

The Daily Bulletin: 2017-04-13

PUBLIC/HOUSE BILLS

H 7 (2017-2018) [LRC/STRENGTHEN SAVINGS RESERVE](#). Filed Jan 25 2017, *AN ACT TO STRENGTHEN THE SAVINGS RESERVE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.*

AN ACT TO STRENGTHEN THE SAVINGS RESERVE, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION. Enacted April 13, 2017. Sections 8 and 9 are effective April 13, 2017. The remainder is effective October 1, 2017.

Intro. by Dollar, McGrady, Arp, B. Richardson.

[GS 142](#), [GS 143C](#), [GS 147](#)

[View summary](#)

Government, Budget/Appropriations, General Assembly, State Government

H 418 (2017-2018) [SOS/SAVE OUR STREET SIGNS](#). Filed Mar 21 2017, *AN ACT INCREASING THE CRIMINAL PENALTY AND DOT REWARD FOR DAMAGING OR REMOVING STREET SIGN OFFENSES.*

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

Further amends GS 136-33 to refer to any traffic sign and other traffic control device (currently, any sign posted) in subsections (a) and (b), concerning offenses for damaging, removing or possessing signs. Additionally provides that any person violating the statute is guilty of a Class 1 misdemeanor and must pay a \$1,000 fine (currently, Class 2 misdemeanor with no fine). Eliminates proposed GS 143B-1404(a1), which directed the 911 Board to deduct and retain 1% of the total service charges remitted to it under GS 143B-1403 for deposit into the 911 Fund for funding rewards under GS 136-33(c). Makes conforming changes. Changes the act's effective date to December 1, 2017 (previously, July 1, 2017), and adds that the act applies to offenses committed on or after that date. Changes the act's long title.

Intro. by Clampitt.

[GS 136](#)

[View summary](#)

Government, Public Safety, State Agencies, Department of Transportation, Transportation

H 779 (2017-2018) [CHARTER SCHOOL CHANGES](#). Filed Apr 11 2017, *AN ACT TO MAKE VARIOUS CHANGES TO THE CHARTER SCHOOL LAWS.*

Part I

Amends GS 115C-218.7(b), concerning material revisions of a charter, providing that enrollment growth of greater than 40% (was, 20%) is considered a material revision of the charter and requires approval of the State Board of Education. Makes conforming changes to subsection (b), and GS 115C-218.8. Applies to approvals for material changes on or after that date.

Part II

Amends GS 115C-218.45(f) to add students who were enrolled in another NC charter school in the preceding year to the students to which a charter school can give enrollment priority.

Part III

Amends GS 115C-218.110(b), which details information the State Board of Education is required to annually report to the Joint Legislative Education Oversight Committee. Adds to the required information the student performance data based on the Education Value-Added Assessment System (EVAAS) for charter school students disaggregated by years of student enrollment based on race, sex, grade level, ethnicity, free or reduced lunch status, and disability status in the charter school for charter schools, virtual charter schools, and dropout prevention and recovery program charter schools. Prohibits the report from including any personally identifiable student data, as defined in GS 115C-402.5. Applies to reports submitted on or after January 1, 2018.

Part IV

Amends GS 115C-218.100(b), concerning the distribution of assets upon the dissolution of a charter school, to provide that capital funds provided to a charter school by one or more counties pursuant to GS 115C-218.105(b1) and all net assets purchased or improved with the capital funds, up to the total amount of the funds provided, are deemed the property of the county or counties providing the funding, and if applicable, divided between the counties in proportion to the funds provided. Makes conforming changes.

Amends GS 115C-218.105, State and local funds for a charter school, by adding two new subsections. New subsection (b1) permits counties to provide funds from the Public School Building Capital Fund to charter schools by direct appropriations set forth in GS 115C-546.2(d) (as amended by this act below). Limits the use of these funds to (1) the acquisition of real property for school purposes and (2) the acquisition, construction, reconstruction, enlargement, renovation, or replacement of buildings and other structures. New subsection (b2) requires that when funds are used to acquire or improve property for a charter school pursuant to subsection (b1), the amount provided by the county must be evidenced by a promissory note and secured by a deed of trust on the property acquired or improved by the funds. Provides for the county to subordinate the deed and for the county to release the deed upon satisfaction.

Amends GS 115C-546.2(d), authorizing a county to use monies in the Public School Building Capital Fund appropriated from the Education Lottery Fund to make direct appropriations to charter schools as provided in GS 115C-218.105(b1), as enacted.

Part V

Further amends GS 115C-218.105, to add a new provision to subsection (c) requiring the local school administrative unit where a student attends a charter school that is not located within a low-wealth county to transfer an amount equal to the per pupil share of any low-wealth supplemental funding provided to the local school administrative unit for the fiscal year. Adds that the per pupil share of any low-wealth supplemental funding provided to the local school administrative unit must be transferred to the charter school within 30 days of receipt of those monies by the local school administrative unit. Makes conforming changes to provide that the local school administrative unit and the charter school can use the process for mediation of differences between the State Board of Education and a charter school provided in GS 115C-218.95(d) to resolve difference on calculation and transference of the per pupil share of any low-wealth supplemental funding provided to the local school administrative unit. Makes conforming changes to GS 115C-218.105(d) to make those provisions pertaining to transfers to charter school by local school administrative units applicable to a per pupil share of any low-wealth supplemental funding provided to the local school administrative unit, and adds the related information to that which must be reported annually to the State Board of Education, as described.

Part VI

Amends GS 115C-218(c)(3), describing the powers and duties of the Office of Charter Schools, to add the duty to assist certain charter schools seeking to participate in the NC prekindergarten program in accordance with GS 115C-218.115, as enacted by this act.

Further amends GS 115C-218.45(f) to add a student who was enrolled in a preschool program operated by the charter school in the preceding year to the students to which a charter school can give enrollment priority.

Enacts GS 115C-218.115, Operation of NC Pre-K Programs, to permit a charter school to apply to a local contracting agency to participate in the NC prekindergarten (NC Pre-k) program as a local program site offering families a high quality prekindergarten experience. Allows a charter school seeking to operate as a NC Pre-K program site to request administrative and technical assistance from the Office of Charter Schools with its application to the local contracting agency so long as the charter school meets the following four qualifications: (1) the charter school has operated as a charter school for at least three years; (2) the charter school is not currently identified as low-performing; (3) the charter school meets generally accepted standards of fiscal

management; and (4) the charter school is substantially in compliance with State law, federal law, the charter school's own bylaws, and the provisions set forth in its charter granted by the State Board. Provides for the Office of Charter Schools' assistance in determining whether the charter school's proposed program meets building and other State standards, and the standards required to be selected as a site under the NC Pre-K program. Sets forth qualifications that must be met for a charter school otherwise meeting all of the requirements for a child care facility license to be able to use an existing or newly constructed classroom in the charter school for three- and four-year-old preschool students without further modifications.

Part VII

Amends GS 115C-426(c), setting forth the uniform budget format, to require each source and amount of funds identified in the annual audit required by GS 115C-447(a) that is not accounted for by the State Public School Fund, the local current expense fund, or the capital outlay fund. Further requires that if the source is a gift or grant restricted as to use, the restriction imposed by the donor or grantor must also be stated in the audit. Applies to audits conducted after July 1, 2017.

Part VIII

Adds new subdivision (49) to GS 105-275 to create a property tax exemption for personal property that is owned or leased by a charter school and is wholly and exclusively used for educational purposes as defined in GS 105-278.4(f) regardless of the ownership of the property. Effective July 1, 2017.

Intro. by Brody, Williams.

[GS 105, GS 115C](#)

[View summary](#)

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

H 788 (2017-2018) [AMEND EXPUNCTION LAWS](#). Filed Apr 11 2017, *AN ACT TO PROVIDE THAT A PERSON SHALL NOT BE DENIED AN EXPUNCTION SOLELY BECAUSE THE PERSON HAS A CONVICTION FOR A MISDEMEANOR BOATING VIOLATION; TO PROVIDE THAT CERTAIN CONVICTIONS FOR DRIVING WHILE IMPAIRED AND BOATING WHILE IMPAIRED ARE NOT ELIGIBLE FOR EXPUNCTION; TO EXPAND THE AVAILABILITY OF CERTIFICATES OF RELIEF TO CERTAIN OFFENDERS AND FOR EXPUNCTIONS OF FINDINGS OF NOT GUILTY OR NOT RESPONSIBLE; AND TO ALLOW FOR THE EXPUNCTION OF CERTAIN YOUTHFUL DRUG OFFENSES.*

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 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-145.6 (Expunctions for certain defendants convicted of prostitution), and GS 14-50.30 (Expunction of records) to provide that misdemeanor boating violations do not disqualify a person from receiving an expunction under these statutes.

Amends GS 15A-145.5 (Expunction of certain misdemeanors and felonies; no age limitation). Adds specified offenses for driving while impaired, and specified offenses for boating while impaired, to the definition of *nonviolent misdemeanors*. Provides that misdemeanor boating violations do not disqualify a person from receiving an expunction under this statute.

Amends GS 15A-173.2 (Certificate of Relief). Authorizes an individual convicted of criminal offenses no higher than a Class G felony to petition the court where the individual was convicted of the most serious offense for a Certificate of Relief, or if more than one offense of the most serious class of offenses, the court of the most recent of those convictions. Authorizes the court to issue a Certificate of Relief if the court finds, in addition to the other requirements, that the individual has been convicted of five or fewer eligible offenses, 12 months have passed since the individual has completed his or her sentence, or if more than five eligible offenses, 36 months have passed since the individual has completed his or her sentence. Requires a person seeking a Certificate of Relief to pay a \$50 fee to the clerk of superior court when the petition is filed, unless the petition is filed by an indigent.

Amends GS 15A-146 (Expunction of records when charges are dismissed or there are findings of not guilty). Directs the court to hold a hearing on the application for an expunction under this statute, and upon finding that the charge was dismissed or a finding of not guilty or not responsible was entered, and that the person has not previously been convicted of a felony (was, required the person to have not previously received an expunction), and to then order the expunction.

Enacts new GS 15A-145.7 (Expunction of certain youth drug offenses). Multiple youthful drug offense convictions (offenses where the defendant was under the age of 25) in the same session of court are treated as a single offense under this statute. Authorizes a person to petition the court of conviction for the expunction of up to two youthful drug offense convictions from the person's criminal record, if the person has no misdemeanor or felony convictions, other than a traffic or a misdemeanor boating violation, for the ten years prior to the date of petition, and provides proof that the person is drug-free and has been drug-free for at least one year prior to petition. Requires the petition to be filed both 10 years after the conviction, and after the completion of any active sentence, probation, and post-release supervision has been served for the last conviction. Specifies acceptable proof that a person is drug-free, consisting of a series of drug tests. Specifies requirements for the contents of the petition, including affidavits from the petitioner and two persons not related to the petitioner. Requires the petition to be served on the district attorney, and provides for the district attorney to file any objection to the petition within 30 days, with the option for a 30 day extension. Directs the district attorney to notify any victim, if any, of the request for expunction prior to the date of the hearing. Authorizes the court to have a probation officer to perform additional investigation, and to consider any other information the court deems relevant. Authorizes the court to grant expunctions to petitioners who have met the above-described requirements, not previously been granted an expunction, are of good moral character, have no outstanding warrants or pending criminal cases, have no felony or misdemeanor convictions other than traffic violations for a period of 10 years prior to the filing of the petition, have no outstanding restitution orders or civil judgments representing restitution entered against them. Expunction orders restore the petitioner, in the contemplation of the law, to the status the person occupied before the arrest or indictment or information. If the court denies the petition, the court must state findings as to the reason for denial. Provides that persons expunged under this statute are not guilty of perjury or any other false statement for failing to disclose the expunged arrest, indictment, information, trial, or conviction. Requires disclosure of convictions for persons seeking certification under GS Chapters 17C or 17E (regarding the Criminal Justice and Sheriff's Education and Training Standards Commissions). Provides that persons obtaining criminal history record checks on prospective employees have no knowledge of offenses expunged under this statute. Requires the court to order that the conviction be expunged from court, law enforcement, or other state and local government agency records. Requires a filing fee of \$175 for a petition under this statute, \$122.50 of which is remitted to the North Carolina Department of Public Safety, and the remainder of which is retained by the Administrative Office of the Courts. Does not apply to petitions filed by an indigent.

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

Intro. by Harrison, Fisher:

[GS 14, GS 15A](#)

[View summary](#)

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

H 789 (2017-2018) [END OF LIFE OPTION ACT](#). Filed Apr 11 2017, *AN ACT ESTABLISHING AN END OF LIFE OPTION ACT TO ALLOW QUALIFIED PATIENTS DIAGNOSED WITH A TERMINAL DISEASE TO END LIFE IN A HUMANE AND DIGNIFIED MANNER*.

Enacts new Article 23B, End of Life Option Act (Act), in GS Chapter 90, providing as follows.

Sets out terms and definitions used in the Act.

