rule or policy adopted by the Department that does not comply with with this act null and void.

Provides a severability clause.

Intro. by Lewis, Saine, Goodman, Hanes.

GS 136

[View summary](#)

**Business and Commerce, Government, State Agencies,
Department of Transportation, Local Government**

H 579 (2017-2018) **REVISIONS TO OUTDOOR ADVERTISING LAWS**. Filed Apr 5 2017, *AN ACT TO CLARIFY THE STANDARDS FOR DETERMINING JUST COMPENSATION FOR THE REMOVAL OF OFF-PREMISES OUTDOOR ADVERTISING*.

Amends Article 11 of GS Chapter 136, the Outdoor Advertising Control Act, as follows.

Modifies and adds to the definitions that apply to the Article, set out in GS 136-128. Modifies the definition for erect. Adds the term *off-premises outdoor advertising*, and defines the term to mean the use of land consisting of a sign erected and maintained for the purpose of (1) displaying, advertising, identifying, or directing attention to business products, operations, or services sold or offered at a site other than the site where the sign is erected, or (2) promoting an attraction, activity, idea, opinion, or other noncommercial messaging that is unrelated to the site where the sign is erected. Provides that a sign meeting this definition is commonly known as a billboard, where space is commonly made available or rented to advertisers to display their messages to the traveling public.

Renames GS 136-131, Removal of existing off-premises outdoor advertising (currently, Removal of existing nonconforming advertising). Makes organizational changes to provide for subsections. Modifies the statute to now authorize the Department of Transportation to acquire by purchase, gift, or condemnation all off-premises outdoor advertising and all property rights pertaining thereto, provided the off-premises advertising is in lawful existence on the effective date of the Article as determined by GS 136-140, or provided that it is lawfully erected after the effective date of the Article as determined by GS 136-140. Adds that this statute applies to all acquisitions, purchases, condemnations, or takings by the Department of Transportation that cause the removal of any lawfully erected off-premises outdoor advertising, regardless of the outdoor advertising sign's location and proximity to the interstates or primary systems. Provides that the unit rule for valuing property cannot be used in determining just compensation under this statute. Sets out that for purposes of this section, unit rule means paying the undivided interest in real property, rather than the value of each owner's partial interest. Additionally, sets forth nine factors to be used in determining just compensation for off-premises outdoor advertising and all property rights pertaining thereto. Makes conforming changes to the existing language of the statute. New subsection (b) directs the Department of Transportation, prior to any acquisition under the statute, to undertake the project necessitating the acquisition in accordance with GS 133-11 to minimize adverse impacts to the displaced off-premises outdoor advertiser and reduce the costs of acquiring the off-premises outdoor advertising and all property rights thereto, including allowing the off-premises outdoor advertising to remain until actual construction or other physical site work is commenced on the project and within 100 feet of the off-premises outdoor advertising sign. New subsection (c) establishes that the owner of off-premises outdoor advertising is entitled to recover from the party causing the removal of the off-premises outdoor advertising the reasonable costs of relocating and reconstructing the displaced off-premises outdoor advertising, including an amount equivalent to the income received by the off-premises outdoor advertiser from the availability or rental of space on the off-premises outdoor advertising sign for a period of up to 30 days if the income is lost during the

relocation of the sign, in addition to receiving just compensation in accordance with the statute. Applies to determinations of just compensation on or after the date the act becomes law.

Amends GS 153A-143 (regulation of outdoor advertising by counties) and GS 160A-199 (regulation of outdoor advertising by cities). Applies to outdoor advertising that has not been removed as of the date the act becomes law.

Modifies subsection (d) in each statute to now provide that no county or city can cause or require the removal of any nonconforming, lawfully erected off-premises outdoor advertising sign without the payment of monetary compensation to the owners of the off-premises outdoor advertising, except as provided in the subdivisions of subsection (d). Adds new subsection (d1) to each statute prohibiting counties and cities from conditioning the grant of any development approval on the removal of off-premises outdoor advertising without the payment of monetary compensation as prescribed by each respective statute. Sets out the meaning of development approval.

Amends subsection (e) in each statute, to provide that monetary compensation, being the fair market value of the off-premises outdoor advertising in place immediately prior to its removal, is to include the consideration of the value of (1) the off-premises outdoor advertising owner's interest in the real property on which the off-premises outdoor advertising is located, (2) the off-premises outdoor advertising sign structure, and (3) any rights, including permits, appurtenant to the off-premises outdoor advertising use. Requires monetary compensation to be determined in accordance with GS 136-131 as amended (currently, based on the factors listed in GS 105-317.1(a) and the listed property tax value of the property and any documents regarding value submitted to the taxing authority). Applies to determinations of just compensation on or after the date the act becomes law.

Deletes subsection (m) in each statute which preserved county and city ordinances in effect prior to the effective date of the statute and allowed for modification of existing statutes. Amends subsection (n) in both statutes, clarifying that the statute does not modify the rights of off-premises outdoor advertising set forth in Article 11 of GS Chapter 136. Sets forth that the standards set out in GS 136-131, as amended, apply to any county or city that causes the removal of off-premises outdoor advertising through the exercise of its power of eminent domain.

Directs the Department of Transportation to adopt rules to implement the provisions of the act no later than six months after the effective date of the act. Sets forth the procedure the Department is to use to adopt the rules, including having the proposed rule published, accepting written comments on the proposed rule, and holding a public hearing on the proposed rule prior to adoption. Provides that a rule adopted in accordance with this provision becomes effective on the first day of the month following the month the Department of Transportation adopts the rule and submits the rule to the Codifier of Rules for entry into the NC Administrative Code. Any rule adopted more than six months after the effective date of this act must comply with the requirement of Article 2A of GS Chapter 150B.

Makes any rule or policy adopted by the Department that does not comply with with this act null and void.

Provides a severability clause.

Intro. by Lewis, Saine, Goodman, Hanes.

[GS 136, GS 153A, GS 160A](#)

[View summary](#)

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

H 580 (2017-2018) [REVISIONS TO OUTDOOR ADVERTISING LAWS](#). Filed Apr 5 2017, *AN ACT TO ALLOW FOR THE RELOCATION AND RECONSTRUCTION OF OFF-PREMISES OUTDOOR ADVERTISING*.

Amends Article 11 of GS Chapter 136, the Outdoor Advertising Control Act, as follows.

Modifies and adds to the definitions that apply to the Article, set out in GS 136-128. Modifies the definition for erect; nonconforming sign; and unzoned commercial or industrial area (was, unzoned area). Adds the terms area zoned commercial or industrial; customary use; main-traveled way or main travel way; and off-premises outdoor advertising. Defines *off-premises advertising* as the use of land consisting of a sign erected and maintained for the purpose of (1) displaying, advertising, identifying, or directing attention to business products, operations, or services sold or offered at a site other than the site where the sign is erected, or (2) promoting an attraction, activity, idea, opinion, or other noncommercial messaging that is unrelated to the site where the sign is erected. Provides that a sign meeting this definition is commonly known as a billboard, where space is

commonly made available or rented to advertisers to display their messages to the traveling public. Makes further technical changes to the statute.

Enacts GS 136-130.1, detailing nine criteria that one or more commercial or industrial activities must meet to qualify an area unzoned commercial or industrial for purposes of Article 11 prior to submitting an outdoor advertising permit application, including that the activity must have a direct or indirect vehicular access and be a generator of vehicular traffic, and the activity must be in active operation a minimum of six months prior to the date of submitting an application for an outdoor advertising permit. Details guidelines to be used in making a determination as to whether an activity meets the criteria. Specifies ten activities that cannot be considered for purposes of qualifying an area as unzoned commercial or industrial, including transient or temporary activities and activities not visible and recognizable as commercial or industrial from the traffic lanes of the main-traveled highway.

Enacts GS 136-131.3, establishing that any off-premises outdoor advertising sign adjacent to a highway on the National System of Interstate and Defense Highways, or a highway on the federal-aid primary highway system, for which there is in effect a valid permit issued by the Department of Transportation, must be permitted to be relocated and reconstructed, subject to the three requirements detailed in subsection (a) of the statute. Permits the right provided under subsection (a) to relocate off-premises outdoor advertising to by assigned or conveyed by the permittee. Subsection (b) establishes that a new site for relocation cannot be denied by the Department of Transportation due to the presence of vegetation obstructing the visibility of the outdoor advertising sign from the viewing zone. Requires that the owner or operator of the off-premises outdoor advertising sign must be permitted to improve the visibility of the sign by removing any vegetation (1) on the property upon receiving written consent of the landowner, and (2) on the right-of-way of the interstate and primary systems of the State pursuant to a selective vegetation removal permit issued under the Article. Applies to off-premises outdoor advertising signs removed on or after January 1, 2014.

Makes conforming and technical changes to GS 136-133.5 (Denial of a permit for proposed outdoor advertising). Applies to off-premises outdoor advertising signs removed on or after January 1, 2014.

Amends GS 153A-143 (regulation of outdoor advertising by counties) and GS 160A-199 (regulation of outdoor advertising by cities) to add new subsection (d1) to each statute prohibiting counties and cities from enacting, amending, or enforcing an ordinance to prohibit the relocation and reconstruction of any off-premises outdoor advertising sign (1) pursuant to GS 136-131.3, or (2) that meets the requirements set forth in subdivisions (1) through (3) of new subsection (d1), when the relocation was caused by a project authorized by law and undertaken by the State, a local government, or any other entity possessing the power of eminent domain. Permits building materials different from the materials used to initially construct an off-premises outdoor advertising sign to be used to reconstruct the off-premises outdoor advertising sign at the site of relocation. Permits the right provided under subsection (d1) to relocate off-premises outdoor advertising to by assigned or conveyed by the permittee. Applies to off-premises outdoor advertising signs removed on or after January 1, 2014.

Directs the Department of Transportation to adopt rules to implement the provisions of the act no later than six months after the effective date of the act. Sets forth the procedure the Department is to use to adopt the rules, including having the proposed rule published, accepting written comments on the proposed rule, and holding a public hearing on the proposed rule prior to adoption. Provides that a rule adopted in accordance with this provision becomes effective on the first day of the month following the month the Department of Transportation adopts the rule and submits the rule to the Codifier of Rules for entry into the NC Administrative Code. Any rule adopted more than six months after the effective date of this act must comply with the requirement of Article 2A of GS Chapter 150B.

Makes any rule or policy adopted by the Department that does not comply with with this act null and void.

Provides a severability clause.

Intro. by Lewis, Saine, Goodman, Hanes.

[GS 136, GS 153A, GS 160A](#)

[View summary](#)

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

ADVERTISING, AND TO ESTABLISH A REASONABLE TIME FRAME FOR MAKING AGENCY DECISIONS REGARDING PERMITS AND APPEALS.

Amends Article 11 of GS Chapter 136, the Outdoor Advertising Control Act, as follows.

Adds to the declaration of policy in GS 136-127 that the General Assembly finds and declares off-premises outdoor advertising is an important and distinct medium of communication for effectively displaying commercial and noncommercial messages and is an established segment of the national economy that serves to promote and protect investments in commerce and industry. Further finds that off-premises advertising is a use of land that should be preserved and its modernization fostered in order to enable new technology and more inventive ways of communicating. Modifies the declared intent, now providing that the intent of the General Assembly is to declare a public policy and statutory basis for the establishment of a uniform system for the regulations and control of off-premises outdoor advertising throughout the State. Makes conforming and clarifying changes.

Modifies and adds to the definitions that apply to the Article, set out in GS 136-128. Modifies the definitions for erect or erection; nonconforming sign; and unzoned commercial or industrial area (was unzoned area). Adds and defines the terms area zoned commercial or industrial; changeable message sign; customary use; maintain or maintenance; main-traveled way or main travel way; sign face; and sign location or site. Defines *off-premises outdoor advertising* to mean the use of land consisting of a sign erected and maintained for the purpose of (1) displaying, advertising, identifying, or directing attention to business products, operations, or services sold or offered at a site other than the site where the sign is erected, or (2) promoting an attraction, activity, idea, opinion, or other noncommercial messaging that is unrelated to the site where the sign is erected. Provides that a sign meeting this definition is commonly known as a billboard, where space is commonly made available or rented to advertisers to display their messages to the traveling public. Makes technical changes to the statute.

Enacts GS 136-130.1, detailing nine criteria that one or more commercial or industrial activities must meet to qualify an area unzoned commercial or industrial for purposes of Article 11 prior to submitting an outdoor advertising permit application, including that the activity must have a direct or indirect vehicular access and be a generator of vehicular traffic, and the activity must be in active operation a minimum of six months prior to the date of submitting an application for an outdoor advertising permit. Details guidelines to be used in making a determination as to whether an activity meets the criteria. Specifies ten activities that cannot be considered for purposes of qualifying an area as unzoned commercial or industrial, including transient or temporary activities and activities not visible and recognizable as commercial or industrial from the traffic lanes of the main-traveled highway.

Amends GS 136-129, which prohibits any outdoor advertising to be erected or maintained within 660 feet of the nearest edge of the right-of-way of the interstate or primary highway systems in this State so as to be visible from the main-traveled way thereof after the effective date of the Article as determined by GS 136-140, and delineates six exceptions to the prohibition. Modifies the exception in subdivision (4) to except outdoor advertising, in conformity with customary use and the rules and regulations promulgated by the Department of Transportation, pursuant to GS 136-130, located in areas which are zoned commercial or industrial by the State, or a political subdivision of the State, under authority of State law. Modifies the exception in subdivision (5) to except outdoor advertising, in conformity with customary use and the rules and regulations promulgated by the Department of Transportation, pursuant to GS 136-130, located in unzoned commercial or industrial areas.

Amends GS 136-129.2, which sets forth limitations of outdoor advertising devices adjacent to scenic highways, State and National Parks, historic areas and other places, to add new subsection to clarify that the Article does not alter or supersede the requirements and limitations set forth in Article 10 of GS Chapter 113A (Control of Outdoor Advertising near the Blue Ridge Parkway).

Makes conforming, clarifying, and technical changes to GS 136-130, concerning the regulation of advertising. Makes organizational change to place existing language into new subsection (a). Adds new subsection (b) to prohibit the Department of Transportation from denying or revoking a permit for outdoor advertising required under the Article on the basis that the outdoor advertising fails to conform to ordinances, rules, or regulations of a municipality, county, local or regional zoning authority, or other political subdivisions of the State, except for the case of the proposed erection of a new outdoor advertising sign at a new sign location or site that fails to comply at the time of denial with ordinances, rules, or regulations of a municipality, county, local or regional zoning authority, or other political subdivision of the State that are consistent with GS 136-131.2(b).

Modifies GS 136-131.2 (Modernization of outdoor advertising devices) to now provide as follows. Subsection (a) establishes that no municipality, county, local or regional zoning authority, or other political subdivision can, without the payment of just compensation as provided for in GS 136-131.1, regulate or prohibit the repair, maintenance, alteration, or reconstruction of any

outdoor advertising for which there is in effect a valid permit issued by the Department of Transportation at the time of the repair, maintenance, alteration, or reconstruction, so long as for multi-faced signs conforming to customary use, the cumulative square footage of its the advertising surface area is not increased and no sign face exceeds 672 square feet. Permits the size of a sign face or faces of another off-premises outdoor advertising sign that is permanently taken down in the same jurisdiction within 120 days of a sign being reconstructed to be combined to increase the cumulative advertising surface area of the reconstructed sign, but prohibits exceeding 672 square feet for any sign face. Allows one additional sign face to be added to a single-face sign conforming to customary use so long as the additional face does not exceed the size of the existing sign face. Sets out the meaning of repair, maintenance, alteration or reconstruction as used in the statute.

Subsection (b) clarifies that the statute does not prohibit a municipality, county, local or regional zoning authority, or other political subdivision from using its zoning authority to regulate (1) the initial erection of an outdoor advertising sign that has not been relocated pursuant to applicable law, or (2) outdoor advertising in which a permit issued by the Department of Transportation pursuant to this Article has been voluntarily cancelled or lawfully revoked, and any appeals under GS 136-134.1 have been exhausted. Further provides that no decision of an administrative official charged with enforcement of a local ordinance, rule, or regulation is effective against an owner or operator of outdoor advertising for any activity authorized by this section, and no appeal under GS 153A-345.1 or GS 160A-388 is required to protect the outdoor advertiser's rights under this section.

Subsection (c) provides that any outdoor advertising adjacent to a highway on the National System of Interstate and Defense Highways, or a highway on the federal-aid primary highway system, for which there is in effect a valid permit issued by the Department of Transportation, including any sign relocated pursuant to applicable law, must be permitted to be altered or reconstructed to a changeable message sign, subject to the limitations set forth in subsection (a) of the statute and the seven requirements detailed in the subsection.

Subsection (d) authorizes the Department of Transportation to adopt or enforce rules that restrict the rights set forth in the statute for outdoor advertising that does not conform to customary use and whose failure to conform to customary use cannot be eliminated through any repair, maintenance, alteration, relocation, or reconstruction authorized in the statute.

Subsection (e) prohibits the Department from requiring additional permits, or revoking any existing permits, for any action taken pursuant to the statute. Permits the Department to require an addendum to an existing permit within 30 days of the completion of any action taken pursuant to the statute showing or describing the changes to the conditions of the outdoor advertising sign. Establishes that the rights set forth in the statute attach to a permit issue by the Department and expire with the voluntary cancellation of the permit or after the permit has been lawfully revoked and any appeals pursuant to GS 136-134.1 have been exhausted. Clarifies that the rights set forth in the statute do not run with the land.

The above changes to GS 136-131.2 apply to repairs, maintenance, alterations, and reconstructions on or after the date the act becomes law.

Makes organizational changes to GS 136-133. Amend GS 136-133 to require the Secretary of the Department of Transportation (Secretary) to affirm or reject an appeal of a decision to refuse to grant or revoke a permit within 90 days after the Secretary receives the agency appeal. Adds that failure to provide written notice to the aggrieved party of the Secretary's decision to affirm or reject the agency appeal within the 90-day period results in the appeal being affirmed, entitling the aggrieved party to issuance of the outdoor advertising permit or reversal of the Department of Transportation's decision to revoke. Applies to appeals filed on or after the date the act becomes law.

Modifies the permit fees for outdoor structures, as set forth in GS 136-129(4) and (5) (amended above), to now cap the fees at \$240 (was \$120) for the initial fee, \$75 (was, \$60) for the annual renewal fee, and \$240 for an addendum to an existing outdoor advertising permit for (1) relocating outdoor advertising beyond the existing sign location or site where the outdoor advertising was located immediately prior to the relocation, or (2) altering or reconstructing to a changeable message sign, in accordance with GS 136-131.2. Applies to permits issued on or after the date the act becomes law.

Adds to subsection (c), providing that no building permit can be denied to an outdoor advertising sign in GS 136-129(4) or (5) for which the Department of Transportation has issued a permit that has not been revoked, and the building permit is otherwise compliance with building code standards. Further provides that no building permit or local building inspection authorized under GS Chapters 153A or 160A can be required for off-premises advertising if the proposed construction is evaluated by a professional engineer, acting within the scope of the engineer's authority, and the construction is certified by the engineer as being in compliance with the State Building Code.

Makes technical change to the statutory reference in GS 136-133.5 (Denial of a permit for proposed outdoor advertising). Adds new subsection (h), requiring the Department of Transportation to approve or deny an application for a permit for a new outdoor advertising sign within 30 days of the receipt of an application, including any fee required by GS 136-133 and any other required documentation. Adds that failure to provide written notice to the applicant of the Department's decision to approve or deny the application within the 30-day period results in the appeal being affirmed, entitling the applicant to issuance of the permit for a new outdoor advertising structure (appears to intend: results in the application being approved and entitling the applicant to issuance of the permit for a new outdoor advertising sign). Applies to applications received on or after the date the act becomes law.

Makes organizational changes to GS 136-134.2 (Notification requirements). Adds new subsection (b) setting out the notification requirement for revocation of a permit. Adds new subsection (c) for notification requirements for the cancellation of a permit. Places existing language into subsection (a), setting out the notice requirements for notice of the denial of an application for a permit or nonconformance of an outdoor advertising structure. Places existing language into subsection (d), providing for the tolling of the review hearing upon the Department's failure to provide required materials. Applies to revocations and cancellations on or after the date the act becomes law.

Amends GS 136-138 to specify that the Department of Transportation is authorized to enter into agreements with the US government or any department or agency thereof relating to the control of outdoor advertising as previously specified. Adds new provisions requiring the General Assembly to approve any revisions to the agreement dated January 7, 1972, and entered into between the State and the US Department of Transportation to implement the provisions of the federal Highway Beautification Act of 1965, in order to be effective. Prohibits the Department from entering into any agreement or otherwise transfer or delegate the Department's regulatory authority set forth in this Article to any other governmental authority. Applies to revisions made on or after the date the act becomes law.