Gives an individual suffering from an incurable, terminal disease a right to be informed of all available end-of-life options and to receive answers on questions about the foreseeable risks and benefits of medication without the physician withholding any requested information, regardless of the purpose of the inquiry or the nature of the information. Specifies that a physician who engages in such discussions is not construed as assisting in or contributing to a patient's independent decision to self-administer a lethal dose of medication, and prohibits the discussions from being used to establish civil or criminal liability or professional disciplinary action. The act defines terminal disease as an incurable and irreversible disease that has been medically confirmed by

the attending and consulting physicians and will, within reasonable medical judgment, result in death within six months. Medically confirmed means that the medical diagnosis and prognosis of the attending physician has been confirmed by a consulting physician who has examined the individual and the individual's relevant medical records and communicated his or her findings to the attending physician.

Allows an adult with the capacity to make medical decisions who is suffering from an incurable, terminal disease to request a prescription for an aid-in-dying drug (defined as a controlled substance determined and prescribed by a physician licensed in this state for a qualified individual with the purpose of hastening the qualified individual's death due to a terminal disease), if: (1) the individual's attending physician has diagnosed the individual to be suffering from an incurable, terminal disease; (2) the individual has voluntarily expressed verbally and in writing the wish to receive a prescription for an aid-in-dying drug; (3) the individual is a state resident and is able to establish residency through the specified means; (4) the individual documents his or her request pursuant to the requirements of new GS 90-326.3 and on the form specified in new GS 90-326.3A; and (5) the individual has the physical and mental ability to self-administer the aid-in-dying drug. Specifies that a person must not be considered a qualified individual under the provisions of this Act solely because of age or disability. Requires that a request for a prescription for an aid-in-dying drug be made solely and directly by the individual diagnosed with the terminal disease. The act defines a qualified individual as an adult who has the capacity to make medical decisions, is a resident of North Carolina, and has satisfied the requirements of this Act in order to obtain a prescription for an aid-in-dying drug to hasten death.

Requires an individual seeking to obtain a prescription for an aid-in-dying drug to submit two verbal requests, at least 15 days apart, followed by a written request that meets the specified requirements directly to his or her attending physician and not to a designee of the physician. Requires the attending physician to directly, and not through a designee, receive all three required requests, and keep records of the requests in the individual's medical file that document the date and time of the request as well as a summary of the request. Specifies items that must be included in order for a written request to be considered valid, including that the request be in the form specified in GS 90-326.3A.

Require that an Attending Witness Completion Form, as specified in the act, be given by the attending physician to the qualified individual at the time the attending physician writes the prescription for an aid-in-dying drug. An attending witness is an individual named by the qualified individual to be present if and when the qualified individual self-administers the aid-in-dying drug and who undertakes to: (1) complete the Attending Witness Completion Form confirming ingestion of the aid-in-dying drug and the death of the qualified individual and (2) return the Attending Witness Completion Form to the attending physician within 48 hours after the death of the qualified individual. The attending witness may, but need not be (1) related to the qualified individual by blood, adoption, or marriage or (2) a health care provider. Allows, at the discretion of the qualified individual, the attending witness to be the attending physician or consulting physician.

Allows a qualified individual to discontinue, withdraw, or rescind his or her request for an aid-in-dying drug or decide not to ingest an aid-in-dying drug once obtained, at any time.

Prohibits any person other than the attending physician from writing a prescription for an aid-in-dying drug. Sets out 12 things the attending physician must be before prescribing an aid-in-dying drug, including: determining that the requesting adult has the capacity to make medical decisions, has a terminal disease, has voluntarily made the request for an aid-in-dying drug on the specified form, and is a qualified individual, and verify, immediately prior to writing the prescription for an aid-in-dying drug, that the qualified individual is making an informed decision and is in no way acting under undue pressure or coercion. Once the 12 specified tasks have been completed, allows the attending physician to deliver the aid-in-dying drug in any of the specified ways.

Requires the consulting physician (a physician who is independent from the attending physician, not part of the same practice group as the attending physician, and qualified by specialty or experience to make a professional diagnosis and prognosis regarding an individual's terminal disease) to do all of the following before a qualified individual obtains a prescription for an aid-in-dying drug from the attending physician: (1) examine the qualified individual and his or her relevant medical records; (2) confirm the attending physician's diagnosis and prognosis in writing; (3) determine that the qualified individual has the capacity to make medical decisions, is acting voluntarily, and has made an informed decision; (4) if there are indications of a mental disorder or disease, refer the individual for assessment by a mental health specialist; (5) fulfill the documentation requirements; and (6) submit in a timely manner to the attending physician the Consulting Physician Compliance Form.

Sets out requirements of a mental health specialist, upon referral from the attending or consulting physician.

Specifies eight items that must be documented in the qualified individual's medical record.

Requires the attending physician to submit a copy of the prescription to the Department of Health and Human Services (DHHS) within 48 hours after writing a prescription for an aid-in-dying drug. Requires the pharmacist to submit a copy of the Pharmacist Compliance Form to DHHS within 48 hours after dispensing an aid-in-dying drug. Requires the attending physician to submit a written summary of the individual's request for an aid-in-dying drug and the reasons for concluding that the individual is not a qualified individual to DHHS within 15 calendar days after a determination by the attending physician, the consulting physician, or the mental health specialist that an individual is not a qualified individual. Requires the attending physician to submit to DHHS a copy of the qualifying patient's written request, the Attending Physician Checklist and Compliance Form and the Consulting Physician Compliance Form within 30 days after writing a prescription for an aid-in-dying drug. Requires the attending physician, within 30 calendar days after the later of (1) the qualified individual's death from ingesting the aid-in-dying drug or from any other cause or (2) the date on which the attending physician receives actual notice of the qualified individual's death from the Attending Witness Completion Form, to submit to DHHS an Attending Physician Follow-Up Form.

Allows the attending physician to sign the qualified individual's death certificate and requires the cause of death to be recorded as the underlying terminal disease.

Prohibits the sale, procurement, or issuance of any life, health, or annuity policy, health care service plan contract, or health benefit plan or the rate charged for any policy, plan contract, or benefit plan from being conditioned upon or affected by the making or rescinding of a person's request for an aid-in-dying drug. Prohibits denying coverage under a life, health, or annuity policy from being denied, curtailed, or exempted on the basis of death resulting from the self-administration of an aid-in-dying drug. Specifies that a qualified individual's act of self-administering an aid-in-dying drug does not have any effect upon a life, health, or annuity policy other than that of a natural death from the underlying disease. Prohibits an insurance carrier from providing any information in communications to a qualified individual about the availability of aid-in-dying drugs absent a request by the qualified individual or the qualified individual's attending physician at the behest of the qualified individual.

Protects a person from civil or criminal liability or professional disciplinary action for participating in good faith compliance with the activities authorized under this Act or for being present when a qualified individual self-administers an aid-in-dying drug. Prohibits from considering an individual with a terminal disease who self-administers a lethal dose of medication as a person exposed to grave physical harm under any Good Samaritan law, and specifies that no person is subject to civil or criminal liability solely for being present when an individual with a terminal disease self-administers a lethal dose of medication or for failing to act to prevent the patient from self-administering a lethal dose of medication. Allows a person who is present when an individual with a terminal disease self-administers an aid-in-dying drug may, without civil or criminal liability, to assist the qualified individual at his or her request by preparing the aid-in-dying drug as long as the person does not directly assist the qualified person in ingesting or self-administering the aid-in-dying drug. Protects a health care provider, pharmacist, licensing board, or professional organization or association from censure, discipline, suspension, adverse action on a license, loss of privileges, loss of membership, or other penalty for participating in good faith compliance with the activities authorized under this Act or for refusing to participate in activities authorized under this Act. Also protects a health care provider or pharmacist from civil, criminal, administrative, disciplinary, employment, credentialing, professional discipline, contractual liability, or medical staff action, sanction, penalty, or other liability for participating in the activities authorized under this Act, including determining the diagnosis or prognosis of an individual, determining the capacity of an individual for the purpose of determining if he or she is a qualified individual under this Act, providing information about this Act to an individual, and providing a referral to a physician licensed in this State who participates in the activities authorized under this Act.

Provides that a request by a qualified individual to an attending physician to provide an aid-in-dying drug in good faith compliance with the provisions of this does not provide the basis for the appointment of a guardian or conservator. Specifies that no actions taken in compliance with the provisions of this Act constitute or provide the basis for any claim of neglect or elder abuse.

Specifies that participation in activities authorized by the Act is strictly voluntary and sets out permissible activities that run contrary to the Act.

Prohibits sanctioning a health care provider for: (1) making an initial determination pursuant to the standard of care that an individual has a terminal disease and informing him or her of the medical prognosis, (2) providing information about the End of Life Options Act to an individual upon inquiry; or (3) providing an individual, upon request, with a referral to another physician.

Specifies that the following are punishable as felonies: (1) knowingly altering or forging a request for an aid-in-dying drug to hasten an individual's death without that individual's authorization, concealing or destroying a withdrawal or rescission of a request for an aid-in-dying drug, destroying or concealing an individual's written request for aid-in-dying drug, or concealing or

destroying an individual's prescribed aid-in-dying drug, if the act is done with the intent or effect of causing, interfering with, or preventing the individual's death against his or her wishes; (2) knowingly coercing or exerting undue influence on an individual to request or ingest an aid-in-dying drug for the purpose of ending his or her life or knowingly destroying a withdrawal or rescission of a request or administering an aid-in-dying drug to an individual without his or her knowledge or consent; (3) knowingly coercing or exerting undue influence to interfere with an individual's expressed desire to hasten his or her death by ingestion of a prescribed aid-in-dying drug.

Requires DHHS to collection and review the information that is required to be submitted to DHHS, which is considered confidential and not a public record. Requires DHHS to annually, by March 15, to make available to the public on the DHHS website a report based on the collected information. Specifies information that the report must contain, including the number of known individuals who died each year for whom an aid-in-dying drug was prescribed and the cause of death for each of these individuals, the number of physicians licensed in this state who wrote prescriptions for aid-in-dying drugs, and the names and dosages of prescribed aid-in-dying drugs.

Requires DHHS to develop, update, and publish the forms that are required under the Act.

Specifies the manner of disposing of aid-in-dying drugs after a qualified individual's death.

Includes a severability clause.

The above provisions are effective December 1, 2017.

Requires DHHS, by December 31, 2017, to develop and publish on its website, downloadable versions of the required forms. Requires DHHS to publish the first required report on its website by March 15, 2019. Effective when the act becomes law.

Intro. by Harrison, Fisher, Meyer.

GS 90

[View summary](#)

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

H 814 (2017-2018) **PLANNED COMMUNITY ACT CHANGES**. Filed Apr 11 2017, *AN ACT TO AMEND THE PLANNED COMMUNITY ACT AND THE CONDOMINIUM ACT FOR THE PURPOSE OF CREATING CONSISTENCY AND ENHANCING CONSUMER PROTECTIONS*.

Part I

Amends the NC Planned Community Act by enacting GS 47F-2-105, Contents of declaration, requiring the declaration that creates a planned community to include 14 specific types of information, such as a legal description of the real estate included in the common interest community and any authorization that entitles the association to establish and enforce construction and design criteria and aesthetic standards. Enacts GS 47F-2-106, requiring the declaration to allocate the common expense liabilities of the association and a portion of the total association votes to each lot, with disclosure on how those allocations are made. Sets out class voting regulations.

Amends GS 47F-2-117, Amendment of declaration, making conforming changes and providing that an association cannot require more than an 80% majority vote to amend the declaration. Adds clarifying language.

Amends GS 47F-3-101, Organization of owners' association, making conforming changes.

Amends GS 47F-3-102, Powers of owners' association, making organizational and clarifying changes.

Amends GS 47F-3-103, Executive board members and officers, setting out provisions which limit the control period of a declarant to the earliest occurrence of (1) 120 days after conveyance of 75% of the lots to lot owners other than the declarant, (2) two years after a declarant has ceased to offer lots for sale in the ordinary course of business, or (3) two years after any development right to add new lots was last exercised. Provides procedures and requirements for electing board members not later than 60 days after 25%, and then 50%, of the lots have been conveyed. Prohibits financial payments from being made to any officer or member of the executive board except as expressly provided for in the bylaws or in payments for services or expenses paid on behalf of the association which are approved in advance by the executive board.

Amends GS 47F-3-105, Termination of contracts and leases of declarant, which provides for termination of certain contracts and leases entered into before the executive board elected by the lot owners pursuant to GS 47F-3-103 takes office. Establishes that the following contracts and leases can be terminated without penalty by the association at any time after the executive board elected by lot owners, pursuant to GS 47F-3-103, takes office, upon at least 90 days' notice to the other party: (1) any management contract, employment contract, or lease of recreational or parking areas or facilities, (2) any other contract or leases between the association and a declarant or an affiliate of a declarant, or (3) any contract or lease that is not bona fide or was unconscionable to the lot owners at the time entered into under the prevailing circumstances. Adds that notice of the substance of the provisions of the statute must be set out in each contract entered into by or on behalf of the association before the executive board elected by the lot owners takes office. Provides that failure of the contract to contain this provision does not affect the rights of the association under the statute.

Amends GS 47F-3-108, Meetings, to require an association to hold a meeting of lot owners at a time, date, and place stated in or fixed in accordance with the bylaws (currently, must hold a meeting at least one a year). Provides that when an association fails to notify lot owners of a special meeting within 30 days after the requisite number or percentage of lot owners request a special meeting, as described, then the requesting lot owners can notify all of the lot owners. Adds that only matters described in the meeting notice can be considered at a special meeting.