Amends GS 136-18(9), authorizing the Department of Transportation to allow the roadside parks, picnic areas, picnic tables, scenic overlooks or other turnouts, or any part of the highway right-of-way to be used for commercial purposes, to the extent allowed by federal law, and as permitted by the local government or the designated authority, for outdoor advertising on or with any transit shelter or rail or bus facility.

Enacts GS 136-140.2 to direct the Department of Transportation to work together with the owners of changeable message signs and a host of government entities to develop a public notification plan for the purpose of using changeable message signs to display notifications to the traveling public related to public safety and emergencies. Public notifications include information about Silver Alerts, Amber Alerts, inclement weather, natural disasters, and other emergencies. Requires the plan to be in writing and address: (1) the criteria to be applied in determining when it is appropriate to request that an owner of a changeable message sign display a public notification; and (2) the procedures used to determine the expiration of a notification and to recall the request once the information is no longer needed. Effective October 1, 2017.

Amends GS 87-1 to except from the definition of general contractor any person engaged in the construction of outdoor advertising signs subject to Article 11 of GS Chapter 136.

Directs the Department of Transportation to adopt rules to implement the provisions of the act no later than six months after the effective date of the act. Sets forth the procedure the Department is to use to adopt the rules, which including have the proposed rule published, accepting written comments on the proposed rule, and holding a public hearing on the proposed rule prior to adoption. Provides that a rule adopted in accordance with this provision becomes effective on the first day of the month following the month the Department of Transportation adopts the rule and submits the rule to the Codifier of Rules for entry into the NC Administrative Code. Any rule adopted more than six months after the effective date of this act must comply with the requirement of Article 2A of GS Chapter 150B.

Makes any rule or policy adopted by the Department that does not comply with with this act null and void.

Provides a severability clause.

Intro. by Lewis, Saine, Goodman, Hanes.

[GS 87, GS 136](#)

[View summary](#)

**[Business and Commerce, Government, State Agencies,
Department of Transportation, Local Government](#)**

H 582 (2017-2018) [ABUSE & NEGLECT RESOURCES/ANON. TIP LINE APP.](#) Filed Apr 5 2017, *AN ACT TO REQUIRE PUBLIC SCHOOLS TO PROVIDE STUDENTS WITH INFORMATION AND RESOURCES ON CHILD ABUSE AND NEGLECT, INCLUDING SEXUAL ABUSE, TO APPROPRIATE FUNDS TO SUPPORT THE ANONYMOUS SAFETY TIP LINE APPLICATION, AND TO MAKE CERTAIN CHANGES TO UPDATE THE GENERAL STATUTES.*

Amends GS 115C-12 to direct the State Board of Education upon recommendation by the Superintendent of Public Instruction, to adopt a policy to be implemented by local boards of education on student awareness of child abuse and neglect, including sexual abuse, to apply beginning with the 2018-19 school year. Requires that the policy include giving students in 6-12 grades a document with contact information and information on the resources on reporting abuse.

Amends GS 115C-218.75 and GS 115C-238.66 to direct the Department of Public Instruction to require charter schools and regional schools to implement the State Board of Education's student awareness of child abuse policy. Makes technical changes.

Amends GS 115C-105.49(d) to add the Department of Public Instruction, Division of Safe and Healthy Schools Support to the list of parties required to provide guidance and recommendations to local school administrative units on possible hazards.

Amends GS 115C-105.49A to add the Department of Public Instruction to the list of parties responsible for constructing and maintaining the statewide School Risk and Response Management System. Makes conforming changes.

Amends GS 115C-105.51 to shift primary responsibility from the currently listed entities to the Department of Public Instruction, with regard to standards and guidelines for tip lines for school risks. Requires the Department of Public Instruction to consult with the currently listed entities. Directs local school administrative units to use the anonymous tip line application, or another application, to achieve the purposes of that statute. Requires the anonymous safety tip line to receive student information on suspected abuse and neglect. Directs local school administrative units to inform students about the tip line. Makes conforming changes.

Amends GS 115C-105.52 to authorize the North Carolina Center for Safer Schools to develop and adopt policies on the placement of school crisis kits.

Amends SL 2015-241, Section 8.26(n), to direct the Department of Public Instruction to implement an anonymous safety tip line application by July 1, 2018.

Appropriates \$708,420 for 2017-18 from the General Fund to the Department of Public Instruction to support the anonymous safety tip line application.

Effective July 1, 2017.

Intro. by White, Hardister, Meyer.

[APPROP, GS 115](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Health and Human Services, Social Services, Child Welfare](#)

H 583 (2017-2018) [PAY-AS-YOU-GO CAPITAL & INFRASTRUCTURE FUND.](#) Filed Apr 5 2017, *AN ACT TO CREATE THE STATE CAPITAL AND INFRASTRUCTURE FUND THAT WILL UTILIZE DEBT SERVICE SAVINGS FOR THE PURPOSE OF ADDITIONAL DEBT SERVICE OBLIGATIONS, CAPITAL IMPROVEMENTS, ECONOMIC DEVELOPMENT, AND EARLY DEBT REPAYMENT.*

Repeals GS 143C-4-3 (Repairs and Renovations Reserve).

Enacts new GS 143C-4-3.1 (State Capital and Infrastructure Fund). Establishes within the General Fund a State Capital and Infrastructure Fund (Fund), to consist of one fourth-of any unreserved fund balance remaining in the General Fund at the end of each fiscal year, 4% of each fiscal year's net State tax revenues, money appropriated by the General Assembly for Capital improvements, all interest and investment earnings on the fund, and any other funds as directed by the General Assembly.

Provides for the General Assembly to account for the fund in each Current Operations Appropriations Act and the Office of State Controller to ensure the accurate amount of money is transferred to the Fund. Provides that the fund shall be used for six listed purposes, including repair and renovation of existing capital assets. Fund moneys are only available for expenditure upon an act of appropriation by the General Assembly.

Enacts new GS 143C-8-13 (Repairs and Renovations). Provides that funds for repairs and renovations are only available for expenditure upon an act of appropriation by the General Assembly, and may only be used for State facilities and related infrastructure, or for Department of Information Technology facilities and related infrastructure. Requires funds for repairs and renovations not to be used for new construction or expansion, unless required to comply with federal or State codes or standards. Lists thirteen permissible projects. Authorizes the Board of Governors of the University of North Carolina or to the Office of State Budget and Management to allocate or reallocate funds allocated to them for repairs and renovations, subject to three listed conditions, including required consultation with the Joint Legislative Commission on Governmental Operations prior to the expenditure of an amount greater than \$2.5 million on a single project.

Amends GS 143C-3-5 to require the Governor's Recommended State Budget to include the 4% transfer to the State Capital and Infrastructure Fund in odd-numbered years.

Effective July 1, 2017.

Intro. by Arp, Ross.

GS 143C

[View summary](#)

Government, Budget/Appropriations, State Agencies, UNC System, State Government, State Property

H 588 (2017-2018) **OMNIBUS GUN CHANGES**. Filed Apr 5 2017, *AN ACT TO MAKE MULTIPLE CHANGES TO THE STATE LAWS REGARDING FIREARMS*.

Part I.

Deletes GS 14-404(e1)(5), regarding the application requirements for a permit to purchase a pistol, thereby no longer requiring a signed release for disclosure of court orders concerning the applicant's mental health or capacity. Adds that the sheriff may request disclosure of any court orders concerning the mental health or capacity of the applicant to be used for the purpose of determining whether the applicant is disqualified to receive a permit. Makes conforming deletions.

Amends GS 122C-54 by deleting (d2) concerning a sheriff access to records of involuntary commitment reported to the National Instant Criminal Background Check System. Adds that when a sheriff gives the potential holder of a mental health order written notification that an individual has applied for a pistol purchase permit, the holder of any mental health or capacity court orders must release the orders concerning the applicant to the sheriff.

Effective August 1, 2017, and applies to applications for pistol purchases pending or submitted on or after that date.

Part II.

Amends GS 14-269.2 to allow a person who has a concealed handgun permit issued pursuant to Article 54B of GS Chapter 14 or considered valid under the reciprocity provisions of GS 14-415.24, or is exempt from obtaining a permit pursuant to GS 14-415.25, to possess and carry a handgun on the premises of a place of religious worship and any associated parking lot where that location is both a school and a building that is a religious place of worship under GS 14-54.1, so long as possession on the premises is outside the operating hours of the school.

Amends GS 14-415.11(c), which specifies places where a person may not carry a concealed handgun even with a permit, by making a technical change to remove areas prohibited by GS 14-269.3 and GS 14-277.2 from the areas listed. Qualifies the existing prohibition in areas prohibited by GS 14-269.2 (Weapons on campus and other educational property) to allow persons to carry a concealed handgun with a permit as allowed under the provisions of GS 14-269.2(m) (enacted by this act).

Effective December 1, 2017.

Part III.

Enacts new GS 14-269.2(m). Authorizes persons with concealed handgun permits issued under Article 54B or one considered valid under GS 14-415.24, or one who is exempt from obtaining a permit under GS 14-415.25 to carry a concealed handgun on institutions of higher education as defined in GS 116-143.1.

Amends GS 14-415.11(c) to make a conforming change.

Effective December 1, 2017. Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

Part IV.

Amends GS 14-269.2 (Weapons on campus or other educational property) to exclude land, buildings or other facilities owned, leased, or controlled by educational institutions but not primarily used for educational purposes; religious institutions whose facilities are used part-time as a school while not currently in use as a school; roads and other public thoroughfares that cross educational campuses; and medical facilities whose primary purpose is patient care rather than education from the definition of educational property. Enacts new subsection (b2) to exempt persons not participating in an extracurricular activity from the restrictions on carrying a firearm at an extracurricular activity described in subsection (b) provided that the extracurricular activity is conducted in a public place. Specifies that the statute does not apply to persons exempted by GS 14-269(b)(1 through 5).

Amends GS 14-269.4 to authorize the Governor and his or her immediate family to carry a weapon on the property of the Executive Mansion and the Western Residence of the Governor.

Amends GS 14-415.10 to revise the definitions of qualified former sworn law enforcement officer, qualified retired correctional officer, and qualified retired probation or parole certified officer to include individuals retired from service in those positions who have been retired for five years or less (was, two years or less).

Amends GS 14-415.11(b) to extend the validity of permits to carry concealed handguns under GS 14-415.12(b)(7) from five to ten years. Applies to permits issued on or after June 30, 2018.

Amends GS 14-415.12(b)(7) to require sheriffs to deny concealed handgun permits to applicants who were are or have been discharged from the Armed Forces under dishonorable conditions (was, under conditions other than honorable).

Amends GS 120-32.1 to add that legislators and legislative employees with concealed handgun permits are authorized to carry a concealed handgun on the premises of the State legislative buildings and grounds, notwithstanding any rule by the Legislative Services Commission (Commission). Authorizes the Commission to adopt a rule requiring the legislator or employee to provide notice to the Chief of the General Assembly Special Police before carrying the handgun on the premises. Authorizes the Legislative Services Commission to adopt a rule prohibiting the carrying of a firearm in the gallery of the State legislative building.

Amends GS 14-415.11 to authorize legislators and legislative employees with concealed handgun permits to carry a concealed handgun on the premises of the state legislative building and grounds, subject to notice requirements adopted by the Commission.

Amends GS 14-269.1 to clarify that weapons used in specified crimes must be returned to their rightful owners under specified conditions, unless the rightful owner is the convicted defendant, in which case the presiding judge may dispose of the weapon as specified at the judge's discretion.

Amends GS 15-11.1 to make a conforming change.

Enacts new GS 14-277.6 (Going armed to the terror of the people). Creates a new Class 1 misdemeanor for persons who arm themselves with an unusual and dangerous weapon for the purpose of terrifying others, and go about on public highways in a manner to cause terror to the people. Provides that no person may be convicted of this crime based only upon the person's possession or carrying of a handgun, whether openly or concealed.

Effective September 1, 2017.

Part V.

Repeals GS 14-402 which requires a pistol permit to sell a pistol, and the following statutes related to a pistol permit, effective June 30, 2018: GS 14-403, GS 14-404, GS 14-405, and new GS 122C-54(d3).

Part VI.

Unless otherwise indicated, effective when the act becomes law.

Intro. by Speciale, Pittman, Millis.

GS 14, GS 15, GS 120, GS 122C

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Government, General Assembly

H 599 (2017-2018) **BODY-WORN CAMERA RECORDINGS**. Filed Apr 5 2017, *AN ACT TO REQUIRE MOST LAW ENFORCEMENT OFFICERS TO WEAR AND ACTIVATE BODY-WORN CAMERAS DURING CERTAIN INTERACTIONS WITH THE PUBLIC, TO ESTABLISH A USE POLICY FOR BODY-WORN CAMERAS AND DASHBOARD CAMERAS, AND TO ESTABLISH AN ACCESS POLICY FOR RECORDINGS CAPTURED BY BODY-WORN CAMERAS AND DASHBOARD CAMERAS.*

Repeals GS 132-1.4A, containing provisions for law enforcement agency recordings.

Enacts new Article 7 in GS Chapter 15A, Body-Worn Cameras and Dashboard Cameras, to provide the following. Effective January 1, 2018, for members and officers of the State Highway Patrol and county enforcement officers; effective January 1, 2019 for the remaining law enforcement officers subject to the act.

New GS 15A-202 requires a law enforcement officer to wear and activate a body-worn camera during any recordable interaction. Defines *law enforcement officer* as any employee of a law enforcement agency who (1) is actively serving in a position with primary duties and responsibilities for the prevention and detection of crime or the general enforcement of the criminal laws of the State, (2) possesses the power of arrest by virtue of an oath administered under the authority of the State, and (3) is primarily assigned to patrol duties. Adds that for purposes of Article 7, the term also includes on-duty State correctional officers. Defines *body-worn camera* as an operational video camera provided by a law enforcement agency and affixed to a law enforcement officer's uniform and positioned in a way that allows the video camera to capture interactions the law enforcement officer has with the public. Requires the video camera to include a microphone or other mechanism for allowing audio capture. Provides the term does not include cameras privately owned and provided by a law enforcement officer. Defines *recordable interaction* as an interaction between a law enforcement officer, in his or her official capacity, and a member or members of the public, including an inmate or inmates of a State correctional facility. Provides the term includes traffic stops, arrests, searches, interrogations not covered under GS 15A-211, interviews with victims and witnesses, and pursuits.

Requires a law enforcement officer to inform the person or people the law enforcement officer is interacting with that the interaction is being recorded, except when doing so would be unsafe, impracticable, or impossible. Prohibits a law enforcement officer from deactivating a body-worn camera until (1) the conclusion of the recordable interaction; (2) the law enforcement officer has left the scene; (3) a supervisor, while being recorded, authorizes the law enforcement officer to deactivate the body-worn camera; or (4) an exception listed in subsection (b) authorizes deactivation. Requires the law enforcement officer to announce that he or she is deactivating the body-worn camera and the reasons for deactivating prior to deactivating. Directs the law enforcement officer to note in any incident report prepared after a recordable interaction that a recording was made.

Subsection (b) details six situations or places in which a law enforcement officer is not required to activate a body-worn camera: (1) interactions with confidential informants and undercover officers; (2) during routine, non-law enforcement related activities, including when a law enforcement officer is engaged in a personal conversation, when a law enforcement officer is using a rest room or bathroom, or when a law enforcement officer is dressing or undressing in a locker room or dressing room; (3) when a law enforcement officer is providing training or making a presentation to the public; (4) when entering a private residence under nonexigent circumstances, unless written or on-camera consent is given by the owner or the occupier of the residence; (5) when a law enforcement officer is conducting a strip search, unless written or on-camera consent is given by the person being strip searched; and (6) interactions with a victim or witness, unless written or on-camera consent is given by the victim or witness.

Subsection (c) requires a law enforcement officer to read, agree to, and sign a written waiver that consists of consent by the officer to be recorded by a body-worn camera and an acknowledgment of the requirements of this statute, and the related policies established under subsection (i) of the statute by the law enforcement agency employing the officer.

Subsection (d) permits a recording captured by a body-worn camera pursuant to the statute to be used as evidence in any relevant administrative, civil, or criminal proceeding, if the recording is otherwise admissible in the proceeding.

Subsection (e) permits a law enforcement agency to disclose or provide a copy of any recording captured by a body-worn camera to any person who submits a written request to the law enforcement agency. Authorizes the law enforcement agency, prior to disclosing or providing the recording copy, to redact any portion that a law enforcement officer is not required to record under subsection (b), or is otherwise prohibited by law from being disclosed. Requires the law enforcement agency to provide the requesting person a written statement explaining why portions of a recording are redacted or why the agency is declining to disclose or provide a copy of the recording. Clarifies that subsection (e) does not alter or supersede the requirement in subsection (f) that a law enforcement agency retain an original, unredacted recording. Provides that a person denied access to a recording or redacted recording can apply to the appropriate court for an order compelling disclosure or copying, and grants the court jurisdiction to issue the order. Requires an action under this subsection to be set for immediate hearing, with subsequent proceedings accorded priority by the trial and appellate courts. Establishes that the court can issue an order compelling disclosure or copying of portions or all of a recording captured by a body-worn camera under this statute upon a showing of good cause by the person seeking access, unless otherwise prohibited by law.

Subsection (f) requires a law enforcement agency to retain an original, unredacted recording captured by a body-worn camera for the later of (1) 60 days from the date of the recording; (2) the period specified by court order; or (3) 10 days from the date an administrative, civil, or criminal proceeding in which the records was used as evidence concludes.

Subsection (g) allows noncompliance with the provisions of the statute to be admissible as evidence to support claims made by a defendant in a criminal action or a party opposing the law enforcement officer or law enforcement agency in a civil action.

Subsection (h) requires a law enforcement agency to provide training to officers on how to operate a body-worn camera prior to the officer wearing and activating a body-worn camera.

Subsection (i) directs the Department of Justice to develop a model policy or policies for law enforcement agencies to use in implementing the statute. Requires the policy to include disciplinary action for failing to activate a body-worn camera as required in subsection (a), up to and including dismissal from employment. Permits the policy to include standards more stringent than those required under this statute.

Enacts GS 15A-203, Use of dashboard cameras in law enforcement vehicles, requiring a law enforcement officer to activate the dashboard camera, if the law enforcement vehicle is equipped, when engaging in a traffic stop, vehicle pursuit, vehicle search, or other interaction with the public that is within the range of the camera. Defines *dashboard camera* as a device or system installed or used in a law enforcement vehicle that electronically records images depicting activities that take place during a traffic stop, vehicle pursuit, vehicle search, and other interaction with the public that is within the range of the camera. Provides the term does not include body-worn cameras.

Requires a law enforcement officer to inform the person or people the law enforcement officer is interacting with that the interaction is being recorded, except when doing so would be unsafe, impracticable, or impossible. Prohibits the officer from deactivating a dashboard camera until (1) the conclusion of the traffic stop, vehicle pursuit, vehicle search, or other interaction with the public; (2) the law enforcement officer has left the scene; (3) a supervisor, while being recorded, authorizes the law enforcement officer to deactivate the dashboard camera; or (4) an exception listed in subsection (b) authorizes deactivation. Requires the law enforcement officer to announce that he or she is deactivating the dashboard camera and the reasons for deactivating prior to deactivating. Directs the law enforcement officer to note in any incident report prepared after an interaction with the public that a recording was made using a dashboard camera.

Subsection (b) establishes that a law enforcement officer is not required to activate a dashboard camera in any of the place or situations listed in GS 15A-202, enacted above, to the extent that they are applicable.

Subsection (c) establishes that the requirements of GS 15A-202(c) through GS 15A-202(h) apply to the use of dashboard cameras under this statute.

Subsection (d) clarifies that the statute does not require the installation of a dashboard camera in a law enforcement vehicle.

Appropriates to the Governor's Crime Commission within the Department of Public Safety (Commission) \$5 million in nonrecurring funds from the General Fund for the 2017-18 fiscal year, and \$5 million in nonrecurring funds for the 2018-19 fiscal year, to provide grants to law enforcement agencies for the purposes of purchasing and maintaining body-worn cameras pursuant to the act. Requires a grant provided by the act to be matched on the basis of \$1 in grant funds for every \$5 in nongrant funds. Clarifies that matching funds do not include State funds. Prohibits the Commission from providing a grant until the grantee provides evidence satisfactory to the Commission that the grantee has sufficient nongrant funds to match. Caps a grant

provided under this program at \$100,000. Directs the Commission to develop guidelines and procedures for the administration and distribution of grants under the program. Effective July 1, 2017.

Makes conforming changes to GS 15A-220; GS 114-64; GS 143-318.11; GS 153A-436.1; and GS 160A-490.1.

Effective January 1, 2018.

Intro. by Brockman.