Amends GS 47F-3-111, Tort and contract liability, establishing that a declarant is liable to the association for an action brought against the association for a claim which occurred during any period the declarant was in control if the association gives the declarant that controlled the association when the claim occurred reasonable notice of and an opportunity to defend against the action. Provides that a declarant in this situation is liable for all tort losses incurred by the association that are not covered by an insurance policy held by the association, and all losses which the association would not have incurred but for a breach of contract. Clarifies that this provision does not impose strict liability or absolute liability upon the declarant for claims occurring during the period of declarant control. Further provides that in any situation where the declarant is liable to the association under the statute, the declarant is also liable for all litigation expenses.

Amends GS 47F-3-114, Surplus funds, deleting language which allowed for the funding of a reasonable operating expense surplus.

Amends GS 47F-3-116 to provide that claims of lien can only be foreclosed in like manner as a mortgage or deed of trust on real estate if the assessment has remained unpaid for 90 days and it is against a lot that is not the primary residence of the owner (previously, did not exempt primary residences from such claims of liens). Eliminates the provision deeming the association to have a power of sale for purposes of enforcement of its claim of lien. Provides that a claim of lien against a primary residence can only be enforced by judicial foreclosure.

Amends GS 47F-3-118, Association records, deleting all of the substantive language of subsection (a) and adding language which requires associations to retain 11 different types of records as specified, including financial statements and tax returns of the association for the preceding three years and all ballots, proxies, and other records related to voting by lot owners for at least one year. Provides that records are to be made available for inspection and copying by lot owners or agents and details matters that can be withheld from inspection and copying. Authorizes an association to charge a reasonable fee for providing copies of any records under the statute and for supervising the lot owner's inspection. Adds that a right to copy records under this statute includes the right to receive copies by photocopying or other means, including electronically if available. Provides that an association is not obligated to compile or synthesize information. Establishes that information provided pursuant to the statute cannot be used for commercial purposes. Makes technical changes.

Enacts GS 47F-3-120.1, Alternative dispute resolution allowed, authorizing parties to resolve a dispute arising under GS Chapter 47F or an association's declaration, bylaws, or rules and regulations by any form of binding or nonbinding alternative dispute resolution, except that a declarant can agree with an association to resolve a dispute through alternative dispute resolution only after the period of declarant control has expired. Requires parties electing to use alternative dispute resolution to use mediators certified by the Dispute Resolution Commission. Also requires an agreement to submit to any form of binding alternative dispute resolution to be in a record authenticated by the parties.

Enacts new Article 4 of GS Chapter 47F, Protection of Purchasers.

New 47F-4-101, provides that the Article applies to the disposition of all lots that are part of a planned community subject to the Chapter, except for the provided exceptions or as modified or waived by agreement of purchasers of lots in a planned community

in which all lots are restricted to nonresidential use. Sets forth seven classifications of dispositions where no disclosure certificate, as provided for in GS 47F-4-103, need be prepared or delivered.

New 47F-4-102, Purchaser's right to cancel, requiring a person required to deliver a disclosure certificate to provide a purchaser with a copy of the certificate before conveyance of the lot and no later than the date of any contract of sale. Establishes that the purchase contract is voidable by the purchaser, unless a purchaser is given the disclosure certificate more than five days before execution of the contract for the purchase of the lot, until the certificate has been provided and for five days thereafter or until conveyance, whichever occurs first. Requires a purchaser who elects to cancel a contract to hand-deliver notice to the seller or by mailing the notice to the seller or the seller's agent. Allows the purchaser to cancel without penalty, and requires all payments made by the purchaser before cancellation to be promptly refunded.

New GS 47F-4-103, disclosure to be made to purchasers, requires a seller of a lot that is part of a planned community to give the purchaser, before the earlier of conveyance or transfer of the right to possession of the lot, a copy of the declaration other than any plats and plans, the by laws, the rules or regulations of the association, and a certificate. Details 16 elements the certificate must contain, including a statement setting forth the amount of the periodic common expense assessment and any unpaid common expense or special assessment currently due and payable from the owner who is selling the lot, and a statement disclosing the effect on the lot to be conveyed of any restrictions on the owner's right to use or occupy the lot or to lease the lot to another person. Directs the association to furnish a certificate containing the required information and copies of all documents necessary to enable the lot owner to comply with the statute within 10 days after a request by a lot owner. Provides that a lot owner providing a certificate is not liable to the purchaser for any erroneous information provided by the association and included in the certificate. Adds that a purchaser is not liable for any unpaid assessment or fee greater than the amount set out in the certificate prepared by the association, and a lot owner is not liable to a purchaser for the failure or delay of the association to provide the certificate in a timely manner.

Applies to all (1) planned communities created in this State on or after the date the act becomes law, which contain more than 20 residential lots and (2) planned communities created in this State before the date the act becomes law, which contain more than 20 residential lots, except that the act applies only with respect to events and circumstances occurring on or after the effective date of this act, and this act does not invalidate existing provisions of the declaration, bylaws, or plats or plans of those planned communities. The declaration, bylaws, or plats and plans of any planned community in this State created before the date the act becomes law can be amended to achieve any result permitted by this act, regardless of what applicable law provided before that date.

Part II

Amends the NC Condominium Act, GS Chapter 47C, as follows.

Amends GS 47C-3-103, Executive board members and officers of condominiums, providing that no financial payments can be made to any officer or members of the executive board, or to a business, business associate, or relative of an officer or member of the executive board, except as expressly provided for in the bylaws or in payments for services or expenses paid on behalf of the association which are approved in advance by the executive board.

Amends GS 47C-3-108, Meetings, to require an association to hold a meeting of unit owners at a time, date, and place stated in or fixed in accordance with the bylaws (currently, must hold a meeting at least one a year). Provides that when an association fails to notify the unit owners of a special meeting within 30 days after the requisite number or percentage of unit owners request a special meeting, as described, then the requesting unit owners can notify all of the unit owners. Adds that only matters described in the meeting notice can be considered at a special meeting. Eliminates subsection (b), providing for executive board meeting requirements. Instead, provides, unless the declaration or bylaws otherwise provide, meetings of the association and the executive board can be conducted by phone, video, or other conferences as long as the meeting notice states the conferencing process to be used and provides information on how unit owners can participate, and the process provides all unit owners the opportunity to hear or perceive the discussion and to comment. Requires unit owners to be given a reasonable opportunity at any meeting to comment regarding any matter affecting the condominium or the association, including executive board meetings. Provides parameters concerning limitations and requirements for meetings of the executive board and other committees of the association, as well as actions of the board. Requires the secretary or other specified officer to give notice of each executive board meeting to each board member and to the unit owner no less than 10 days and no more than 60 days before the meeting, unless the meeting is included in a schedule given to the unit owners or the meeting is called to deal with an emergency. Provides for copies of meeting materials to be made available to unit owners. Establishes that an action by the board is valid unless set aside by a court.

A challenge to the validity of a board action must be brought within 60 days after the minutes of the board meeting at which the action was taken are approved or the record of that action is distributed to the unit owners, whichever is later.

Amends GS 47C-3-118, Association records, deleting all of the substantive language of subsection (a) and adding language which requires associations to retain 11 different types of records as specified, including financial statements and tax returns of the association for the preceding three years and all ballots, proxies, and other records related to voting by unit owners for at least one year. Provides that records are to be made available for inspection and copying by unit owners or agents and details matters that can be withheld from inspection and copying. Authorizes an association to charge a reasonable fee for providing copies of any records under the statute and for supervising the unit owner's inspection. Adds that a right to copy records under this statute includes the right to receive copies by photocopying or other means, including electronically if available. Provides that an association is not obligated to compile or synthesize information. Establishes that information provided pursuant to the statute cannot be used for commercial purposes. Makes technical changes. Makes conforming change to eliminate subsection (c), prohibiting payments to any officer or member of the association's board, or business or a business association or relative of a board member.

Enacts GS 47C-3-120, Alternative dispute resolution allowed, authorizing parties to resolve a dispute arising under GS Chapter 47C or an association's declaration, bylaws, or rules and regulations by any form of binding or nonbinding alternative dispute resolution, except that a declarant can agree with an association to resolve a dispute through alternative dispute resolution only after the period of declarant control has expired. Requires parties electing to use alternative dispute resolution to use mediators certified by the Dispute Resolution Commission. Also requires an agreement to submit to any form of binding alternative dispute resolution to be in a record authenticated by the parties.

Amends GS 47C-4-101(b), which lists classifications of dispositions where no disclosure certificate need be prepared or delivered, to add property restricted to nonresidential purposes to the list of classifications. Makes clarifying and technical changes.

Amends GS 47C-4-109, Resale of units, requiring the unit owner to furnish, except in the case of a sale where delivery of a public offering statement is required or if exempt under GS 47C-4-101(b), to a prospective purchaser before the earlier of conveyance or transfer of the right of possession to the unit, a copy of the declaration other than any plats and plans, the bylaws, the rules or regulations of the association, and a certificate (previously, only required a statement setting forth the monthly common expense assessment and any other fees payable by unit owners). Details 16 elements the certificate must contain, including a statement setting forth the amount of the periodic common expense assessment and any unpaid common expense or special assessment currently due and payable from the owner who is selling the unit, and a statement disclosing the effect on the unit to be conveyed of any restrictions on the owner's right to use or occupy the unit or to lease the unit to another person. Directs the association to furnish a certificate containing the required information and copies of all documents necessary to enable the unit owner to comply with the statute within 10 days after a request by a unit owner. Provides that a unit owner providing a certificate is not liable to the purchaser for any erroneous information provided by the association and included in the certificate. Adds that a purchaser is not liable for any unpaid assessment or fee greater than the amount set out in the certificate prepared by the association. Establishes that a unit owner is not liable to a purchaser for the failure or delay of the association to provide the certificate in a timely manner, but the purchase contract is voidable by the purchaser until the certificate has been provided and for five days thereafter or until the conveyance, whichever occurs first.

Applies to all (1) condominiums created in this State on or after the date the act becomes law and (2) condominiums created in this State before the date the act becomes law, except that the act applies only with respect to events and circumstances occurring on or after the effective date of this act and does not invalidate existing provisions of the declaration, bylaws, or plats or plans of those condominiums. The declaration, bylaws, or plats and plans of any condominium created before the date the act becomes law can be amended to achieve any result permitted by this act, regardless of what applicable law provided before that date.

Part III

Directs the NC Real Estate Commission to revise the Real Property Disclosure Statement developed by it pursuant to GS 47E-4 to provide a place for disclosure by sellers of the existence of any homeowners association or unit owners' association with responsibility for enforcing rules and regulations relating to the real property and the existence of any restrictive covenants affecting the real property, regardless of whether such restrictive covenants are currently violated by any condition of the real property.

Directs the Consumer Protection Division of the Department of Justice to provide general information to and receive complaints from the public regarding the implementation of this act. Directs the Department of Justice to compile all complaints relating to homeowners association into an annual report, and publish the report on the Department's website.

Includes a severability clause.

Intro. by Jordan, Blust.

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

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, State Agencies, Department of Justice](#)

H 825 (2017-2018) [PROTECT NC CHILDREN FROM LEAD EXPOSURE](#). Filed Apr 11 2017, *AN ACT TO REQUIRE CERTAIN PUBLIC SCHOOLS AND CHILD CARE FACILITIES IN NORTH CAROLINA TO TEST DRINKING WATER FOR THE PRESENCE OF LEAD*.

Contains whereas clauses.

Enacts new GS Chapter 130A, Article 10A (Protect North Carolina's Children From Lead Exposure Act) as follows.

New GS 130A-332.2 defines 10 terms as they are used in the Article.

New GS 130A-332.3 requires water suppliers to test drinking water for the presence of lead at drinking water outlets in each school or child care facility to which the supplier provides treated drinking water, except where the school or child care facility is itself the supplier of water and already subject to monitoring for lead under GS Chapter 130A, Article 10. Requires the labs performing the test to be certified to analyze for lead by the North Carolina State Laboratory for Public Health.

New GS 130A-332.4 requires suppliers to use the US Environmental Protection Agency's (EPA's) "3Ts" technical guidance (as defined) to establish water sampling collection criteria and protocols.

New GS 130A-332.5 requires suppliers under new GS 130A-332.3 to prepare and submit a drinking water sampling, collection, and analysis plan to the Department of Environmental Quality (DEQ) at least 90 days prior to the date on which the supplier implements the plan. Provides requirements for the contents of the plan. Requires suppliers to perform two rounds of a minimum of five first-draw samples to be collected and analyzed at each school and child care facility, in locations as specified (selected considering amount and frequency of use, and locations to which children are exposed, and requiring tests from certain locations in each facility), according to a specified timetable based on when the school or child care facility was constructed. Requires a minimum of 30 days between the dates of the first and second rounds of samplings. Authorizes schools or child care facilities whose first round of sampling shows elevated lead levels, who are undertaking corrective actions, to submit a written request to the DEQ for a deferral for the second round of sampling until the corrective actions are completed. Requires the supplier to conduct flush testing in accordance with the 3Ts technical guidance for any school or child care facility that reveals a drinking water outlet with elevated lead levels. Provides that suppliers are not responsible or liable for correcting or resolving any drinking water or drinking water infrastructure with lead concentration above the lead trigger level within the premises or on the property of a school or child care center. Provides that samples under this statute may not be used for calculations required by the federal Lead and Copper Rule (as defined) unless they meet the site and sample requirements in that Rule. If a lead action level exceedance pursuant to the federal Lead and Copper Rule occurs, then the supplier must sample and analyze drinking water from drinking water outlets in all schools and child care facilities within the service area of the supplier, notify the schools and child care facilities of the results of the sampling and analysis, and comply with any additional requirements as deemed necessary to protect public health by either the DEQ or the Division of Public Health (Division). Requires the supplier to provide certification of the delivery of all monitoring results to each school and child care facility to the DEQ.

New GS 130A-332.6 directs the certified laboratory to report the test results of the drinking water samples to the water supplier, the DEQ, and to each school or child care facility, within five business days of completing the analysis, and if the results show elevated lead levels, to the Division and the DEQ within 48 hours of analysis.

New GS 130A-332.7 requires schools and child care facilities, upon receipt of test results, to notify teachers, other school or facility personnel, and the parents or guardians of children attending the school or child care facility, of the results of the sampling

and analysis, within 10 days if the lead concentration is at or below the lead trigger level, or within 48 hours if the lead concentration is above lead trigger level. Provides requirements for the method and contents of both types of notification.

New GS 130A-332.8 requires schools and child care facilities with drinking water outlets revealing an elevated lead level to (1) immediately restrict access to any such drinking water outlet and similar drinking water outlets on the same wing or floor of the building, (2) immediately take remedial action to ensure that all students and children have access to free, fresh, clean drinking water in the school or facility, and are not exposed to drinking water with elevated lead levels, until the drinking water is further analyzed and lead levels are found to be below the trigger level, and the division determines and provides written documentation to the school or child care facility, the Department of Public Instruction (DPI), or the Division of Child Development and Early Education, that the elevated lead levels have been mitigated and the drinking water is safe for human consumption, and (3) with the assistance of the Division, DEQ, DPI, and Division of Child Development and Early Education, to determine the source of lead and identify necessary corrective action to address the lead contamination.

New GS 130A-332.9 directs the Division, in consultation with DEQ, DPI, and the Division of Child Development and Early Education, to report to the chairs of the House Appropriations Committees on Education, Health and Human Services, and Natural and Economic Resources, the chairs of the Senate Appropriations Committees on Education/Higher Education, Health and Human Services, and Natural and Economic Resources, and the Fiscal Research Division, on the implementation of this Article and the results of sampling and analysis, annually by May 1, beginning in 2019. Provides requirements for the contents of the report.

New GS 130A-332.10 authorizes DEQ, to enforce the requirements of this Article applicable to water suppliers, and authorizes the Department of Health and Human Services (DHHS) to enforce the requirements of this Article applicable to certified laboratories, schools, and child care facilities, as specified.

New GS 130A-332.11 authorizes the Commission for Public Health to adopt rules to implement this Article.

Amends GS 115C-12 to direct the State Board of Education to adopt rules to implement the requirements of new GS Chapter 130A, Article 10A.

Requires the Commission, if it adopts rules under new GS 130A-332.11, to make those rules substantively identical to new GS Chapter 130A, Article 10A. Authorizes the Commission to make organizational changes to its rules. Exempts rules under this statute from listed statutes within the Administrative Procedure Act, and provides that these rules become effective as though 10 or more written objections had been received.

Directs DEQ and the Division to develop and provide specific EPA documents and general guidance on water line flushing, and any other appropriate information, to DPI and the Division of Child Development and Early Education by July 1, 2017.

Directs DPI and the Division of Child Development and Early Education to distribute the information provided to each school and child care facility by August 1, 2017.

Authorizes a supplier to charge an additional fee to any school or child care facility for which the supplier performs sampling, analysis, and reporting under new GS Chapter 130A, Article 10A. Requires those fees to be itemized on the billing statement, and to reflect actual costs.

Amends GS 130A-22(b) to authorize the Secretary of Environmental Quality to impose an administrative penalty of up to \$25,000 per day on water suppliers violating requirements of new GS Chapter 130A, Article 10A.

Enacts new GS 115C-532.1 to Require local boards of education to provide for the sampling of the widest variety of drinking water outlets and locations in a proposed site or property to be used as a schoolhouse or other school facility. Provides requirements for sample locations. Directs the local board of education to sample, analyze, and report the results in accordance with new GS Chapter 130A, Article 10A.

Amends GS 115C-218.1 to require charter school applications to include documentation of drinking water sampling and analysis as under GS 115C-218.35(e) and new GS chapter 130A, Article 10A.

Amends GS 115C-218.35 to require charter schools that change location to sample the widest variety of drinking water outlets and locations in the proposed location or space. Provides requirements for sample locations.

Amends GS 115C-218.5 to prohibit the State Board of Education from granting final approval of a charter school application if it finds that the drinking water in the location or space intended for the school reveals lead in concentrations above the lead trigger level. Provides for the applicant to implement necessary corrective action to remove the source of lead.

Amends GS 115C-218.6 to prohibit the State Board of Education from renewing a charter for a school that elects to move to a new location or space without conducting the required sampling, analysis, and reporting.

Makes technical and conforming changes.

Intro. by Warren, Faircloth, Horn, Boswell.

GS 115C, GS 130A

Education, Preschool, Elementary and Secondary Education, Environment, Government, State Agencies, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Public Instruction, State Board of Education, Health and Human Services, Health, Public Health, Social Services, Child Welfare

[View summary](#)

H 832 (2017-2018) **STUDY STUDENT LOAN ALTERNATIVES**. Filed Apr 11 2017, *AN ACT TO DIRECT THE STATE TREASURER, NORTH CAROLINA STATE EDUCATION ASSISTANCE AUTHORITY, UNC BOARD OF GOVERNORS, AND STATE BOARD OF COMMUNITY COLLEGES TO JOINTLY ESTABLISH A TASK FORCE TO STUDY OPTIONS FOR FINANCING STUDENT COSTS FOR HIGHER EDUCATION THAT ARE NOT CONVENTIONAL LOAN PROGRAMS.*

Directs the State Treasurer, State Education Assistance Authority, UNC Board of Governors, and State Board of Community Colleges to jointly establish a Task Force to study (1) alternative financing options, such as human capital contracts, to cover a student's cost of higher education that are not conventional loan programs, and (2) the feasibility of using those alternative financing options to replace the current system of charging students tuition and fees for enrollment at the State's public institutions of higher education. Directs the State Education Assistance Authority to be the lead agency in establishing the task force and undertaking this study.

Details seven considerations the Task Force must take into account in its study, including the initial start-up costs to the State to develop and implement alternative financing options and the estimated time line for those options to become financially solvent and self-sustaining, and how to design and implement a pilot program to test the statewide feasibility of alternative financing options.

Allows the State Education Authority, on behalf of the Task Force, to submit an interim report to the Joint Legislative Education Oversight Committee by November 1, 2017, regarding its findings and recommendations. Directs a final report regarding a proposed pilot program to the Joint Legislative Education Oversight Committee by November 1, 2018. Provides that if the Joint Legislative Oversight Committee determines that a pilot program is warranted, the Committee must direct the Task Force to submit its proposed pilot program to the 2019 Regular Session of the General Assembly for further review and consideration.

Effective July 1, 2017.

Intro. by Brockman, Reives, Belk, Black.

STUDY

[View summary](#)

Education, Higher Education

H 833 (2017-2018) **DRIVER EDUCATION OVERSIGHT**. Filed Apr 11 2017, *AN ACT TO STRENGTHEN THE OVERSIGHT AND ACCOUNTABILITY FOR THE DELIVERY OF THE STATE'S DRIVER EDUCATION PROGRAM.*

Contains several whereas clauses.

Amends GS 115C-105.25(b), prohibiting any funds from being transferred into or out of (currently, only into) the driver education allotment category. Adds new provision to allow funds to be transferred out of the driver education allotment category for the purpose of supporting driver education in other local school administrative units.

Amends GS 115C-215, clarifying that the purpose of the driver education program is reducing student driver traffic accidents by making available public education to all students on driver safety and training. Adds new subsection (a1) establishing an Office of Driver Education Services (Office) within the Department of Public Instruction (DPI). Provides that the Office is to be staffed by a full-time director and other necessary personnel to assist the Office in carrying out its power and duties. Details nine powers and duties of the Office, including leading the statewide driver education program and developing a three-year strategic plan for the program, the implementation of a standard curriculum for the driver education program and the periodic update and revision of the standard curriculum, and developing a web-based system to allow local administrative units to report required data and for the Office to make data and reports available to the public. Makes conforming changes to eliminate subsection (c).

Adds new subsection (c1), directing the State Board of Education to review the strategic plan developed by the Office for the driver education program. Lists four components that must be included in the strategic plan, including the goals, strengths, and accomplishments, and measurable indicators used for tracking the success of the driver education program, and action steps planned for each year of the three-year period of the plan.

Adds new subsection (c2) requiring local school administrative units to report to the Office each year on driver training offered in the unit in accordance with GS 115C-116. Details information that must be included in the report, including local assessments and evaluations used to determine quality and success of the driver education program. Adds new subsection (c3) authorizing the DPI to withhold up to 5% of the State funds allocated to a local school administrative unit for driver education until the unit reports the information required by new subsection (c2).

Amends subsection (e) to require the Office to provide local boards of education with technical assistance to develop and implement a competitive selection process for contracting with other public or private entities to include request for proposals and a model contract with necessary terms and conditions.

Amends subsection (f), authorizing the DPI to use up to 2% of the funds appropriated under the subsection each fiscal year for the direct costs of statewide program administration.

Makes conforming changes.

Amends GS 20-88.1 to direct the Division of Motor Vehicles (DMV) to provide the Office any data on student drivers, to the extent allowable under State and federal law, as part of the evaluation requirement under GS 115C-215.

Directs the Office and the DMV, by January 15, 2018, to develop an implementation plan to provide for the transfer and collection of data on student drivers through the DMV as part of the evaluation requirements under GS 115C-215.

Directs the Office to submit a report electronically to the Joint Legislative Education Oversight Committee, the Fiscal Research Division, and the Program Evaluation Division by October 15, 2017, describing any actions taken by the Office in response to the requirements of the act, as well as the findings included in the Program Evaluation Division's specified report to the Joint Legislative Program Evaluation Oversight Committee on March 19, 2014, and the recommendations from the National Highway Traffic Safety Administration's technical Assessment of the Driver Education Program for the State from May 2015.

Effective July 1, 2017.

Intro. by Johnson, Torbett, Howard, Horn.

[GS 20, GS 115C](#)

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[Courts/Judiciary, Motor Vehicle, Education, Elementary and Secondary Education, Government, State Agencies, Department of Public Instruction, Transportation](#)

Appropriates \$5.5 million for 2017-18 from the General Fund to Fayetteville State University for the purpose of constructing a health fitness center.

Effective July 1, 2017.

Intro. by Floyd, Lucas, G. Graham, Pierce.

APPROP

[View summary](#)

**Education, Higher Education, Government,
Budget/Appropriations**

H 835 (2017-2018) **CREATE CHAIN OF SURVIVAL TASK FORCE**. Filed Apr 11 2017, *AN ACT CREATING A CHAIN OF SURVIVAL PUBLIC-PRIVATE TASK FORCE TO IDENTIFY, PURSUE, AND ACHIEVE FUNDING FOR THE PLACEMENT OF AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDS) IN ALL BUILDINGS AND FACILITIES THAT HOUSE STATE SERVICES, AGENCIES, AND INSTITUTIONS AND IN ALL PUBLIC SCHOOLS AND FOR THE TRAINING OF STATE EMPLOYEES AND SCHOOL PERSONNEL ON THE USE OF AEDS.*

Sets out General Assembly findings related to cardiac arrest and defibrillators.

Establishes the 14-member Chain of Survival Public-Private Task Force (Task Force), with specified membership qualifications, to identify, pursue, and obtain funding for the placement of AEDs and training of State employees and public school personnel to take lifesaving actions for those experiencing sudden cardiac arrest, heart attack, and stroke, in buildings that house State agencies, services, and institutions, and public schools. The Task Force expires on June 30, 2019.

Requires the Department of Administration (Department), subject to the receipt of funds, and in consultation with OEMS, AHA, and a qualified vendor or provider of AEDs and training services, to develop and adopt policies and procedures relative to the placement and use of automated external defibrillators in State-owned and State-leased buildings. Also requires the Department to develop a medical emergency response plan for all State buildings, facilities, and institutions to facilitate: (1) effective and efficient communication throughout the State-owned and State-leased buildings; (2) coordinated and practiced response plans; (3) training and equipment for first aid and CPR; and (4) implementation of a lay rescuer AED program. Requires the Department to develop and update, for each State building, facility, or institution, a maintenance plan that takes into account: (1) implementation of an appropriate training course in the use of AEDs; (2) proper maintenance and testing of the devices; (3) ensuring coordination with appropriate licensed professionals in the oversight of training on the devices; and (4) ensuring coordination with local emergency medical systems on the placement of AEDs.