[APPROP, GS 15A, GS 114, GS 132, GS 143, GS 153A, GS 160A](#)

[View summary](#)

[Government, Budget/Appropriations, Public Safety, Local Government](#)

H 605 (2017-2018) [SCH. DIST. HOLD HARMLESS/HURRICANE MATTHEW](#). Filed Apr 5 2017, *AN ACT TO HOLD HARMLESS LOCAL SCHOOL ADMINISTRATIVE UNITS THAT WERE IMPACTED BY HURRICANE MATTHEW FOR PURPOSES OF AVERAGE DAILY MEMBERSHIP AND THE BUDGET RATING USED TO CALCULATE THE ALLOTMENT FOR THE TRANSPORTATION OF STUDENTS.*

Identical to [S 661](#), filed on 4/4/17.

Specifies that if in the 2018-19 fiscal year the higher of the first or second month average daily membership in a local school administrative unit significantly impacted by weather conditions related to Hurricane Matthew in the month of October 2016 is at least 2% or 100 students lower than the anticipated average daily membership used for allotments for the unit in the 2018-19 fiscal year, the State Board of Education must not reduce allotments for the unit any lower than they were in the 2016-17 fiscal year.

Provides that if the budget rating that is used to calculate the allotment for the transportation of students in the 2018-19 fiscal year for any local school administrative unit significantly impacted by weather conditions related to Hurricane Matthew in the month of October 2016 is lower than the budget rating that was used in the 2016-17 fiscal year, the State Board of Education must use the budget rating from the 2016-17 fiscal year to calculate the 2018-19 allotment for the transportation of students.

Applies only for the 2018-19 fiscal year.

Intro. by Willingham.

[UNCODIFIED](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 607 (2017-2018) [KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & REG.](#) Filed Apr 5 2017, *AN ACT DESIGNATING THE MONTH OF DECEMBER AS MARROW DONATION AWARENESS MONTH AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO RAISE AWARENESS ABOUT BONE MARROW DONATION AND TRANSPLANTATION AND TO IMPLEMENT A PILOT PROGRAM TO ENCOURAGE NORTH CAROLINA RESIDENTS TO JOIN A BONE MARROW DONATION REGISTRY.*

Identical to [S 673](#) filed on 4/4/17.

Includes whereas clauses.

Enacts GS 103-15 designating December as Marrow Donation Awareness Month.

Appropriates from the General Fund to the Department of Health and Human Services, Division of Public Health, \$26,000 for 2017-18 to: (1) make available free of charge website printable publications on bone marrow donation and transplantation that is sufficient to allow an individual to make an informed decision about whether to participate in a local or national bone marrow donation registry; (2) raise public awareness about bone marrow donation and transplantation; (3) encourage North Carolina residents to consider joining a bone marrow donation registry. Effective July 1, 2017.

Appropriates from the General Fund to the Department of Health and Human Services (DHHS), Division of Public Health, \$250,000 for 2017-18 to be used exclusively to implement a bone marrow donation pilot program. Requires DHHS, in collaboration with the Department of Motor Vehicles, to establish the pilot program at Edgecombe County Department of Motor Vehicles and Wake County Department of Motor Vehicles, with each site given \$125,000 to conduct the pilot program. Requires DHHS, by February 1, 2018, to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on the status of the pilot program, and by May 1, 2020, give a final report of the program to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division. Effective July 1, 2017.

Intro. by Willingham.

[APPROP, GS 103](#)

[View summary](#)

Government, Budget/Appropriations, Cultural Resources and Museums, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Public Health

H 615 (2017-2018) [AMEND SUBSTANCE ABUSE PROFESSIONAL PRACT. ACT](#). Filed Apr 5 2017, *AN ACT AMENDING THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT BY REPEALING THE CERTIFIED SUBSTANCE ABUSE RESIDENTIAL FACILITY DIRECTOR CREDENTIAL; CLARIFYING WHAT CONSTITUTES INDEPENDENT STUDY; MODIFYING THE MEMBERSHIP OF THE NORTH CAROLINA SUBSTANCE ABUSE PROFESSIONAL PRACTICE BOARD; INCREASING THE NUMBER OF BOARD-APPROVED EDUCATION HOURS REQUIRED FOR CERTIFICATION AS A SUBSTANCE ABUSE COUNSELOR, SUBSTANCE ABUSE PREVENTION CONSULTANT, OR CRIMINAL JUSTICE ADDICTIONS PROFESSIONAL; AND ESTABLISHING A PROGRAM FOR IMPAIRED SUBSTANCE ABUSE PROFESSIONALS.*

Repeals the certified substance abuse residential facility director credential, and directs the North Carolina Substance Abuse Professional Practice Board (Board) to no longer issue or renew that credential to any person, effective when the act becomes law.

Repeals GS 90-113.31A(8) (defining *certified substance abuse residential facility director*) and GS 90-113.31B (concerning the scope of practice of substance abuse professionals). Makes conforming changes to GS 90-113.42(d) and GS 90-113.43(a). Effective upon the expiration of the last certified substance abuse residential facility director credential issued prior to the effective date of this act. Directs the Board to notify the Revisor of Statutes when that occurs.

Amends GS 90-113.31A to amend the definition of *independent study* and to define *traditional classroom-based study*.

Amends GS 90-113.32(c) to revise the composition of the Board, eliminating the designation of three members chosen at large from laypersons or other professional disciplines who have shown a special interest in substance abuse. Allocates those seats to be appointed by the Governor, President Pro Tempore of the Senate, and Speaker of the House, and revises the qualifications for Board members appointed by those officers. The terms of current members appointed to the reallocated seats will expire on December 31, 2017, and new members will be appointed to those seats according to the revised requirements with terms commencing on January 1, 2018.

Amends GS 90-113.40 to raise the number of required hours of Board-approved education for certification as a certified substance-abuse counselor or as a certified criminal justice addictions professional from 270 hours to 300 hours.

Enacts new GS 90-113.48 (program for impaired substance abuse professionals). Creates the North Carolina Impaired Professionals Program (Program). Authorizes the Board to provide funds for the Program, which will operate independent of the Board to provide screening, referral, monitoring, educational, and support services for professionals credentialed pursuant to GS Chapter 90, Article 5C (North Carolina Substance Abuse Professionals Certification Act) by reason of an impairment attributed to physical or mental illness, substance use disorder, or professional sexual misconduct. Authorizes the Program to enter into an agreement with credentialed substance abuse professionals for the purpose of identifying, reviewing, and evaluating referred or self-referred substance abuse professionals to function in their professional capacity and coordinate regimens for treatment and rehabilitation. Provides requirements for such an agreement. Directs the Program to immediately report to the Board information about credentialed substance-abuse professionals who meet any of four listed criteria, including constituting an immediate danger to patient care. Provides that information acquired, created, or used in good faith by the Program under this statute is privileged and confidential, and may not be released to anyone other than the Board, the Program, or their employees or consultants.

Authorizes persons participating in good faith in the Program to withhold that fact in a civil action or proceeding. Provides that activities in good faith under an agreement authorized by this statute are not grounds for civil action. Provides for written assessments by the Program, and to the extent permitted by law any written assessment created by a treatment provider or facility at the recommendation of the Program, to be provided to certified substance abuse professionals and their legal counsel at the request of the professional, and provides that the information is inadmissible as evidence in any civil action or proceeding. Directs the Board to adopt rules to apply to the operation of the Program, with eight listed requirements for the rules.

Except as otherwise provided, effective October 1, 2017.

Intro. by Malone, S. Martin.

GS 90

[View summary](#)

Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers

H 616 (2017-2018) **NORTH CAROLINA PUBLIC BENEFIT CORPORATION ACT**. Filed Apr 5 2017, *AN ACT TO ENACT THE NORTH CAROLINA PUBLIC BENEFIT CORPORATION ACT*.

Enacts new Article 18, The North Carolina Public Benefit Corporation Act, in GS Chapter 55. Specifies that the Article applies to all public benefit corporations, and that, except as provided in new GS 55-18-05, corporations that are not public benefit corporations are not subject to the Article and the Article does not otherwise affect any law that is applicable to a corporation that is not a public benefit corporation.

Defines a public benefit corporation as a corporation for profit that is incorporated under and subject to the requirements GS Chapter 55 and that is intended to produce one or more public benefits (a positive effect or reduction of a negative effect on one or more categories of persons, entities, communities, or interests) and to operate in a responsible manner by managing in a manner that balances the stockholders' pecuniary interests, the best interests of those materially affected by the corporation's conduct, and the one or more specific public benefits identified in its articles of incorporation.

Requires that the articles of incorporation include: (1) a statement that the corporation is a public benefit corporation; and (2) an identification of one or more specific public benefits to be promoted by the corporation. Sets out requirements for the corporation's name.

Sets out the process under which an existing corporation may become a public benefit corporation, as well as the process for terminating public benefit corporation status.

Requires that any stock certificates issued by a public benefit corporation, any notice, or any shareholder meeting notice to state that the corporation is a public benefit corporation.

Requires the board of directors to manage or direct the business and affairs of the public benefit corporation in a manner that balances the pecuniary interests of the shareholders, the best interests of those materially affected by the corporation's conduct, and the one or more specific public benefits identified in its articles of incorporation. Prohibits a director of a public benefit corporation from having any duty to any person on account of any interest of the person in the one or more specific public benefits identified in the articles of incorporation or on account of any interest materially affected by the corporation's conduct.

Requires a public benefit corporation, no less than biennially, give its shareholders a statement as to the corporation's promotion of the specific public benefits identified in its article of incorporation and of the best interest of those persons materially affected by the corporation's conduct. Sets out what must be included in the statement. Allows the corporation's articles of incorporation or bylaws to require the corporation to provide the statement required more frequently than biennially, make the statement available to the public, and/or use either or both a third-party standard or third-party certification in making the required assessment of success in meeting objectives.

Allows shareholders to bring a derivative proceeding if, at the time the proceeding is brought, either: (1) for a public benefit corporation with shares on a national securities exchange, the shareholders bringing the proceeding own, individually or collectively, the lesser of (i) at least 2% of the corporation's outstanding shares or (ii) shares with a market value of at least \$2 million; or (2) for all other public benefit corporations, the shareholders bringing the proceeding own, individually or collectively, at least 2% of the corporation's outstanding shares.

Amends GS 55-13-02 to entitle a shareholder to appraisal rights and to obtain payment of the fair value of that shareholder's shares, in the event of consummation of a transition to public benefit corporation status, unless: (1) the shareholder voted in favor of, or consented in writing the transition to public benefit corporation status, or (2) any class or series of shares at the record date fixed to determine the shareholders entitled to receive notice of the meeting to act upon the transition to public benefit corporation status were either (i) listed on a national securities exchange or (ii) held of record by more than 2,000 shareholders.

Effective October 1, 2017.

Intro. by McGrady, Dobson, Ross, Zachary.

GS 55

[View summary](#)

Business and Commerce, Corporation and Partnerships

H 618 (2017-2018) **IMPROVE HEALTHCARE IT SYSTEMS EFFICIENCY**. Filed Apr 5 2017, *AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ENSURE THAT THE ELECTRONIC SOFTWARE SYSTEMS USED BY ITS SERVICE PROVIDERS MEET NATIONALLY ACCEPTED STANDARDS OF INTEROPERABILITY FOR ELECTRONIC HEALTH RECORDS*.

Requires the Department of Health and Human Services (DHHS), by December 31, 2019, to ensure that each of its existing electronic software systems that contains health data and requires the input of data from its service providers, including five specified systems, are fully interoperable, able to exchange data, and able to interpret shared data in accordance with nationally accepted standards for electronic health records. Requires DHHS, in acquiring any new electronic software system that will include health data and require the input of data from any of its service providers to ensure that such system at the time of purchase and implementation is fully interoperable, able to exchange data, and able to interpret shared data in accordance with nationally accepted standards for electronic health records.

Intro. by Stone, Dobson, Murphy.

UNCODIFIED

[View summary](#)

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

H 620 (2017-2018) **UNC CAPITAL PROJECTS**. Filed Apr 5 2017, *AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA*.

Specifies that the purpose of this act is to authorize (1) the acquisition or construction of the capital improvements projects listed in the act for the respective institutions of The University of North Carolina and (2) the financing of these projects with funds available to the institutions from gifts, grants, receipts, self-liquidating indebtedness, Medicare reimbursements for education costs, hospital receipts from patient care, or other funds, or any combination of these funds, but not including funds received for tuition or appropriated from the General Fund of the State unless previously authorized by General Statute. Sets out the authorized capital improvements projects and their respective costs, including projects at East Carolina University, Elizabeth City State University, North Carolina Central University, UNC-Chapel Hill, UNC-Greensboro, and Western Carolina University.

Allows the Director of the Budget, at the request of the UNC Board of Governors and upon determining that it is in the best interest of the State to do so, to authorize an increase or decrease in the cost of, or a change in the method of, funding the projects authorized by this act.

Allows the UNC Board of Governors to issue, subject to the approval of the Director of the Budget special obligation bonds of the Board of Governors to pay or any part of the cost of acquiring, constructing, or providing for the projects authorized by the act. Caps the maximum principal amount of bonds to be issued at the specified project costs plus 5% of such amount to pay issuance expenses, fund reserve funds, pay capitalized interest and pay other related additional costs, plus any increase in the specific project costs authorized by the Director of the Budget.

[View summary](#)

Government, State Agencies, UNC System

H 621 (2017-2018) **EXPUNGEMENT PROCESS MODIFICATIONS**. Filed Apr 6 2017, *AN ACT TO STANDARDIZE THE FILING PROCEDURES FOR EXPUNGEMENTS, TO AUTHORIZE PROSECUTORS ACCESS TO CERTAIN RECORDS OF EXPUNGEMENT, TO ALLOW CERTAIN EXPUNGED CRIMINAL ACTS TO BE CONSIDERED IN CALCULATING PRIOR RECORD LEVELS DURING SENTENCING FOR SUBSEQUENT OFFENSES, AND TO MAKE OTHER MODIFICATIONS TO THE EXPUNGEMENT PROCESS.*

Substantively identical to [S 445](#), filed 3/28/17.

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

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

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

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

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

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

Further amends GS 145-146 (Expunction for dismissed charges or findings of not guilty), GS 15A-147 (Expunction of records when charges are dismissed or there are findings of not guilty as a result of identity theft or mistaken identity), and GS 15A-148 (Expunction of DNA records when charges are dismissed on appeal or pardon of innocence is granted). Directs applicants for

expunction under these statutes to petition the clerk of superior court of the county where the charge was last pending. Directs that petitions for expunction under these statutes are to be on a form approved by the Administrative Office of Courts.

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

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

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

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

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

Intro. by Faircloth, Stevens, McGrady, Reives.

GS 15A

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

H 622 (2017-2018) **CITIES/PERIODIC BUILDING INSPECTIONS**. Filed Apr 6 2017, *AN ACT AMENDING THE LAWS RELATED TO PERIODIC BUILDING INSPECTIONS TO ACCOUNT FOR DIFFERENCES IN HOUSING ISSUES IN CITIES WITH A POPULATION OF LESS THAN TWENTY-FIVE THOUSAND*.

Enacts new GS 160A-424.1 (Periodic inspections for hazardous or unlawful condition sin certain localities), which applies to cities with a population of less than 25,000. Authorizes city inspection departments to make periodic inspections upon reasonable cause, as defined, for unsafe, unsanitary, or otherwise hazardous and unlawful conditions in buildings or structures within the city. In exercising the right, members of the inspection department have the right to enter on any premises within the jurisdiction of the department at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials. Authorizes cities to require periodic inspections as part of a targeted effort within a geographic area designated by the city council. Prohibits discrimination, and requires notice, public hearing, and a plan to address low-income residential property owners' ability to comply with housing code requirements. Provides exemptions for certain buildings subject to periodic

inspection by the North Carolina Housing Finance Agency. Prohibits cities from (1) adopting or enforcing ordinances that require a permit from the city to rent or lease residential property, with exceptions for properties with repeat violations and high-crime or disorder problems, (2) requiring owners or managers of rental residential properties to enroll in a government program as a condition of receiving a certificate of occupancy, and (3) levying special fees or taxes on residential rental property not also levied against other commercial and residential property, except as authorized in this statute. Authorizes cities to levy a fee for residential rental property registration for properties with multiple ordinance violations within the previous 12 months or high crime or disorder problems. Provides a schedule of authorized fees.

Makes conforming changes to GS 160A-412 and GS 160A-424.

Intro. by Steinburg.

GS 160A

[View summary](#)

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

H 623 (2017-2018) [TRANSFER CERTAIN EXCESS LANDS/HAYWOOD BOED](#). Filed Apr 6 2017, *AN ACT TO TRANSFER CERTAIN EXCESS LANDS IN HAYWOOD COUNTY TO THE HAYWOOD COUNTY BOARD OF EDUCATION FOR SO LONG AS THOSE LANDS ARE USED FOR EDUCATION-RELATED PURPOSES*.

Conveys a specific land, as is and where is, without warranty, to the Haywood County Board of Education for consideration of \$1, so long as it is used for education purposes, subject to a reversionary interest reserved by the State. The conveyance is exempt from GS Chapter 146, Article 7, and must comply with GS Chapter 146, Article 16, except for GS 146-74, which shall not apply.

Intro. by Clampitt.

UNCODIFIED, Granville

[View summary](#)

Education, Elementary and Secondary Education

H 624 (2017-2018) [UNIFORM SYSTEM DEVELOPMENT FEES FOR WATER](#). Filed Apr 6 2017, *AN ACT TO PROVIDE FOR UNIFORM AUTHORITY TO IMPLEMENT SYSTEM DEVELOPMENT FEES FOR PUBLIC WATER AND SEWER SYSTEMS IN NORTH CAROLINA*.

Identical to [S 641](#) filed on 4/4/17.

Enacts new GS 160A-314.2 to allow the governing board of a water and/or sewer system to charge a system development fee made up of: (1) a charge for a portion of the infrastructure existing at the time the new customer asks for additional infrastructure or new services to be provided and (2) a charge for a portion of the future needs of the water or sewer, or water and sewer, system that bears a reasonable relationship to the service requested and its impact on the water or sewer, or water and sewer, system. Defines governing board to mean the governing body of the city, county, or other unit of government as established by Part 2 of Article 2 of GS Chapter 130A, Article 1 of GS Chapter 162A, Article 4 of GS Chapter 162A, Article 5 of GS Chapter 162A, Article 5A of GS Chapter 162A, or Article 6 of GS Chapter 162A.

Limits who can be charged the development fee to: (1) real property not previously served by the water or sewer, or water and sewer, system and (2) a developer or other owner of real property that agrees to pay the fee as part of a development agreement under Part 3A of Article 18 of GS Chapter 153A or Part 3D of Article 19 of GS Chapter 160A.

Requires that the calculation of the system development fee be reviewed annually and published in the budget ordinance, with any changes in the formula or other means of calculating the system development fee being effective from July 1 until June 30 of each year. Specifies factors that must be considered in the calculation of the fee.

Requires that the money collected from the development fee be used only for repairs, maintenance, expansion, or other construction needs of the water or sewer, or water and sewer, system and prohibits using the fee for overhead costs of the system

or transfer to the governing board's general fund.

States the General Assembly's intent that, effective October 1, 2017, the authority set out in this statute be the exclusive authority to impose fees on property owners connecting to the water or sewer, or water and sewer, system for the availability of the services and future needs of the service. Effective October 1, 2017, a local act granting the authority to impose an impact fee or other type of system development fee for connecting to a water or sewer, or water and sewer, system is not effective for that use or purpose; however, any fee properly imposed under such a local act prior to October 1, 2017, may be lawfully collected pursuant to the provisions of that local act.

Make conforming changes to GS 160A-314, GS 160A-317, GS 130A-64, GS 153A-277, GS 162A-6, GS 162A-36, GS 162A-49, GS 162A-69, GS 162A-72, GS 162A-85.13, and GS 162A-88.

Amends GS 1-52 to impose a three-year statute of limitations on an action against a county, municipality, or other unit of government for the refund or release of any improperly imposed system development fee.

The above provisions are effective October 1, 2017.

Sets out the process a person asserting a valid claim for the return of money paid to unit of government for an improperly imposed system development fee imposed before October 1, 2017, for the future services of a water and/or sewer system is to follow as well as the procedure the governing body must follow in evaluating such a claim.

Provides that if, within 90 days after receiving a person's request for release of an unpaid fee claim, the governing body of the unit has declined the request for untimely filing, failed to grant the release, has notified the person that no release will be granted, or has taken no action on the request, the person must pay the fee. If within 90 days after receiving a person's request for refund the governing body has failed to refund the full amount requested by the person, has notified the person that no refund will be made, or has taken no action on the request, the person may bring a civil action against the unit for the amount claimed, within three years from the expiration of the 90-day period in which the governing body is required to act. Requires that such a civil action be brought in the appropriate division of the general court of justice of the county in which the unit is located. If, upon trial, it is determined that the fee or any part of it was improper, judgment must be rendered therefor with 6% interest, plus costs, to be collected as in other civil actions.

Intro. by McGrady, Johnson, Horn, Williams.

[GS 1, GS 153A, GS 160A, GS 162A](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Civil Procedure, Government, Local Government, Public Enterprises and Utilities](#)

H 625 HOA/CONDO CRIME & FIDELITY INSURANCE POLICIES. Filed Apr 6 2017, *AN ACT TO REQUIRE HOMEOWNERS ASSOCIATIONS, CONDOMINIUM ASSOCIATIONS, AND THEIR MANAGEMENT COMPANIES TO ACQUIRE CRIME AND FIDELITY INSURANCE POLICIES TO PROTECT THE ASSOCIATIONS' MEMBERSHIP FROM LOSS DUE TO THE ILLEGAL CONDUCT OF THE ASSOCIATION, THE EXECUTIVE BOARD AND ITS EMPLOYEES, OR A MANAGEMENT COMPANY AND TO REQUIRE ANNUAL FINANCIAL AUDITS TO BE PERFORMED BY HOMEOWNERS ASSOCIATIONS AND CONDOMINIUM ASSOCIATIONS.*

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

Enacts new GS 47C-3-113.1 (concerning condominium unit owners' associations) and new GS 47F-3-113.1 (concerning planned community lot owners' associations), each captioned "Crime and fidelity policy required." Requires unit owners' associations and lot owners' associations with annual assessments for common expenses of at least \$25,000 or with at least \$25,000 in total funds invested or on deposit to maintain a crime and fidelity insurance policy of 125% of the total funds on deposit or invested by the executive board plus 125% of the association's budget as of the last day of the association's last fiscal year, but not greater than \$1 million, that insures the association against theft or dishonesty committed by the officers and members of the executive board, members of association committees, and persons employed by the association. Directs the executive board to obtain the policy on behalf of the association. Requires management agents or companies, as defined, hired by

the association to be covered by a crime and fidelity insurance policy in the amount of the total annual budgets of all clients of the management agent or company, but not greater than \$2 million, and that it cover the manager and the manager's employees, and protect all or a portion of the association funds in the custody of the manager or manager's employees. Requires associations that cannot obtain a policy that complies with this statute to notify unit owners of that fact.

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

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

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

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

Intro. by Williams, Saine, J. Bell, Bradford.

GS 47C, GS 47F

[View summary](#)

Business and Commerce, Insurance, Development, Land Use and Housing, Property and Housing

H 626 (2017-2018) **LOCAL AUTHORITY/LARGE-SCALE CHICKEN FARMS**. Filed Apr 6 2017, *AN ACT TO PROVIDE COUNTIES AND CITIES WITH LIMITED ZONING AUTHORITY OVER CERTAIN LARGE-SCALE POULTRY FARMS*.

Enacts new GS 153A-340(b)(4) to further authorize counties to adopt zoning regulations governing poultry farms with an animal waste management system having a design capacity of 150,000 or more confined poultry, provided that the zoning regulations may not have the effect of excluding those farms from the entire zoning jurisdiction. Makes conforming changes.

Amends GS 160A-360(k) to subject property within a municipality's extraterritorial jurisdiction that contains an agricultural operation under GS 153A-340(b)(3) (certain swine farms) or new (b)(4) to the exercise of the municipality's extraterritorial jurisdiction.

Applies to poultry farms constructed on or after July 1, 2017.

Intro. by Blackwell.

[View summary](#)

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

H 627 (2017-2018) **DOT/HONOR FALLEN WARRIORS**. Filed Apr 6 2017, *AN ACT DIRECTING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP A PROGRAM WHEREBY AN INDIVIDUAL MAY APPLY FOR THE ERECTION OF A ROADSIDE MEMORIAL HONORING AN IMMEDIATE FAMILY MEMBER OF THE INDIVIDUAL WHO WAS KILLED IN SERVICE OF THE ARMED FORCES OF THE UNITED STATES*.

Directs the Department of Transportation (DOT) to develop a program whereby an individual can apply to DOT for the erection of a memorial on the roadside of a highway honoring an immediate family member of the individual who was a service member of any branch of the US Armed Forces and was killed in the line of duty. Defines *immediate family member*. Defines *memorial*

to mean a metal sign inscribed with the individual's name, date of birth, date of death, and an identification of the branch of the US Armed Forces in which the individual served. Requires the sign to be on a pole, with the height determined by DOT. Requires the program to include (1) a fee for each memorial sufficient to cover the costs incurred by DOT from processing the application, acquiring the materials, and installing the memorial; and (2) a prohibition on erecting or allowing the erecting of a memorial on a roadside abutting a private residential property without first receiving written consent from the owner of the private residential property. Effective December 1, 2017.

Directs DOT to provide an interim report by September 1, 2017, to the Joint Legislative Oversight Committee on the progress made in developing the program. Directs DOT to provide a final report by January 1, 2018, to the Joint Legislative Oversight Committee on the specific details of the program developed, including any recommendations as to its implementation.

Intro. by C. Graham, Pierce.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Transportation, Military and Veteran's Affairs, Transportation

H 628 (2017-2018) **LIMIT HEALTH CARE POWER OF ATTORNEY**. Filed Apr 6 2017, *AN ACT PROHIBITING HEALTH CARE AGENTS FROM AMENDING FUNERAL ARRANGEMENTS SPECIFIED IN PRENEED FUNERAL CONTRACTS*.

Amends GS 32A-19 to provide that health care powers of attorney do not authorize a health care agent to change the funeral arrangements or performing funeral establishment specified in a preneed funeral contract purchased by or on behalf of the principal.

Makes technical changes to GS 90-201.124. Provides that the statute does not grant the right of a health care agent to change the funeral arrangements or performing funeral establishment specified in a preneed contract purchased by or on behalf of the principal.

Makes conforming changes to GS 90-210.63A.

Intro. by Alexander, Hunter.

GS 32A, GS 90

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Health and Human Services, Health

H 629 (2017-2018) **AMEND FUNERAL PROCESSION LAW**. Filed Apr 6 2017, *AN ACT TO ALLOW FUNERAL PROCESSIONS TO HAVE THE RIGHT-OF-WAY AT INTERSECTIONS REGARDLESS OF TRAFFIC CONTROL SIGNS OR SIGNALS AND TO PROVIDE IMMUNITY TO THE FUNERAL DIRECTOR OR FUNERAL ESTABLISHMENT FOR ANY DEATH, PERSONAL INJURY, OR PROPERTY DAMAGE CAUSED BY THE ACTION OR INACTION OF A PERSON OPERATING A VEHICLE IN A FUNERAL PROCESSION*.

Amends GS 20-157.1 to add definitions of funeral director and funeral establishment. Also amends the definition of funeral procession to reference a funeral establishment instead of funeral home.

Provides that when the lead vehicle in a funeral procession has lawfully progressed across an intersection, all vehicles in the procession may proceed through the intersection without stopping (removes requirement that progression be in accordance with the traffic control sign or signal). Gives a funeral procession the right of way at intersections regardless of traffic control signs or signals, except that the operator of any vehicle in a procession must yield the right of way to emergency vehicles giving appropriate warning, and must yield the right of way when directed to do so by a law enforcement officer. Makes conforming changes to subsection (i), pertaining to other vehicle operators while a funeral procession is in progress. Effective December 1, 2017, and applies to offenses committed on or after that date.

Allows a funeral establishment to only use a lead vehicle in a funeral procession that is not a State or local law enforcement vehicle upon registering with the Division of Motor Vehicles (DMV) and paying a \$100 fee to the DMV. Requires the

registration to include a description of each vehicle that will be used by the funeral establishment as the lead vehicle in a funeral procession and any additional information requested by the DMV. Provides that the registration is to be in a form prescribed and furnished by the DMV. Allows the registration to be submitted electronically. Establishes that this registration does not expire, but requires a funeral establishment to amend its registration prior to using a vehicle not described in its initial registration prior to using a vehicle not described in its initial registration. Prohibits the DMV from charging an additional fee for an amendment to an initial registration. Sets a \$250 fine for a violation of this provision. Clarifies that a violation of the provision is not negligence per se. Directs fees collected under this provision to be credited to the Highway Fund. Effective December 1, 2017, and applies to funeral procession held on or after that date.

Provides that a funeral director, funeral establishment, or any of their employees or agents are not liable for any death, personal injury, or property damage resulting from, caused by, or arising from any action or inaction of an operator of a vehicle in a funeral procession if (i) the funeral procession was operating in accordance with the provisions of this section or (ii) the funeral procession would have been operating in accordance with the provisions of this section but for a negligent act or omission in the operation of one or more vehicles in the funeral procession. Specifies instances when a vehicle operator is deemed to be an agent of the funeral director or establishment. Effective December 1, 2017, and applies to death, personal injury, or property damage occurring on or after that date.

Effective December 1, 2017.

Intro. by Alexander, Hunter, Boles.

[GS 20](#)

[View summary](#)

[Transportation](#)

H 630 (2017-2018) [RYLAN'S LAW/CPS OBSERVATION](#). Filed Apr 6 2017, *AN ACT REQUIRING A COUNTY DEPARTMENT OF SOCIAL SERVICES TO OBSERVE A PARENT, GUARDIAN, CUSTODIAN, OR CARETAKER FOR WHOM ALLEGATIONS OF CHILD ABUSE, NEGLIGENCE, OR DEPENDENCY HAVE BEEN SUBSTANTIATED FOR A MINIMUM NUMBER OF VISITS BEFORE RETURN OF CUSTODY TO THAT PERSON.*

Amends GS 7A-903.1 by adding the requirement that the county department of social services observe the parent, guardian, custodian, or caretaker from who the juvenile was removed with the juvenile for at least two successful visits, occurring at least seven days apart, and provide documentation of the successful visits to the court for its consideration, before the county department of social services may recommend return of physical custody of the juvenile to that parent, guardian, custodian, or caretaker. Specifies that a successful visit consists of an observation of no less than one hour with the juvenile or juveniles subject to the abuse, neglect, or dependency present for the duration of each visit.

Intro. by Boles, Stevens, Rogers, McNeill.

[GS 7B](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Health and Human Services, Social Services, Child Welfare](#)

H 631 (2017-2018) [REDUCE ADMIN. DUPLICATION/BH PROVIDERS](#). Filed Apr 6 2017, *AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH A WORKGROUP TO EXAMINE AND MAKE RECOMMENDATIONS ABOUT HOW TO ELIMINATE ADMINISTRATIVE DUPLICATION FOR BEHAVIORAL HEALTH PROVIDERS.*

Requires the Secretary of the Department of Health and Human Services to establish a workgroup to examine current administrative requirements for behavioral health providers and how best to integrate these requirements with similar administrative requirements for physical health providers in order to avoid duplication and enhance efficiency. Specifies membership of the workgroup. Requires the study to include a review of at least all of the 14 specified categories of requirements imposed on behavioral health providers and physical health providers, including service delivery, facility licensure, medicaid enrollment, and audits. Requires the workgroup to identify the federal or State entity that created each requirement examined by

the workgroup and provide a recommendation about whether that requirement should be eliminated or redesigned. Requires the workgroup to consider eliminating any requirement imposed on behavioral health providers that: (1) is not federally mandated; (2) exceeds what is required for physical health; (3) does not add value to the delivery of behavioral health services; or (4) is unable to be incorporated into standard electronic health records or does not align with meaningful use of electronic health records.

Requires the Department of Health and Human service to report the workgroup's findings by March 31, 2018, to the Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative Oversight Committee on Medicaid and NC Health Choice, and the Fiscal Research Division.

Intro. by Stone, Dobson, Murphy.

UNCODIFIED

[View summary](#)

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

H 634 (2017-2018) **PRIVATE ALTERNATIVE TEACHER PREPARATION**. Filed Apr 6 2017, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO APPROVE CERTAIN QUALIFYING ALTERNATIVE LATERAL ENTRY TEACHER EDUCATION PREPARATION PROGRAMS*.

Amends GS 115C-296.12 by requiring that the State Board of Education (Board) approve at least one, but no more than four, alternative, private, for-profit, or nonprofit lateral entry teacher education preparation programs if the programs meet the Board's standards. Specifies that the standards must not exceed those applicable to institutions of higher education that offer other lateral entry programs. Sets out five requirements that must be included in the standards, including at least 80 instructional hours of classroom readiness training before entering the classroom, and a minimum of three educator coaching visits in the first year of teaching.

Requires the Superintendent of Public Instruction to request participation applications from alternative, private, for-profit, or nonprofit lateral entry teacher education preparation programs by August 1, 2017, and present those applications to the Board by September 1, 2017. Requires the Board to approve at least one, but no more than four programs by October 15, 2017, if those programs meet the statutory requirements and have at least five years of experience providing educator preparation services. Allows approved programs to begin operating as early as the 2018 spring academic term.

Requires, the Board, by December 15, 2019, and annually thereafter, to report to the Joint Legislative Education Oversight Committee on the performance of teachers who attain a North Carolina teaching license through an alternative, private, for-profit, or nonprofit lateral entry teacher education preparation program. Requires the Board to collect information on the performance of an individual teacher for each year, up to five years, after that teacher attains a North Carolina teaching license. Specifies items to be included in the report.

Intro. by Hardister, Blackwell, Elmore, Quick.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 635 (2017-2018) **ELECTRONIC PAWN & METALS DATABASE**. Filed Apr 6 2017, *AN ACT TO REQUIRE THAT PAWNBROKERS, CURRENCY CONVERTERS, PRECIOUS METALS DEALERS, AND SECONDARY METALS RECYCLERS REPORT INFORMATION ABOUT PAWN TRANSACTIONS AND PURCHASES TO AN ELECTRONIC DATABASE THAT IS ACCESSIBLE TO LAW ENFORCEMENT OFFICERS AND AGENCIES*.

Identical to [S 28](#), filed 2/1/17.

Enacts new GS 147-33.124 to require the Office of Information Technology Services to contract with a third party to operate an electronic database to store and access information reported by pawnbrokers, currency converters, precious metals dealers, and secondary metal recyclers. Specifies four things that the database must do, including allowing state law enforcement officers and

agencies to access the database via the Internet and ensure that the information in the database is secure and accessible only by law enforcement. Specifies that information in the database is not a public record.

Amends GS 66-391, GS 66-392, GS 66-410, and GS 66-421 to require pawnbrokers, currency converters, precious metals dealers, and secondary metal recyclers to enter the information recorded for each purchase or transaction into the database within 12 hours of the transaction.

Adds a new Part 4 to Article 45 of GS Chapter 66. Enacts new GS 66-432 providing that nothing in Article 45 (pawnbrokers, metal dealers, and scrap dealers) is to be construed to require information be entered into the database when (1) the database is offline or inaccessible (in which case, the reporting deadline is extended from 12 hours after the transaction to 36 hours from the time that the database is accessible again) or (2) an entity that would otherwise be required to enter information lacks the technology needed to access the database.

Effective October 1, 2017.

Intro. by Riddell, Ross.

[GS 67, GS 147](#)

[View summary](#)

[Business and Commerce, Government, Public Safety, State Agencies, Office of Information Technology Services](#)

H 636 (2017-2018) [SALE OF SALVAGE VEHICLE/NO INSPECTION](#). Filed Apr 6 2017, *AN ACT TO AMEND THE INSPECTION REQUIREMENTS FOR USED VEHICLES SOLD BY DEALERS ON A SALVAGE CERTIFICATE OF TITLE*.

Amends GS 20-183.4 to authorize a dealer to sell, without inspection, a used vehicle issued a salvage certificate of title in accordance with GS Chapter 20 if no repairs have been made to the vehicle after issuance of the salvage certificate of title, and the dealer discloses in writing that no inspection has been performed.

Intro. by J. Bell.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

H 637 (2017-2018) [CLARIFY REGIONAL WATER AND SEWER FUNDS](#). Filed Apr 6 2017, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY FOR CERTAIN REGIONAL WATER AND SEWER INFRASTRUCTURE FUNDING*.

Amends SL 2016-94, Section 14.20A, to direct the Department of Environmental quality, Division of Water Infrastructure, to repurpose the \$14,548,991 appropriated in that act from its current use to the purpose of funding interconnection, extension of water lines, and related water system modification and expansion involving the Counties of Rockingham and Guilford and the municipalities of Oak Ridge, Stokesdale, Summerfield, Reidsville, Madison, and Mayodan. Allocates 25% of the funds for Guilford County and 75% for Rockingham County. Lists authorized uses of the funds. Provides that the funds are held in reserve by the Office of State Budget and Management, and released when agreements are made pursuant to this act. Funds not spent or encumbered by June 30, 2020, revert to the General Fund.

Intro. by K. Hall, Bert Jones, Blust, Hardister.

[UNCODIFIED, Guilford, Rockingham](#)

[View summary](#)

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

H 638 (2017-2018) [PUBLIC SCHOOL CONST. GRANTS & LOTTERY CHANGES](#). Filed Apr 6 2017, *AN ACT TO APPROPRIATE A PORTION OF LOTTERY REVENUES FOR K-12 SCHOOL CONSTRUCTION BASED UPON COUNTY NEED AND ABILITY TO PAY*

FOR SCHOOL CONSTRUCTION PROJECTS AND TO MAKE CHANGES TO ADVERTISING COST LIMITATIONS IN THE NORTH CAROLINA EDUCATION LOTTERY.

Creates the Needs-Based Public School Capital Fund (Fund) to be administered by the Superintendent of Public Instruction to award grants to counties designated as a tier one area or a development tier two area, as defined in GS 143B-437.08, to assist with their critical public school building capital needs. Sets forth the priority in which the Superintendent is to award grants to counties. Subjects grant funds awarded to a matching requirement from the recipient county, based on whether the county is a development tier one area or development tier two area.

Caps the total amount that can be awarded to a single county in a fiscal year at \$10 million. Caps the total aggregate amount awarded from the Fund in a fiscal year at \$100 million. Prohibits grant funds from being used for real property acquisition or for operational lease agreements.

Requires a grant recipient to submit an annual report to the Superintendent by April 1 each year that describes the progress of the project for which the grant was received for the preceding year. Requires the grant recipient to submit a final report to the Superintendent within three months of the completion of the project. Directs the Superintendent to submit an annual report by May 1 each year to the Chairs of the Senate Appropriations Committee on Education/Higher Education, the Chairs of the House Appropriations Committee on Education, and the Fiscal Research Division. Sets out the report requirements. Appropriates \$75 million in recurring funds from the Education Lottery Fund to the Needs-Based Public School Capital Fund for the 2017-18 fiscal year to be used to administer the grant program.

Current law, GS 18C-161, provides that four types of revenue must be deposited in the NC State Lottery Fund: (1) all proceeds from the sale of lottery tickets or shares; (2) the funds for initial start-up costs provided by the State; (3) all other funds credited or appropriated to the NC State Lottery Commission from any source; and (4) interest earned by the North Carolina State Lottery Fund. Amends GS 18C-162 (Allocation of revenues) to add a new subsection (a1) to prohibit lottery advertising costs from exceeding 2% of the total revenues (currently, capped at 1%), as described in GS Chapter 18C. Amends GS 18C-163(b) to provide that expenses of the lottery includes advertising costs. Makes technical and conforming changes.

Current law, GS 18C-164(c), directs the General Assembly to appropriate the remaining net revenue of the Education Lottery Fund annually in the Current Operations Appropriations Act for education-related purposes, based upon estimates of lottery net revenue to the Education Lottery Fund provided by the Office of State Budget and Management and the Fiscal Research Division of the Legislative Services Commission. Amends GS 18C-164(e) to require the Governor (currently, permits the Governor) to transfer from the Education Lottery Reserve Fund an amount sufficient to equal the appropriation by the General Assembly required in subsection (c) if the actual net revenues of the Fund are less than the appropriation for a given year.

Effective July 1, 2017.

Intro. by Corbin, Garrison, Hunter, Potts.

[GS 18C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Lottery and Gaming](#)

H 639 (2017-2018) [DIT/COG TECHNICAL ASSISTANCE/FUNDS](#). Filed Apr 6 2017, *AN ACT TO APPROPRIATE FUNDS TO THE STATE'S SIXTEEN REGIONAL COUNCILS OF GOVERNMENTS FOR PROVIDING TECHNICAL ASSISTANCE IN ECONOMIC AND COMMUNITY DEVELOPMENT AND TO IMPROVE THE ADEQUACY AND AFFORDABILITY OF BROADBAND ACCESS IN UNSERVED AND UNDERSERVED RURAL AREAS OF THE STATE.*

Includes whereas clauses.

Appropriates from the General Fund to the Department of Information Technology (DIT) \$900,000 for 2017-18 and \$900,000 for 2018-19, with \$50,000 to be allocated each fiscal year to each of the State's 16 regional Councils of Government (COG) to be used to provide technical assistance in economic and community development and broadband deployment planning to the unserved and underserved rural areas within the respective region. Requires each regional COG to implement a plan of work for use of these appropriated funds that includes, but is not limited to, the following four specified components including the the development of one or more multijurisdictional broadband deployment plans in cooperation with their respective local

governments and key broadband providers, user stakeholders, and the Department of Information Technology's Broadband Office, based on the region's broadband needs.