Requires the State Board of Education to review the maintenance plan for AEDs developed by the Department and adopt guidelines to be used by local school administrative units for public schools, including athletic facilities.

Intro. by Carney, Lewis, Earle, Brenden Jones.

STUDY

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, Department of Administration,
Health and Human Services, Health**

H 836 (2017-2018) **NO CONCEALED GUN ON PRIVATE PROP/POSTING REG**. Filed Apr 11 2017, *AN ACT TO SET MINIMUM REQUIREMENTS FOR NOTICES POSTED ON PRIVATE PROPERTY TO PROHIBIT THE CARRYING OF CONCEALED HANDGUNS ON THE PROPERTY.*

Enacts GS 14-269.5, establishing that for purposes of posting private property to prohibit the carrying of a concealed handgun, the person who owns or is in legal control of private premises must post notice that is written and displayed in a conspicuous manner that is clearly visible to the public at all access points, and contains the provided statement in both English and Spanish, as specified. Adds that failure to post private property as required by the statute is an infraction as defined in GS 14-3.1. Permits any court with jurisdiction for the adjudication and disposition of an infraction to assess a civil penalty no more than \$200. Directs the clear proceeds of the civil penalties to be remitted to the Civil Penalty and Forfeiture Fund in accordance with GS 115C-457.2.

Makes conforming changes to the following statutes concerning notice prohibiting the carrying of a concealed handgun on private premises: GS 14-415.11(c)(8); GS 14-269.3(b)(5); and GS 14-277.2(d). Effective December 1, 2017, and applies to violations committed on or after that date.

Intro. by Grange, R. Turner, Hardister, Brenden Jones.

GS 14

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Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

H 837 (2017-2018) **OUTDOOR LEARNING CENTER PILOT/FUNDS**. Filed Apr 11 2017, *AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR AN OUTDOOR LEARNING CENTER PILOT PROGRAM THROUGH REAL SCHOOL GARDENS*.

Appropriates \$650,000 for 2017-18 from the General Fund to the Department of Public Instruction for use by REAL School Gardens to establish a three-year pilot program to create outdoor learning centers for elementary schools in the specified local school administrative units. Funds remain available for expenditure until the end of the 2019-20 fiscal year.

Directs REAL School Gardens to report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the progress of the pilot program, an accounting of expenditures, and student outcome and teacher effectiveness data, annually from October 1, 2018 to October 1, 2020.

Effective July 1, 2017.

Intro. by Johnson, Torbett, Horn.

APPROP

[View summary](#)

Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Health and Human Services, Health

H 838 (2017-2018) **SUPT. PUBLIC INSTRUCTION SUPPORT STAFF**. Filed Apr 11 2017, *AN ACT TO PROVIDE FOR ADDITIONAL PERSONNEL TO SUPPORT THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION*.

Eliminates 10 specified vacant positions from the Department of Public Instruction (DPI).

Allows, beginning in 2016-17, from the funds generated from the eliminated positions, the Superintendent to use up to \$704,957 in recurring funds to appoint to to five additional full-time equivalent exempt policy-making positions to staff the office of the Superintendent and assist in the administration of the Superintendent's duties. Requires the Superintendent to fix the salaries of the personnel for the office of the Superintendent within the funds available as provided by this section. Specifies that the personnel for the office of the Superintendent of Public Instruction within DPI is in addition to any staff appointed to DPI under GS 115C-21(a)(1). Provides that the appointments are not subject to approval or disapproval by the State Board of Education.

Intro. by Blackwell, Horn, Johnson, Conrad.

UNCODIFIED

[View summary](#)

Education, Government, State Agencies, Department of Public Instruction

H 839 (2017-2018) **SCHOOL CAL. FLEX./LOW-PERFORMING DISTRICTS**. Filed Apr 11 2017, *AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO SET A SCHOOL CALENDAR THAT MEETS THE INSTRUCTIONAL NEEDS OF LOCAL SCHOOL ADMINISTRATIVE UNITS IDENTIFIED AS LOW-PERFORMING*.

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Adds new provision establishing that the required opening and closing dates under subdivision (d) do not apply to a local school administrative unit that has been identified by the State Board of Education as low-performing in each of the prior two school years. Applies beginning with the 2017-18 school year.

Intro. by Blackwell, Johnson.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 840 (2017-2018) **EARNED AP, IB, CTE, & 3RD GRADE BONUSES**. Filed Apr 11 2017, *AN ACT TO ALLOW QUALIFYING TEACHERS TO RECEIVE BONUSES EARNED DUE TO STUDENT SUCCESS ON ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE EXAMS, APPROVED INDUSTRY CERTIFICATIONS AND CREDENTIALS, OR STUDENT GROWTH AND TO REIMBURSE LOCAL SCHOOL ADMINISTRATIVE UNITS FOR BONUSES ALREADY PAID.*

Part I.

Amends Section 8.8 of SL 2016-94 to no longer consider the Advanced Placement/International Baccalaureate Program as a pilot program. Makes conforming changes to refer to program instead of pilot program. Amends the bonuses paid under the program to allow awarding bonuses, for advanced course scores collected from the 2015-16 and 2016-17 school year, payable in January 2017 and 2018, to qualifying advanced course teachers (no longer requiring those teachers to have remained employed teaching advanced courses in the same local school administrative unit at least from the school year the data is collected until the school year that the bonus is paid).

Part II.

Amends Section 8.9 of SL 2016-94 to no longer consider the Industry Certifications and Credential Teacher Bonus Program as a pilot program. Makes conforming changes to refer to program instead of pilot program. Clarifies that the credentials are to be approved by the State Board of Education. Amends the bonuses paid under the program to allow awarding bonuses, for data on courses leading to student attainment of industry certification and credentials collected from the 2015-16 and 2016-17 school year, payable in January 2017 and 2018, to qualifying teachers (no longer requiring those teachers to have remained employed teaching students earning industry certifications or credentials in the same local school administrative unit at least from the school year the data is collected until the school year that the bonus is paid).

Part III.

Amends Section 9.7 of SL 2016-94 to no longer consider the Third Grade Reading Teacher Performance Program as a pilot program. Makes conforming changes to refer to the program instead of the pilot program. Amends the bonuses paid to third grade teachers with an Education Value-Added Assessment System (EVAA) student growth index score for reading to allow awarding bonuses for EVAAS student growth index score data collected during the 2015-16 school year and the 2016-17 school year, payable in January 2017 and 2018, to qualifying third grade teachers (no longer requiring those teachers to have remained employed teaching third grade in the same local school administrative unit at least from the school year the data is collected until the school year that the bonus is paid).

Part IV.

Requires the Department of Instruction (DPI), of the funds available from the State Public School Fund, to make payable in the 2016-17 fiscal year bonuses to those qualifying teachers who were ineligible to receive the bonuses under Sections 8.8(a)(3), 8.9(a)(4), or 9.7(a)(3) of SL 2016-94 for failure to remain employed in the same local school administrative unit at least from the 2015-16 school year to the 2016-17 school year or for failure to continue teaching advanced courses, students earning approved industry certifications or credentials, or third grade. Requires that these bonuses be paid no later than June 30, 2017.

Requires, of the funds available from the State Public School Fund, DPI to make payable in the 2016-17 fiscal year funds necessary to reimburse any local school administrative unit that has already paid bonuses to qualifying teachers who were ineligible to receive the bonuses under Sections 8.8(a)(3), 8.9(a)(4), or 9.7(a)(3) of SL 2016-94 for failure to remain employed in the same local school administrative unit at least from the 2015-16 school year to the 2016-17 school year or for failure to

continue teaching advanced courses, students earning approved industry certifications or credentials, or third grade. Requires that these reimbursements be paid no later than June 30, 2017.

Intro. by Blackwell, Johnson.

UNCODIFIED

[View summary](#)

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

H 841 (2017-2018) [TESTING TRANSPARENCY](#). Filed Apr 11 2017, *AN ACT TO IMPROVE THE TRANSPARENCY OF TESTING IN NORTH CAROLINA*.

Directs the Superintendent of Public Instruction to study the extent to which the SAT and ACT tests align with the English language arts and mathematics portion of the Standard Course of Study, and to report findings and recommendations by February 1, 2018, to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Joint Legislative Education Oversight Committee.

Amends GS 115C-174.12 to revise the information required in local board of education reports to the State Board of Education on local testing, adding six more pieces of information to be included, including the time allotted to administer each test. Directs the Superintendent of Public Instruction to publish on the Department of Public Instruction's website, by October 15 of each year, a uniform calendar that includes schedules for testing and reporting test results for at least the next two school years. The calendar must allow each local board of education to populate the calendar with, at minimum, the information required in the testing reports.

Enacts new GS 115C-174.15. Directs local boards of education to provide a student's results on tests required by the local board to the student's teachers within one week of the administration of the test, and the student's parents within 30 days of the administration of the test. Authorizes the local board of education to extend those timelines when the superintendent of the local school administrative unit finds, in writing, that extenuating circumstances exist, and reports them to the school board.

Enacts new GS 115C-174.16. Directs local boards of education to report a student's results on all statewide, standardized tests in english and mathematics to the student's applicable teacher in a timely manner and an easy-to-read and understandable format, and to the applicable teacher in the upcoming school year. Provides content requirements for the report.

Amends GS 115C-81 to require the Basic Education Program to provide standards for student performance and promotion that permit promotion based on mastery of competencies, at a minimum, in english for grades three through eight, and for mathematics for grades three through 10, in addition to the current requirements.

Applies beginning with the 2018-19 school year.

Intro. by Blackwell, Johnson.

STUDY, GS 115C

[View summary](#)

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

H 843 (2017-2018) [ADJUST MUNICIPAL ELECTION SCHEDULE](#). Filed Apr 11 2017, *AN ACT TO ADJUST THE MUNICIPAL ELECTION SCHEDULE IN ODD-NUMBERED YEARS SO AS TO NOT HAVE OVERLAPPING REQUIREMENTS OF THE COUNTY BOARDS OF ELECTIONS*.

Amends GS 163-294.5(c), requiring candidates seeking municipal office to file their notices of candidacy with the board of elections no earlier than noon on the first Friday in July and no later than noon on the third Tuesday (was, Friday) in July preceding the election, except as provided in existing language.

Amends GS 163-279(a)(2) establishing that GS 163-227.1 (pertaining to second primaries) does not apply in partisan municipal elections and no candidate can request a second primary. Further, amends subdivision (3) of subsection (a), providing that if a municipal election is nonpartisan and the nonpartisan primary method of election is used, the nonpartisan primary is to be held on the second Tuesday after Labor Day (was, on the fourth Tuesday before the election). Amends subdivision (4) of subsection (a), providing that if a municipal election is nonpartisan and the election and runoff election method of election is used, the election is to be held on the second Tuesday after Labor Day (was, the fourth Tuesday before the Tuesday after the first Monday in November).

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

Intro. by Lewis.

[GS 163](#)

[View summary](#)

[Government, Elections, Local Government](#)

H 844 (2017-2018) [DOT/TRAFFIC SIGNAL OVERSIGHT](#). Filed Apr 11 2017, *AN ACT TO PROVIDE THE DEPARTMENT OF TRANSPORTATION WITH AUTHORITY AND SUPERVISION OVER ELECTRONIC TRAFFIC SIGNALS AND OTHER ELECTRONIC TRAFFIC CONTROL DEVICES ON THE PUBLIC HIGHWAYS, ROADS, AND STREETS OF THIS STATE.*

Amends GS 136-18 to grant the Department of Transportation (DOT) the authority and supervision over electronic traffic signals and other electronic traffic control devices on the public highways, roads, and streets of NC. Directs DOT to develop and publish on its website standards that must be met when operating electronic traffic signals and other electronic traffic control devices. Provides that if DOT determines that a local government is not operating electronic traffic signals and other electronic traffic control devices in accordance with the standards established under this subdivision, the DOT must notify the local government in writing and specify what standard or standards are not being met. If the local government fails to take corrective action within 60 days of receiving the notice, the DOT is required to assume control over the operation of the electronic traffic signal or electronic traffic control device and maintain control over the operation until the local government demonstrates to DOT's satisfaction the ability to operate the electronic traffic signal or electronic traffic control device in accordance with the standards established under this subdivision. Requires the local government to reimburse DOT for any costs incurred by DOT during its control of the operation. Effective October 1, 2017.

Directs DOT to commence development of the standards required in new GS 136-18(46), effective when the act becomes law.

Intro. by Adams, Malone.

[GS 136](#)

[View summary](#)

[Government, State Agencies, Department of Transportation, Transportation](#)

H 845 (2017-2018) [NC HEALTHY SCHOOLS](#). Filed Apr 11 2017, *AN ACT TO ENACT THE NORTH CAROLINA HEALTHY SCHOOLS ACT OF 2017.*

Titles the act as the "North Carolina Healthy Schools Act of 2017."

Enacts new GS Chapter 115C, Article 17A (Healthy Schools), as follows.

New GS 115C-270.1 specifies three legislative findings regarding exposure to indoor pollutants and chemicals in schools.

New GS 115C-270.2 requires elementary and secondary public schools, including charter schools, and elementary and secondary nonpublic schools with 50 or more students, to establish a green cleaning policy and to exclusively purchase and use environmentally sensitive cleaning products in accordance with policy developed as described below, when doing so would not result in an increase in the cleaning costs to the school. If doing so would increase costs, requires the school to provide annual written notice to the Department of Public Instruction until such time that it would not increase costs.

New GS 115C-270.3 directs the Department of Health and Human Services, the Department of Public Instruction, the State Board of Education, and a panel of interested stakeholders as specified, to establish and annually amend guidelines and specifications for healthy and environmentally sensitive cleaning and maintenance products for use in school facilities. Provides requirements and options for the guidelines. Requires the guidelines to be posted on the Department of Public Instruction's website.

New GS 115C-270.4 directs the Department of Public Instruction to provide each local board of education, charter schools, and elementary or secondary nonpublic schools with 50 or more students in this State, with the completed guidelines and specifications, and any updates to them. Directs local boards of education to disseminate the guidelines to the schools in their jurisdictions. Directs local boards of education, the Department of Public Instruction, and the Division of Nonpublic Education to provide ongoing assistance to schools to fulfill this Article.

New GS 115C-270.5 directs the State Board of Education to adopt rules to implement this Article.

Makes a conforming change to GS 115C-218.75.

Enacts new GS 115C-566.5, consistent with new GS Chapter 115C, Article 17A's requirements for nonpublic schools.

Provides that schools may deplete the existing cleaning and maintenance supply stocks and implement the new requirements in the following school year.

Directs the Department of Public Instruction to establish initial guidelines and specifications after a review and evaluation of existing research, to be completed no later than 180 days after the effective date of this act.

Does not appropriate state funds.

Applies beginning with the 2017-18 school year.

Intro. by Harrison.

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,
Environment, Health**

H 846 (2017-2018) **COUNTY EUGENICS COMPENSATION**. Filed Apr 11 2017, *AN ACT ALLOWING COUNTIES TO COMPENSATE PERSONS ASEXUALIZED OR STERILIZED UNDER COUNTY AUTHORITY FOR THE PURPOSES OF EUGENICS*.

Enacts GS 153A-248.1, authorizing a county to adopt an ordinance to provide for the compensation of qualified recipients asexualized or sterilized under county authority. Requires the ordinance to include provisions to afford claimants with due process of law and prescribe the manner in which claims will be handled by the county. Establishes that any determination made by the county favorable to the claimant is final. Authorizes the county to appropriate funds for eugenics compensation if the funds are not otherwise limited as to use by law. Provides that records of all inquiries of eligibility, claims and payments under the statute are confidential and not public record. Establishes that a payment made under the statute is not income or assets for purposes of determining eligibility for, or the amount of, any benefits or assistance under any State or local program financed in whole or in part with State funds.

Requires, pursuant to GS 108A-26.1, the Department of Health and Human Services to provide (1) income, resource, and asset disregard to an applicant for, or recipient of, public assistance who receives compensation under the statute equal to the total compensation paid to the individual, and (2) resource protection by reducing any subsequent recovery by the State under GS 108A-70.5 from a deceased recipient's estate for payment of Medicaid paid services by the amount of resource disregard.

Limits the county's liability related to any asexualization or sterilization performed pursuant to an order by a county to compensation authorized by this act. Clarifies that the act does not revive or extend any statute of limitations. Establishes that an agreement for the acceptance of attorneys' fees from a compensation award from the county is null and void unless counsel has sought and received an opinion from the NC State Bar that the fee arrangement is reasonable under the Rules of Professional Conduct.

Limits the application of the act to counties having a population greater than 500,000 and less than 900,000, according to the most recent federal decennial census.

Intro. by Quick, Hardister.

[GS 153A](#)

[View summary](#)

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

H 847 (2017-2018) [EXEMPT MANUFACTURING EQUIP. FROM TAX & STUDY](#). Filed Apr 11 2017, *AN ACT TO EXEMPT MANUFACTURING EQUIPMENT FROM TAX AND TO DIRECT THE REVENUE LAWS STUDY COMMITTEE TO STUDY WAYS IN WHICH TO CLARIFY THE SCOPE OF THE EXEMPTION BY MODERNIZING AND FURTHER DEFINING THE STATUTORY LANGUAGE AND BY INCORPORATING THE ADMINISTRATIVE INTERPRETATIONS OF THE DEPARTMENT OF REVENUE.*

Repeals GS Chapter 105, Article 5F (Certain Machinery and Equipment), and GS 105-164.13(5a) (exempting equipment described in Article 5F from retail and sales tax), effective July 1, 2017.

Amends GS 105-164.4I(b) to delete the reference to the above-repealed Article 5F, effective July 1, 2017.

Amends GS 105-164.13 to enact new subsections (5e) through (5o) exempting the following transactions from retail sales and use taxes: (1) sales of mill machinery or mill machinery parts or accessories to manufacturing industry or plants, or described related contractors and subcontractors; (2) sales to a major recycling facility of cranes, structural steel crane support systems, and related foundations; port and dock facilities; rail equipment; and material handling equipment; (3) sales of equipment, or equipment attachments or repair parts to companies primarily engaged in research and development in the physical, engineering, and life sciences, or engaged in software publishing, or engaged in industrial machinery refurbishing activities, is capitalized by the company for tax purposes, and is used in the research and development or repair or refurbishment of tangible personal property; (4) sales to a company located at a port facility of machinery and equipment, or parts, accessories, or attachments for the equipment, used at the facility for waterborne commerce to unload or process bulk cargo to make it suitable for delivery to and use by manufacturing facilities; (5) sales of equipment, attachments, and repair parts for equipment sold to a person that gathers and obtains used metals and converts them into a new or different product for sale, capitalized by the person for tax purposes, used by the person in the conversion process, and is not a motor vehicle or attachment or repair part for a motor vehicle; (6) sales of equipment, attachments, or repair parts for that equipment to companies engaged in processing tangible personal property to extract precious metals to determine their value, capitalized by the company for tax purposes, and used by the company for that process; (7) sales of equipment, attachments, or repair parts for that equipment to companies engaged in the fabrication of metal work, with annual gross receipts of at least \$8 million, capitalized by the company for tax purposes under the code, used by the company in the fabrication or manufacture of metal products or to create equipment for the fabrication or manufacture of metal products; (8) sales of equipment, accessories, attachments, or parts for that equipment, to large manufacturing and distribution facilities that are used in the manufacturing, assembly, or distribution process and are not electricity (subject to requirements for maintaining certain levels of employment and investment described in the amended definition of large manufacturing and distribution facility); and (9) sales of parts for a ready-mix concrete mill to a company that primarily sells ready-mix concrete. Effective July 1, 2017.

Amends GS 105-164.3 to define large manufacturing and distribution facility, effective July 1, 2017.

Directs the Revenue Laws Study Committee to study ways in which to clarify the scope of the sales and use tax exemption for mill machinery by modernizing and further defining the statutory language and by incorporating existing administrative interpretations of the Department of Revenue, to the extent the General Assembly desires to maintain those interpretations, and to report its findings to the 2018 Regular Session of the 2017 General Assembly.

Intro. by S. Martin.

[GS 105](#)

[View summary](#)

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

H 848 (2017-2018) [SCHOOL ENERGY SAVINGS ACT OF 2017](#). Filed Apr 11 2017, *AN ACT TO PROVIDE THAT SCHOOL SYSTEMS DERIVE SIXTY PERCENT OF THEIR ENERGY NEEDS FROM RENEWABLE ENERGY BY 2030*.

As title indicates.

Intro. by R. Moore.

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,
Environment, Energy**

H 849 (2017-2018) [RESTORE LONGITUDINAL DATA SYSTEM BOARD](#). Filed Apr 11 2017, *AN ACT TO RESTORE AUTHORITY OF THE EDUCATIONAL LONGITUDINAL DATA SYSTEM TO A GOVERNANCE BOARD*.

Amends GS 116E-1 by removing the term *Center* (meaning the Governmental Data Analytics Center) and replacing it with *Board*, meaning the governing board of the North Carolina Longitudinal Data System. Makes conforming changes to GS 116E-4 by giving the Center's powers to the Board. Makes additional conforming changes to GS 116E-6. Amends the definition of de-identified data so that it no longer includes a unique student identifier.

Amends the membership of the North Carolina Longitudinal Data System Board (Board) by allowing the Secretary of the Department of Health and Human Services' position to be filled by a Secretary designee affiliated with the Division of Child Development, and allowing the State Chief Information Officer's position to be filled by a designee of the Officer affiliated with the Government Data Analytics Center. Instead of making the State Chief Information Officer the chair, requires that the Board elect a chair from the appointed members for a term of two years.

Reenacts GS 120-123(81), GS 143B-1321(a)(31), and GS 143B-1322(c)(21) as they existed immediately before their repeal.

Requires the Board to adopt rules under GS 116E-4 by December 1, 2017.

Intro. by Blackwell, Saine.

GS 116E

[View summary](#)

Education, Employment and Retirement

H 850 (2017-2018) [FILM GRANTS FOR NC PRODUCTIONS AND FESTIVALS](#). Filed Apr 11 2017, *AN ACT TO MODIFY THE FILM AND ENTERTAINMENT GRANT FUND*.

Amends GS 143B-437.02A, which sets out requirements for the Film and Entertainment Grant Fund, by creating the Small Production Account (Account) within the Film and Entertainment Grant Fund. Specifies that the existing provisions of the statute apply to the grants from the Account, with the following changes Makes grants from the Small Production Account available only to individuals who are permanent state residents. Requires that provisions of the statute directed toward production companies be, for purposes of application in the Account, interpreted as being directed toward individuals. Reserves funds for feature-length films on which the individual has qualifying expenses of at least \$100,000 but not more than \$500,000.

Creates the Film Festival Account in the Film and Entertainment Grant Fund. Specifies that of the unencumbered, unexpended funds in the Film and Entertainment Grant Fund, \$500,000 is transferred to the Film Festival Account, with funds in the account to be used for grants for advertising and marketing film festivals held in the state. Provides that grants from the Film Festival Account must not exceed the lesser of \$100,000 or 25% of the advertising and marketing costs incurred for the film festival (defined as an organized, extended presentation of films in one or more cinemas or screening venues in a single city or region held over a period of not more than three days).

Requires, of the unencumbered, unexpended funds in the Film and Entertainment Grant Fund, \$5 million to be transferred to the Small Production Account.

Requires that of the unencumbered, unexpended funds in the Film and Entertainment Grant Fund, \$500,000 be transferred to the Film Festival Account.

[View summary](#)

Business and Commerce

H 851 (2017-2018) [CONFORM APPRAISER FEES/TRUTH IN LENDING](#). Filed Apr 11 2017, *AN ACT TO CONFORM THE LAW ON THE COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES TO THE FEDERAL TRUTH-IN-LENDING ACT AS INTERPRETED BY THE CONSUMER FINANCIAL PROTECTION BUREAU'S REGULATION Z AND TO REPLACE AN INCONSISTENT REFERENCE TO PRINCIPAL DWELLINGS WITH A REFERENCE TO ONE- TO FOUR-FAMILY RESIDENTIAL DWELLINGS.*

Amends GS 93E-2-4(i), pertaining to the requirement for appraisal management companies to provide appraisers customary and reasonable compensation. Requires an appraisal management company to compensate appraisers for appraisal assignments of one- to four-family residential dwellings (currently, for appraisal assignments of property secured by the principal dwelling of the consumer) in compliance with section 129E(i) of the federal Truth in Lending Act (15 USC 1601 et seq) and regulations promulgated thereunder. Eliminates the requirement for the North Carolina Appraisal Board to base its rules establishing customary and reasonable rates on objective third party information, such as academic studies and independent private sector surveys. Effective January 1, 2017.

Intro. by Ross, Setzer.

GS 93E

[View summary](#)

Banking and Finance

H 852 (2017-2018) [REAL PROPERTY TECHNICAL CORRECTIONS](#). Filed Apr 11 2017, *AN ACT TO MAKE CORRECTIONS AND OTHER AMENDMENTS TO VARIOUS STATUTES IMPACTING REAL PROPERTY OWNERSHIP AND TO MAKE OTHER CONFORMING CHANGES, AS RECOMMENDED BY THE REAL PROPERTY SECTION OF THE NORTH CAROLINA STATE BAR ASSOCIATION.*

Part I:

Amends GS 39-13 (Spouse need not join in purchase-money mortgage). Provides that a mortgage or deed of trust given by the purchaser of real property to secure a loan, the proceeds of which were used to pay all or a portion of the purchase price of the encumbered real property, regardless of whether the secured party is the seller of the real property or a third-party lender, shall be good and effectual against the purchaser's spouse as well as the purchaser, without requiring the spouse to join in the execution of the mortgage or deed of trust.

Amends GS 161-10 (Uniform fees of registers of deeds). Provides that in all cases other than recording records of satisfaction or the cancellation of record by any other means, deeds of trust or mortgages, the fees in subdivision (a)(1) apply to the registration or filing of any subsequent instrument that relates to a previously recorded deed of trust or mortgage.

Amends GS 161-14.1 (Recording subsequent entries as separate instruments). Amends the definitions of original instrument and subsequent instrument to include reinstatements.

Part I applies to mortgages and deeds of trust entered into before, on, or after the date this act becomes law.