Specifies how the fund are to be disbursed.

Requires each regional COG that receives funding under this act to: (1) by September 1, 2017, submit its goals, objectives, and proposed expenditures for those program funds to the DIT and the Fiscal Research Division and to any other legislative entity as may be required by the COG's annual plan of work; (2) make a first progress report to the Broadband Infrastructure Office due in the first quarter after the first year of funding and a final report due in the first quarter after the second year of funding; and (3) by June 30, 2019, submit a report to the DIT and the Fiscal Research Division on its actual expenditure of the funds appropriated by this act and its accomplishments achieved through use of those funds during the previous fiscal year.

Effective July 1, 2017.

Intro. by Corbin, Hardister, B. Richardson.

APPROP

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations, Local Government, Public Enterprises and Utilities

H 640 (2017-2018) **REPEAL CERTIFICATE OF NEED LAWS**. Filed Apr 6 2017, *AN ACT REPEALING NORTH CAROLINA'S CERTIFICATE OF NEED LAWS*.

Identical to [S 324](#), filed 3/21/17.

Repeals GS Chapter 131E, Article 9 (Certificate of Need). Makes conforming changes to GS 6-19.1, GS 113A-12, GS 122C-23.1, GS 131E-13, GS 131E-136, GS 148-19.1, GS 130A-45.02, GS 143B-1292, GS 150B-2, and GS 150B-21.1. Makes further conforming changes to GS 58-50-61 (defining health service facility as it was defined in the repealed Article) and GS 58-55-35 (defining hospice and intermediate care facility for the mentally retarded as they were defined in the repealed Article).

Effective January 1, 2018.

Intro. by Boswell.

GS 6, GS 58, GS 113A, GS 122C, GS 131E, GS 148

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health

H 641 (2017-2018) **SCHOOL BUS SAFETY ENHANCEMENT ACT**. Filed Apr 6 2017, *AN ACT TO ENHANCE SCHOOL BUS SAFETY*.

Amends GS 115C-248 to require that school buses owned or operated by a local school administrative unit to be inspected at least once every 42 days (was, 30 days) during the school year.

Amends GS 143-300.1 to give the Industrial Commission jurisdiction over tort claims against any county board of education or any city board of education, which arise because of alleged mechanical defects or other defects which may affect the safe operation of a public school bus or school transportation service vehicle resulting from an alleged negligent act of maintenance personnel or as a result of any alleged negligent act or omission of the driver, transportation safety assistant, or monitor of a public school bus or school transportation service vehicle when the driver is a paid or unpaid (was, unpaid only) supervised school bus driver trainee. Allows local boards of education to use State funds appropriated to the transportation allotment for local school administrative units each fiscal year to provide pay to prospective school bus driver trainees to increase retention.

Effective July 1, 2017.

Appropriates from the General Fund to the Department of Public Instruction \$19,170,070 in recurring funds for 2017-18 to provide additional funds to local school administrative units for the transportation allotment to be used to increase the maximum hourly rate for school bus drivers that can be paid for with State funds by \$2 per hour. Effective July 1, 2017.

Intro. by Boswell.

[APPROP, GS 115C, GS 143](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Transportation](#)

H 642 (2017-2018) [BREWERY/SALES AT BREWERY & RETAIL LOCATIONS](#). Filed Apr 6 2017, *AN ACT TO INCREASE THE NUMBER OF ADDITIONAL RETAIL LOCATIONS WHERE A BREWERY MAY SELL ITS MALT BEVERAGES AND TO AUTHORIZE A BREWERY TO SELL ITS MALT BEVERAGES AT THE BREWERY REGARDLESS OF THE RESULTS OF ANY MALT BEVERAGE ELECTION.*

Amends GS 18B-1104(7) and (8) to authorize breweries to sell their malt beverages at their breweries, upon receiving a permit under GS 18B-1001(1) and receiving approval from the governing body of the city or county where the brewery is located, as specified, regardless of the results of a malt beverage election. Authorizes breweries to sell their malt beverages at up to 10 other locations in the state. Requires breweries operating under a different business name than that used at the brewery to also sell competitive products. Sale at additional retail locations is not considered a wholesale under ABC laws.

Amends GS 18B-1116 to exempt breweries qualifying under GS 18B-1104 (7) or (8) from the provisions of that statute concerning financial interests in, and lending or giving things of value to, a wholesaler or retailer with respect to the brewery's transactions with the retail business on its premises or other retail locations.

Intro. by Hardister, Bradford, Malone, Harrison.

[GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control](#)

H 643 (2017-2018) [CIVICS AND ECONOMICS EDUC. STUDY COMMITTEE](#). Filed Apr 6 2017, *AN ACT TO ESTABLISH THE JOINT LEGISLATIVE STUDY COMMITTEE ON CIVICS AND ECONOMICS EDUCATION.*

Establishes a six member Joint Legislative Study Committee on Civics and Economics Education (Committee). Directs the Committee to study and make recommendations on four topics, including improving the required civic literacy course, and how the course can enhance students' financial literacy and understanding of the principles of economics. Provides for the Committee's meetings, administration, compensation, and support staff. Directs the Committee to submit a final report to the Senate and the House of Representatives on or before May 1, 2018. The Committee terminates upon the filing of its final report, or on May 1, 2018, whichever occurs first.

Intro. by Hardister, Brockman.

[STUDY](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, General Assembly](#)

H 644 (2017-2018) [CHARTER SCHOOL TRANSPORTATION GRANT PROGRAM](#). Filed Apr 6 2017, *AN ACT TO PROVIDE FOR A GRANT PROGRAM FOR CHARTER SCHOOLS TO RECEIVE FUNDS TO COVER A CERTAIN PERCENTAGE OF THEIR STUDENT TRANSPORTATION COSTS.*

Enacts GS 115C-218.106, establishing the Charter School Transportation Grant Program (Program) to award grant funds to a charter school for reimbursement of a certain percentage of eligible student transportation costs incurred by the school in

accordance with the statute.

Permits a charter school to apply to the Department of Public Instruction (DPI) for grant funds under the Program for reimbursement of 65% of the eligible student transportation costs incurred in a semester where the charter school has an enrollment of at least 50% of its students qualifying for federal free or reduced-price lunch programs for that semester.

Directs DPI, by August 1 of each year, to establish the criteria and guidelines for the grant application process for the upcoming school year, including criteria for eligible student transportation costs to be covered under the Program and any documentation required to be submitted with the application. Requires DPI to accept applications until December 31 for eligible student transportation costs incurred during the fall semester of the school year and until June 30 for the spring semester of the school year.

Directs DPI to award grant funds under the Program to charter schools by January 15 for eligible costs incurred during the fall semester and July 15 for eligible costs incurred for the spring semester of the prior school year. Authorizes DPI to use other funds within the State Public School Fund for this purpose if funds appropriated to the Program in a fiscal year are insufficient.

Directs DPI to annually report by March 15 to the Fiscal Research Division and the Joint Legislative Education Oversight Committee on the administration of the Program for the prior year. Sets out required information to be included in the report.

Appropriates \$2.5 million in recurring funds for 2017-18 from the General Fund to DPI to be used to award grant funds to charter school for the reimbursements in accordance with new GS 115C-218.106.

Effective July 1, 2017.

Intro. by Hardister, Brockman, Torbett, Conrad.

[APPROP](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Transportation](#)

H 645 (2017-2018) [LEGAL SERVICES RENDERED FOR NONPROFITS](#). Filed Apr 6 2017, *AN ACT TO ALLOW LICENSED ATTORNEYS EMPLOYED BY NONPROFIT MEMBERSHIP ASSOCIATIONS TO PROVIDE LEGAL SERVICES TO THE MEMBERS OF THOSE NONPROFIT MEMBERSHIP ASSOCIATIONS*.

Identical to [S 534](#), filed on 3/30/17.

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

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

Intro. by Blust.

[GS 84](#)

[View summary](#)

[Nonprofits](#)

H 646 (2017-2018) [APPRENTICESHIPNC](#). Filed Apr 6 2017, *AN ACT TO TRANSFER THE ADMINISTRATION OF THE STATE APPRENTICESHIP PROGRAM FROM THE DEPARTMENT OF COMMERCE TO THE COMMUNITY COLLEGES SYSTEM OFFICE*.

Identical to [S 597](#), filed 4/4/17.

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 S. Martin, Horn, Conrad, Brody.

APPROP, GS 94, GS 115D

[View summary](#)

**Employment and Retirement, Government,
Budget/Appropriations, State Agencies, Community Colleges
System Office, Department of Commerce**

H 647 (2017-2018) **TASK FORCE ON HOMELESSNESS**. Filed Apr 6 2017, *AN ACT ESTABLISHING THE JOINT LEGISLATIVE TASK FORCE ON HOMELESSNESS AND DIRECTING THE TASK FORCE TO STUDY "HOUSING FIRST" AND ITS APPLICATION IN NORTH CAROLINA.*

Includes whereas clauses.

Establishes the North Carolina Task Force on Homelessness (Task Force) to (1) study methods of addressing homelessness; (2) study the needs specific to homelessness in NC; and (3) recommend initiatives that are appropriately tailored to the needs of NC. Details information the Task Force must examine, including Housing First principles and ways in which they have been effectively applied.

Provides for the membership of the Task Force, consisting of 12 members total. Provides for designation of co-chairs and meetings of the Task Force. Sets forth provisions concerning staff and expenses of the Task Force, as well as member expenses.

Directs the Task Force to submit a final report on the results of its study and recommendations, including any proposed legislation, to the General Assembly on or before May 1, 2018, by filing a copy of the report with the Offices of the Speaker and the President Pro Tempore. Sets forth guidance on specific proposals that must be included in the report. Terminates the Task Force on May 1, 2018, or upon the filing of the final report, whichever occurs first.

Intro. by Pierce, Terry, Jordan, Quick.

STUDY

[View summary](#)

**Development, Land Use and Housing, Property and Housing,
Health and Human Services, Social Services, Public Assistance**

H 648 (2017-2018) **RESPONSIBLE DEER HUNTING**. Filed Apr 6 2017, *AN ACT TO PROVIDE FOR RESPONSIBLE HUNTING OF DEER WITH DOGS IN A MANNER THAT PROTECTS THE RIGHTS OF PRIVATE LANDOWNERS.*

Contains whereas clauses.

Enacts new GS 113-291.5B (Requirements for pursuing or chasing deer with dogs for the purpose of training or hunting). Prohibits dog owners or handlers to pursue or chase deer with dogs for the purpose of training or hunting, or to fail to prevent dogs from entering, onto land on which they do not have authorization to train or hunt. Lists four exemptions regarding ownership of the land, or permission from the owner or manager of the land. Provides requirements for documentation of a lease of hunting rights or permission from a land owner qualifying the hunter for the exemption, including the requirement that the hunter carry the documentation while hunting. Authorizes an affirmative defense for persons charged with a violation of this statute who were hunting with permission, but did not carry the documentation with them. Requires the dogs to have tags or markings, as specified. Prohibits releasing dogs from the right-of-way of a public road to pursue or chase deer for the purpose of training or hunting unless all property adjoining the right-of-way where the dogs are released is covered by one of the exemptions. Authorizes the Wildlife Resources Commission to adopt rules to implement this statute.

Amends GS 113-270.3(b) to authorize the Wildlife Resources Commission to issue Deer-Dog Use Stamps for \$10 to individuals who wish to pursue or chase deer with dogs for the purpose of training or hunting.

Amends GS 113-276 to provide that landholders, their spouse, dependents under 18 years of age, and individuals under 16 years of age, are not exempt from the deer-dog use stamp, and that individuals under 16 years of age are also not exempt from the bear management stamp. Makes technical changes.

Directs the Wildlife Resources Commission to establish an advisory committee to make recommendations to the chairs of the House Wildlife Resources Committee and the Senate Agriculture/Environment/Natural Resources Committee by May 1, 2018, for the improvement of opportunities for dog-deer hunting recreation.

Makes conforming changes to GS 113-291.5(b).

Effective January 2, 2018.

Intro. by Malone, Adams.

GS 113

[View summary](#)

Animals

H 649 (2017-2018) **SWEEPSTAKES CONTROL ACT**. Filed Apr 6 2017, *AN ACT TO LIMIT SWEEPSTAKES MACHINES OR DEVICES TO NO MORE THAN FOUR MACHINES PER LOCATION.*

Identical to [S 406](#), filed 3/28/17.

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

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

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

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

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

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

Intro. by Malone.

GS 14

[View summary](#)

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

H 650 (2017-2018) **STATE BOARD CONSTRUCTION CONTRACT CLAIM**. Filed Apr 6 2017, *AN ACT PROVIDING THE TIME PERIOD IN WHICH THE DIRECTOR OF THE OFFICE OF STATE CONSTRUCTION SHALL ISSUE A FINAL ORDER ALLOWING OR DENYING A CONTRACTOR'S VERIFIED WRITTEN CLAIM*.

Amends GS 143-135.3 (Adjustment and resolution of State board construction contract claim). Amends the timeline for the Director of the Office of State Construction of the Department of Administration to issue a final written decision allowing or denying those portions of a contractor's claim that have not previously been compromised (currently called a written statement of the Director's decision). Directs the Director to investigate and issue a final written decision allowing or denying a claim of less than \$100,000 within 120 days of receipt of the contractor's verified claim, and within 180 days of receipt of a verified claim of between \$100,000 and \$5 million, and within 270 days of receipt of a claim of more than \$5 million. Authorizes the Director and the contractor to, in writing, extend the time in which the Director may issue a final written decision. Provides that the Director's failure to issue a final written decision as provided is a denial of the portions of the claim not previously compromised. Clarifies that the alternate civil action allowed under subsection (d) is permissible for claims denied under subsection (b) and (c) (currently, not specified).

Makes a conforming change to GS 143-135.6.

Effective January 1, 2018, and applies to verified claims submitted on or after that date.

Intro. by Arp, Brody, Boswell, Millis.

GS 143

[View summary](#)

Development, Land Use and Housing, Building and Construction

H 652 (2017-2018) **FREEZE NEW TOLL CONTRACTS**. Filed Apr 6 2017, *AN ACT TO PROHIBIT THE DEPARTMENT OF TRANSPORTATION AND THE TURNPIKE AUTHORITY FROM ENTERING INTO FURTHER PARTNERSHIP AGREEMENTS WITH PRIVATE ENTITIES TO CONSTRUCT AND OPERATE TOLL ROAD FACILITIES*.

Current law GS 136-18 sets forth the powers of the Department of Transportation (Department). Subdivision (39) authorizes the Department to enter into partnership agreements with private entities to finance, by tolls, contracts, and other financing methods, the cost of designing, developing, acquiring, constructing, maintaining and operating transportation infrastructure in the State, subject to requirements and limitations as specified. Amends GS 136-18(39a). to authorize the Department or Turnpike Authority to enter into a partnership agreement with a private entity (was, can enter into up to three agreements with a private entity), as provided in subdivision (39) for which the provisions of the statute apply, so long as the Department or the Turnpike Authority does not enter into any agreement described in subsection (39)a. on or after January 1, 2017 (new provision to stop new partnership agreements). Amends GS 136-18(39a)f. to make conforming changes.

Current law GS 136-89.183(a)(2) authorizes the Turnpike Authority to study, plan, develop, and undertake preliminary design work on Turnpike Projects, subject to the requirements and limitations specified. Amends GS 136-89.183(a), to add a new subdivision (2a) to prohibit the Authority from entering into any agreement described in GS 136-18(39a)a. that is applicable to any project described in subdivision (2) of subsection (a) of the statute on or after January 1, 2017.

Intro. by Beasley, Bradford, Cleveland.

GS 136

[View summary](#)

Transportation

H 654 (2017-2018) **REDUCE MORTGAGE LENDER SURETY BONDS**. Filed Apr 6 2017, *AN ACT TO REDUCE THE SURETY BOND REQUIREMENT FOR LICENSEES UNDER THE SECURE AND FAIR ENFORCEMENT MORTGAGE LICENSING ACT (NC S.A.F.E. ACT)*.

Amends GS 53-244.103, Surety bond requirements, adjusting the amount of bond required for mortgage loan originators or transitional mortgage loan originators. Establishes that a mortgage broker must post a minimum surety bond of \$25,000 (was \$75,000). Provides, however, that if such a broker has originated mortgage loans in North Carolina in excess of \$25 million but less than \$100 million, in a 12-month period ending December 31, then the broker's minimum bond amount must be \$75,000 (previously, required a \$125,000 minimum bond if the broker originated loans in excess of \$10 million but less than \$50 million in a 12-month period ending December 31). Further provides that if a broker has originated mortgage loans, in North Carolina in a 12-month period ending December 31, of \$100 million or more then the broker's minimum bond must be \$150,000 (previously, required a minimum bond of \$250,000 if the broker originated more than \$50 million in loans in North Carolina the specified time period).

Provides that a mortgage lender or servicer must post a minimum bond of \$100,000 (was, \$150,000). Provides, however, that if such a mortgage lender, in a 12-month period ending December 31, has originated mortgage loans in North Carolina of \$100 million or more, then the lender's minimum bond must be \$150,000 (previously, required a bond of \$250,000 for loans originated in excess of \$10 million but less than \$50 million, and a bond of \$500,000 for a lender that has originated more than \$50 million).

Intro. by Hardister, Jordan, Goodman.

GS 53

[View summary](#)

Banking and Finance

H 658 (2017-2018) **EARLY LITERACY INITIATIVE/FUNDS**. Filed Apr 6 2017, *AN ACT TO APPROPRIATE FUNDS FOR EARLY LITERACY INITIATIVES*.

Identical to [S 280](#), filed 3/15/17.

Appropriates \$12 million for 2017-18 from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education, to be allocated to the North Carolina Partnership for Children, Inc. (Partnership), to develop and implement a comprehensive early literacy initiative. Requires the funds to be used as follows: (1) \$7 million to increase statewide access to Dolly Parton's Imagination Library and (2) \$5 million to pilot Family Connects, a nurse home visiting program for all parents of newborns, in six counties, including two counties with less than 500 births annually, two counties with 500 to 2,000 births annually, and two counties with greater than 2,000 births annually, with priority in counties that have already implemented the Dolly Parton's Imagination Library program.

Allows the Partnership to use 2% of the funds for program evaluation. Specifies that appropriated funds are not subject to the legislative requirements of the total amount allocated to the Partnership, nor are the funds subject to the child care services funding requirements, child care subsidy expansion requirements, or the specified match requirements.

Requires the Partnership to report on the success of the comprehensive early literacy initiative to the Joint Legislative Oversight Committee on Health and Human Services by March 1, 2018.

Effective July 1, 2017.

Intro. by Burr.

APPROP

[View summary](#)

Education, Preschool, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare

H 660 (2017-2018) **DRIVERS LICENSE/RECIPROCIITY W/FOREIGN NATION**. Filed Apr 6 2017, *AN ACT TO CLARIFY THAT THE COMMISSIONER OF MOTOR VEHICLES OF NORTH CAROLINA MAY ENTER INTO MOTOR VEHICLE REGISTRATION AND LICENSING RECIPROCIITY AGREEMENTS WITH FOREIGN NATIONS.*

Identical to [S 651](#) filed on 4/4/17.

Amends GS 20-4.4(a), concerning the NC Commissioner of Motor Vehicles' authority to enter into a reciprocity agreement or arrangement as to registration and licensing with a duly authorized representative of another jurisdiction, to provide that the reciprocity agreement or arrangement is for motor vehicle operations (currently, for interstate or intrastate operations).

Intro. by Boles.

GS 20

[View summary](#)

Courts/Judiciary, Government, State Agencies, Department of Transportation

H 662 (2017-2018) **CAROLINA CARES**. Filed Apr 6 2017, *AN ACT TO PROVIDE HEALTH COVERAGE TO RESIDENTS OF NORTH CAROLINA UNDER THE CAROLINA CARES PROGRAM.*

Sets forth the legislative intent. Directs the Department of Health and Human Service (DHHS) to design a Carolina Cares health coverage program for NC residents in accordance with the act. Clarifies that it is the intent of the General Assembly that coverage under the Carolina Cares program is to be offered coincident with the implementation of Medicaid transformation and Prepaid Health Plans operating under the 1115 demonstration waiver, as provided for in SL 2015-245, as amended. Allows DHHS to modify the 1115 demonstration waiver for Medicaid transformation that was submitted on June 1, 2016, to include the Carolina Cares program.

Directs that NC residents must meet four criteria to be covered by the Carolina Cares program: (1) the resident is not eligible for Medicaid under the currently established North Carolina Medicaid program eligibility criteria; (2) the resident's modified adjusted gross income (MAGI) does not exceed 133% of the federal poverty level; (3) the resident is not entitled to or enrolled in Medicare Part A or Medicare Part B benefits; and (4) the resident is an adult who is no younger than age 19 and no older than age 64. Directs DHHS to define residency in a manner consistent with the residency requirements of NC's Medicaid State Plan.

Directs DHHS to design the benefit package to be similar to the coverage provided under specified Plans, and requires the package to comply with applicable federal requirements governing Alternative Benefit Plans. Directs the benefit package to focus on preventative care and participant wellness. Establishes that Prepaid Health Plans is to manage the benefits for the population covered by the Carolina Cares program through capitated contracts.

Details participant contributions under the Carolina Cares program, including provisions relating to premium requirements and exemptions from premium requirements. Details additional requirements of the Carolina Cares program, including co-payments, preventative care and wellness activities, and mandatory employment activities.

Requires the Carolina Cares program to built upon defined measures and goals for risk-adjusted health outcomes, quality of care, patient satisfaction, access, and cost. Requires each component to be subject to specific accountability measures, including penalties.

Details three sources of funding for the Carolina Cares program, federal funds, participant contributions, and state funds. Directs that the program is not to be implemented if the funding from these sources is insufficient.

Directs DHHS to submit a Carolina Cares program design proposal, with a strategy for obtaining approval for federal funding for the program, to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice by January 1, 2018. Sets out other report requirements. Additionally, directs DHHS to submit either a copy of the draft demonstration waiver under Section 1115 of the Social Security Act necessary to effectuate the Carolina Cares program or a draft of any modifications to the 1115 demonstration waiver for Medicaid transformation that was submitted on June 1, 2016.

Intro. by Lambeth, Murphy, Dobson, White.

UNCODIFIED

[View summary](#)

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

PUBLIC/SENATE BILLS

S 68 (2017-2018) **BIPARTISAN BD OF ELECTIONS AND ETHICS ENFORCE (NEW)**. Filed Feb 9 2017, *AN ACT TO REPEAL G.S. 126-5(D)(2), AS ENACTED BY S.L. 2016-126; TO REPEAL S.L. 2016-125; AND TO CONSOLIDATE THE FUNCTIONS OF ELECTIONS, CAMPAIGN FINANCE, LOBBYING, AND ETHICS UNDER ONE QUASI-JUDICIAL AND REGULATORY AGENCY BY CREATING THE NORTH CAROLINA BIPARTISAN STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT.*

House amendment #1 makes the following changes to the 3rd edition.

Amends the language of proposed GS 162A-2(b), providing that members of the newly created Bipartisan State Board of Elections and Ethics Enforcement are to serve for two-year terms, beginning May 1 of the odd-numbered year (previously, beginning May 1 immediately following the election of the Governor).

Intro. by D. Davis, Barefoot.

[GS 120, GS 120C, GS 126, GS 138A, GS 163, GS 163A](#)

[View summary](#)

Government, Elections, Ethics and Lobbying, State Agencies, State Board of Elections, Local Government

S 74 (2017-2018) **UPDATE RABIES CONTROL LAWS**. Filed Feb 14 2017, *AN ACT IMPLEMENTING THE RECOMMENDATIONS AND GUIDELINES OF THE NATIONAL ASSOCIATION OF STATE PUBLIC HEALTH VETERINARIANS REGARDING THE MANAGEMENT OF DOGS, CATS, AND FERRETS EXPOSED TO RABIES.*

Senate committee substitute makes the following change to the 1st edition. Makes clarifying change that the recommendations and guidelines for rabies post-exposure management specified by the National Association of State Public Health Veterinarians in the most current edition of the Compendium of Animal Rabies Prevention and Control are the required control measures for dogs, cats, and ferrets exposed to rabies.

Intro. by J. Davis.

[GS 130A](#)

[View summary](#)

Animals

S 117 (2017-2018) **FORFEITURE OF RETIREMENT BENEFITS/JUDGES**. Filed Feb 21 2017, *AN ACT PROHIBITING THE RECEIPT OF BENEFITS FROM THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM FOR JUDGES WHO HAVE BEEN IMPEACHED AND CONVICTED OR REMOVED FROM OFFICE.*

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

Deletes all provisions and replaces it with the following.

Enacts new GS 135-75.1B (Forfeiture of retirement benefits for conviction on impeachment or removal from office). Prohibits the Board of Trustees of the State Health Plan for Teachers and State Employees (Board of Trustees) from paying any retirement benefits or allowances, except for a return of member contributions plus interest, to any justice or judge who is convicted on impeachment for reasons other than physical and mental incapacity, or is removed from office under GS 7A-376(b). Authorizes a justice or judge whose conviction on impeachment or removal from office is vacated or set aside to seek a reversal of the benefit forfeiture by presenting evidence to the State Treasurer. Authorizes the State Treasurer to reverse benefit forfeitures as appropriate. Provides for repayment and rate of interest on repayment.

Amends GS 135-56 to require justices or judges who have not vested in the Consolidated Judicial Retirement System on December 1, 2017, and are impeached or removed from office for acts committed after December 1, 2017, to forfeit all benefits under the system except for a return of member contributions plus interest. Justices or judges who have vested on December 1, 2017, are not entitled to creditable service after December 1, 2017.

Makes a conforming change to GS 7A-376(b).

Directs the General Assembly and the Supreme Court to notify the State Treasurer and the Board of Trustees of the conviction on impeachment or removal from office of a justice or judge.

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

Intro. by Pate, Tucker.

[GS 7A, GS 135](#)

[View summary](#)

[Courts/Judiciary, Court System, Employment and Retirement](#)

S 218 (2017-2018) [STATE HEALTH PLAN ADMINISTRATIVE CHANGES.-AB](#) Filed Mar 8 2017, *AN ACT TO MAKE CLARIFYING AND ADMINISTRATIVE CHANGES TO THE LAWS RELATING TO THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.*

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

Amends GS 135-48.1 (General definitions concerning the State Health Plan for Teachers and State Employees) to define authorized representatives who are assisting the State Health Plan Division staff to mean staff of the Department of the State Treasurer, staff of the Department of Justice, or persons providing internal auditing assistance required under GS 143-746(b). Makes conforming organizational changes.

Enacts GS 135-48.16, Fraud detection and audit programs.

Subsection (a) establishes that the State Health Plan, or authorized representatives who are assisting the State Health Plan Division staff, in the course of conducting an investigation or an audit under GS 135-48.30(a)(9), is to have ready access to: (1) persons, books, records, reports, vouchers, correspondence, files, personnel files, investments, and any other documentation of any employing unit, with the Plan having the authority to both examine and make copies of the described information, but limiting the review of State tax returns to matters of official business, and prohibiting the Plan's report from violating the confidentiality provisions of the tax laws; and (2) persons, records, papers, reports, vouchers, correspondence, books, and any other documentation that is in the possession of any individual, private corporation, institution, association, board, or other organization that pertain to any benefits received, disbursed, or otherwise handled pursuant to a grant or contract from the federal government, the State, or its political subdivisions, and requiring providers of social and medical services to a beneficiary to make copies of records they maintain for services provided to the beneficiary.

Subsection (b) requires providers of social and medical services who provide ready access to the Plan under subdivision (2) of subsection (a) to make copies of records they maintain for services provided to a beneficiary available to the Plan or to the authorized representatives who are assisting the State Health Plan Division staff. Directs the Plan, or authorized representatives who are assisting the State Health Plan Division staff, to request records in writing by providing the name of each beneficiary

from whom records are sought, the purpose of the request, the authority for the request, and a reasonable period of time for the production of record copies by the provider. Authorizes a provider to charge, and the Plan or authorized representatives who are assisting the State Health Plan Division staff, must, in accordance with GS 90-411, pay a reasonable fee to the provider for copies of the records provided.

Subsection (c) directs the Plan to maintain for 10 years a complete file of all compliance investigative reports, fraud investigative reports, and reports of other examinations, investigations, surveys, and reviews issued under the Plan's authority under GS 135-48.30(a)(9). Directs fraud or compliance investigation work papers and other evidence or related supportive material directly pertaining to the work of the State Health Plan Division of the Department of State Treasurer be retained according to an agreement between the Plan and State Archives. Provides that pertinent work papers and other supportive material relating to issued fraud or compliance investigation reports can be, at the discretion of the Executive Administrator of the Plan, and unless otherwise prohibited by law, made available for inspection by duly authorized representatives of the State and federal government who desire access to, and inspection of, those records in connection with some matter officially before them, including criminal investigations. Requires fraud investigation work papers and related supportive material to be kept confidential, including any information developed as a part of the investigation, except as provided in the statute, or upon an order issued in Wake County Superior Court upon 10 days' notice and hearing finding that access is necessary to a proper administration of justice.

Amends GS 105-259(b) to allow tax information to be disclosed for the purpose of furnishing the Department of State Treasurer with information it requests related to an investigation or audit under GS 135-6(q), GS 135-48.16, or GS 128-28(r).

Makes clarifying change to the act's effective provision.

Intro. by Krawiec, Hise, Pate.

[GS 105, GS 135](#)

[View summary](#)

[Government, State Government, State Personnel, Tax, Health and Human Services, Health, Health Insurance](#)

S 320 (2017-2018) [SECRETARY OF ADMINISTRATION CONFIRMATION](#). Filed Mar 21 2017, *A SENATE RESOLUTION CONFIRMING MACHELLE SANDERS AS SECRETARY OF THE DEPARTMENT OF ADMINISTRATION*.

Senate amendment makes the following changes to the 1st edition. Deletes the content of Section 1 concerning the Senate's consideration of confirmation of Machelles Sanders as Secretary of the Department of Administration, and instead provides that, having given due consideration, the Senate confirms Machelles Sanders as Secretary of the Department of Administration. Makes conforming changes to the act's long title.

Intro. by Rabon.

[SENATE RES](#)

[View summary](#)

[Government, General Assembly, State Agencies, Department of Administration, State Government, Executive](#)

S 392 (2017-2018) [CONFIRMATION/SECRETARY OF DHHS](#). Filed Mar 27 2017, *A SENATE RESOLUTION CONFIRMING DR. MANDY COHEN AS SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES*.

Senate amendment makes the following changes to the 1st edition. Deletes the content of Section 1 concerning the Senate's consideration of confirmation of Mandy Cohen as Secretary of the Department of Health and Human Services, and instead provides that, having given due consideration, the Senate confirms Mandy Cohen as Secretary of the Department of Health and Human Services. Makes conforming changes to the act's long title.

Intro. by Rabon.

[SENATE RES](#)

[View summary](#)

[Government, General Assembly, State Agencies, Department of Health and Human Services, State Government, Executive](#)

S 641 (2017-2018) [UNIFORM SYSTEM DEVELOPMENT FEES FOR WATER](#). Filed Apr 4 2017, *AN ACT TO PROVIDE FOR UNIFORM AUTHORITY TO IMPLEMENT SYSTEM DEVELOPMENT FEES FOR PUBLIC WATER AND SEWER SYSTEMS IN NORTH CAROLINA*.

Enacts new GS 160A-314.2 to allow the governing board of a water and/or sewer system to charge a system development fee made up of: (1) a charge for a portion of the infrastructure existing at the time the new customer asks for additional infrastructure or new services to be provided and (2) a charge for a portion of the future needs of the water or sewer, or water and sewer, system that bears a reasonable relationship to the service requested and its impact on the water or sewer, or water and sewer, system. Defines governing board to mean the governing body of the city, county, or other unit of government as established by Part 2 of Article 2 of GS Chapter 130A, Article 1 of GS Chapter 162A, Article 4 of GS Chapter 162A, Article 5 of GS Chapter 162A, Article 5A of GS Chapter 162A, or Article 6 of GS Chapter 162A.

Limits who can be charged the development fee to: (1) real property not previously served by the water or sewer, or water and sewer, system and (2) a developer or other owner of real property that agrees to pay the fee as part of a development agreement under Part 3A of Article 18 of GS Chapter 153A or Part 3D of Article 19 of GS Chapter 160A.

Requires that the calculation of the system development fee be reviewed annually and published in the budget ordinance, with any changes in the formula or other means of calculating the system development fee being effective from July 1 until June 30 of each year. Specifies factors that must be considered in the calculation of the fee.

Requires that the money collected from the development fee be used only for repairs, maintenance, expansion, or other construction needs of the water or sewer, or water and sewer, system and prohibits using the fee for overhead costs of the system or transfer to the governing board's general fund.

States the General Assembly's intent that, effective October 1, 2017, the authority set out in this statute be the exclusive authority to impose fees on property owners connecting to the water or sewer, or water and sewer, system for the availability of the services and future needs of the service. Effective October 1, 2017, a local act granting the authority to impose an impact fee or other type of system development fee for connecting to a water or sewer, or water and sewer, system is not effective for that use or purpose; however, any fee properly imposed under such a local act prior to October 1, 2017, may be lawfully collected pursuant to the provisions of that local act.

Make conforming changes to GS 160A-314, GS 160A-317, GS 130A-64, GS 153A-277, GS 162A-6, GS 162A-36, GS 162A-49, GS 162A-69, GS 162A-72, GS 162A-85.13, and GS 162A-88.

Amends GS 1-52 to impose a three-year statute of limitations on an action against a county, municipality, or other unit of government for the refund or release of any improperly imposed system development fee.

The above provisions are effective October 1, 2017.

Sets out the process a person asserting a valid claim for the return of money paid to unit of government for an improperly imposed system development fee imposed before October 1, 2017, for the future services of a water and/or sewer system is to follow as well as the procedure the governing body must follow in evaluating such a claim.

Provides that if, within 90 days after receiving a person's request for release of an unpaid fee claim, the governing body of the unit has declined the request for untimely filing, failed to grant the release, has notified the person that no release will be granted, or has taken no action on the request, the person must pay the fee. If within 90 days after receiving a person's request for refund the governing body has failed to refund the full amount requested by the person, has notified the person that no refund will be made, or has taken no action on the request, the person may bring a civil action against the unit for the amount claimed, within three years from the expiration of the 90-day period in which the governing body is required to act. Requires that such a civil action be brought in the appropriate division of the general court of justice of the county in which the unit is located. If, upon trial, it is determined that the fee or any part of it was improper, judgment must be rendered therefor with 6% interest, plus costs, to be collected as in other civil actions.

Intro. by Newton, Edwards, Sanderson.

[GS 1, GS 153A, GS 160A, GS 162A](#)

[View summary](#)

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

S 642 (2017-2018) [BURDEN OF PROOF - PLANNING AND ZONING](#). Filed Apr 4 2017, *AN ACT TO PROVIDE REGULATORY RELIEF FOR LANDOWNERS BY ESTABLISHING A REBUTTABLE PRESUMPTION OF PROPER LAND USE UNDER THE ORDINANCE AND BY REQUIRING CLEAR AND CONVINCING EVIDENCE TO REBUT THAT PRESUMPTION IN QUASI-JUDICIAL PROCEEDINGS BEFORE THE BOARD OF ADJUSTMENT.*

Amends GS 160A-388, which governs appeals before the board of adjustment concerning zoning or land use or development ordinances. Specifies that an appeal under GS 160A-400.9(e) (concerning appeals of the grant or denial of an application for a certificate of appropriateness) or any other appeal in the nature of certiorari is to be heard de novo. Adds that there is a rebuttable presumption that the use of the property that is being appealed is valid or consistent with the ordinance and allows the presumption to be rebutted by clear and convincing evidence to the contrary if it is presented by the one who made the decision.

Requires quasi-judicial decisions to be heard de novo. Adds that there is a rebuttable presumption that the use of the property that is being appealed is valid or consistent with the ordinance and allows the presumption to be rebutted by clear and convincing evidence to the contrary if it is presented by the one who made the decision.

Applies to actions taken by the board of adjustment on or after the date that the act becomes law.

Intro. by Newton, B. Jackson, Brock.

[GS 160A](#)

[View summary](#)

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

S 643 (2017-2018) [ESTABLISH VETERANS TREATMENT COURT](#). Filed Apr 4 2017, *AN ACT TO ESTABLISH A VETERANS TREATMENT COURT FOR THE FOURTH AND EIGHTH JUDICIAL DISTRICTS.*

Establishes Veteran Treatment Court programs (program) in the fourth and eighth judicial districts, with five specified goals, including, reducing alcoholism and other drug dependencies and providing effective treatment of co-occurring mental health issues among program participants, and reducing criminal recidivism. Defines veteran as an individual who served in the Armed Forces of the United States and who was discharged or released from service under conditions other than dishonorable.

Allows, at any time during a criminal prosecution in either the fourth or the eighth judicial districts, the prosecutor and the defendant to make a joint written application to the court seeking the defendant's participation in the program. Allows the to approve the application and order that the defendant participate in the program as a condition of probation, pursuant to a deferred prosecution agreement, or pursuant to the terms of a conditional discharge upon making the following findings: (1) the defendant is a veteran; (2) in the case that participation in the program is a condition of probation, the requirements of GS 15A-1341(a) are satisfied; (3) in the case that participation in the program is pursuant to a deferred prosecution agreement, the requirements of GS 15A-1341(a1) are satisfied; and (4) in the case that participation in the program is pursuant to the terms of a conditional discharge, the requirements of GS 15A-1341(a4) are satisfied.

Requires the court, under the program, to order that the defendant participate in one or more of the following services: (1) mental health services, (2) drug treatment services, including random testing for substance abuse, (3) alcohol treatment services, or (4) other services designed to address the specialized problems faced by veterans. Requires the defendant to attend at least one court session per month during which the court will inquire about the defendant's progress in the above-mentioned services as well as the defendant's overall participation in the program.

Applicable only to Wayne, Lenoir, Green, Duplin, Sampson, Jones, and Onslow counties.

Effective October 1, 2017.

Intro. by Pate, D. Davis, Brown.

UNCODIFIED

[View summary](#)

Courts/Judiciary, Court System, Military and Veteran's Affairs

S 644 (2017-2018) **INCREASE DIVERSITY AMONG PHYSICIAN ASSISTANTS**. Filed Apr 4 2017, *AN ACT APPROPRIATING FUNDS TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA FOR THE DEVELOPMENT AND IMPLEMENTATION OF PHYSICIAN ASSISTANT CURRICULUM AT WINSTON-SALEM STATE UNIVERSITY AND FOR THE RECRUITMENT OF STUDENTS FROM DIVERSE RACIAL AND ETHNIC BACKGROUNDS IN ORDER TO INCREASE THE RACIAL AND ETHNIC DIVERSITY OF LICENSED PHYSICIAN ASSISTANTS PRACTICING IN THIS STATE.*

Appropriate an unspecified amount from the General Fund to the UNC Board of Governors for 2017-18 fiscal and 2018-19 fiscal year, to be allocated to Winston-Salem State University (WSSU) to: (1) develop and implement curriculum at WSSU for a physician assistant degree program; and (2) develop strategies and recruitment methods for encouraging talented students from diverse racial and ethnic backgrounds to enroll at WSSU in the physician assistant degree program. Effective July 1, 2017.

Intro. by Lowe.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Agencies, UNC System, Health and Human Services, Health, Health Care Facilities and Providers

S 645 (2017-2018) **KEEP BOTH PARENTS IN LIFE OF CHILD**. Filed Apr 4 2017, *AN ACT TO PROVIDE FOR CONSIDERATION OF A MINIMUM AMOUNT OF TIME WITH EACH PARENT WHEN DETERMINING THE TERMS OF CUSTODY.*

Amends GS 50-13.2, concerning orders for custody of minor children, by specifying that between the parents, whether natural or adoptive, it is the State's policy to to encourage active and ongoing participation of both parents in the child's life and time with both parents when it is in the child's best interest, regardless of the parents' present or past marital status, subject to laws regarding abuse, neglect, and dependency. Requires that joint physical and legal custody to the parents and the opportunity to submit a jointly agreed upon parenting plan be considered upon the request of either parent.

Provides that an order for custody of a minor child may grant joint physical and legal custody (was, joint custody) to the parents. Adds that in determining the terms of custody and upon the request of either parent, the court must consider a minimum of 40% time annually with each parent unless the arrangement would not be in the best interest of the child, would risk the safety of the child or other party, including risk associated with acts of domestic violence, or any other findings the court deems applicable. States that the inability of the parents to cooperate with each other is not be a factor that weighs against the best interests of the child in having minimum visitation time with both parents.

Intro. by Bryant, Ford, Foushee.

GS 50

[View summary](#)

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

S 646 (2017-2018) **UNIVERSAL VOTER REGISTRATION**. Filed Apr 4 2017, *AN ACT PROVIDING FOR AUTOMATIC VOTER REGISTRATION AT DRIVERS LICENSE OFFICES, PUBLIC AGENCIES, COMMUNITY COLLEGES, AND COLLEGES AND UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA AND REQUIRING THE STATE BOARD OF ELECTIONS TO IMPLEMENT AN OUTREACH CAMPAIGN INFORMING CITIZENS ABOUT AUTOMATIC VOTER REGISTRATION.*

Amends GS 163-82.19. Amends the caption to read "Automatic voter registration at drivers license offices; coordination on data interface." Beginning January 1, 2018, directs the Division of Motor Vehicles, in consultation with the State Board of Elections,

to implement a method by which any eligible drivers' license or special identification card applicant shall be automatically registered to vote, or able to update the voter's registration if the voter has changed his or her address or moved. Requires the person taking the application, in addition to the current requirements for drivers' license applicant voter registration, to affirmatively ask if the applicant is registered, and whether the applicant would like to register, and to note the refusal or register the applicant accordingly. Specifies the procedure for when an applicant does want to register. Directs the applicant to provide an electronic signature to attest that the information provided by the applicant is true and that the applicant is eligible to become a registered voter. Provides for electronic transmission of the application to the appropriate board of elections. Does not require the Department of Transportation to determine eligibility for voter registration or voting. Directs the State Board of Elections to ensure the confidentiality of information under this statute for purposes of automatic voter registration. Effective January 1, 2018.

Amends GS 163-82.20. Amends the caption to read "Voter registration at other public agencies; automatic voter registration." Deletes the provision making offices which accept applications for programs of public assistance, as specified, a voter registration agency. Requires voter registration agencies, beginning January 1, 2019, in consultation with the State Board of Elections, to provide with each application for service or assistance, and recertifications, renewals, or changes of address for such service or assistance, for automatic voter registration. Provides the same requirements for the person taking the application as those for the person taking a drivers' license application under GS 163-82.19(a), including both current requirements and those added in this bill. Deletes the provisions requiring the voter registration agencies to distribute other types of voter registration forms, and to provide identical assistance to an applicant in filling out a voting form as is provided with the completion of the office's own forms. Provides that voter registrations are not required to provide automatic voter registration at a person's home. Directs the State Board of Elections to ensure the confidentiality of information under this statute for purposes of automatic voter registration. Provides for the transmission of the application to the appropriate board of elections. Does not require the voter registration agencies to determine eligibility to register to vote. Effective January 1, 2019.

Amends GS 163-82.20A, requiring the educational programs for persons applying to register to vote after being restored to citizenship to inform the person of automatic voter registration. Effective January 1, 2018.

Amends GS 115D-5 and GS 116-11 as follows. Beginning January 1, 2019, applies the same requirements for the State Board of Community Colleges and the Board of Governors of the University of North Carolina (Boards), and persons taking applications for enrollment and registration for courses, as those that are required for the DMV and voter registration agencies, and persons taking applications at those offices, except that the amendments do not explicitly provide for the transmission of the applications, or contain the provision not requiring the Boards to determine eligibility to register to vote. Effective January 1, 2019.

Directs the State Board of Elections to establish and implement an education and outreach program to inform voters of the automatic voter registration procedures established under this act. Effective when the act becomes law.

Makes conforming changes to GS 163-82.3 and GS 163-82.6. Amends the caption of GS 163-82.3 to read "Voter registration application forms; automatic voter registration at certain agencies." Effective January 1, 2018.

Intro. by Woodard, Clark, Lowe.

GS 163

[View summary](#)

Courts/Judiciary, Motor Vehicle, Education, Higher Education, Government, Elections, State Agencies, Community Colleges System Office, UNC System, Department of Transportation, State Board of Elections, Health and Human Services, Social Services, Public Assistance

S 647 (2017-2018) **JLEOC STUDY/ESSA/SCHOOL REPORT CARD**. Filed Apr 4 2017, *AN ACT TO DIRECT THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE TO STUDY ANY MINIMAL CHANGES REQUIRED TO THE SCHOOL PERFORMANCE GRADE SYSTEM THAT MAY BE NECESSARY TO COMPLY WITH THE REQUIREMENTS OF THE EVERY STUDENT SUCCEEDS ACT.*

Requires the Joint Legislative Education Oversight Committee (Committee) to study the impact of the Elementary and Secondary Education Act of 1965, 20 USC § 6301, et seq., as amended by the Every Student Succeeds Act (ESSA), PL 114-95, on the

State's system of assessment of student performance and the requirements of the annual school report card awarded by the State Board of Education for each North Carolina public school in accordance. Requires the Committee to make recommendations on statutory changes needed for the State to comply with ESSA for federal student accountability reporting purposes. Requires that the Committee report on the study results upon the convening of the 2018 Regular Session of the 2017 General Assembly.

Intro. by Barefoot, Curtis, Lee.

STUDY

[View summary](#)

Education, Elementary and Secondary Education

S 649 (2017-2018) **PUBLIC RECORDS ACCESS - NC RESIDENTS ONLY**. Filed Apr 4 2017, *AN ACT TO PROVIDE THAT ACCESS TO NORTH CAROLINA PUBLIC RECORDS ARE FOR NORTH CAROLINA RESIDENTS.*

Amends GS 132-1(b), GS 132-1.4(d), GS 132-1.9, GS 132-6, GS 132-6.2, and GS 132-9 (regarding public records and access to them) to replace references to *the people, persons, or any person*, with *residents of this State* thereby limiting access to State residents only. Further amends GS 132-6 (Inspection and examination of records) to provide that public records maintained by the clerk of court and register of deeds of every county shall be open to inspection and copying by any person, subject to the requirements and conditions of GS Chapter 132. Effective October 1, 2017.

Intro. by Daniel, Brock, Hise.

GS 132

[View summary](#)

Government, Public Records and Open Meetings

S 651 (2017-2018) **DRIVERS LICENSE/RECIPROCITY W/FOREIGN NATION**. Filed Apr 4 2017, *AN ACT TO CLARIFY THAT THE COMMISSIONER OF MOTOR VEHICLES OF NORTH CAROLINA MAY ENTER INTO MOTOR VEHICLE REGISTRATION AND LICENSING RECIPROCITY AGREEMENTS WITH FOREIGN NATIONS.*

Amends GS 20-4.4(a), concerning the NC Commissioner of Motor Vehicles' authority to enter into a reciprocity agreement or arrangement as to registration and licensing with a duly authorized representative of another jurisdiction, to provide that the reciprocity agreement or arrangement is for motor vehicle operations (currently, for interstate or intrastate operations).

Intro. by Curtis.

GS 20

[View summary](#)

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

S 652 (2017-2018) **INCREASE ACCESS TO HIGHER EDUCATION**. Filed Apr 4 2017, *AN ACT PROVIDING FOR INCREASED ACCESS TO HIGHER EDUCATION.*

Amends GS 116-143.1 to provide persons who attended school in North Carolina for at least three consecutive years immediately prior to graduation, and have received either a diploma from a high school within North Carolina or a general education diploma issued in North Carolina, with resident tuition status.

Intro. by Chaudhuri, Van Duyn.

GS 116

[View summary](#)

Education, Higher Education

S 653 (2017-2018) **SOG - STUDY GUBERNATORIAL TRANSITION**. Filed Apr 4 2017, *AN ACT TO DIRECT THE UNC SCHOOL OF GOVERNMENT TO STUDY AN EFFICIENT AND EFFECTIVE PROCESS FOR THE TRANSITION OF THE OFFICE OF THE*

GOVERNOR.

Require the Dean of the UNC School of Government (SOG) to convene a working group to study ways to improve the State's gubernatorial transition process. Requires that the working group include senior policy staff members for the past four North Carolina Governors' administrations. Specifies the scope of the study. Requires the working group to report its finding and recommendations by April 15, 2018, to the Majority and the Minority Leaders of the Senate and the House of Representatives. Requires any proposed legislation recommended by the working group be considered a bill implementing the recommendations of a study commission authorized or directed to report to the 2018 Regular Session. Terminates the working group upon the earlier of the filing of its report or April 15, 2018.

Intro. by Chaudhuri.

STUDY

[View summary](#)

Government, State Agencies, UNC System, State Government, Executive

S 654 (2017-2018) **MAKE NC BETTER FOR BUSINESS/REVENUE LAWS**. Filed Apr 4 2017, *AN ACT TO IDENTIFY AND IMPLEMENT MORE BUSINESS FRIENDLY PRACTICES IN NORTH CAROLINA*.

Requires the Revenue Laws Study Committee (Committee) to study: (1) whether the fees charged to create a business entity in North Carolina are competitive with those charged in other Southeastern and Mid-Atlantic states; (2) whether annual fees and filings for North Carolina business entities are competitive with those charged in other Southeastern and Mid-Atlantic states; (3) whether the method by which any franchise taxes are imposed on North Carolina business entities are competitive with those charged in other Southeastern and Mid-Atlantic states; (4) whether any North Carolina laws create unnecessary barriers to attracting venture capital financing; (5) whether North Carolina's corporate income tax rate is competitive with those charged in other Southeastern and Mid-Atlantic states. Requires the Committee to report its findings and recommendations to the 2017 General Assembly when it reconvenes for the 2018 regular session.

Intro. by Brock.

STUDY

[View summary](#)

Business and Commerce, Corporation and Partnerships, Government, Tax

S 655 (2017-2018) **CHANGE DATE WHEN PRIMARY ELECTIONS HELD**. Filed Apr 4 2017, *AN ACT CHANGING THE DATE ON WHICH PRIMARY ELECTIONS ARE HELD*.

Amends GS 163-1(b), as amended, providing that primary elections are to be held on the Tuesday after the first Monday in March (currently, May) preceding the general election.

Amends GS 163-106(c), as amended, providing that candidates seeking party primary nominations for the specified offices must file their notice of candidacy with the State Board of Elections no earlier than noon on the first Monday in December (currently, on the second Monday in February) and no later than noon on the third Friday in December (currently, on the last business day in February) preceding the primary. Makes identical changes to the time for filing notice of candidacy for candidates seeking party primary nominations for the specified offices that must file with the county board of elections.

Amends GS 163-213.2, providing for the presidential primary to occur every four years on the Tuesday after the first Monday in March, 2020 (currently, May, 1992). Deletes the provision requiring the NC presidential primary to be held on the Tuesday after the SC presidential primary if SC holds its presidential primary before the 15th day of March.

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

Intro. by Brock.

GS 163

[View summary](#)

Government, Elections

S 656 (2017-2018) [ELECTORAL FREEDOM ACT OF 2017](#). Filed Apr 4 2017, *AN ACT TO CHANGE THE DEFINITION OF A "POLITICAL PARTY" BY REDUCING THE NUMBER OF SIGNATURES REQUIRED FOR THE FORMATION OF A NEW POLITICAL PARTY AND FOR UNAFFILIATED CANDIDATES TO OBTAIN BALLOT ACCESS ELIGIBILITY.*

Amends the petition requirement in GS 163-96(a) for a group of voters to be considered a new political party to lower the number of required signatures to 10,000 (currently, 2% of the total number of voters who voted in the most recent general election for Governor), with signatures of at least 200 registered voters from each of three (currently, four) NC congressional districts.

Amends GS 163-122(a), as amended, to lower the number of signatures required for an unaffiliated candidate to put their name on a general election ballot for statewide office to 5,000 (currently, 2% of the total number of voters who voted in the most recent general election for Governor), with signatures of at least 200 registered voters from at least three (currently, each of four) NC congressional districts. Lowers the number of required signatures for district offices to 3% (currently, 4%) of the total number of registered voters in the district. Lowers the number of required signatures for county office or single-county legislative districts to 3% (currently, 4%) of the total number of registered voters in the county or district, respectively.

Effective January 1, 2018, and applies to all primaries and elections held on or after that date.

Intro. by Brock.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

S 659 (2017-2018) [SECRETARY OF COMMERCE CONFIRMATION](#). Filed Apr 4 2017, *A SENATE RESOLUTION RELATING TO THE APPOINTMENT, NOMINATION, AND CONFIRMATION OF TONY COPELAND AS SECRETARY OF THE DEPARTMENT OF COMMERCE.*

Requires the Senate to consider whether to confirm Tony Copeland as Secretary of the Department of Commerce. Includes whereas clauses.

Intro. by Rabon.

[SENATE RES](#)

[View summary](#)

[Government, General Assembly, State Agencies, Department of Commerce, State Government, Executive](#)

S 661 (2017-2018) [SCH. DIST. HOLD HARMLESS/HURRICANE MATTHEW](#). Filed Apr 4 2017, *AN ACT TO HOLD HARMLESS LOCAL SCHOOL ADMINISTRATIVE UNITS THAT WERE IMPACTED BY HURRICANE MATTHEW FOR PURPOSES OF AVERAGE DAILY MEMBERSHIP AND THE BUDGET RATING USED TO CALCULATE THE ALLOTMENT FOR THE TRANSPORTATION OF STUDENTS.*

Specifies that if in the 2018-19 fiscal year the higher of the first or second month average daily membership in a local school administrative unit significantly impacted by weather conditions related to Hurricane Matthew in the month of October 2016 is at least 2% or 100 students lower than the anticipated average daily membership used for allotments for the unit in the 2018-19 fiscal year, the State Board of Education must not reduce allotments for the unit any lower than they were in the 2016-17 fiscal year.

Provides that if the budget rating that is used to calculate the allotment for the transportation of students in the 2018-19 fiscal year for any local school administrative unit significantly impacted by weather conditions related to Hurricane Matthew in the month of October 2016 is lower than the budget rating that was used in the 2016-17 fiscal year, the State Board of Education must use the budget rating from the 2016-17 fiscal year to calculate the 2018-19 allotment for the transportation of students.

Applies only for the 2018-19 fiscal year.

Intro. by Smith-Ingram, Britt.

UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education

S 662 (2017-2018) **CHARTER SCHOOL TRANSPORTATION GRANT PROGRAM**. Filed Apr 4 2017, *AN ACT TO PROVIDE FOR A GRANT PROGRAM FOR CHARTER SCHOOLS TO RECEIVE FUNDS TO COVER A CERTAIN PERCENTAGE OF THEIR STUDENT TRANSPORTATION COSTS.*

Enacts GS 115C-218.106, establishing the Charter School Transportation Grant Program (Program) to award grant funds to a charter school for reimbursement of a certain percentage of eligible student transportation costs incurred by the school in accordance with the statute.

Permits a charter school to apply to the Department of Public Instruction (DPI) for grants funds under the Program for transportation costs incurred for each semester in accordance with the following eligibility specifications: (1) a charter school with a student enrollment of at least 50% of its students residing in households with an income level not in excess of the amount required for a student to qualify for the federal free or reduced-price lunch program are eligible for a reimbursement of 65% of its eligible costs; and (2) a charter school with a student enrollment of less than 50% of its students residing in households with an income level not in excess of the amount required for a student to qualify for the federal free or reduced-price lunch program are eligible for a reimbursement of 25% of its eligible costs.

Directs DPI, by August 1 of each year, to establish the criteria and guidelines for the grant application process for the upcoming school year, including criteria for eligible student transportation costs to be covered under the Program and any documentation required to be submitted with the application. Requires DPI to accept applications until December 31 for eligible student transportation costs incurred during the fall semester of the school year and until June 30 for the spring semester of the school year.

Directs DPI to award grant funds under the Program to charter schools by January 15 for eligible costs incurred during the fall semester and July 15 for eligible costs incurred for the spring semester of the prior school year. Authorizes DPI to use other funds within the State Public School Fund for this purpose if funds appropriated to the Program in a fiscal year are insufficient.

Directs DPI to annually report by March 15 to the Fiscal Research Division and the Joint Legislative Oversight Committee on the administration of the Program for the prior year. Sets out required information to be included in the report.

Appropriates \$2.5 million in recurring funds from the General Fund to DPI to be used to award grant funds to charter school for the reimbursements in accordance with GS 115C-218.106, as enacted.

Effective July 1, 2017.

Intro. by Smith-Ingram.

APPROP, GS 115C

[View summary](#)

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

S 664 (2017-2018) **RESTORE ED.-BASED SALARY SUPPLEMENTS**. Filed Apr 4 2017, *AN ACT TO RESTORE EDUCATION-BASED SALARY SUPPLEMENTS.*

Repeals Section 8.22 of SL 2013-360, as amended, which phased out specified teacher salary supplements.

Specifies that only the following teachers and instructional support personnel will be paid on the "M" salary schedule or receive a salary supplement for academic preparation at the six-year degree level or at the doctoral degree level for the 2015-16 and subsequent school years: (1) certified school nurses and instructional support personnel in positions for which a master's degree is required for licensure; (2) teachers and instructional support personnel who were paid on that salary schedule or received that

salary supplement before the 2014-15 school year; (3) teachers and instructional support personnel who complete a degree at the master's, six-year, or doctoral degree level for which they completed at least one course prior to August 1, 2013, and would have qualified for the salary supplement pursuant to State Board of Education policy, TCP-A-006, as it was in effect on June 30, 2013; and (4) teachers and instructional support personnel who do not qualify under subdivisions (1), (2), and (3) of this section but who spend at least 70% of their work time in either classroom instruction related to their graduate academic preparation in their field or subject area within their area of licensure or work within the employee's area of graduate academic preparation.

Requires, beginning with the 2015-16 fiscal year and subsequent fiscal years, for teachers who are paid on the "M" salary schedule under subdivision (4) above, annual determination of whether teachers and instructional support personnel will be paid on the "M" salary schedule or receive a salary supplement for academic preparation. Allows teachers and instructional support personnel to be moved off of the "M" salary schedule or discontinue receiving salary supplements if they are not meeting the specified requirements.

Provides that unless an individual otherwise qualifies under subdivision (2) or (3) above, teachers and instructional support personnel who earn an advanced degree in school administration must not be paid on the "M" salary schedule or receive a salary supplement for academic preparation unless they serve as an assistant principal or principal.

Effective July 1, 2017.

Intro. by Britt, Horner.

UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education

S 666 (2017-2018) **CAPITAL PROCEDURE/SEVERE DISABILITY**. Filed Apr 4 2017, *AN ACT TO AMEND THE CAPITAL TRIAL, SENTENCING, AND POSTCONVICTION PROCEDURES FOR A PERSON WITH A SEVERE MENTAL DISABILITY AND TO PROVIDE THAT INSANITY IS NOT AVAILABLE AS A DEFENSE TO A CRIMINAL ACTION IF PRIOR ALCOHOL OR DRUG USE OR BOTH ARE THE SOLE CAUSE OF THE PSYCHOSIS OR IF VOLUNTARY INTOXICATION, A VOLUNTARY DRUGGED CONDITION, OR BOTH COMBINED ARE THE SOLE SUPPORT FOR THE DEFENSE.*

Contains whereas clauses.

Enacts new GS 15A-2007 (Defendant with severe mental disability; death sentence prohibited). Defines *severe mental disability*, and places the burden on the defendant of proving, by clear and convincing evidence, that a severe mental disability predates the alleged offense. Prohibits the death penalty for defendants with severe mental disability at the time of the commission of a criminal offense. Specifies procedure for a court's pre-trial determination of a severe mental disability. Provides that a person found to be with a severe mental disability at the time of the commission of the criminal offense waives the defense of not guilty by reason of insanity. Specifies procedure for the introduction of evidence to a sentencing jury regarding a severe mental disability, when a court's pre-trial hearing does not find the existence of a severe mental disability. Places the burden on the defendant of proving the severe mental disability to the jury by a preponderance of the evidence. Authorizes a jury to consider evidence of disability when determining mitigating factors, even if the jury determines that the defendant did not have a severe mental disability. Provides that defendants with severe mental disability may be given any other authorized sentence.

Enacts new GS 15A-960 (insanity defense is not available when drug or alcohol use is the sole cause of psychosis). Provides that insanity is not available as a defense when (1) prior use of alcohol, drugs, or both are the sole cause of the psychosis, or (2) voluntary intoxication, drugged condition, or both, are the sole support for the defense.

Makes conforming changes to GS 15A-2000(b).

Effective October 1, 2017, and applies to trials docketed to begin on or after that date.

Intro. by Britt, Lee, McKissick.

GS 15A

[View summary](#)

Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Mental Health

S 669 (2017-2018) [SE NC AG EVENTS CENTER/FUNDS](#). Filed Apr 4 2017, *AN ACT TO APPROPRIATE FUNDS TO INSTALL SEATING AND A SOUND SYSTEM AT THE SOUTHEASTERN NORTH CAROLINA AGRICULTURAL EVENTS CENTER*.

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

Intro. by Britt.

[APPROP](#)

[View summary](#)

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

S 671 (2017-2018) [SALES TAX: MANUFACTURED HOMES](#). Filed Apr 4 2017, *AN ACT TO CLARIFY THE SALES TAX ON INSTALLATION AS APPLIED TO MANUFACTURED HOMES*.

Amends GS 105-164.13 to exempt from retail sales and use tax installation charges for a manufactured home or a modular home, provided the installation charges are separately stated and identified as such on the invoice, regardless of whether the home is being installed on property that is owned by the owner of the home.

Intro. by Britt.

[GS 105](#)

[View summary](#)

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

S 673 (2017-2018) [KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & REG](#). Filed Apr 4 2017, *AN ACT DESIGNATING THE MONTH OF DECEMBER AS MARROW DONATION AWARENESS MONTH AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO RAISE AWARENESS ABOUT BONE MARROW DONATION AND TRANSPLANTATION AND TO IMPLEMENT A PILOT PROGRAM TO ENCOURAGE NORTH CAROLINA RESIDENTS TO JOIN A BONE MARROW DONATION REGISTRY*.

Includes whereas clauses.

Enacts GS 103-15 designating December as Marrow Donation Awareness Month.

Appropriates from the General Fund to the Department of Health and Human Services, Division of Public Health, \$26,000 for 2017-18 to: (1) make available free of charge website printable publications on bone marrow donation and transplantation that is sufficient to allow an individual to make an informed decision about whether to participate in a local or national bone marrow donation registry; (2) raise public awareness about bone marrow donation and transplantation; (3) encourage North Carolina residents to consider joining a bone marrow donation registry. Effective July 1, 2017.

Appropriates from the General Fund to the Department of Health and Human Services (DHHS), Division of Public Health, \$250,000 for 2017-18 to be used exclusively to implement a bone marrow donation pilot program. Requires DHHS, in collaboration with the Department of Motor Vehicles, to establish the pilot program at Edgecombe County Department of Motor Vehicles and Wake County Department of Motor Vehicles, with each site given \$125,000 to conduct the pilot program. Requires DHHS, by February 1, 2018, to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on the status of the pilot program, and by May 1, 2020, give a final report of the program to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division. Effective July 1, 2017.

Intro. by Smith-Ingram, Pate.

[APPROP, GS 103](#)

[View summary](#)

[Government, Cultural Resources and Museums, State](#)

S 674 (2017-2018) [SCH. DIST. HOLD HARMLESS/HURRICANE MATTHEW](#). Filed Apr 4 2017, *AN ACT TO HOLD HARMLESS LOCAL SCHOOL ADMINISTRATIVE UNITS THAT WERE IMPACTED BY HURRICANE MATTHEW FOR PURPOSES OF AVERAGE DAILY MEMBERSHIP AND THE BUDGET RATING USED TO CALCULATE THE ALLOTMENT FOR THE TRANSPORTATION OF STUDENTS.*

Identical to [S 661](#), filed on 4/4/17.

Specifies that if in the 2018-19 fiscal year the higher of the first or second month average daily membership in a local school administrative unit significantly impacted by weather conditions related to Hurricane Matthew in the month of October 2016 is at least 2% or 100 students lower than the anticipated average daily membership used for allotments for the unit in the 2018-19 fiscal year, the State Board of Education must not reduce allotments for the unit any lower than they were in the 2016-17 fiscal year.

Provides that if the budget rating that is used to calculate the allotment for the transportation of students in the 2018-19 fiscal year for any local school administrative unit significantly impacted by weather conditions related to Hurricane Matthew in the month of October 2016 is lower than the budget rating that was used in the 2016-17 fiscal year, the State Board of Education must use the budget rating from the 2016-17 fiscal year to calculate the 2018-19 allotment for the transportation of students.

Applies only for the 2018-19 fiscal year.

Intro. by Smith-Ingram, Britt, Pate.

UNCODIFIED

[View summary](#)

[Education, Elementary and Secondary Education](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 5: UNEMPLOYMENT INSURANCE TECHNICAL CHANGES.

Senate: Reptd Fav

H 10: EMINENT DOMAIN STATUTORY REVISIONS.

House: Withdrawn From Com

House: Re-ref Com On Health

H 17: OFFICE OF STATE AUDITOR/CORRECTIVE ACTION/PED.

House: Placed On Cal For 04/10/2017

H 84: DL/DEAF OR HARD OF HEARING DESCRIPTION (New)

House: Passed 2nd Reading

House: Passed 3rd Reading

H 120: NATIONAL GUARD CAN PURCHASE FROM CE.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 128: PROHIBIT DRONE USE OVER PRISON/JAIL.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 150: STANDARDS FOR CHIROPRACTIC PEER REVIEW.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 179: DOG BREEDING STDS./LAW ENFORCEMENT TOOLS.

House: Withdrawn From Com

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

H 206: NC CANCER TREATMENT FAIRNESS.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 212: ZETA PHI BETA SPECIAL REGISTRATION PLATE.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 223: DISABLED VETERAN PLATE FOR MOTORCYCLES.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 224: WARRANT CHECK OF INMATES IN CUSTODY.

House: Withdrawn From Com

House: Re-ref Com On Judiciary I

H 227: PRESERVE TENANCY BY THE ENTIRETY.

House: Withdrawn From Com

House: Re-ref Com On Judiciary I

H 228: POSTPONE ASSUMED NAME REVISIONS.

House: Withdrawn From Cal

House: Cal Pursuant Rule 36(b)

H 239: REDUCE COURT OF APPEALS TO 12 JUDGES.

Senate: Reptd Fav

H 243: STRENGTHEN OPIOID MISUSE PREVENTION (STOP)ACT.

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 283: DHHS RECOMMEND TELEMEDICINE POLICY (New)

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 300: PARTIALLY DISABLED VETERAN/FREE PLATE.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 302: DODEA/CLINICAL EDUCATORS FOR STUDENT TEACHING.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 309: RESPONSIBLE DEER MANAGEMENT ACT.

House: Serial Referral To Judiciary I Stricken

House: Withdrawn From Com

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

H 319: STUDY SOLAR FACILITY DECOMMISSIONING RQMTS.

House: Reptd Fav

House: Re-ref Com On Energy and Public Utilities

H 320: STUDY ELECTRONICS RECYCLING.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 321: STUDY SOLID WASTE DISPOSAL TAX.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

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

House: Withdrawn From Com

House: Re-ref Com On Judiciary II

H 337: UNMANNED AIRCRAFT SYSTEMS LAW REVISIONS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 340: SPECIAL SEPARATION ALLOWANCE FIREFIGHTERS/RSW.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 353: AUTHORIZE STATE PARK SYSTEM EXPANSION.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 361: COASTAL CRESCENT TRAIL/STATE PARKS SYSTEM.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 370: INTERSTATE COMPACT BILL.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 371: AGENCY POWERS AND DUTIES/TECHNICAL CHANGES.-AB

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 373: DOL/CAROLINA STAR PROGRAM.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 374: 2017 DOL TECHNICAL CHANGES.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 375: SCHOOL CAL. FLEX./CC.

House: Passed 2nd Reading

H 384: INCREASE PENALTIES/ORGANIZED RETAIL THEFT.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 388: MODERNIZE MUTUAL ASSISTANCE STATUTES.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 389: SCHOOL CALENDAR FLEXIBILITY PILOT PROGRAM.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Amend Failed A2

House: Passed 3rd Reading

House: Ordered Engrossed

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

House: Passed 2nd Reading

House: Passed 3rd Reading

H 425: IMPROVE UTILIZATION OF MH PROFESSIONALS.

House: Amend Failed A1

House: Amend Adopted A2

House: Passed 3rd Reading

House: Ordered Engrossed

H 440: FEDERAL HOME LOAN BANK/INSURER RECEIVERSHIP.

House: Reptd Fav

House: Re-ref Com On Insurance

H 450: FUTURE READY STUDENT ACT OF 2017.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 457: PERFORMANCE GUARANTEES/SUBDIVISION STREETS.

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 462: BANKING LAW AMENDMENTS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/10/2017

H 467: AGRICULTURE AND FORESTRY NUISANCE REMEDIES.

House: Passed 2nd Reading

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

House: Passed 2nd Reading

House: Passed 3rd Reading

H 483: VET. POSTTRAUMATIC STRESS/MITIGATING FACTOR.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary II

H 484: SERVICEMEMBERS CIVIL RELIEF ACT.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary I

H 488: EARLY RENTAL TERMINATION BY MILITARY MEMBERS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary I

H 550: ESTABLISH NEW NURSE LICENSURE COMPACT.

House: Reptd Fav

House: Re-ref Com On Finance

H 564: REVISE IVC LAWS TO IMPROVE BEHAVIORAL HEALTH.

House: Passed 1st Reading

House: RefTo Com On Health

H 565: MODIFY COMPOSITION/911 BOARD.

House: Passed 1st Reading

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

H 566: PRIVATE PROTECTIVE SERVICES CHANGES.

House: Passed 1st Reading

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

H 567: STUDY HEXAVALENT CHROMIUM IN GROUNDWATER.

House: Passed 1st Reading

House: RefTo Com On Environment

H 568: UNC/USE OF INSTITUTIONAL TRUST FUNDS.

House: Passed 1st Reading

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

H 569: PRETAX SUPPLEMENTAL BENEFITS.

House: Passed 1st Reading

House: RefTo Com On State and Local Government II

H 570: K-12 ACADEMIC FREEDOM.

House: Passed 1st Reading

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

H 571: AUTOMATIC EXPUNCTION/WRONGFUL CONVICTION.

House: Passed 1st Reading

House: Ref to the Com on Judiciary I, if favorable, Appropriations

H 572: LEGAL NOTICES/REQUIRE INTERNET PUBLICATION.

House: Passed 1st Reading

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

H 573: VACANT BUILDING RECEIVERSHIP.

House: Passed 1st Reading

House: RefTo Com On Judiciary III

H 574: WIND ENERGY/CONSISTENCY WITH MILITARY.

House: Passed 1st Reading

House: Ref to the Com on Energy and Public Utilities, if favorable, Homeland Security, Military, and Veterans Affairs

H 575: REQUIRE INFO. ABOUT ABORTION PILL REVERSAL.

House: Passed 1st Reading

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

H 576: ALLOW AEROSOLIZATION OF LEACHATE.

House: Passed 1st Reading

House: RefTo Com On Environment

H 577: AUTHORIZE LSC/CRIMINAL RECORD CHECKS.

House: Passed 1st Reading

House: RefTo Com On Finance

H 578: REVISIONS TO OUTDOOR ADVERTISING LAWS.

House: Passed 1st Reading

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

H 579: REVISIONS TO OUTDOOR ADVERTISING LAWS.

House: Passed 1st Reading

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

H 580: REVISIONS TO OUTDOOR ADVERTISING LAWS.

House: Passed 1st Reading

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

H 581: REVISIONS TO OUTDOOR ADVERTISING LAWS.

House: Passed 1st Reading

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

H 582: ABUSE & NEGLECT RESOURCES/ANON. TIP LINE APP.

House: Passed 1st Reading

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

H 583: PAY-AS-YOU-GO CAPITAL & INFRASTRUCTURE FUND.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 584: REAL PROP/ERROR CORRECTION & TITLE CURATIVE.

House: Passed 1st Reading

House: RefTo Com On Judiciary III

H 585: EXTEND STATUTE OF LIMITATIONS/CHILD SEX ABUSE.

House: Passed 1st Reading

House: RefTo Com On Judiciary IV

H 586: NC AM. INDIAN HUNTING/FISHING RIGHTS.

House: Passed 1st Reading

House: RefTo Com On Wildlife Resources

H 587: SANITARY DISTRICTS/PROJECTS ECONOMIC IMPACT.

House: Passed 1st Reading

House: RefTo Com On State and Local Government II

H 588: OMNIBUS GUN CHANGES.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 589: UTILITIES COMMISSION FEES AND CHARGES.

House: Passed 1st Reading

House: Ref to the Com on Energy and Public Utilities, if favorable, Finance

H 590: INTERIOR DESIGN PROFESSION ACT.

House: Passed 1st Reading

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

H 591: STUDY/LEO INTERACTION WITH DISABLED DRIVERS.

House: Passed 1st Reading

House: RefTo Com On State and Local Government II

H 592: "KICK CANCER FOR KIDS" SPECIAL PLATE.

House: Passed 1st Reading

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

H 593: INCREASE PERSONAL CARE SERVICES RATES.

House: Passed 1st Reading

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

H 594: HEALTHY MOTHER, HEALTHY CHILD.

House: Passed 1st Reading

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

H 595: ADOPT OFFICIAL STATE SPIDER.

House: Passed 1st Reading

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

House: Withdrawn From Com

House: Re-ref Com On Wildlife Resources

H 596: STUDY/MPO VOTING POWER DISTRIBUTION.

House: Passed 1st Reading

House: RefTo Com On State and Local Government II

H 597: WILLFUL INJURY OF PERSON/TRAP IN PUBLIC PARK.

House: Passed 1st Reading

House: RefTo Com On Judiciary II

H 598: SWIMMING POOL ELECTRICAL SAFETY.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 599: BODY-WORN CAMERA RECORDINGS.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 600: SCHOOL CONSTRUCTION FLEXIBILITY.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 601: AMEND MEDICAL RECORDS MANAGER QUALIFICATIONS.

House: Passed 1st Reading

House: RefTo Com On Health

H 602: CITIES/REQUIRE PERFORMANCE GUARANTEES.

House: Passed 1st Reading

House: RefTo Com On State and Local Government II

H 603: SMALL FARMS TO HEALTHIER SCHOOLS INITIATIVE.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 604: REPEAL DEATH PENALTY.

House: Passed 1st Reading

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

H 621: EXPUNGEMENT PROCESS MODIFICATIONS.

House: Filed

H 622: CITIES/PERIODIC BUILDING INSPECTIONS.

House: Filed

H 623: TRANSFER CERTAIN EXCESS LANDS/HAYWOOD BOED.

House: Filed

H 624: UNIFORM SYSTEM DEVELOPMENT FEES FOR WATER.

House: Filed

H 625: HOA/CONDO CRIME & FIDELITY INSURANCE POLICIES.

House: Filed

H 626: LOCAL AUTHORITY/LARGE-SCALE CHICKEN FARMS.

House: Filed

H 627: DOT/HONOR FALLEN WARRIORS.

House: Filed

H 628: LIMIT HEALTH CARE POWER OF ATTORNEY.

House: Filed

H 629: AMEND FUNERAL PROCESSION LAW.

House: Filed

H 630: RYLAN'S LAW/CPS OBSERVATION.

House: Filed

H 631: REDUCE ADMIN. DUPLICATION/BH PROVIDERS.

House: Filed

H 632: AMEND MITIGATION SERVICES LAW.

House: Filed

H 633: SMALL BUSINESS RETIREMENT PROGRAM.

House: Filed

H 634: PRIVATE ALTERNATIVE TEACHER PREPARATION.

House: Filed

H 635: ELECTRONIC PAWN & METALS DATABASE.

House: Filed

H 636: SALE OF SALVAGE VEHICLE/NO INSPECTION.

House: Filed

H 637: CLARIFY REGIONAL WATER AND SEWER FUNDS.

House: Filed

H 638: PUBLIC SCHOOL CONST. GRANTS & LOTTERY CHANGES.

House: Filed

H 639: DIT/COG TECHNICAL ASSISTANCE/FUNDS.

House: Filed

H 640: REPEAL CERTIFICATE OF NEED LAWS.

House: Filed

H 641: SCHOOL BUS SAFETY ENHANCEMENT ACT.

House: Filed

H 642: BREWERY/SALES AT BREWERY & RETAIL LOCATIONS.

House: Filed

H 643: CIVICS AND ECONOMICS EDUC. STUDY COMMITTEE.

House: Filed

H 644: CHARTER SCHOOL TRANSPORTATION GRANT PROGRAM.

House: Filed

H 645: LEGAL SERVICES RENDERED FOR NONPROFITS.

House: Filed

H 646: APPRENTICESHIPNC.

House: Filed

H 647: TASK FORCE ON HOMELESSNESS.

House: Filed

H 648: RESPONSIBLE DEER HUNTING.

House: Filed

H 649: SWEEPSTAKES CONTROL ACT.

House: Filed

H 650: STATE BOARD CONSTRUCTION CONTRACT CLAIM.

House: Filed

H 651: STATE PENSION/RET. HEALTH BEN. FUND SOLVENCY.

House: Filed

H 652: FREEZE NEW TOLL CONTRACTS.

House: Filed

H 653: REPORT/CAR ACCIDENT CAUSED BY SEIZURE OR COMA.

House: Filed

H 654: REDUCE MORTGAGE LENDER SURETY BONDS.

House: Filed

H 655: ELECTION EQUIPMENT/GRANTS TO COUNTIES.

House: Filed

H 656: COLLEGE OF ALBEMARLE/CONSTRUCTION FUNDS.

House: Filed

H 657: IMPROVE ADULT CARE HOME REGULATION.

House: Filed

H 658: EARLY LITERACY INITIATIVE/FUNDS.

House: Filed

H 659: FILLING VACANCIES/U.S. SENATE.

House: Filed

H 660: DRIVERS LICENSE/RECIPROCITY W/FOREIGN NATION.

House: Filed

H 661: INNOCENT SPOUSE TAX RELIEF.

House: Filed

H 662: CAROLINA CARES.

House: Filed

H 663: RIGHT TO REPAIR ACT.

House: Filed

S 24: ALLOW RESTAURANTS TO USE OUTDOOR GRILLS.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 68: BIPARTISAN BD OF ELECTIONS AND ETHICS ENFORCE (NEW).

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

S 74: UPDATE RABIES CONTROL LAWS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 78: COST TO COMPLY/FED ED FUNDS/PED STUDY.

Senate: Reptd Fav

S 104: REQUIRE CRIMINAL BGC/PHARMACIST LICENSURE.

Senate: Reptd Fav

Senate: Re-ref Com On Judiciary

S 117: FORFEITURE OF RETIREMENT BENEFITS/JUDGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 131: REGULATORY REFORM ACT OF 2016.

House: Passed 3rd Reading

S 140: REVISE STATE NATURE AND HISTORIC PRESERVE.

House: Passed 1st Reading

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

S 156: PLUMBING & HEATING CONTRACTORS CHANGES.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 161: CONFORMING CHANGES LME/MCO GRIEVANCES/APPEALS.

Senate: Reptd Fav

S 218: STATE HEALTH PLAN ADMINISTRATIVE CHANGES.-AB

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations on Pensions, Compensation, and Benefits

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

House: Passed 1st Reading

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

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

Senate: Passed 2nd Reading

S 308: AMEND VARIOUS DWI STATUTES.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 312: SURPLUS COMPUTERS FOR LOW-INCOME STUDENTS.

Senate: Reptd Fav

S 315: IMPLEMENT UNC UNDERGRAD COMPLETION PLAN.

Senate: Reptd Fav

S 320: SECRETARY OF ADMINISTRATION CONFIRMATION.

Senate: Amend Adopted A1

Engrossed

Senate: Adopted

S 325: BILLION DOLLAR MIDDLE CLASS TAX CUT.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 392: CONFIRMATION/SECRETARY OF DHHS.

Senate: Amend Adopted A1

Engrossed

Senate: Adopted

S 407: EMPLOYEE MISCLASSIFICATION REFORM.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

S 416: USE OF TOURISM FUNDS/WATAUGA COUNTY.

Senate: Withdrawn From Com

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

S 419: PLANNING/DEVELOPMENT CHANGES.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

S 563: BUSINESS COURT CHANGES.

Senate: Withdrawn From Com

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

S 566: POSTPONE ASSUMED NAME REVISIONS.

Senate: Withdrawn From Com

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

S 567: REFORM/CORRECT/WILLS AND TRUSTS.

Senate: Withdrawn From Com

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

S 568: NONADEMPTION OF SPECIFIC DEVICES.

Senate: Withdrawn From Com

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

S 570: CHANGES TO THE JUVENILE CODE.-AB

Senate: Withdrawn From Com

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

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

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 590: NC CONSUMER FIREWORKS SAFETY ACT.

Senate: Withdrawn From Com

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

S 592: SMALL BUSINESS ACCESS TO CAPITAL ACT.

Senate: Withdrawn From Com

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

S 593: ARBITRATION AND MEDIATION FOR BUSINESS COURT.

Senate: Withdrawn From Com

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

S 594: FAMILY/CHILD PROTECTION & ACCOUNTABILITY ACT.

Senate: Withdrawn From Com

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

S 617: ELIMINATE EMERGENCY RECALL JUDGES.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

S 622: BUSINESS CORPORATION ACT REVISIONS.

Senate: Withdrawn From Com

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

S 660: ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS.

Senate: Withdrawn From Com

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

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

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

LOCAL BILLS

H 265: PARTISAN ELECTIONS/CERTAIN SCHOOL BOARDS.

House: Placed On Cal For 04/10/2017

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

House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading

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

House: Placed On Cal For 04/10/2017

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

House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading

H 426: SANFORD-LEE COUNTY AIRPORT AUTHORITY CHANGES.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

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

House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading

H 449: HENDERSON CTY/LAW ENFORCEMENT TRAINING CENTER.

House: Passed 2nd Reading
House: Passed 3rd Reading

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

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

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

House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading

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

House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading

H 509: DAVIDSON COUNTY ZONING PROCEDURE CHANGES.

House: Passed 2nd Reading
House: Passed 3rd Reading

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

House: Placed On Cal For 04/10/2017

S 122: REPEAL CENTERVILLE CHARTER.

House: Passed 1st Reading
House: Ref to the Com on State and Local Government I, if favorable, Rules, Calendar, and Operations of the House