Part II:

Amends GS 47-17.1 (requiring deeds and deeds of trust to bear the name of the person or law firm that drafted the instrument). Provides that that statute does not apply to other instruments presented for registration, and allows the register of deeds to accept the verbal or written representation of the individual presenting the deed or deed of trust for registration, or any individual reasonably related to the transaction, that the individual or law firm listed on the first page is a validly licensed attorney or validly existing law firm.

Amends GS 47-18.3 (Execution of corporate instruments; authority and proof). Provides that contrary terms in an operating agreement or articles of organization do not supercede the requirements of that statute. Incorporates domestic and foreign limited liability companies in the types of organizations whose instruments to which this statute applies. Adds chief operations officers, general counsels, deputy or assistant general counsels, managers, members, directors, or persons with similar business titles, to the list of persons authorized to execute an instrument on behalf of a business association under this statute. Makes technical and conforming changes.

Part II applies to instruments presented for registration on or after the date this act becomes law.

Intro. by Jordan, Zachary.

[GS 39, GS 47, GS 161](#)

[View summary](#)

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

H 853 (2017-2018) [PROTECT STRIPED BASS/CENTRAL SOUTHERN AREA](#). Filed Apr 11 2017, *AN ACT TO PROTECT STRIPED BASS IN THE CENTRAL SOUTHERN MANAGEMENT AREA*.

Includes whereas clauses.

Amends GS 113-183 by adding that striped bass taken in the striped bass Central Southern Management Area (CSMA) must not be possessed unless taken with hook and line. Prohibits striped bass taken in the CSMA from being (1) bought, sold, bartered, or exchanged or (2) possessed or transported for the purpose of purchase, sale, barter, exchange, or shipment in commerce within the State or for export from the State, with listed limited exceptions for striped bass taken lawfully by legal commercial methods in areas of open commercial season outside the CSMA, restaurants within the CSMA, and striped bass raised in fish hatcheries.

Effective October 1, 2017, and expires upon completion and implementation of the revision to the Striped Bass Fishery Management Plan scheduled to begin in 2018. Requires the Division of Marine Fisheries to notify the Codifier of Statutes of the effective date of the Plan upon its adoption.

Intro. by W. Richardson, Adams, Wray.

[GS 113](#)

[View summary](#)

[Environment, Aquaculture and Fisheries](#)

H 854 (2017-2018) [SUBSIDY MARKET RATE ADJUST/TIER 3 COUNTIES](#). Filed Apr 11 2017, *AN ACT TO INCREASE THE CHILD CARE SUBSIDY MARKET RATES RECOMMENDED BY THE 2015 CHILD CARE MARKET RATE STUDY FOR AGES THREE THROUGH FIVE IN TIER THREE COUNTIES*.

Requires the Department of Health and Human Services, Division of Child Development and Early Education, beginning July 1, 2017, to increase the child care subsidy market rates to the rates recommended by the 2015 Child Care Market Rate Study for ages three through five years of age in three, four, and five-star-rated child care centers and homes in tier three counties.

Appropriates from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education, \$12.9 million in nonrecurring funds for 2017-18 fiscal year to provide funds to increase the child care subsidy market rates recommended by the 2015 Child Care Market Rate Study for ages three through five years of age in three, four, and five-star-rated child care centers and homes in tier three counties.

Effective July 1, 2017.

Intro. by Malone, Murphy, Setzer, Dollar.

[APPROP](#)

[View summary](#)

[Education, Preschool, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare](#)

H 855 (2017-2018) [TEACHER APPRECIATION](#). Filed Apr 11 2017, *AN ACT TO ESTABLISH TEACHER APPRECIATION DAY IN MAY*.

Enacts new GS 103-15 annually designating the first Tuesday of the first full week in May as Teacher Appreciate Day.

Amends GS 115C-12 to add to the State Board of Education's powers and duties, the duty to develop recommended programs that enable students, parents, guardians, and administrators to show teacher appreciation. Also encourages all schools to celebrate Teacher Appreciation Day.

Applies beginning with the 2017-18 school year.

Intro. by Pierce.

[GS 103, GS 115C](#)

[View summary](#)

[Education](#)

H 856 (2017-2018) [ROAD RAGE/INCREASE PENALTY](#). Filed Apr 11 2017, *AN ACT TO PROVIDE THAT AN ASSAULT COMMITTED AS AN ACT OF ROAD RAGE MAY BE CONSIDERED AN AGGRAVATING FACTOR FOR PURPOSES OF SENTENCING*.

Amends GS 15A-1340.16(d), which sets forth aggravated factors for purposes of sentencing.

New subsection (19c) establishes a new aggravating factor: the offense is an assault under Article 8 of GS Chapter 14 that is committed in the act of road rage. Provides that an assault is committed as an act of road rage if the assault (1) is committed by the operator of a motor vehicle against an operator or passenger of another motor vehicle, an operator of a bicycle, or a pedestrian, and (2) occurs on a highway.

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

Intro. by Pierce.

[GS 15A](#)

[View summary](#)

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

H 857 (2017-2018) [STUDY DUAL ARREST IN DOMESTIC VIOLENCE CASES](#). Filed Apr 11 2017, *AN ACT REQUIRING THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY TO STUDY WHETHER DUAL ARREST IN DOMESTIC VIOLENCE CASES SHOULD BE USED BY LAW ENFORCEMENT AGENCIES*.

Requires the Joint Legislative Oversight Committee on Justice and Public Safety to study the use of dual arrest in cases of domestic violence to determine whether dual arrest should be adopted in North Carolina. Specifies issues that the Committee must consider when conducting the study. Requires a final report to the 2019 General Assembly, prior to the convening of the 2020 Regular Session, by filing the report with the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

Intro. by Terry.

[STUDY](#)

[View summary](#)

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

S 350 (2017-2018) [AMEND DRUG LAWS/ELLISON V. TREADWAY](#). Filed Mar 22 2017, *AN ACT TO CLARIFY THAT POSSESSION OF CERTAIN PRESCRIPTION DRUGS IS NOT PUNISHABLE AS TRAFFICKING IN OPIUM OR HEROIN AND TO SET OUT THE CRIMINAL PENALTY FOR THAT OFFENSE.*

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

Amends proposed GS 90-95(h) by increasing the maximum terms of imprisonment for convictions of trafficking in pharmaceuticals as follows: (1) from 42 to 51 months for violations involving 100 or more, but less than 400, pills, tablets, or capsules; (3) from 84 to 90 months for violations involving 400 or more (but less than 600) pills, tablets, or capsules; and (3) from 219 to 222 months for violations involving 600 or more pills, tablets, or capsules. Retains the already specified minimum prison terms.

Intro. by Britt, Tucker, J. Jackson.

GS 90

[View summary](#)

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

ACTIONS ON BILLS

PUBLIC BILLS

H 7: LRC/STRENGTHEN SAVINGS RESERVE.

Signed by Gov. 4/13/2017

Ch. SL 2017-5

H 74: ADOPT BOBCAT AS STATE CAT.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 94: EMERGENCY MANAGEMENT/DRONE USE.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 149: STUDENTS W/DYSLEXIA AND DYSCALCULIA.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 228: POSTPONE ASSUMED NAME REVISIONS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 236: NCAOC OMNIBUS BILL.

House: Serial Referral To State and Local Government II Added

H 242: LICENSE PLATE READER SYSTEMS IN STATE ROWS.

House: Serial Referral To Regulatory Reform Added

H 297: AMEND HABITUAL DWI.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 341: UNLICENSED DRIVER/TOW VEHICLE.

House: Serial Referral To Appropriations Added

H 382: INSURANCE TECHNICAL CORRECTIONS.-AB

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 383: NAIC MODEL/OWN RISK AND SOLVENCY ASSESSMENT.-AB

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 399: STOP IMAGES TAKEN W/O CONSENT FROM DISSEMIN.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 409: STATE AGENCIES/ADJUST HIRING PRACTICES.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 418: SOS/SAVE OUR STREET SIGNS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary II

H 454: SURVEYING AND PLAT RECORDING CHANGES.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 501: DOT/SURVEYING INFORMATION IN PLANS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 532: MODIFY UNC LABORATORY SCHOOLS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 730: NINTH GRADE ACADEMY PILOT/FUNDS.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 731: LAW ENFORCEMENT INVENTORY SAECKS.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 732: HOUSEHOLD GOODS CARRIER REVISIONS.

House: Passed 1st Reading

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

H 733: REQUIRE PERMIT FOR GINSENG HARVESTING.

House: Passed 1st Reading

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

H 734: IN-STATE TUITION EQUITY.

House: Passed 1st Reading

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

H 735: REDISTRICTING BY COMPUTER.

House: Passed 1st Reading

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

H 736: PROVIDE MINOR ALCOHOL/FELONY IF DEATH RESULTS.

House: Passed 1st Reading

House: RefTo Com On Judiciary II

H 737: OPEN PRIMARY ACT.

House: Passed 1st Reading

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

H 738: OPIOID PRESCRIPTION & TREATMENT OPT OUT ACT.

House: Passed 1st Reading

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

H 739: AMBULANCE WEAPON EXCEPTION/LEO & FIREFIGHTERS.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 740: SAR RENAME/DISPUTED COUNTY BOUNDARIES/MAPPING.

House: Passed 1st Reading

House: RefTo Com On State and Local Government II

H 741: DHHS STUDY/MATERNAL AND NEONATAL CARE.

House: Passed 1st Reading

House: RefTo Com On Health

H 742: STUDY BILL FOR REENTRY HOUSING PROGRAM.

House: Passed 1st Reading

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

H 743: STUDY EFFICIENCY AND COST-SAVINGS/STATE GOVT.

House: Passed 1st Reading

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

H 744: STATE EMPS./AMEND SALARY CONTINUATION.

House: Passed 1st Reading

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

H 745: NC ENERGY RATEPAYERS PROTECTION ACT.

House: Passed 1st Reading

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

H 746: NC CONSTITUTIONAL CARRY ACT.

House: Passed 1st Reading

House: Ref To Com On Judiciary I

H 747: LRC STUDY/REG. IMPACT IN COASTAL AREAS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 748: UNDERGROUND DAMAGE PREVENTION ACT/CHANGES.

House: Passed 1st Reading

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

H 749: LIMITED IDENTIFICATION CARDS.

House: Passed 1st Reading

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

H 750: GAMING COMMISSION/VLTS.

House: Passed 1st Reading

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

H 751: CAREER AND COLLEGE READY/HIGH SCHOOL GRADS.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 752: UTILITIES/WATER AND WASTEWATER RATES.

House: Passed 1st Reading

House: Ref To Com On Energy and Public Utilities

H 753: LRC STUDY/PARENTAL DRUG ABUSE EFFECT ON CHILD.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 754: OPTIONAL MEALS FOR BED & BREAKFAST GUESTS.

House: Passed 1st Reading

House: Ref to the Com on Commerce and Job Development, if favorable, Rules, Calendar, and Operations of the House

H 755: BANKRUPTCY AND RECEIVERSHIP AMENDMENTS.

House: Passed 1st Reading

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

H 756: BEEHIVE GRANT PROGRAM.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 757: REGULATE RETAIL DISPLAY OF TOBACCO PRODUCTS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 758: VOTER INTEGRITY.

House: Passed 1st Reading

House: RefTo Com On Elections and Ethics Law

H 759: CEMETERIES/PERPETUAL CARE TRUST FUNDS.

House: Passed 1st Reading

House: RefTo Com On State and Local Government II

H 760: CHILD PROTECTION AND ACCOUNTABILITY ACT.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 761: ATHLETIC TRAINER/CHOICE OF PROVIDER.

House: Passed 1st Reading

House: RefTo Com On Insurance

H 762: CAMPAIGN CONTRIBUTION USES.

House: Passed 1st Reading

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

H 763: NOTICE TO INNOCENT PURCHASERS/HAZ. SITES.

House: Passed 1st Reading

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

H 764: EXPANSION OF MSD/BD APPT.

House: Passed 1st Reading

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

H 765: HONOR RUTH SAMUELSON, FORMER MEMBER.

House: Passed 1st Reading

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

H 766: DWI FOR CONTROLLED SUBSTANCES.

House: Passed 1st Reading

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

H 767: NC TOXIC-FREE KIDS ACT.

House: Passed 1st Reading

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

H 768: BAN ENDANGERED SPECIES PRODUCT TRAFFICKING.

House: Passed 1st Reading

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

H 769: VOTER FREEDOM ACT OF 2017.

House: Passed 1st Reading

House: RefTo Com On Elections and Ethics Law

H 770: NONCOMMERCIAL USTS/RULE-MAKING REPORT.

House: Passed 1st Reading

House: RefTo Com On Environment

H 771: JUVENILE/PARENT COMM. SERVICE.

House: Passed 1st Reading

House: Ref to the Com on Judiciary III, if favorable, Homelessness, Foster Care, and Dependency

H 772: AMEND NC INT'L ARBITRATION/CONCILIATION ACT.

House: Passed 1st Reading

House: Ref To Com On Judiciary IV

H 773: ABC SALES/SPORTS & ENTERTAINMENT VENUES.

House: Passed 1st Reading

House: Ref To Com On Alcoholic Beverage Control

H 774: REQUIRE COUNTY DSS TO REVIEW PLACEMENTS.

House: Passed 1st Reading

House: Ref To Com On Judiciary III

H 775: UNC CAPITAL EFFICIENCIES.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 776: ADOPTION LAW CHANGES.

House: Passed 1st Reading

House: Ref To Com On Judiciary III

H 777: AMEND LAW REGARDING UNIVERSITY DISCIPLINE.

House: Passed 1st Reading

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

H 778: LRC/OPIOID MISUSE PREVENTION.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 779: CHARTER SCHOOL CHANGES.

House: Passed 1st Reading

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

H 780: UPHOLD HISTORICAL MARRIAGE ACT.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 781: JMAC MODIFICATIONS.

House: Passed 1st Reading

House: Ref To Com On Commerce and Job Development

H 782: PAID HOLIDAY/PRIMARY AND GENERAL ELECTIONS.

House: Passed 1st Reading

House: Ref To Com On Elections and Ethics Law

H 783: PROHIBIT RESALE OF LOTTERY TICKETS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 784: SUITABILITY IN ANNUITY.

House: Passed 1st Reading

House: Ref To Com On Insurance

H 785: DUTY TO CALL 911/VIOLATION MISDEMEANOR.

House: Passed 1st Reading

House: RefTo Com On Judiciary II

H 786: NC ENERGY AND WATER EFFICIENT SCHOOLS ACT.

House: Passed 1st Reading

House: Ref to the Com on Rules, Calendar, and Operations of the House, if favorable, Environment, if favorable, Education - K-12

H 787: STRENGTHEN DO NOT CALL REGISTRY.

House: Passed 1st Reading

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

H 788: AMEND EXPUNCTION LAWS.

House: Passed 1st Reading

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

H 789: END OF LIFE OPTION ACT.

House: Passed 1st Reading

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

H 790: SOLITARY CONFINEMENT IN PRISONS.

House: Passed 1st Reading

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

H 791: ELECTORAL DISTRICTS/WAKE CO DISTRICT CT.

House: Passed 1st Reading

House: RefTo Com On Elections and Ethics Law

H 792: 2017 APPROPRIATIONS ACT.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 793: IHE POLICIES SEXUAL ASSAULT/SEXUAL CONSENT.

House: Passed 1st Reading

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

H 794: NC PERMITTING EFFICIENCY ACT OF 2017.

House: Passed 1st Reading

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

H 795: ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS.

House: Passed 1st Reading

House: Ref to the Com on Commerce and Job Development, if favorable, Finance, if favorable, Appropriations

H 796: EXPUNCTIONS RELATED TO 50B ORDERS.

House: Passed 1st Reading

House: RefTo Com On Judiciary II

H 797: CHANGES TO CURRENT BWC LAW.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 798: INCOME TAX DEDUCTION FOR TOLLS PAID.

House: Passed 1st Reading

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

H 799: UTILITY BILLING BY LESSORS.

House: Passed 1st Reading

House: RefTo Com On Energy and Public Utilities

H 800: VARIOUS CHANGES TO CHARTER SCHOOL LAWS.

House: Passed 1st Reading

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

H 801: REENTRY COLLABORATIVE.

House: Passed 1st Reading

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

H 802: EXEMPT MOTORCOACH MANUFACTURER & DISTRIBUTOR.

House: Passed 1st Reading

House: RefTo Com On Transportation

H 803: LANDLORD LIABILITY CHANGES.

House: Passed 1st Reading

House: RefTo Com On Judiciary III

H 804: ADD ADDITIONAL ADA TO DISTRICT 9.

House: Passed 1st Reading

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

H 805: DISCLOSURE OF COSMETICS INGREDIENTS.

House: Passed 1st Reading

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

H 806: STUDENT NOTICE/CHARTER SCHOOL CLOSURE/RESTR.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 807: CREATE DIVISIONS - ALE AND CAP. POLICE IN DPS.

House: Passed 1st Reading

House: RefTo Com On Judiciary III

H 808: ADVISORY COUNCIL REVIEW OF RARE DISEASE BILLS.

House: Passed 1st Reading

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

H 809: HONOR THE LIFE AND MEMORY OF ROBERT DALRYMPLE.

House: Passed 1st Reading

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

H 810: PET BOARDING FACILITIES.

House: Passed 1st Reading

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

H 811: ENERGY SAVINGS INCENTIVES/STATE AGENCIES.

House: Passed 1st Reading

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

H 812: MINIMUM WAGE/AGRICULTURE/DOMESTIC WORKERS.

House: Passed 1st Reading

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

H 813: VETERAN RETIREMENT INCOME TAX BENEFIT.

House: Passed 1st Reading

House: RefTo Com On Finance

H 814: PLANNED COMMUNITY ACT CHANGES.

House: Passed 1st Reading

House: RefTo Com On Judiciary III

H 815: NONDISCRIM. & ACCOUNT./CERTAIN PRIVATE SCHS.

House: Passed 1st Reading

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

H 816: CONSUMER PROTECTION/ROOFING CONTRACTORS.

House: Passed 1st Reading

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

H 817: REPEAL PISTOL PERMIT REQUIREMENTS.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 818: CHIROPRACTORS PERFORM PHYSICALS FOR ATHLETICS.

House: Passed 1st Reading

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

H 819: PROTECT NC RIGHT TO WORK CONSTITUTIONAL AMEND.

House: Passed 1st Reading

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

H 820: PROTECT RIGHT TO WORK/CONFORMING CHANGES.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 821: NC GUARDIANSHIP BILL OF RIGHTS.

House: Passed 1st Reading

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

H 822: REGULATE ARBITRATION AGRMNTS/LTC FACILITIES.

House: Passed 1st Reading

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

H 823: ADULT ADOPTEE/ACCESS ORIGINAL BIRTH CERT.

House: Passed 1st Reading

House: RefTo Com On Judiciary IV

H 824: CONTRACEPTIVE EDUCATION FOR WOMEN IN RECOVERY.

House: Passed 1st Reading

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

H 825: PROTECT NC CHILDREN FROM LEAD EXPOSURE.

House: Passed 1st Reading

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

H 826: MODIFY LOW-PERFORMING SCHOOL DEFINITION.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 827: USE OF PASSING LANE/INCREASED PENALTY.

House: Passed 1st Reading

House: Refto the Com on Transportation, if favorable, Judiciary I

H 828: IT CHANGES/LIBRARIES & TELEMEDICINE.

House: Passed 1st Reading

House: Refto the Com on Health, if favorable, Insurance

H 829: CUSTOMARY AND REASONABLE FEES FOR APPRAISERS.

House: Passed 1st Reading

House: RefTo Com On Commerce and Job Development

H 830: WC/INDEPENDENT TRUCKERS.

House: Passed 1st Reading

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

H 831: BRIAN GARLOCK ACT.

House: Passed 1st Reading

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

H 832: STUDY STUDENT LOAN ALTERNATIVES.

House: Passed 1st Reading

House: Ref to the Com on Education - Universities, if favorable, Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

H 833: DRIVER EDUCATION OVERSIGHT.

House: Passed 1st Reading

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

H 834: FAYETTEVILLE STATE UNIVERSITY CAPITAL PROJECT.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 835: CREATE CHAIN OF SURVIVAL TASK FORCE.

House: Passed 1st Reading

House: RefTo Com On Health

H 836: NO CONCEALED GUN ON PRIVATE PROP/POSTING REG.

House: Passed 1st Reading

House: RefTo Com On Judiciary I

H 837: OUTDOOR LEARNING CENTER PILOT/FUNDS.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 838: SUPT. PUBLIC INSTRUCTION SUPPORT STAFF.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 839: SCHOOL CAL. FLEX./LOW-PERFORMING DISTRICTS.

House: Passed 1st Reading

House: RefTo Com On Education - K-12

H 840: EARNED AP, IB, CTE, & 3RD GRADE BONUSES.

House: Passed 1st Reading

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

H 841: TESTING TRANSPARENCY.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 842: SOLITARY CONFINEMENT IN PRISONS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 843: ADJUST MUNICIPAL ELECTION SCHEDULE.

House: Passed 1st Reading

House: Ref To Com On Elections and Ethics Law

H 844: DOT/TRAFFIC SIGNAL OVERSIGHT.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 845: NC HEALTHY SCHOOLS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 846: COUNTY EUGENICS COMPENSATION.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 847: EXEMPT MANUFACTURING EQUIP. FROM TAX & STUDY.

House: Passed 1st Reading

House: Ref To Com On Finance

H 848: SCHOOL ENERGY SAVINGS ACT OF 2017.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 849: RESTORE LONGITUDINAL DATA SYSTEM BOARD.

House: Passed 1st Reading

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

H 850: FILM GRANTS FOR NC PRODUCTIONS AND FESTIVALS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 851: CONFORM APPRAISER FEES/TRUTH IN LENDING.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 852: REAL PROPERTY TECHNICAL CORRECTIONS.

House: Passed 1st Reading

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

H 853: PROTECT STRIPED BASS/CENTRAL SOUTHERN AREA.

House: Passed 1st Reading

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

H 854: SUBSIDY MARKET RATE ADJUST./TIER 3 COUNTIES.

House: Passed 1st Reading

House: RefTo Com On Appropriations

H 855: TEACHER APPRECIATION.

House: Passed 1st Reading

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

H 856: ROAD RAGE/INCREASE PENALTY.

House: Passed 1st Reading

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

H 857: STUDY DUAL ARREST IN DOMESTIC VIOLENCE CASES.

House: Passed 1st Reading

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

S 16: AMEND ADMINISTRATIVE PROCEDURE LAWS.

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

S 74: UPDATE RABIES CONTROL LAWS.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

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

House: Passed 1st Reading

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

S 88: LANDLORD/TENANT-ALIAS & PLURIES SUMMARY EJECT.

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

S 117: FORFEITURE OF RETIREMENT BENEFITS/JUDGES.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 124: LEO MANAGED CBD OIL DROP BOX.

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

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

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

S 307: OCCUP. THERAPY/CHOICE OF PROVIDER.

Senate: Withdrawn From Com

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

S 312: SURPLUS COMPUTERS FOR LOW-INCOME STUDENTS.

House: Passed 1st Reading

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

S 315: IMPLEMENT UNC UNDERGRAD COMPLETION PLAN.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

S 326: CLARIFY HUT & IMPROVE VEHICLE TITLING PROCESS.

Senate: Withdrawn From Com

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

S 350: AMEND DRUG LAWS/ELLISON V. TREADWAY.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Health Care

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

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 416: USE OF TOURISM FUNDS/WATAUGA COUNTY.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

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

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 523: EMS USE OF UAS.

Senate: Withdrawn From Com

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

S 531: SCHOOL BOARDS CAN'T SUE COUNTIES.

Senate: Withdrawn From Com

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

S 533: MITIGATION SERVICES/DOT.

Senate: Withdrawn From Com

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

S 539: ENVIRONMENTAL REGULATORY REFORM ACT OF 2017.

Senate: Withdrawn From Com

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

S 544: BUSINESS REGULATORY REFORM ACT OF 2017.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

S 557: ANNEXATION OF ENCLAVES.

Senate: Withdrawn From Com

Senate: Re-ref to Finance. If fav, re-ref to Judiciary

S 559: FINGERPRINTING UPON ARREST.

Senate: Withdrawn From Com

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

S 560: CITIZEN'S WARRANTS.

Senate: Withdrawn From Com

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

S 561: EXPUNCTION - CHARGES DISMISSED/NOT GUILTY.

Senate: Withdrawn From Com

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

S 569: UNIFORM POWER OF ATTORNEY ACT.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

S 582: GSC TECHNICAL CORRECTIONS 2017.

Senate: Withdrawn From Com

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

S 599: EXCELLENT EDUCATORS FOR EVERY CLASSROOM.

Senate: Withdrawn From Com

Senate: Re-ref to Education/Higher Education. If fav, re-ref to Finance. If fav, re-ref to Judiciary

S 601: GANG NUISANCE ABATEMENT ACT.

Senate: Withdrawn From Com

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

S 608: IDD SERVICES WAITING LIST TRANSPARENCY.

Senate: Withdrawn From Com

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

S 616: LIMIT LOOK-BACK FOR IMMATERIAL IRREGULARITIES.

Senate: Withdrawn From Com

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

S 630: REVISE IVC LAWS TO IMPROVE BEHAVIORAL HEALTH.

Senate: Withdrawn From Com

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

Senate: Withdrawn From Com

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

S 655: CHANGE DATE WHEN PRIMARY ELECTIONS HELD.

Senate: Withdrawn From Com

Senate: Withdrawn From Com

Senate: Re-ref to Select Committee on Elections. If fav, re-ref to Rules and Operations of the Senate

S 657: STUDY HEXAVALENT CHROMIUM IN GROUNDWATER.

Senate: Withdrawn From Com

Senate: Withdrawn From Com

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

S 669: SE NC AG EVENTS CENTER/FUNDS.

Senate: Withdrawn From Com

Senate: Withdrawn From Com

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

LOCAL BILLS

H 111: WINSTON-SALEM/SERVICE BY PUBLICATION COST.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 184: CERTAIN TOWNS/SEWER FEE COLLECTIONS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 272: FOX AND COYOTE TRAPPING/YADKIN COUNTY.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

H 360: HARNETT CO. SCHOOLS/EXAM WINDOW.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate