

The Daily Bulletin: 2018-05-30

PUBLIC/HOUSE BILLS

H 934 (2017-2018) **THREAT ASSESSMENT TEAMS. (NEW)** Filed May 16 2018, *AN ACT TO CODIFY THE NORTH CAROLINA CENTER FOR SAFER SCHOOLS; TO REQUIRE THE ESTABLISHMENT OF THREAT ASSESSMENT TEAMS IN PUBLIC SCHOOLS; AND TO ESTABLISH PEER-TO-PEER STUDENT SUPPORT PROGRAMS.*

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

Changes the act's long and short titles.

Section 1

Organizes Article 8C of GS Chapter 115C, Local Plans For Alternative Schools/Alternative Learning Programs and Maintaining Safe and Orderly Schools, into parts, titling Part 1, Local Plans for Alternative Schools/Alternative Learning Programs, and titling Part 2, Maintaining Safe and Orderly Schools. Codifies GS 115C-105.46 (State Board of Education responsibilities), GS 115C-105.47A (Proposals to establish alternative learning programs or alternative schools), and GS 115C-105.48 (Placement of students in alternative schools/alternative learning programs) into Part 1, and the remainder of Article 8C into Part 2.

Deletes the proposed changes to GS 115C-5, adding the defined term *public school unit*.

Enacts GS 115C-105.48A to Part 2 of Article 8C, setting forth definitions concerning school safety. Defines *local school administrative unit* and *post-secondary school*. Defines *local school administrative unit* as either the local board of education of a local school administrative unit, the board of directors of a charter school, the board of directors of a regional school, or the governing entity of a school providing elementary or secondary instruction operated either the State Board of Education, including schools operated under Article 7A and Article 9C of GS Chapter 115, or the University of North Carolina, including schools operated under Articles 4, 29, and 29A of GS Chapter 116.

Provides that if Senate Bill 99 (Appropriations Act of 2018) of the 2017 Regular Session becomes law, GS 115C-105.51(g) defining public secondary school is repealed.

Section 2

Modifies and adds to proposed GS 115C-105.57 (was, proposed GS 115C-105.75), which establishes the NC Center for Safer Schools (Center). Modifies the responsibilities to the Center to now include: (1) providing training and professional development for public school personnel in the development and implementation of initiatives promoting school safety (previously, providing training for public school personnel); (2) providing technical and instructional assistance to facilitate the development of partnerships between the public and private sectors to promote school safety in the state (previously, encouraging the development of these partnerships); and (3) developing model policies for threat assessment teams for local school administrative units, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of school staff or students (previously, developing model policies for threat assessment teams for public schools, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of school staff or students). Eliminates the responsibility of providing technical assistance to public schools in the development and implementation of initiatives promoting school safety. Adds the following responsibilities: (1) recommending a system of accountability to the General Assembly to document school safety exercises, including practice school lockdowns, required by GS 115C-105.49; (2) assisting law enforcement officers assigned to schools and their agencies in active shooter response drills and other pertinent school safety related training; (3) collaborating with the North Carolina Justice Academy, North Carolina Criminal Justice Education and Training Standards Commission, and the North Carolina Sheriffs' Education and Training Standards Commission to establish and maintain updated training curriculum for school resource officers; (4) coordinating grants for school resource officers in elementary and middle schools established in Section 8.36 of SL 2013-360 and ensure that training requirements for school resource officers funded by those grants are met; and (5) providing technical assistance to

local school administrative units in the development and implementation of initiatives promoting school safety. Adds to the agencies the Center is to coordinate and collaborate with in carrying out its duties the NC SBI Fusion Center, Information Sharing, & Analysis Center.

Specifies that guidelines for threat assessment teams required by Section 2 must be developed by the Center no later than December 31, 2018.

Section 3

Modifies proposed GS 115C-105.60 (was, proposed GS 115C-105.76), concerning the establishment of threat assessment teams, as follows.

Adds a new subsection to provide defined terms applicable to the statute, including *local board of education*, *superintendent*, *threat*, *threat assessment*, and *threat assessment team*. Makes conforming and organizational changes. Defines *superintendent* to mean the superintendent or, if there is no superintendent, the staff member with the highest decision making authority (previously, was the only term defined in the statute and was defined as the superintendent of a local school administrative unit or the staff member with the highest decision-making authority for all other public school units). Defines *threat* as a concerning communication or behavior that indicates that an individual poses a danger to the safety of school staff or students through acts of violence or other behavior that would cause harm to self or others. Specifies that the threat may be expressed or communicated behaviorally, orally, visually, in writing, electronically, or through any other means, and is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat. Defines *threat assessment team* as a team that includes persons with expertise in counseling, instruction, school administration, and law enforcement that conducts threat assessments in a local school administrative unit. requires that when practicable, at least one member of a threat assessment team must be a psychologist or psychiatrist. Adds that members of a threat assessment team who are not employees of the local school administrative unit can review student records as provided in 34 CFR § 99.31(a)(1)(i)(B) pursuant to a written agreement with the local school administrative unit of the requirements and responsibilities for use of student records under the federal Family Educational and Privacy Rights Act (FERPA).

Requires local boards of education to adopt policies for the establishment of threat assessment teams, including the conduct of threat assessments and intervention with individuals whose behavior may pose a threat to the safety of school staff or students (previously, required local boards of education and the governing body of each public school unit to adopt policies for the establishment of threat assessment teams, including the assessment of and intervention with students whose behavior may pose a threat to the safety of school staff or students), consistent with the model policies developed by the Center in accordance with GS 115C-105.75.

Authorizes the superintendent to establish a committee charged with coordination and monitoring of (previously, charged with the oversight of) the threat assessment teams operating within the unit as previously specified.

Adds new provisions to require each threat assessment team to conduct threat assessment to determine appropriate actions and intervention based on the level of threat determined by the assessment. Details parameters for a threat assessment team to determine the level of threat posed by an individual or situation, with threats ranging from low risk, moderate risk, high risk, and imminent risk as specified. Also requires each threat assessment team to utilize anonymous reporting applications for students to receive information about school safety concerns requiring investigation.

Adds new provisions concerning the superintendent or the superintendent's designee's response to a threat assessment team's determination that an individual poses a high risk or imminent risk threat of violence or physical harm to self or others. Requires that, in the case of an imminent risk threat, the superintendent or designee must immediately notify the appropriate local law enforcement agency, and the case of a high risk threat, the superintendent or designee must notify the appropriate local law enforcement agency when recommended by the threat assessment team. Additionally requires the superintendent or designee to refer the matter to the appropriate mental health resources when recommended by the threat assessment team. Further, requires the superintendent or designee to comply with the requirements set out in Article 27 of GS Chapter 115C for any student discipline actions.

Specifies the data each threat assessment team must report to the Center.

Deletes the previous provisions allowing a threat assessment team to obtain health or criminal records upon its preliminary determination that a student poses a threat of violence to self or others or exhibits significantly disruptive behavior or need for

assistance. Instead, establishes that a threat assessment team can obtain health or criminal records, as specified, only upon its preliminary determination that an individual poses an imminent risk threat. Specifically authorizes the threat assessment team to have access to written notifications in juvenile records pursuant to GS 7B-3101 and information gained from examination of juvenile records in accordance with GS 7B-3100 held in accordance with GS 115C-404. Establishes that information shared among members of the threat assessment team are confidential, not public record, and can only be released in connection with an emergency established by the Family Educational and Privacy Rights Act (FERPA).

Requires that all local school administrative units, as defined by new GS 115C-105.48A(1), must establish threat assessment teams as required by Section 3 no later than March 1, 2019.

Enacts GS 143B-931A, authorizing the Department of Public Safety (DPS) to provide a criminal record check to the members of a threat assessment team pursuant to GS 115-105.76 (intends new GS 115-105.60) when a preliminary determination has been made that an individual poses an imminent risk threat to school safety. Prohibits redisclosure or improper use of any criminal history information by a member of a threat assessment team.

Section 4

Amends the proposed changes to GS 115C-47 to require local boards of education to require the establishment of peer-to-peer student support programs (previously, peer to peer student counseling programs) at all schools with grades six and higher. Makes conforming changes to GS 115C-47 and GS 115C-316.1.

Amends the proposed changes to GS 115C-316.1, requiring school counselors to coordinate and provide training for students in peer-to-peer student support programs that address areas such as conflict resolution, general health and wellness, and mentoring (previously, conflict resolution was not included). Adds that the Center will support school counselors in the administration and delivery of the peer-to-peer student support programs.

Section 5

Provides that if House Bill 938 of the 2017 Regular Session becomes law, Sections 1 and 4 of the act are repealed.

Section 6

Maintains the previous provision providing that the act applies beginning with the 2018-19 school year.

Deletes the \$1 million appropriation to the Department of Public Instruction.

Intro. by Torbett, Dobson, Lewis.

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, Department of Health and
Human Services, Department of Public Instruction,
Department of Public Safety**

H 938 (2017-2018) **VARIOUS SCHOOL SAFETY CHANGES. (NEW)** Filed May 16 2018, *AN ACT TO REQUIRE PEER-TO-PEER SUPPORT PROGRAMS AT ALL SCHOOLS WITH GRADES SIX AND HIGHER; TO REQUIRE ANNUAL FACILITY VULNERABILITY ASSESSMENTS FOR EACH PUBLIC SCHOOL BUILDING; TO REQUIRE AN ANNUAL REPORT ON SCHOOL RESOURCE OFFICERS BY EACH LOCAL SCHOOL ADMINISTRATIVE UNIT AND THE CENTER FOR SAFER SCHOOLS; TO DEFINE SCHOOL RESOURCE OFFICER AND ESTABLISH SCHOOL RESOURCE OFFICER TRAINING REQUIREMENTS; AND TO REQUIRE ALL PUBLIC SCHOOLS AND TO ENCOURAGE NONPUBLIC SCHOOLS TO DEVELOP A SCHOOL RISK MANAGEMENT PLAN, HOLD SCHOOL SAFETY EXERCISES, AND PROVIDE SCHOOL SAFETY INFORMATION TO LOCAL LAW ENFORCEMENT AND THE DIVISION OF EMERGENCY MANAGEMENT.*

House committee substitute makes the following changes to 1st edition. Deletes all provisions of the previous edition, except where indicated, and replaces it with the following. Makes conforming changes to the act's titles.

Part I

Amends GS 115C-47, adding new subdivision (64), requiring local boards of education to require creation of peer-to-peer student support programs at all schools with grades six and higher. Encourages creation of support programs for other grade levels.

Amends GS 115C-316.1, adding new subdivision (c), requiring school counselors to coordinate and provide training for students in peer-to-peer student support programs that address areas such as conflict resolution, general health and wellness, and mentoring. Directs the Center for Safer Schools to support school counselors in the administration and delivery of peer-to-peer student support programs.

Part II

Amends GS Chapter 115C, Article 8C, adding new section 115C-105.52A, titled "Facility vulnerability assessments." Requires each local school administrative unit to require each school to complete a facility vulnerability assessment for each school building at least once annually. Directs the Center for Safer Schools, in collaboration with the Department of Public Instruction, Division of School Operations, and the Department of Public Safety, Division of Emergency Management, to develop a facility vulnerability assessment tool, to be used when completing facility vulnerability assessments.

Further amends GS 115C-105.49A(b) to require SRRMS to integrate any facility vulnerability assessments as part of the SRMP pursuant to GS 115C-105.52A whenever technically feasible. Directs the Center, in collaboration with Division of Public Instruction, Division of School Operations and Division of Emergency Management to develop the facility vulnerability assessment tool by January 15, 2019. Directs each local school administration unit to require each unit under its control to complete facility vulnerability assessment for each school building before the end of the 2018-19 school year.

Part III

Amends GS Chapter 115C, Article 8C, adding new section 115C-105.58, titled "school resource officer reports." Requires each local school administrative unit to annually report in writing by September 15 to the Center for Safer Schools the number of school resource officers and the placement of each officer in the administrative unit. The report must include the source of funding and method of employment for each school resource officer position. Requires the Center for Safer Schools to provide annually by November 15 to the Joint Legislative Education Oversight Committee an executive summary and the disaggregated data for each local school administrative unit regarding the information reported by the school administrations.

Part IV

Amends GS Chapter 115C, Article 8C, adding new section 115C-105.59, defining a school resource officer as a law enforcement officer who is assigned to one or more public schools, at least 20 hours per week, to assist with school security, emergency preparedness and response, and any other responsibility assigned by the employer may SRO be employed by the local board of education or governing board of a public school, or by a local law enforcement agency. Requires all school resource officers to comply with any continuing education training requirements. A law enforcement officer who did not serve as a school resource officer during the 2018-19 school year must also complete initial training. Requires the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission (Commission), in collaboration with the Center for Safer Schools, to establish initial training and continuing education standards for school resource officers. Standards must include diversity, tactical, and mental health training. Amends GS 17C-6(a) and GS 17E-4(a) to require the Commissions to establish initial training and continuing education training standards for school resource officers. Initial training standards must be established by January 15, 2019. This section is effective when it becomes law and applies to school resource officers employed beginning with the 2019-20 school year.

Part V

The following provisions are effective July 1, 2019, and apply beginning with the 2019-20 school year.

Codifies GS 115C-105.46, GS 115C-105.47A, and GS 115C-105.48 into Part 1 of Article 8C of GS Chapter 115C and entitles Part I as "Local Plans for Alternative Schools/Alternative Learning Programs." Codifies the remaining portions of Article 8C into Part 2, entitled "Maintaining Safe and Orderly Schools."

Enacts new GS 115C-105.48A in Part 2, providing as follows. Defines local school administrative unit as: the local board of education of a local school administrative unit, the board of directors of a charter school, the board of directors of a regional school, the governing entity of a school providing elementary or secondary instruction operated by the State Board of

Education or the University of North Carolina. Defines public secondary school as any of the following types of public school serving grades six or higher: a school under the control of a local board of education, a school under the control of the State Board of Education, a school under the control of the University of North Carolina, a charter school, or a regional school.

Amends GS 115C-105.49A(b), as amended earlier in the act, to require that the Division of Emergency Management leverage the schematic diagrams of school facilities provided by local school administrative units as well as nonpublic schools (was, local school administrative units only) when constructing the SRRMS.

Amends GS 115C-105.53(b) to allow nonpublic schools to use the standards developed by the Department of Instruction to assist in preparing their schematic diagrams.

Amends GS 115C-218.75 by requiring charter schools to comply with the applicable requirements of Part 2 of Article 8C. Makes conforming repeals to GS 115C-218.75(b) concerning charter school risk management plans, (d) concerning charter school safety exercises, and (e) concerning providing charter school safety information to the Division of Emergency Management.

Amends GS 115C-238.66 requiring regional schools to comply with the applicable requirements of Part 2 of Article 8C. Makes conforming repeals to GS 115C-238.66(7a) concerning school risk management plans for regional schools, (7b) concerning schematic diagrams and school crisis kits for regional schools, (7c) concerning school safety exercises at regional schools, and (7d) concerning regional schools providing safety information to the Division of Emergency Management.

Amends GS 116-239.8 by requiring laboratory schools to comply with the applicable requirements of Part 2 of Article 8C. Makes conforming repeals of (b)(10-13) concerning laboratory school risk management plans, schematic diagrams and school crisis kits, school safety exercises, and providing safety information to the Division of Emergency Management.

Amends GS 115C-75.9 by requiring innovative schools to comply with the applicable requirements of Part 2 of Article 8C.

Enacts new GS 115C-150.16 requiring a school governed by Article 9C (Schools for Students with Visual and Hearing Impairments) to comply with the applicable requirements of Part 2 of Article 8C.

Enacts new GS 116-69.2 requiring the North Carolina School of the Arts to comply with the applicable requirements of Part 2 of Article 8C.

Amends GS 116-235 requiring the North Carolina School of Science and Math to comply with the applicable requirements of Part 2 of Article 8C.

Retains changes to GS 115C-551 from the previous edition concerning private church school risk management plans, schematic diagrams and crisis kits, school safety exercises, and providing school safety information to the Division of Emergency Management.

Retains changes to GS 115C-559 from the previous edition concerning nonpublic school risk management plans, schematic diagrams and crisis kits, school safety exercises, and providing school safety information to the Division of Emergency Management.

Repeals GS 115C-105.51(g); defining "public secondary school," if Senate Bill 99 (Appropriations Act of 2018) becomes law.

Part VI

Except as otherwise provided, effective when the act becomes law.

Intro. by J. Bell, Lewis, Torbett.

[GS 17C, GS 17E, GS 115C, GS 116](#)

[View summary](#)

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

House committee substitute makes the following changes to 1st edition. Amends GS 143-139(b) by deleting proposed (b2) concerning liability for negligence by a market place pool Code-enforcement official and moves it to new GS 143-139.4. Makes other conforming changes.

Amends GS Chapter 143, Article 9, adding new section GS 143-139.4, titled "Certain building inspections by State." Provides that when a permit holder has been informed by a local inspection department that any inspection has not been, or will not be, conducted within two business days after first requested, the permit holder may request in writing that the Commissioner assign personnel to conduct the inspection. The submission must be on a form adopted by the Commissioner, which must at a minimum contain the permit holder's name and contact information, a copy of the building permit for the building to be inspected, documentation of the date and time of the initial request to the local inspection department, and whether the local department failed to inspect within two days or notified the permit holder of its inability to inspect. Requires local inspection departments to maintain a record of each inspection request. Requires the Commissioner to verify, prior to assigning a Code-enforcement official, that the permit holder desires the inspection to be completed, that the local inspection department received an inspection request for the property, and that the inspector failed to conduct the inspection. Requires the Commissioner to notify the local inspection department that it is assigning a Code-enforcement official. In turn, prior to the inspection the local inspection department must provide the Commissioner with information regarding any outstanding building permits for that property and any previously conducted inspections on those outstanding building permits. The local inspector may also provide the Commissioner with information regarding other properties with outstanding building permits and inspections by the same permit holder or requestor. The Commissioner must provide a copy of any report produced by a Code-enforcement official to the local inspection department. The Commissioner will charge the permit holder a fee as set by the Commissioner under GS 58-2-40(1a). The fee is due to the Commissioner no later than 30 days after completion of the inspection. Any claim alleging negligence by the Code-enforcement official arising out of an inspection under this section will constitute a claim against the State and will be adjudicated according to the terms of GS Chapter 143, Article 31. A city or county, its inspection department, and its inspectors will be released from any liabilities and duties imposed under the General Statutes or Common Law from any claim arising out of any inspection performed pursuant to this section by Code-enforcement officials under this section, notwithstanding the city's or county's issuance of a certificate of occupancy. Defines *inspection*, *local inspection department*, and *requestor* as used in this statute.

Further amends GS 58-2-40 to allow the Commissioner to collect reimbursement for mileage costs incurred by Code-enforcement officials traveling to and from inspections at the rate established under GS 138-6.

Allows the Commissioner to charge a fee not to exceed \$30 per hour for inspections requested under this section until the Commissioner adopts permanent rules. Forbids the Commissioner from including travel time in the hourly rate calculation for any temporary or permanent rule for Code-enforcement official fees.

Further amends GS 153A-352 and GS 160A-412(g) to clarify that if a specific building framing inspection as required by the North Carolina Residential Code for One-and Two-Family Dwellings results in 20 or more separate violations, the inspector must forward a copy of the inspection report to the Department of Insurance.

Intro. by Brody, Riddell, Cunningham, Potts.

[View summary](#)

H 982 (2017-2018) [IDD DATA SHARING/LONGITUDINAL DATA SYSTEM](#). Filed May 22 2018, *AN ACT TO DIRECT THE GOVERNMENT DATA ANALYTICS CENTER TO ESTABLISH A TASK FORCE TO STUDY THE COLLECTION AND USE OF DATA ON EDUCATION AND EMPLOYMENT OUTCOMES FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES THROUGH THE NORTH CAROLINA LONGITUDINAL DATA SYSTEM, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.*

House committee substitute amends the 1st edition to include the North Carolina Independent Colleges and Universities (previously, more generally included private colleges or universities) in the stakeholders required to be included in the task force created by the Government Data Analytics Center to study the collection and use of data among state agencies and other stakeholders in order to evaluate education and employment programs and services for individuals with intellectual and developmental disabilities as part of the NC Longitudinal Data System.

Intro. by Bradford, Dollar, Lambeth, Sauls.

STUDY

[View summary](#)

Education, Employment and Retirement, Health and Human Services, Health

H 984 (2017-2018) [OVERSIGHT IDD EMPLOYMENT/EDUC. PROGRAMS](#). Filed May 22 2018, *AN ACT TO CREATE A POSITION WITHIN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO OVERSEE ADMINISTRATION AND COORDINATION OF EDUCATION AND EMPLOYMENT PROGRAMS FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES*.

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

Changes the act's long title.

Adds a new section directing the University of North Carolina General Administration to study whether the waiting list for university-based, post-secondary education opportunities for individuals with intellectual and developmental disabilities could be reduced or eliminated if full-time students enrolled in a two-year (4 semester) or four-year (8 semester) certificate of accomplishment program approved as a Comprehensive Transition Program (CTP) by the US Department of Education at UNC constituent institutions were categorized the same as full-time students who are enrolled in four-year degree programs. Requires the study to assess the impact of this categorical change on the reduction or elimination of waiting lists for CTPs and the associated costs. Directs UNC to report findings and recommendations resulting from the study to the Joint Legislative Education Oversight Committee and the Joint Legislative Oversight Committee on Health and Human Services no later than October 1, 2019.

Intro. by Bradford, Dollar, Lambeth, Sauls.

APPROP, STUDY, GS 115C, GS 126, GS 143B

[View summary](#)

Education, Employment and Retirement, Government, Budget/Appropriations, State Agencies, UNC System, Department of Health and Human Services, Health and Human Services, Health

H 1035 (2017-2018) [COLLEGE OF THE ALBEMARLE/DARE COUNTY](#). Filed May 30 2018, *AN ACT TO PROVIDE FLEXIBILITY TO THE COLLEGE OF THE ALBEMARLE IN USING STATE FUNDS TO ENTER INTO A CONSTRUCTION PROJECT WITH DARE COUNTY FOR EDUCATIONAL FACILITIES*.

Amends Section 1 of SL 2017-183 to allow the College of Albemarle Board of Trustees to also use state appropriated capital improvement funds for the construction of two facilities and renovation of a third facility in Dare County. Sets out the specified uses of the facilities.

Intro. by Boswell.

UNCODIFIED, Dare

[View summary](#)

Education, Higher Education, Government, State Agencies, Community Colleges System Office

H 1036 (2017-2018) [PED LOTTERY RECOMMENDATIONS](#). Filed May 30 2018, *AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA STATE LOTTERY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE*.

Amends GS 18C-114 to add to the North Carolina State Lottery Commission's (Commission) powers and duties establishing targets and implementing strategies for optimal growth and density of lottery retailer participation.

Requires the Commission to report annually by December 1 to the Joint Legislative Oversight Committee on the North Carolina State Lottery and the Fiscal Research Division on (1) the targets and efforts to grow lottery retailer participation and the amount of growth attained in the previous year and (2) the efforts taken to measure the effectiveness of advertising on the lottery's sales and revenue.

Requires the Legislative Research Commission (LRC) to study ways to increase sales revenue and funds transferred to the Education Lottery Fund. Requires that the study include at least five specified topics including an evaluation of the amount of incentives and compensation paid to lottery retailers and a comparison to incentives and compensation paid in other states, and the potential impact of changing the structure of retailer incentives and compensation on the ability of the Commission to expand the number of lottery retailers and outlets, per capita, to the level of the lotteries of the top 10 states. Requires the LRC to report its findings by December 1, 2018, to the 2019 Regular Session of the 2019 General Assembly upon its convening.

Amends GS 18C-130 to require the Commission to select advertising methods that maximize revenue generation while minimizing expenses by using data to assess the impact of different advertising strategies and forms.

Intro. by Horn, Lucas.

[STUDY, GS 18C](#)

[View summary](#)

[Government, General Assembly, Lottery and Gaming](#)

H 1037 (2017-2018) [SUPERIOR COURT DISTRICT 4](#). Filed May 30 2018, *AN ACT TO MODIFY SUPERIOR COURT DISTRICT 4*.

Amends GS 7A-41 to consolidate Superior Court Districts 4A and 4B into new District 4, consisting of Duplin, Jones, Onslow and Sampson counties. Establishes that only persons who reside in Onslow County can be candidates for one of the judgeships in District 4, and only persons who reside in Duplin, Jones, or Sampson County can be candidates for the remaining judgeship in District 4. Applies to elections held in 2018 and thereafter.

Intro. by Dixon, Cleveland, Shepard.

[GS 7A](#)

[View summary](#)

[Courts/Judiciary, Court System](#)

H 1038 (2017-2018) [HEALTHY MOTHER & CHILD/SHACKLING PROHIBITION](#). Filed May 30 2018, *AN ACT TO ENSURE HEALTHY PREGNANCIES FOR FEMALE PRISONERS AND DETAINEES*.

Enacts new Article 84C, Treatment of Pregnant Prisoners and Detainees, in GS Chapter 15A.

Prohibits a *correctional institution* (defined as any unit of the State prison system, local confinement facility, juvenile detention facility, or other entity under the authority of any State or local law enforcement agency that has the power to detain or restrain a person under the laws of this State) from using restraints on a prisoner or detainee known to be pregnant, including during labor, transport to a medical facility, delivery, and postpartum recovery, unless the corrections official determines that the prisoner or detainee presents an extraordinary circumstance. Defines an extraordinary circumstance as a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the prisoner or detainee, the staff of the correctional institution or medical facility, other prisoners or detainees, or the public.

Specifies that, despite a determination that there are extraordinary circumstances, if the health professional treating the prisoner or detainee requests that restraints not be used, the corrections officer accompanying the prisoner or detainee must immediately remove all restraints. Also prohibits using leg or waist restraints on any prisoner or detainee who is in labor or delivery under any circumstances.

Requires that if restraints are used the type of restraint applied and the application of the restraint must be accomplished in the least restrictive manner necessary, and requires the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of the restraints. Requires the findings to be kept on file for at least five years and be made available for public inspection.

Requires all correctional facilities in the State to develop the rules mandated under this act within 30 days of the date this act becomes law and to inform prisoners and detainees within their custody of those rules within 60 days of the date this act becomes law.

Appropriates \$250,000 for 2018-19 from the General Fund to the Department of Public Safety, Division of Adult Correction and Juvenile Justice, to be allocated to policy implementation, education, and training of the procedures outlined in the act.

Effective July 1, 2018.

Intro. by B. Richardson, Cunningham.

[APPROP, GS 15A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Government, Budget/Appropriations, State Agencies, Department of Public Safety, Health and Human Services, Health](#)

H 1039 (2017-2018) [SCHOOL SELF-DEFENSE ACT](#). Filed May 30 2018, *AN ACT TO AUTHORIZE CERTAIN MEMBERS OF THE FACULTY OR STAFF OF A SCHOOL TO CARRY A HANDGUN ON THE SCHOOL GROUNDS TO RESPOND TO ACTS OF VIOLENCE OR AN IMMINENT THREAT OF VIOLENCE.*

Amends GS 14-269.2, which prohibits weapons on campus or other educational property. Adds to the exceptions from the prohibition a volunteer school faculty guardian, defined as a person who (1) is a member of the faculty or staff of a school, (2) is a full-time or part-time employee, and (3) possesses a valid concealed handgun permit issued to the person in accordance with Article 54B of GS Chapter 14. Specifies that the volunteer school faculty guardian exception only applies while the person is on the grounds of the school the person is employed by or assigned to, and the person: (1) successfully completes 16 hours of active shooter training in the School Faculty Guardian program developed and administered by the NC Criminal Justice Education and Training Standards Commission (Commission), (2) annually submits to the school chief administrator written notice that the person continues to possess a valid concealed handgun permit, (3) annual provides evidence satisfactory to the school chief administrator that the person has demonstrated proficiency with the type of handgun and handgun retention system used, (4) only possesses the handgun during the conduct of his or her duties when on school grounds, (5) keeps the handgun concealed at all times while on school grounds except when responding to violence or an imminent threat of violence (defines *violence* to mean physical injury that a reasonable person would conclude could lead to permanent injury or death), and (6) submits to annual drug testing. Authorizes the governing body or entity of a school to opt out and instead prohibit a person from possessing a handgun on the grounds of the school(s) under its control.

Amends GS 17C-6, adding to the duties of the Commission the duty to establish and administer the School Faculty Guardian program that provides active shooter training to volunteer school faculty guardians.

Specifies that the provisions of GS 143C-5-2, concerning the order of appropriations bills, do not apply to this act.

Appropriates \$500,000 in nonrecurring funds for the 2018-19 fiscal year from the General Fund to the Commission to be used to cover costs incurred in establishing the School Faculty Guardian program. Effective July 1, 2018.

Intro. by Pittman, Speciale, Blust, Brody.

[APPROP, GS 14, GS 17C, GS 143C](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Government, Budget/Appropriations](#)

H 1040 (2017-2018) [AMEND SUM EJECT SERVICE/ALLOW PROCESS SERVER](#). Filed May 30 2018, *AN ACT TO ALLOW SUMMARY EJECTMENT CLAIMS TO BE SERVED BY A PRIVATE PROCESS SERVER WHEN RETURNED UNEXECUTED, TO CLARIFY THE CALCULATION OF TIME LINES WHEN SERVING A SUMMONS IN SUMMARY EJECTMENT CASES, AND TO ALLOW THE PLAINTIFF IN A SUMMARY EJECTMENT ONLY CLAIM TO UTILIZE A PRIVATE PROCESS SERVER IN COUNTIES*

WITH POPULATIONS OF NINE HUNDRED THOUSAND OR GREATER, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION COMMITTEE ON PRIVATE PROCESS SERVERS.

Amends GS 1A-1, Rule 4(h1) (rule when service of process returns unexecuted), to remove the exception to this rule for claims served by a magistrate pursuant to GS 7A-223(b1) and the exception to this rule for process on summary ejectment pursuant to GS Chapter 42, Article 3. In effect, these changes allow summary ejectment claims to be served by a private process server when returned unexecuted.

Amends GS 42-28 (summons issued by clerk) to add subsections (a) through (c). Subsection (a) contains the statute as written previously. Subsection (b) directs that, in counties with 900,000 or more residents as of the most recent decennial federal census, at the election of the plaintiff after summons is issued, the clerk of superior court must either return the summons to the plaintiff for service by process server pursuant to GS 42-29(b), or forward the summons to the sheriff for service. Subsection (c) allows the plaintiff to extend the action in accordance with GS 1A-1, Rule 4(d), if the magistrate severs the claim for monetary damages pursuant to GS 7A-233(b1).

Amends GS 42-29 (service of summons) to add subsections (a) through (d). Subsection (a) contains the statute as previously written, describing the procedure for service by officer. With respect to the requirement that the officer visit the home of the defendant at least two days prior to the date of the appearance to answer the complaint, removes the provision excluding legal holidays from this two-day requirement. (This provision is moved to subsection (d)). Makes clarifying change and makes language gender-neutral. Subsection (b) allows for service by process server in summary ejectment proceedings in counties with 900,000 or more residents as of the most recent decennial federal census. Allows for proper service by a process server who receives a copy of the summons and complaint from the plaintiff pursuant to GS 42-28(b)(1) by mailing a copy of the summons and complaint to the defendant no later than the end of the next business day or as soon as practicable at the defendant's last known address in a stamped, addressed envelope provided by the plaintiff. The process server must also deliver copies of the summons and complaint to the defendant by affixing copies to a conspicuous part of the premises claimed, then demonstrate compliance with this subsection through an affidavit of service. The affidavit of service must include the time, place, and manner that these requirements were completed. Subsection (c) defines *process server* as a person who the plaintiff or plaintiff's agent or counsel may cause to serve the summons and complaint for summary ejectment and who meets the requirements listed in GS 1A-1, Rule 4(h1). Subsection (d) clarifies that when computing periods of time for service by an officer, only legal holidays when the courthouse is closed for transactions will be excluded, notwithstanding GS 1A-1, Rule 6, and excluding periods of time involving the mailing of a copy of a summons and complaint.

Effective October 1, 2018, and applies to actions for summary ejectment in which the summons is issued by the clerk of superior court on or after that date.

Intro. by Jordan, Bradford, Earle, Szoka.

[GS 1A, GS 42](#)

[View summary](#)

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

H 1041 (2017-2018) [VIPER - SURVEY/OUTREACH/IN-KIND CONTRIBUTIONS](#). Filed May 30 2018, *AN ACT TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CONDUCT AN ANNUAL SURVEY OF VIPER USERS, TO INCREASE OUTREACH TO STAKEHOLDERS, AND TO DETERMINE THE VALUE OF IN-KIND CONTRIBUTIONS SUPPORTING THE VIPER SYSTEM, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Identical to [S 772](#), filed 5/29/18.

Directs the Department of Public Safety (Department) to conduct an annual survey of local, State, and federal users of North Carolina's Voice Interoperability Plan for Emergency Responders (VIPER) to track and measure user satisfaction and feedback. Requires the Department to submit the survey results to the Joint Legislative Oversight Committee on Justice and Public Safety beginning on November 1, 2019, and annually thereafter.

Directs the Department to increase outreach to VIPER stakeholders beyond those that participate in the State Interoperability Executive Committee. Outreach may include zone or regional meetings conducted by the State Highway Patrol with local police chiefs, sheriffs, fire chiefs, and representatives of emergency medical services.

Directs the Department to determine the value of all in-kind contributions made by units of local government, the federal government, and nongovernmental entities to support the VIPER system. In-kind contributions are defined as cash, land, buildings, towers, and equipment for VIPER sites. Directs the Department to report its findings to the Joint Legislative Oversight Committee on Justice and Public Safety by July 1, 2019.

Intro. by Hurley, R. Turner, Lucas.

UNCODIFIED

[View summary](#)

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

H 1042 (2017-2018) [DOA EFFICIENCY/PED](#). Filed May 30 2018, *AN ACT RECOMMENDING IMPROVED EFFICIENCIES OF THE STATE'S ADMINISTRATIVE SERVICES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE*.

Identical to [S 759](#), filed 5/29/18.

Directs the Department of Administration (Department) to do the following: (1) report to the Joint Legislative Oversight Committee on General Government (Committee) on the status of the Department's procurement of a contract management system for State agency-administered contracted services by December 1, 2018; (2) implement a new requirement for State agencies to obtain a 10% reduction from the annual value of each contract as a condition of awarding an amendment that extends the length of the contract by December 1, 2018; (3) reduce by 5% the June 30, 2018, inventory of State-owned passenger motor vehicles that are under the management of the Department by June 30, 2019; (4) report to the Committee and the Fiscal Research Division on prior fiscal year results for each identified performance measure set out in Program Evaluation Division Report No. 2018-04 (Report), and on the performance targets for the upcoming fiscal year, by December 1, 2018, and each December 1 thereafter.

Directs the Legislative Services Office to assign an appropriate division of the General Assembly or contract with a vendor to do the following: (1) in consultation with the Department, propose guidelines for determining employee office space usage requirements for each State-owned and leased office facility and make recommendations to ensure that the Department has reliable information to enforce the space usage requirements. In making these recommendations, the assigned division or contracted vendor is required to consider the feasibility of requiring each State agency to enter the office space requirements and facility location of each of its employees into the Integrated HR/Payroll System, or the State's payroll system that supersedes the current system. (2) Conduct a business case analysis to evaluate alternatives to reduce facility management costs and generate additional revenue through the sale or lease of the Old Revenue Building located in Raleigh. (3) Conduct a business case analysis of facility management services performed by the Department, including consideration of expanded use of contracted facility management services. (4) Conduct a business case analysis that uses the results from the document scanning pilot study performed by the Department of Revenue to explore potential savings through increased utilization of e-mail scanning for incoming mail to State agencies. (5) Conduct a business case analysis on opportunities to increase revenue receipts from State-owned parking facilities, including consideration of increasing utilization of unreserved employee spaces and leasing underutilized employee spaces and visitor spaces to public and private entities. (6) Ensure that each of the above business case analyses includes each of the factors identified in the report, and that the assigned division or contracted vendor reports on any recommendations for proposed legislation to the Committee by December 1, 2019.

Directs the Office of the State Auditor to conduct a performance audit to identify alternatives to reduce outgoing mail service costs and report its findings to the Committee by June 30, 2019.

Amends GS 143-55 (requisitioning by agencies) to require that all departments, institutions, and agencies make requisitions only through NC E-Procurement for required purchases through sources certified by the Secretary of Administration (Secretary). Purchases using other methods such as purchase cards or purchase orders are not allowed unless specifically authorized by the Secretary. Previously the law required that requisition orders be made on forms provided by the Secretary, with a copy of the form provided to the Secretary.

Intro. by Hurley.

GS 143

[View summary](#)

**Government, State Agencies, Department of Administration,
Office of State Auditor, State Government, State Property**

H 1043 (2017-2018) **APPROPRIATE FUNDS FOR VIPER BUILD-OUT**. Filed May 30 2018, *AN ACT TO APPROPRIATE FUNDS TO UPGRADE VIPER BASE STATIONS AND TO PURCHASE ASSOCIATED SOFTWARE UPDATES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Identical to [S 773](#), filed 5/29/18.

Appropriates from the General Fund to the Department of Public Safety (DPI): (1) \$20,550,265 in nonrecurring funds for the 2018-19 fiscal year to be used to purchase VIPER (Voice Interoperability Plan for Emergency Responders) base stations, base station upgrades, catch-up service upgrades, and security monitoring and (2) \$2,250,000 in recurring funds for the 2018-19 fiscal year to be used to purchase VIPER service upgrade assurance updates.

Appropriates from the General Fund to DPI \$14,250,265 in nonrecurring funds for the 2019-20 fiscal year to be used to purchase VIPER base stations.

Effective July 1, 2018.

Intro. by Hurley, R. Turner, Lucas.

[APPROP](#)

[View summary](#)

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

H 1044 (2017-2018) **GEN. ASSEMBLY/PREVENT WORKPLACE HARASSMENT**. Filed May 30 2018, *AN ACT TO REQUIRE THE GENERAL ASSEMBLY TO DEVELOP AND IMPLEMENT MANDATORY ETHICS TRAINING TO PREVENT WORKPLACE HARASSMENT AND OTHER FORMS OF DISCRIMINATION IN THE WORKPLACE, TO ADOPT CLEAR SANCTIONS POLICIES FOR WORKPLACE HARASSMENT AND OTHER FORMS OF WORKPLACE DISCRIMINATION AT THE GENERAL ASSEMBLY, TO CREATE AND IMPLEMENT A COMPLAINT FILING PROCESS THAT IS CONFIDENTIAL, AND TO APPROPRIATE FUNDS.*

Enacts GS 120-32.05, directing the Legislative Services Commission and the Legislative Ethics Committee to jointly develop, adopt, and implement by December 31, 2018, "zero tolerance" policies regarding sexual harassment, abuse, misconduct, gender bias, and all other forms of discrimination in the workplace. Requires the policies to be incorporated by reference into each chamber's permanent rules and include protections for pages and unpaid volunteers providing services to the General Assembly. Details required components of the policies, including: (1) mandatory ethics training for all legislators, officers, and legislative employees of the General Assembly; (2) effective and clear sanctions for incidents of harassment, abuse, misconduct, gender bias, and all other forms of discrimination in the workplace; (3) a complaint filing process for reporting improper conduct and violations to human resource services in the General Assembly; and (4) independent third party services, contracted by the Legislative Service Commission, to provide confidential information and advice to individuals who file complaints as well as investigative support and advice to the designated employee receiving and investigating reports of misconduct.

Appropriates \$250,000 from the General Fund from recurring funds for the 2018-19 fiscal year to the Legislative Services Commission to implement the act, with \$50,000 for literature, documents, and training materials necessary for a mandatory annual ethics training program and \$200,000 for contractual services provided by an independent third party.

Effective July 1, 2018.

Intro. by Cunningham, Butler, Adcock, B. Richardson.

[APPROP, GS 120](#)

[View summary](#)

**Employment and Retirement, Government,
Budget/Appropriations, General Assembly**

H 1045 (2017-2018) [HEALTH-LOCAL CONFINEMENT/PRISON HEALTHCONNEX](#). Filed May 30 2018, *AN ACT TO ADDRESS HEALTH ISSUES IN LOCAL CONFINEMENT FACILITIES AND TO ENSURE THAT STATE PRISONS ARE FULL PARTICIPANTS IN THE NC HEALTH INFORMATION EXCHANGE KNOWN AS NC HEALTHCONNEX, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

Identical to [S 750](#), filed 5/24/18.

Amends GS 153A-225 to provide that if a person in the custody of a local confinement facility dies, the medical examiner and the coroner must be notified immediately, regardless of the physical location of the prisoner at the time of death.

Requires the Department of Health and Human Services (DHHS) to study how to improve prisoner health screening with the goal of improving the determination that a prisoner in a local confinement facility has been prescribed life-saving medication and a process to ensure timely administration of those medications. Requires DHHS to report to the Joint Legislative Oversight Committee on Health and Human Services on or before November 1, 2018.

Requires DHHS and the Government Data Analytics Center to collaborate with local government and local law enforcement organizations to explore participating in the North Carolina Health Information Exchange Network (HIE Network) to facilitate electronic transmission of health information for prisoners in the custody of local confinement facilities. Also requires the Department of Public Safety, DHHS, and the Government Data Analytics Center to work together to ensure that the State's prison facilities are full participants in the HIE Network. Requires an interim report on or before October 1, 2018, to the Joint Legislative Oversight Committee and a final report on or before October 1, 2019, on the these required actions.

Intro. by Dobson, Lambeth, R. Turner.

[STUDY, GS 153A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Government, State Agencies, Department of Health and Human Services, Department of Public Safety, Local Government, Health and Human Services, Health](#)

H 1046 (2017-2018) [PSYCHOLOGY INTERJDTL. COMPACT \(PSYPACT\)](#). Filed May 30 2018, *AN ACT ESTABLISHING A PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT), AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

Identical to [S 748](#), filed 5/24/18.

Includes whereas clauses.

Recodifies Article 18A (Psychology Practice Act) of GS Chapter 90 as Article 18G.

Enacts new Article 18H, Psychology Interjurisdictional Licensure Compact, in GS Chapter 90. Sets out six purposes and objectives of the Psychology Interjurisdictional Licensure Compact (Compact), including increasing public access to professional psychological services by allowing telepsychological practice across state lines and temporary in-person, face-to-face services into a state in which the psychologist is not licensed to practice and enhancing the states' ability to protect public health and safety. Defines terms that are used in the Article, including telepsychology, which is defined as the provision of psychological services using telecommunication technologies.

Specifies that the home state is a compact state where a psychologist is licensed to practice psychology. Allows a psychologist to hold one or more compact state licenses at a time and allows a compact state to require a psychologist not previously licensed in a compact state to obtain and retain a license to practice in the compact state under circumstances not allowed by the Authority to Practice Interjurisdictional Telepsychology under the terms of the Compact. Also allows a compact state to require a psychologist to obtain and retain a license to be authorized to practice in a compact state under circumstances not authorized by Temporary Authorization to Practice under the Compact terms. Temporary Authorization to Practice is a licensed psychologist's authority to conduct temporary in-person, face-to-face practice, within the limits authorized under the

Compact, in another compact state. Temporary in-person, face-to-face practice is where a psychologist is physically present (not through the use of telecommunications technologies), in the distant state to provide for the practice of psychology for 30 days within a calendar year and based on notification to the distant state. Sets out five conditions that must be met in order for a home state's license to authorize a psychologist to practice in a receiving state (defined as a compact state where the client/patient is physically located when the telepsychological services are delivered), including that the compact state has a mechanism in place for receiving and investigating complaints about licensed individuals and the compact state complies with the bylaws and rules of the Psychology Interjurisdictional Compact Commission (Commission). Sets out five similar conditions that must be met in order for a home state's license to grant Temporary Authorization to Practice to a psychologist in a distant state.

Establishes requirements that psychologists licensed to practice in a compact state must meet in order to exercise the Authority to Practice Interjurisdictional Telepsychology (defined as a licensed psychologist's authority to practice telepsychology, within the limits authorized under the Compact, in another compact state), including holding a graduate degree in psychology that meets specified criteria, possessing a current, full, and unrestricted license to practice in a home state that is also a compact state, and having no criminal record history reported on an identity history summary that violates Commission rules. Provides that the home state maintains authority over the license of any psychologist practicing into a receiving state and makes a psychologist practicing into a receiving state subject to the receiving state's scope of practice. Prohibits a psychologist from practicing telepsychology in a compact state if the psychologist's license is restricted, suspended, or otherwise limited.

Establishes requirements that psychologists licensed to practice in a Compact State must meet in order to exercise the Temporary Authorization to Practice, including holding a graduate degree in psychology that meets specified criteria; possessing a current, full, and unrestricted license to practice in a home state that is also a compact state; and having no criminal record history that violates Commission rules. Requires a psychologist practicing into a distant state under the Temporary Authorization to Practice to practice within the scope of practice authorized by the distant state; psychologists practicing into a distant state are subject to the distant state's authority and law. Prohibits a psychologist from practicing telepsychology in a compact state if the psychologist's license is restricted, suspended, or otherwise limited.

Allows a psychologist to practice in a receiving state only in the performance of the scope of practice for psychology as assigned by the appropriate state psychology regulatory authority and under the following circumstances: (1) the psychologist initiates a client/patient contact in a home state via telecommunications technologies with a client/patient in a Receiving State or (2) other conditions regarding telepsychology as determined by Commission rules.

Sets out conditions under which a home state or receiving state may take adverse action against a psychologist and the procedures that are to be followed.

Sets out additional authority granted to a compact state's psychology regulatory authority, including issuing cease and desist and/or injunctive relief orders to revoke a psychologist's Authority to Practice Interjurisdictional Telepsychology and/or Temporary Authorization to Practice.

Requires the Commission to develop and maintain a coordinated licensure information system (coordinated database) and reporting system that contains licensure and disciplinary action information on all psychologists to whom the Compact is applicable. Sets out information that compact state must provide to the coordinated database. Sets out additional procedures for not sharing designated information and expunging information in the coordinated database.

Provides for the creation of a joint public agency by the compact states to be known as the Psychology Interjurisdictional Compact Commission (Commission). Sets out requirements for Commission membership, voting, and meetings, which are to occur at least once during each calendar year. Requires the Commission to prescribe bylaws and/or rules to govern its conduct. Establishes the Commission's 14 powers, including bringing and prosecuting legal proceedings or actions in the name of the Commission; borrowing, accepting, or contracting for services of personnel; disposing of any property; and establishing a budget and making expenditures. Sets out requirements for the Executive Board, made up of six elected officers. Sets out provisions governing the financing of the Commission. Provides for qualified immunity, defense, and indemnification of Commission members, officers, executive director, employees and representatives.

Establishes criteria that must be met and procedures that must be followed when the Commission exercises its rule-making powers. Provides that if a majority of the legislatures of the compact states reject a rule by enactment of a statute or resolution in the same manner used to adopt the Compact, then the rule has no further force and effect in any compact state. Includes

situations when public hearing requirements must be met before a rule or amendment is adopted. Sets out conditions for adoption of emergency rules.

Requires the executive, legislative, and judicial branches in each compact state to enforce the Compact and gives the Compact's provisions and rules standing as statutory law. Sets out actions that are taken when a compact state has defaulted in the performance of its obligations or responsibilities, including termination of membership only after all other means of securing compliance have been exhausted. Provides for dispute resolution upon request by a compact state. Requires the Commission to enforce Compact provisions and rules and sets out further enforcement requirements.

Provides that the Compact comes into effect on the date on which the Compact is enacted into law in the seventh compact state. Any state that joins after the initial adoption of the rules will be subject to the rules as they exist on the date on which the Compact becomes law in that state. Sets out provisions governing withdrawing from the Compact. Allows the Compact to be amended by the compact states.

Effective when at least seven states have enacted the Compact. Requires the North Carolina Psychology Board to report to the Revisor of Statutes when the Compact has been enacted by the seven member states.

Intro. by Dobson, Lambeth, White.

GS 90

[View summary](#)

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

H 1047 (2017-2018) [LRC HOA DISPUTE RESOLUTION/PED STUDY](#). Filed May 30 2018, *AN ACT TO DIRECT THE PROGRAM EVALUATION DIVISION TO STUDY THE CREATION OF A PROCESS FOR MEDIATION, ARBITRATION, OR OTHER ALTERNATIVE DISPUTE RESOLUTION METHODS FOR DISPUTES ARISING BETWEEN PROPERTY OWNERS AND PROPERTY OWNERS ASSOCIATIONS AND THEIR RESPECTIVE GOVERNING ENTITIES, AS RECOMMENDED BY THE LEGISLATIVE RESEARCH COMMISSION.*

Requires the Joint Legislative Program Evaluation Oversight Committee to include in the Program Evaluation Division's (PED) work plan an evaluation of possible alternative dispute resolution (ADR) methods for disputes between property owners and property owners associations and their respective governing entities. Requires that the study determine: (1) potential financial burdens and which party should bear the burden, (2) whether the process should be binding, (3) whether a body should be established to administer ADR matters, and (4) what role the State should have in establishing a framework for managing disputes. Requires PED to report to the Joint Legislative Program Evaluation Oversight Committee on or before October 1, 2018.

Intro. by Stevens.

STUDY

[View summary](#)

Development, Land Use and Housing, Property and Housing, Government, General Assembly

H 1048 (2017-2018) [REQUIRE EQUAL ACCESS TO ADVANCED CLASSES](#). Filed May 30 2018, *AN ACT TO REQUIRE ACCESS TO ADVANCED CLASSES FOR ALL STUDENTS WHO SCORE LEVEL FIVE ON END-OF-GRADE TESTS IN THIRD THROUGH SEVENTH GRADE.*

Amends GS 115C-150.7, adding subsection (b1), directing each local board of education to include in the identification of academically or intellectually gifted students any student in third through seventh grade who achieves level five on the end-of-grade math test or who scores in the ninetieth percentile or above on an aptitude test administered by the local school administration for the purpose of identifying gifted students. For students identified as gifted by these criteria, directs the plan to make available the same programs and courses that are available to students identified as gifted by other procedures, provide placement priority in courses over students who scored below the qualifying criteria, and to not exclude these students from any gifted programs or courses unless a parent or guardian of the student provides written consent for the child to be excluded.

Directs the local plan to only allow for placement of students who scored below these qualifying criteria, or who qualified for gifted placement based on an evaluation from a private provider, if space is available after placing all qualified students. Makes a clarifying change.

Appropriates \$677,948 in recurring funds for the 2018-19 fiscal year from the General Fund to the Department of Public Instruction to implement the requirements of this act.

Amends SL 2017-57, Section 7.2(a), to increase the amount of funds allocated for each academically gifted child in the 2018-19 fiscal year, from \$1,314.56 per child to \$1,350 per child. Restricts the amount of funds each local school administrative unit receives to a maximum of 4% of its 2018-19 allocated average daily membership, regardless of the number of children in that unit identified as gifted.

Effective July 1, 2018, and applies beginning with the 2019-20 school year.

Intro. by Hanes, Malone.

[APPROP, GS 115C](#)

[View summary](#)

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

H 1049 (2017-2018) [SUPPORT SUSTAINABLE FISHERIES COMMUNITIES](#). Filed May 30 2018, *AN ACT TO RESTORE THE JOINT LEGISLATIVE OVERSIGHT COMMISSION ON SEAFOOD AND AQUACULTURE, TO REFORM THE STATUTES GOVERNING APPOINTMENTS TO THE MARINE FISHERIES COMMISSION, AND TO IMPOSE A MORATORIUM ON CERTAIN RULE-MAKING POWERS OF THE MARINE FISHERIES COMMISSION PENDING A STUDY OF ITS STRUCTURE AND FUNCTIONING*.

Sets forth findings of the General Assembly concerning the management and promotion of coastal fisheries, aquaculture, and mariculture.

Repeals subdivisions 1.2(a)(5) and 1.2(b)(3) and Sections 2.26 through 2.29 of SL 2011-291, and reenacts Article 12F of GS Chapter 120 as it existed prior to its repeal by SL 2011-291, to restore the Joint Legislative Oversight Commission on Seafood and Aquaculture (Commission), its duties, and related reporting provisions.

Amends GS 120-70.62, as reenacted, to eliminate the Commission's duty to make recommendations regarding regulatory matters relating to the seafood and aquaculture industries, including increasing the State's representation and decision making ability by dividing the State between the Atlantic and South Atlantic regions of the National Division of Marine Fisheries and evaluating the necessity to substantially increase penalties for trespass and theft of shellfish and other aquaculture products. Replaces this previous duty to instead require the Commission to evaluate the adequacy of penalties for trespass and theft of shellfish and other aquaculture products. Makes technical changes.

Details six ongoing duties of the Commission, including reviewing guidance documents, proclamations, or other regulatory actions taken by the Division of Marine Fisheries.

Repeals GS 120-76(15), thereby removing duties related to seafood and aquaculture from the duties of the Joint Legislative Commission on Governmental Operations.

Amends GS 113-182, directing the Department of Environmental Quality (DEQ) to annually report to the Commission no later than September 1 regarding the status of the marine and estuarine resources within the jurisdiction of the Division of Marine Fisheries.

Appropriates \$100,000 in nonrecurring funds for the 2018-19 fiscal year from the General Fund to the General Assembly for the review and study of the issues set out by the act in the Commission's ongoing duties.

Appropriates \$100,000 in nonrecurring funds for the 2018-19 fiscal year from the General Fund to DEQ for the completion of the required directives to the Division of Marine Fisheries.

Amends GS 143B-289.54 concerning membership of the Marine Fisheries Commission appointed by the Governor. Eliminates the requirements set out in subdivisions (a)(7) and (a)(8) that two members be persons having general knowledge of and

experience related to subjects and persons regulated by the Marine Fisheries Commission. Replaces the requirement in subdivision (a)(7) to now require that one member be a person actively connected with and experienced as a licensed fish dealer or in seafood processing or distribution as demonstrated by deriving at least 50% of annual earned income from activities involving the buying, selling, processing, or distribution of seafood landed in the State. Provides that the term of the member of the Marine Fisheries Commission appointed under subdivision (a)(7) expires June 30, 2018. Directs the Governor to appoint a new member under new subdivision (a)(7) to serve a term expiring on June 30, 2022, and thereafter three-year terms in accordance with GS 143B-289.54(d). Replaces the requirement in subdivision (a)(8) to now require that one member be a person actively engaged in the sports fishing industry as demonstrated by deriving at least 50% of annual earned income from selling goods or services in the State. Directs the Governor to appoint a new member under new subdivision (a)(8). Specifies that the spouse of a person qualified under either new member requirement can be appointed provided that the spouse is actively involved in the qualifying business. Effective June 30, 2018.

Establishes a moratorium on the authority of the Marine Fisheries Commission to propose and adopt rules to carry out the duties set out in GS 143B-289.52(a) to be followed in the management, protection, preservation, and enhancement of the marine and estuarine resources within its jurisdiction. Excepts from the moratorium: (1) rules necessary to carry out the duties specified in subdivisions (3) (rules necessary to develop and improve mariculture), (4) (power to close areas of public bottoms under coastal fishing waters as necessary in any program of propagation of shellfish), (5) (power to institute an action to contest the claim of title or claimed right of fishery in any navigable waters of the State registered with DEQ), (6) (power to make reciprocal agreements with other jurisdictions) and (11) (power to approve Coastal Habitat Protection Plans); (2) rules preventing overfishing of a species as specified; and (3) rules required by a provision of federal law or regulation to avoid federal assumption of fisheries management in the State. Directs the Commission as reestablished to study the Marine Fisheries Commission during the moratorium, including an analysis of its membership, appointment and terms, and meeting and quorum requirements. Expires on the earlier of the 31st legislative day, or in the case of a regular session lasting less than 31 days, the date of adjournment of the next regular session of the General Assembly beginning after the date the Commission adopts a report setting forth the results of the study and its legislative recommendations, or the date the General Assembly convenes for the 2021 Regular Session.

Intro. by Speciale.

[APPROP, STUDY, GS 113, GS 120, GS 143B](#)

[View summary](#)

[Environment, Aquaculture and Fisheries, Government, Budget/Appropriations, General Assembly](#)

H 1050 (2017-2018) [EXPANSION OF STATE VETERANS CEMETERIES](#). Filed May 30 2018, *AN ACT TO AUTHORIZE THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS TO APPLY FOR FEDERAL FUNDS FOR THE EXPANSION OF SANDHILLS STATE VETERANS CEMETERY AND WESTERN CAROLINA STATE VETERANS CEMETERY AND TO APPROPRIATE THOSE FUNDS*.

Authorizes the Department of Military and Veteran Affairs (Department) to apply for federal funds for the expansion of Sandhills State Veterans and Western Carolina State Veterans Cemetery to make site improvements. Authorizes the Department to use the fund balance from Budget Code 23050 and any other funds available to the Department for the required 10% match for this grant.

Appropriates matching state funds from the 23050 Special Revenue Account to match the federal funds for these site improvements.

Effective July 1, 2018.

Intro. by Cleveland, Riddell, Floyd.

[UNCODIFIED](#)

[View summary](#)

[Health and Human Services, Health, Public Health, Military and Veteran's Affairs](#)

H 1051 (2017-2018) [RESTORE MASTER'S SUPPLEMENT FOR TEACHERS](#). Filed May 30 2018, *AN ACT TO APPROPRIATE FUNDS TO REINSTATE EDUCATION-BASED SALARY SUPPLEMENTS FOR CERTAIN SCHOOL EMPLOYEES*.

Repeals SL 2013-360, Section 8.22, as amended by SL 2014-100, Section 8.3 (qualifications for certain education-based salary supplements). Directs the use of State Board of Education Policy TCP-A-006, as it was in effect on June 30, 2013, to determine whether teachers and instructional support personnel are paid on the *M* salary schedule and whether they receive a salary supplement for academic preparation at the six-year or doctoral degree level.

Appropriates \$8 million in recurring funds for the 2018-19 fiscal year from the General Fund to the Department of Public Instruction to reinstate education-based salary supplements for certain school employees in accordance with this act.

Effective July 1, 2018.

Intro. by Cunningham, Insko, Farmer-Butterfield, B. Richardson.

[APPROP](#)

[View summary](#)

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

H 1052 (2017-2018) [FUND SROS AND CRISIS TRAINING](#). Filed May 30 2018, *AN ACT TO FUND SCHOOL RESOURCE OFFICERS AND INCREASE CRISIS INTERVENTION TRAINING*.

Appropriates \$118,796,568 in recurring funds for the 2018-19 fiscal year from the General Fund to the Department of Public Instruction to be allocated to each local administrative unit to employ school resource officers at a ratio of at least one resource officer for every 500 students.

Appropriates \$27,280 in nonrecurring funds for the 2018-19 fiscal year from the General Fund to the Department of Public Instruction to provide Crisis Intervention Team Training on Recognizing Youth Related Emotional and Mental Health Crisis for school resource officers and other personnel supporting youth in crisis.

Effective July 1, 2018.

Intro. by Cunningham, Black, Farmer-Butterfield, Carney.

[APPROP](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, Public Safety, State Agencies, Department of Public Instruction, Health and Human Services, Mental Health](#)

H 1053 (2017-2018) [NEED-BASED SCHOL./FUNDS/MAIN PERMANENT CAMPUS](#). Filed May 30 2018, *AN ACT TO ALLOW ELIGIBLE PRIVATE POSTSECONDARY INSTITUTIONS WITH CAMPUSES ACCREDITED PRIOR TO JANUARY 1, 2014, TO MEET THE DEFINITION OF MAIN PERMANENT CAMPUS FOR THE PURPOSES OF THE NEED-BASED SCHOLARSHIP PROGRAM BY PROVIDING CLASSROOMS WITH FULL-TIME FACULTY MEMBERS AND ADMINISTRATION ON THE CAMPUS AND TO APPROPRIATE FUNDS TO EXPAND THE AVAILABILITY OF NEED-BASED SCHOLARSHIPS UNDER THE PROGRAM*.

Amends GS 116-280 (containing the definitions for Article 34 concerning need-based scholarships for students attending private institutions of higher education), subsection (4), adjusting the definition of *main permanent campus* to mean a private postsecondary institution that engages in postsecondary degree activity as defined in GS 116-15, and meets at least one of the following requirements: (1) provides permanent on-premises housing, food services, and classrooms with full-time faculty members and administration or (2) provides classrooms with full-time faculty members and administration if the campus of the school was accredited by the Southern Association of Colleges and Schools under the standards of the College Delegate

Assembly of the Association or by the New England Association of Schools and Colleges through its Commission on Institutions of Higher Education prior to January 1, 2014. Previously, the law did not provide for option (2).

Appropriates \$1 million in recurring funds for the 2018-19 fiscal year from the General Fund to the Board of Governors of the University of North Carolina to be allocated to the State Education Assistance Authority for the award of scholarships pursuant to the North Carolina Need-Based Scholarships for Students Attending Private Institutions of Higher Education.

Effective July 1, 2018, and applies to the award of scholarships beginning with the 2018-19 academic year.

Intro. by R. Moore.

APPROP, GS 116

[View summary](#)

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

H 1054 (2017-2018) **UNC CAPITAL PROJECTS**. Filed May 30 2018, *AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.*

Provides the purpose of the act is to authorize (1) the acquisition or construction of the capital improvements projects identified for the respective UNC institutions and (2) the financing of the identified projects with funds available from gifts, grants, receipts, self-liquidating indebtedness, Medicare reimbursements for education costs, hospital receipts from patient care, or other funds, or any combination of these funds, but excluding funds received from tuition or appropriated from the General Fund unless previously authorized by statute.

Identifies the capital improvement projects and their respective costs authorized to be acquired or constructed and financed as specified by the act. The projects and their costs include:

- Sanford Hall Complete Renovation and Modernization at Appalachian State University for \$18 million
- Translation Research Building and Parking Deck at S1 Lot at UNC-Chapel Hill for \$23 million and \$6,782,516, respectively
- Residence Hall Phase XVI at UNC-Charlotte for \$34 million
- Ragsdale Mendenhall Residence Hall Renovation at UNC-Greensboro for \$8 million
- Campus Rec/Baseball Softball Outdoor Complex at UNC-Pembroke for \$4.4 million
- Parking Deck II and Surface Parking at UNC-Wilmington for \$20,420,000

Allows the Director of the Budget, at the request of the UNC Board of Governors (BOG) and upon determining that it is in the best interest of the state, to authorize an increase or decrease in the cost of or change in the method of funding the identified projects. Permits consultation with the Joint Legislative Commission on Governmental Operations in determining whether to authorize a change in cost or funding.

Subject to the approval of the Director of Budget, authorizes the BOG to issue special obligation bonds to pay all or part of the cost of acquiring, constructing, or providing for the identified capital improvement projects set out above. Limits the maximum principal amount of bonds from exceeding the specified project cost provided by the act plus 5% of that amount to pay administrative and other expenses.

Intro. by Brawley, Saine, Jordan.

UNCODIFIED

[View summary](#)

Government, State Agencies, UNC System

PUBLIC/SENATE BILLS

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

SAME ELECTION.

House committee substitute to the 1st edition is to be summarized.

Intro. by Brock, Daniel, Tillman.

[View summary](#)

S 757 (2017-2018) [MECKLENBURG COURT DISTRICTS FAIRNESS ACT](#). Filed May 28 2018, *AN ACT TO ALIGN THE SUPERIOR AND DISTRICT COURT DISTRICTS IN MECKLENBURG COUNTY.*

Senate amendment #1 makes the following changes to the 2nd edition. Amends the proposed changes to GS 7A-41(b) regarding the composition of superior court judicial districts in Mecklenburg County to move VTD 038, VTD 049, and VTD 051 from District 26E to District 26D, and to move VTD 078.1 and VTD 200 from District 26D to District 26E. Makes identical changes to the proposed changes to GS 7A-133(b) regarding the composition of district court judicial districts in Mecklenburg County.

Intro. by Bishop, Tarte.

Mecklenburg, GS 7A

[View summary](#)

[Courts/Judiciary, Court System](#)

S 777 (2017-2018) [TRIBAL RECOGNITION - LUMBEE INDIANS](#). Filed May 30 2018, *A JOINT RESOLUTION AUTHORIZING THE 2017 GENERAL ASSEMBLY TO CONSIDER A BILL TO BE ENTITLED AN ACT TO MODIFY LUMBEE TRIBE OF NORTH CAROLINA RIGHTS, PRIVILEGES, IMMUNITIES, OBLIGATIONS, AND DUTIES.*

As title indicates.

Intro. by Britt, McInnis.

JOINT RES

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[Government, General Assembly](#)

S 778 (2017-2018) [AMENDS PROBATE/TRUSTS/WILLS CHOICE OF LAW](#). Filed May 30 2018, *AN ACT (I) TO REQUIRE THAT, IN A LIVING PROBATE PROCEEDING, THE ORIGINAL WILL BE INTRODUCED AS EVIDENCE RATHER THAN BEING ATTACHED TO THE INITIAL PETITION, (II) TO PERMIT THE USE OF "MINOR" OR "18+" OR "ADULT" IN PLACE OF THE ACTUAL AGE OF AN HEIR OR DEVISEE IN AN APPLICATION FOR LETTERS OF ADMINISTRATION OR LETTERS TESTAMENTARY, (III) TO ADJUST THIS STATE'S STATUTES DEALING WITH OUT-OF-STATE WILLS RECOGNIZED IN THIS STATE ON THE BASIS OF COMPLIANCE WITH THE LAW OF THE STATE OF EXECUTION IN ORDER TO CONTINUE THE REQUIREMENT THAT THE TESTATOR BE PHYSICALLY PRESENT IN THAT STATE AT THE TIME OF THE WILL'S EXECUTION, (IV) TO PROVIDE FOR NOTICE THAT TENANCY BY THE ENTIRETIES PROPERTY TRANSFERRED TO A TENANCY BY THE ENTIRETIES TRUST REMAINS IMMUNE TO THE CLAIMS OF ONE SPOUSE'S INDIVIDUAL CREDITORS AND TO SPECIFY THAT A PERSON ENTERING INTO A TRANSACTION INVOLVING THE PROPERTY MAY OBTAIN CONFIRMATION FROM THE TRUSTEE THAT THE PROPERTY CONTINUES TO QUALIFY FOR THIS IMMUNITY, AND (V) TO MAKE TECHNICAL CORRECTIONS TO THE AFFECTED STATUTES AND TO THE NORTH CAROLINA UNIFORM POWER OF ATTORNEY ACT, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

Amends GS 28A-2B-1 to require that at a hearing taking place before death on the validity of a will or codicil, that the petitioner produce the original will or codicil. Makes conforming changes to GS 28A-2B-3 concerning the contents of a petition of will validity, requiring that the original will or codicil be tendered at the hearing, while attaching a copy with the petition.

Amends GS 28A-2B-3 to provide that on an application for letters of administration or letters testamentary, it is sufficient to use the terms minor or adult instead of the actual age of an heir or devisee. Makes additional clarifying and technical changes.

Amends GS 31-11.6 to provide that any will recognized as under GS 31-46(1) or (2) (as amended) and shown to have been made self-proved under the jurisdiction in which the testator was physically present at the time of execution or the place where the testator was domiciled at the time of execution or at the time of death is to be considered as self-proved. Amends GS 31-46 to provide that a will is valid if it meets the requirements of the applicable provision of law in effect in this state at the time of its execution or at the time of the testator's death if (1) the will's execution complied with the law of the jurisdiction in which the testator was physically present at the time of execution (was, execution complies with the law of the place where it is executed at the time of execution); its execution complied with the law of the place where the testator was domiciled at the time of execution or at the time of death; or it is a military testamentary instrument executed in accordance with 10 USC Sec. 1044d.

Amends GS 13.7 by adding a provision providing for notice that real property held in trust has immunity from the claims of separate creditors may be given in a statement in the conveyance of the tenancy by the entireties real property to the trust that the real property is held under this statute and that the requirements for immunity from the claims of separate creditors are met as of the date of the conveyance. Allows a person entering into a transaction involving real property that is held in trust to require confirmation from the trustee whether the requirements for providing immunity from the claims of separate creditors are met at the time of the transaction. Makes additional technical and clarifying changes.

Requires the Revisor of Statutes to print, as annotations to the published General Statutes, all explanatory comments of the drafters of the following provisions, as the Revisor deems appropriate.

Amends GS 32C-1-116 by making clarifying changes and removing references to a clerk of superior court limiting an agent's authority over a power of attorney when a guardian of the estate or a general guardian has been appointed.

Amends GS 32C-1-109, concerning when power of attorney is effective, to change statutory cross references from GS 32C-1-105(5)a and b to GS 32C-1-106(6)a and b. Amends GS 32C-1-116, concerning judicial relief, to correct the statutory cross reference from GS 32C-1-102(5) to GS 32C-1-102(6).

Amends GS 32C-1-110, concerning the termination of power to attorney, to add references to a subsequent power of attorney revoking a previous power of attorney. Requires that a power of attorney that has not been registered to be revoked by one of the specified methods. Makes conforming changes.

Amends GS 32C-1-112 to specify that an agent is entitled to reimbursement of expenses incurred on behalf of the principal, upon request to the clerk of superior court.

Amends GS 32C-1-114, concerning an agent's duties, to no longer require accounting to the principal or a designated person. Also adds that a designated person, in addition to the principal, may request that an agent disclose receipts, disbursements, or transactions conducted on behalf of the principal. Amends GS 32C-3-301, containing the statutory form power of attorney, by making conforming changes.

Amends GS 32C-4-403 to provide that the rule of GS 32C-1-104 regarding durability of a power of attorney applies to powers of attorney executed before January 1, 2018, unless there is a clear indication of a contrary intent or if application of the rule of construction or presumption would substantially impair rights of a party created under state law in effect before January 1, 2018.

Amends GS 90-21.13, concerning informed consent to health care treatment or procedure, and GS 90-322, concerning procedures for natural death in the absence of a declaration, to no longer require agents to have been appointed pursuant to GS Chapter 32C.

Intro. by Barringer, Daniel, Randleman.

[GS 28A](#), [GS 31](#), [GS 32C](#), [GS 39](#), [GS 90](#)

[View summary](#)

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

S 779 (2017-2018) [TELEMEDICINE POLICY](#). Filed May 30 2018, *AN ACT ESTABLISHING A TELEMEDICINE POLICY FOR THE STATE OF NORTH CAROLINA AND DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO STUDY AND REPORT RECOMMENDATIONS FOR VARIOUS TELEMEDICINE STANDARDS, AS RECOMMENDED BY THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES.*

Identical to [H 967](#), filed 5/17/18.

Enacts new Article 1L, North Carolina Telemedicine Practice Act, in GS Chapter 90. Defines terms used in the act, including *telemedicine or telehealth*, as the use of electronic information and telecommunication technologies to support and promote long-distance clinical health care, patient and professional health-related education, public health, and health administration, excluding the provision of healthcare services through audio-only telephone or teleconference, email, or facsimile.

Allows NC licensed healthcare providers to provide healthcare services that are consistent with the provider's licensed scope of practice via telemedicine to individuals located in the state. Requires the healthcare provider to obtain written or verbal informed consent from the patient before providing care via telemedicine. Sets out conditions that must be satisfied for informed consent.

Requires covered entities and business associates engaged in telemedicine to comply with federal and State laws and regulations to secure protected health information. Requires, before engaging in telemedicine or handling protected health information obtained through telemedicine, that the healthcare provider, covered entity, or business associate conduct risk analyses and install safeguards to ensure secure handling of protected health information.

Specifies that those engaged in telemedicine are responsible for ensuring that health care delivered to patients adheres to the same standard of care applicable to in-person patients. Sets out four additional requirements as part of the standard of care for delivering care via telemedicine, including a prohibition on prescribing a controlled substance for the treatment of pain unless the provider has, within the last twelve months, conducted an in-person physical exam of the patient for the condition causing pain for which the prescription is sought.

Requires the Department of Health and Human Services (DHHS), by September 1, 2019, to study and report to the Joint Legislative Oversight Committee on Health and Human Services on the following four topics. First, recommendations for telemedicine reimbursement standards for private health benefit plans. Requires DHHS to solicit input from stakeholders and consider six issues, including the health benefit plan reimbursement standards of other states and the results of those standards on cost and access to care, specific telemedicine modalities for which health benefit plans should be required to provide reimbursement, and how to best encourage market competition and ensure private health benefit plans retain flexibility to realize efficiencies. Second, recommendations for a plan to ensure that all North Carolina residents have sufficiently advanced internet connectivity to receive healthcare via telemedicine. Requires DHHS to solicit input from stakeholders and requires DHHS to consider four issues, including the best way to incentivize investment in next-generation, future-proof broadband infrastructure and reduce barriers to deployment of that infrastructure. Third, recommended performance metrics to be used by DHHS in assessing the quality of telemedicine services. Requires DHHS to consult with the North Carolina Institute of Medicine and the North Carolina Medical Board. Encourages DHHS to examine specified reports and guidelines. This report must also be submitted to the Fiscal Research Division. Finally, recommended State licensing standards, credentialing processes and prescribing standards for telemedicine. The report must include proposals and recommendations related to Medicaid and participating in the Interstate Medical Licensure Compact.

Intro. by Pate.

[STUDY, GS 90](#)

[View summary](#)

[Government, State Agencies, Department of Health and Human Services, Department of Information Technology, Department of Insurance, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance](#)

S 780 (2017-2018) [COVERAGE OF SERVICES FOR GROUP HOME RESIDENTS](#). Filed May 30 2018, *AN ACT TO PRESERVE AND SUSTAIN CERTAIN LICENSED GROUP HOMES BY ESTABLISHING ADDITIONAL MEDICAID COVERAGE AND SINGLE-STREAM*

SERVICE DEFINITIONS FOR SERVICES RELATED TO THE TREATMENT, REHABILITATION, HABILITATION, SUPERVISION, AND SUPPORT OF RESIDENTS OF THOSE GROUP HOMES.

Section 1(a)

Provides for the legislative intent concerning the importance of community housing resources for people with disabilities.

Section 1(b)

Directs the Department of Health and Human Services (DHHS) to develop 1915(b)(3) alternative services, in-lieu-of services, or services under any other authority as determined by DHHS to provide Medicaid coverage for services related to the treatment, rehabilitation, habilitation, supervision, and support of the Medicaid recipients living in a licensed supervised living facility as defined under 10A NCAC 27G .5601(c)(1) or (c)(3) (hereafter referred to as licensed facility) that need 24-hour services and supports as a result of the recipients' disabilities, as specified. Requires DHHS to create a separate service and service definition for each of the two classifications of Medicaid recipients specified.

Section 1(c)

Further requires DHHS to develop single-stream service definitions related to the treatment, rehabilitation, supervision, and support of the individuals who (1) are not eligible for Medicaid or (2) are not eligible for those services under Medicaid and who are individuals living in a licensed facility that need 24-hour services and supports as a result of the recipients' disabilities. Requires DHHS to create a separate service and service definition for each of the two classifications of eligible individuals. Requires the services to correspond to the services developed for the Medicaid recipients required by Section 1(b) of the act, and requires DHHS to ensure that the rates for the services are comparable to the Medicaid rates for those corresponding services. Requires the services required by Section 1(c) to begin no earlier than July 1, 2019.

Section 1(d)

Directs DHHS to consult with stakeholders, including local management entities/managed care organizations (LME/MCOs) and licensed facilities in developing service definitions for the services required above. Requires DHHS to ensure there are uniform service definitions to be implemented statewide.

Section 1(e)

Directs DHHS to require, to the extent allowable by federal law, that LME/MCOs and any other entity responsible for the management of Medicaid funds relating to the provisions of behavioral health services for individuals with mental illness or intellectual or developmental disabilities: (1) contract with all licensed facilities which are either licensed on or before June 1, 2019, or which become licensed after June 1, 2019, and only developed upon written DHHS approval, in which Medicaid recipients with mental illness or with intellectual or developmental disabilities managed by the LME/MCO or other management entity reside; (2) authorize services related to the treatment, rehabilitation, habilitation, supervision, and support of the Medicaid recipients living in licensed facilities for all eligible Medicaid recipients who currently live in the facilities, meet the medical necessity criteria for those services, and are not enrolled in the Innovations Waiver; and (3) maintain current and accurate waiting list of individuals meeting the medical necessity criteria and requesting those services.

Section 2

Directs DHHS to submit, by October 1, 2018, to the Centers for Medicare and Medicaid Service (CMS) any State Plan amendments or any waivers necessary to establish coverage for the services related to the treatment and support of Medicaid recipients living in licensed facilities. Requires coverage to begin June 30, 2019, or upon CMS approval of any submitted amendments or waiver, whichever is later.

Section 3

Directs DHHS to submit a plan and schedule for the act's implementation no later than November 1, 2018, to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice. Requires the implementation plan and schedule to be developed in consultation with stakeholders, including those specified licensed facilities and LME/MCOs. Sets out eight required components of the implementation plan and schedule, including a description of the services to be offered and any new service definitions, procedures for maintaining a current and accurate recipient waiting list for services, procedures and time lines for notification of vacancies in supervising living facilities, and a method by which eligible recipients for new services developed are identified and timely referred to facilities when a vacancy occurs.

Section 4

Directs DHHS to limit the licensing of new supervising living facilities after June 1, 2019, to only those developed with written approval by DHHS. Requires DHHS to adopt rules to implement this section no later than June 1, 2019.

Section 5

Amends SL 2017-57 (Appropriations Act of 2017) to appropriate to DHHS, Division of Medical Assistance up to \$640,300 of the funds appropriated for the 2018-19 fiscal year for the 1915(c) waiver to be used for new 1915(b)(3) alternative services, in-lieu services, or other services for the treatment, rehabilitation, habilitation, supervision, and support of the Medicaid recipients living in licensed facilities.

Section 6

Directs DHHS and LME/MCOs to ensure that any state funding currently provided to licensed facilities that is supplanted by new funding resulting from the development of the services required by the act is reinvested in those facilities, with the reinvestment including the provision of services to residents of licensed facilities who are not eligible for the Medicaid services developed pursuant to Section 1(b) of the act.

Intro. by Tucker.

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Mental Health, Social Services, Public Assistance

S 781 (2017-2018) **PHASE OUT SOLAR PROPERTY TAX EXCLUSION**. Filed May 30 2018, *AN ACT TO PHASE OUT THE SOLAR ENERGY ELECTRIC SYSTEM PROPERTY TAX EXCLUSION AND REQUIRE THE PROPERTY TAX REVENUE BE USED FOR SCHOOLS*.

Current law, GS 105-275(45), excludes 80% of the appraised value of a solar energy electric system from the tax base. This act specifies that this existing exclusion applies to solar energy electric systems used for residential use, and additionally establishes an exclusion of 60% of the appraised value of a solar energy electric system used for nonresidential use, effective for taxes imposed for taxable years beginning on or after July 1, 2018. The act phases out the exclusion for solar energy electric systems used for non-residential use, decreasing the percentage of appraised value excluded to 40% for taxes imposed for taxable years beginning on or after July 1, 2019; 20% for taxes imposed for taxable years beginning on or after July 1, 2020; and finally providing for no exclusion for taxes imposed for taxable years beginning on or after July 1, 2021.

Effective July 1, 2018, amends GS 153A-149 to require each county to calculate the tax expenditure of GS 105-275(45), as amended, for solar energy electric systems used for nonresidential use at the percentage provided and at 80%, and use the difference between the two calculations for construction of and repairs and renovations to public school property and facilities, including measures taken to improve or harden school structures for safety purposes and associated debt service. Further amends the statute, effective for taxes imposed for taxable years beginning on or after July 1, 2021, requiring each county to calculate the tax revenue generated on solar energy electric systems for nonresidential use and use the revenue for the same public school property purposes described above.

Appropriates from the General Fund to the Department of Revenue (Department) \$50,000 in nonrecurring funds for the 2018-19 fiscal year to study the number of solar energy electric systems affected by the tax changes in the act and the additional revenue resulting in each county for each year the rate of the exemption changes. Directs the Department to report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources no later than January 1, 2019.

Effective July 1, 2018.

Intro. by Cook.

[View summary](#)

APPROP, STUDY, GS 105, GS 153A

Environment, Energy, Government, Budget/Appropriations,

S 782 (2017-2018) [NC ADOPT EQUAL RIGHTS AMENDMENT/FUNDS](#). Filed May 30 2018, *AN ACT TO RATIFY THE EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN AND TO APPROPRIATE FUNDS TO EDUCATE THE PUBLIC ABOUT THE PROVISIONS OF THIS ACT.*

Includes several whereas clauses.

Ratifies the Equal Rights Amendment to the US Constitution (which is set out in the act's whereas clauses). Requires that the Governor forward certified copies of the act and its preamble to the Administrator of General Services, the President of the Senate, and the Speaker of the House of the US Congress.

Appropriates \$10,000 from the General Fund to the Department of Labor to educate the public about this act.

Effective July 1, 2018.

Intro. by McKissick, Van Duyn.

[APPROP, CONST](#)

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

S 783 (2017-2018) [NORTH CAROLINA EQUAL PAY ACT/FUNDS](#). Filed May 30 2018, *AN ACT PROHIBITING DISCRIMINATION IN THE PAYMENT OF WAGES ON THE BASIS OF THE GENDER OF THE EMPLOYEE AND APPROPRIATING FUNDS TO THE DEPARTMENT OF LABOR TO EDUCATE THE PUBLIC CONCERNING THE PROVISIONS OF THIS ACT.*

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

Enacts new GS 95-25.6A (Discrimination in payment of wages on the basis of gender of employee prohibited).

Defines comparable work and working conditions.

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

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

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

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

Effective January 1, 2019.

Effective July 1, 2018, appropriates \$10,000 from the General Fund to the Department of Labor to educate the public about this act.

Intro. by McKissick, Van Duyn.

APPROP, GS 95

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Employment and Retirement, Government, Budget/Appropriations, State Agencies, Department of Labor

S 784 (2017-2018) **AFFORDABLE HOUSING ACT**. Filed May 30 2018, *AN ACT TO PROVIDE ADDITIONAL FUNDING FOR THE WORKFORCE HOUSING LOAN PROGRAM AND THE NORTH CAROLINA HOUSING TRUST FUND AND TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY AFFORDABLE HOUSING ISSUES IN THE STATE.*

Appropriates \$35 million in recurring funds for the 2018-19 fiscal year from the General Fund to the Housing Finance Agency to be used for the Workforce Housing Loan Program established under GS 122A-5.15. Decreases the appropriation to the Housing Finance Agency for the Workforce Housing Loan Program in Fund Code 1100 by \$20 million in nonrecurring funds for the 2018-19 fiscal year, notwithstanding any provision of law in SL 2017-57 or the committee report in Section 39.2 of that act. Adjusts all totals accordingly.

Appropriates \$7.7 million in additional recurring funds for the 2018-19 fiscal year from the General Fund to the North Carolina Housing Trust Fund, to be administered in accordance with the provisions of GS Chapter 122E.

Directs the Legislative Research Commission to study affordable housing in North Carolina, specifically studying the impact on the availability of affordable housing by: local government zoning regulations and other ordinances, State and local programs designed to assist governments in enhancing availability of affordable housing, and the best practices of other jurisdictions. Directs the Commission to make a final report on its study of affordable housing to the 2019 Regular Session of the General Assembly upon its convening or January 15, 2019, whichever occurs first.

Effective July 1, 2018.

Intro. by Chaudhuri, Robinson, McKissick.

APPROP, STUDY

[View summary](#)

Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, General Assembly

S 785 (2017-2018) **"ALPHA PHI ALPHA FRATERNITY" SPECIAL PLATE**. Filed May 30 2018, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE AN "ALPHA PHI ALPHA FRATERNITY" SPECIAL REGISTRATION PLATE.*

Reenacts GS 20-63(b1)(47) and GS 20-79.4(b)(g) as they existed immediately before their expiration to authorize the Division of Motor Vehicles (Division) to produce and issue an Alpha Phi Alpha Fraternity special registration plate. Reenacts and modifies the expired provisions regarding the Alpha Phi Alpha Fraternity special registration plate set out in subsections (a1) and (b) of GS 20-79.7 and subsection (b39) of GS 20-81.12, establishing a special plate fee of \$30 and requiring that \$20 of that amount be transferred quarterly to the Education Consortium of North Carolina Inc. for the benefit of scholarships for African-American male students attending accredited colleges and universities (previously, to the Association of North Carolina Alphas Educational Foundation for scholarships for the benefit of African-American males in the Association attending accredited North Carolina colleges and universities). Further amends GS 20-81.12(b39), as reenacted, eliminating the requirement that the Division must receive at least 300 applications for the special plate before it can be developed. Effective July 1, 2018.

Intro. by Lowe.

GS 20

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

S 786 (2017-2018) [HEALTHY MOTHER & CHILD/SHACKLING PROHIBITION](#). Filed May 30 2018, *AN ACT TO ENSURE HEALTHY PREGNANCIES FOR FEMALE PRISONERS AND DETAINEES*.

Enacts new Article 84C, Treatment of Pregnant Prisoners and Detainees, in GS Chapter 15A.

Prohibits a *correctional institution* (defined as any unit of the State prison system, local confinement facility, juvenile detention facility, or other entity under the authority of any State or local law enforcement agency that has the power to detain or restrain a person under the laws of this State) from using restraints on a prisoner or detainee known to be pregnant, including during labor, transport to a medical facility, delivery, postpartum recovery, and the postpartum period unless the corrections official determines that the prisoner or detainee presents an extraordinary circumstance. Defines an extraordinary circumstance as when there has been an individualized determination that restraints are necessary to prevent the woman from injuring herself or others and cannot reasonably be restrained by other means, including the use of additional personnel.

Specifies that, despite a determination that there are extraordinary circumstances, if the health professional treating the prisoner or detainee requests that restraints not be used, the corrections officer accompanying the prisoner or detainee must immediately remove all restraints. Also prohibits using leg or waist restraints on any prisoner or detainee who is in labor or delivery under any circumstances.

Requires that if restraints are used, the type of restraint applied and the application of the restraint must be accomplished in the least restrictive manner necessary, and requires the corrections official to make written findings within 10 days as to the extraordinary circumstance that dictated the use of the restraints. Requires the findings to be kept on file for at least five years and be made available for public inspection.

Requires all correctional facilities in the State to develop the rules mandated under this act within 30 days of the date this act becomes law and to inform prisoners and detainees within their custody of those rules within 60 days of the date this act becomes law.

Appropriates \$250,000 for 2018-19 from the General Fund to the Department of Public Safety, Division of Adult Correction and Juvenile Justice, to be allocated to policy implementation, education, and training of the procedures outlined in the act.

Effective July 1, 2018.

Intro. by Smith, Foushee, Van Duyn.

[APPROP, GS 15A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Government, Budget/Appropriations, Public Safety, Health and Human Services, Health](#)

S 787 (2017-2018) [SMALL FARMS TO HEALTHIER SCHOOLS INITIATIVE](#). Filed May 30 2018, *AN ACT TO APPROPRIATE FUNDS FOR THE SMALL FARMS TO HEALTHIER SCHOOLS INITIATIVE, A PARTNERSHIP BETWEEN SCHOOL NUTRITION PROGRAMS AND LOCAL FARMERS*.

Includes whereas clauses.

Appropriates \$340,000 in nonrecurring funds for 2018-19 from the General Fund to Working Landscapes, for a pilot program to reimburse participating school districts based on the servings of food they source from farms within the same region.

Requires that the pilot project take place in the educational district for the North Central region as provided in GS 143B-28.1 (Chatham, Durham, Edgecombe, Franklin, Granville, Harnett, Johnston, Lee, Nash, Orange, Person, Vance, Wake, Warren, and Wilson counties). Specifies that of the funds appropriated by this act, \$60,000 must be used for payments to participating school systems to offset the higher cost of locally grown products with the remaining funds cost-shared on a one-to-one basis with funds provided by Working Landscapes to establish program infrastructure and assist local farms in obtaining certifications necessary to supply school nutrition programs. Effective July 1, 2018.

Intro. by Smith, Woodard, Waddell.

[APPROP](#)

[View summary](#)

[Agriculture, Education, Elementary and Secondary](#)

S 788 (2017-2018) [KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & REG.](#) Filed May 30 2018, *AN ACT DESIGNATING THE MONTH OF NOVEMBER AS MARROW DONATION AWARENESS MONTH AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO RAISE AWARENESS ABOUT BONE MARROW DONATION AND TRANSPLANTATION AND TO IMPLEMENT A PILOT PROGRAM TO ENCOURAGE NORTH CAROLINA RESIDENTS TO JOIN A BONE MARROW DONATION REGISTRY.*

Includes whereas clauses.

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

Appropriates from the General Fund to the Department of Health and Human Services, Division of Public Health, \$26,000 for 2018-19 to: (1) make available free of charge website-printable publications on bone marrow donation and transplantation sufficient to allow an individual to make an informed decision about whether to participate in a local or national bone marrow donation registry, (2) raise public awareness about bone marrow donation and transplantation, (3) encourage North Carolina residents to consider joining a bone marrow donation registry. Effective July 1, 2018.

Appropriates from the General Fund to the Department of Health and Human Services (DHHS), Division of Public Health, \$250,000 for 2018-19 to be used exclusively to implement a bone marrow donation pilot program. Requires DHHS, in collaboration with the Department of Motor Vehicles, to establish the pilot program at driver's license offices in Edgecombe County and Wake County, with each site given \$125,000 for educational and other purposes related to the pilot program. Requires DHHS, by February 1, 2019, to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on the status of the pilot program, and by May 1, 2021, give a final report of the program to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division. Effective July 1, 2018.

Intro. by Smith.

[APPROP, GS 103](#)

[View summary](#)

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

S 789 (2017-2018) [GEN. ASSEMBLY/PREVENT WORKPLACE HARASSMENT.](#) Filed May 30 2018, *AN ACT TO REQUIRE THE GENERAL ASSEMBLY TO DEVELOP AND IMPLEMENT MANDATORY ETHICS TRAINING TO PREVENT WORKPLACE HARASSMENT AND OTHER FORMS OF DISCRIMINATION IN THE WORKPLACE, TO ADOPT CLEAR SANCTIONS POLICIES FOR WORKPLACE HARASSMENT AND OTHER FORMS OF WORKPLACE DISCRIMINATION AT THE GENERAL ASSEMBLY, TO CREATE AND IMPLEMENT A COMPLAINT FILING PROCESS THAT IS CONFIDENTIAL, AND TO APPROPRIATE FUNDS.*

Identical to [H 1044](#), filed 5/30/18.

Enacts GS 120-32.05, directing the Legislative Services Commission and the Legislative Ethics Committee to jointly develop, adopt, and implement "zero tolerance" policies regarding sexual harassment, abuse, misconduct, gender bias, and all other forms of discrimination in the workplace. Requires the policies to be incorporated by reference into each chamber's permanent rules and include protections for pages and unpaid volunteers providing services to the General Assembly. Details required components of the policies, including: (1) mandatory ethics training for all legislators, officers, and legislative employees of the General Assembly; (2) effective and clear sanctions for incidents of harassment, abuse, misconduct, gender bias, and all other forms of discrimination in the workplace; (3) a complaint filing process for reporting conduct and violations to human resource services in the General Assembly; and (4) independent third party services, contracted by the Legislative Service Commission, to provide confidential information and advice to individuals who file complaints as well as investigative support and advice to the designated employee receiving and investigating reports of misconduct.

Appropriates \$250,000 from recurring funds for the 2018-19 fiscal year to the Legislative Services Commission to implement the act, with \$50,000 for literature, documents, and training materials necessary for a mandatory annual ethics training program and \$200,000 for contractual services provided by an independent third party.

Effective July 1, 2018.

Intro. by Smith, Blue, Robinson.

[APPROP, GS 120](#)

[View summary](#)

[Employment and Retirement, Government, Budget/Appropriations, General Assembly](#)

S 790 (2017-2018) [PED LOTTERY RECOMMENDATIONS](#). Filed May 30 2018, *AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA STATE LOTTERY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE*.

Identical to [H 1036](#), filed 5/30/18.

Amends GS 18C-114 to add to the North Carolina State Lottery Commission's (Commission) powers and duties establishing targets and implementing strategies for optimal growth and density of lottery retailer participation.

Requires the Commission to report annually by December 1 to the Joint Legislative Oversight Committee on the North Carolina State Lottery and the Fiscal Research Division on (1) the targets and efforts to grow lottery retailer participation and the amount of growth attained in the previous year and (2) the efforts taken to measure the effectiveness of advertising on the lottery's sales and revenue.

Requires the Legislative Research Commission (LRC) to study ways to increase sales revenue and funds transferred to the Education Lottery Fund. Requires that the study include at least five specified topics including an evaluation of the amount of incentives and compensation paid to lottery retailers and a comparison to incentives and compensation paid in other states, and the potential impact of changing the structure of retailer incentives and compensation on the ability of the Commission to expand the number of lottery retailers and outlets, per capita, to the level of the lotteries of the top 10 states. Requires the LRC to report its findings by December 1, 2018, to the 2019 Regular Session of the 2019 General Assembly upon its convening.

Amends GS 18C-130 to require the Commission to select advertising methods that maximize revenue generation while minimizing expenses by using data to assess the impact of different advertising strategies and forms.

Intro. by Waddell, Fitch, Tarte.

[STUDY, GS 18C](#)

[View summary](#)

[Government, General Assembly, Lottery and Gaming](#)

LOCAL/HOUSE BILLS

H 514 (2017-2018) [PERMIT MUNICIPAL CHARTER SCHOOL/CERTAIN TOWNS](#). Filed Mar 28 2017, *AN ACT TO PERMIT CERTAIN TOWNS TO OPERATE CHARTER SCHOOLS*.

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

Amends GS 115C-218.90 to deem the employees of a charter school operated by a nonprofit (was, the employees of the charter school board of directors of the nonprofit corporation) as employees of the local school administrative unit for purposes of providing certain state-funded benefits. Also provides that the board of directors of a municipal charter school may elect to become a participating employer in the Teachers' and State Employees' Retirement System and the State Health Plan for Teachers and State Employees (was, employees of a charter school operated by a municipality are deemed municipality employees and are eligible for employee benefits).

Deletes proposed changes to GS 105-228.90(b)(1) and to GS 160A-209(c).

Amends GS 135-4 to provide that any member may purchase creditable service for any employment as an employee of a charter school operated by a municipality whose board of directors did not elect to participate in the Retirement System under GS 135-5.3 (optional participation for charter schools operated by private nonprofit corporations) after completion of five years of membership service by making a lump-sum payment. Makes conforming changes.

Amends GS 135-5.3 to allow a charter school operated by a municipality that has received State Board of Education approval to become a participating employer in the Teachers' and State Employees' Retirement System. Makes conforming changes.

Amends GS 135-48.47 by adding that the statute, concerning participating in the State Health Plan by local government employees and dependents, does not apply to the employees of a charter school operated by a municipality.

Amends GS 135-48.54 to allow charter schools operated by municipalities to elect whether to become a participating employer in the State Health Plan for Teachers and State Employees in accordance with Article 3B of GS Chapter 135. Makes additional conforming and clarifying changes.

Expands the scope of the act to include Cornelius and Huntersville in addition to Matthews and Mint Hill.

Adds a severability clause.

Intro. by Brawley.

[Mecklenburg, Union](#)

[View summary](#)

[Education, Elementary and Secondary Education,
Employment and Retirement](#)

H 947 (2017-2018) [MOORESVILLE LOCAL OPTION SALES TAX](#). Filed May 16 2018, *AN ACT TO AUTHORIZE CERTAIN CITIES TO HOLD A REFERENDUM REGARDING THE LEVY OF A MUNICIPAL ONE-QUARTER PERCENT SALES AND USE TAX*.

House Committee Substitute makes the following changes to 1st edition. Amends Section 1, authorizing a one-quarter percent sales and use tax, to apply to the Town of Mooresville and the City of Mt. Airy only. Previously the entire act applied to the Town of Mooresville only. Makes technical change to refer to GS 163A-1592 (procedure for calling special elections) instead of GS 163-287 (previously recodified under GS Chapter 163A.)

Adds an amendment to GS Chapter 105, enacting Article 47. Authorizes the governing body of Hendersonville to direct the county Board of Elections to conduct an advisory referendum on the question of whether to levy a local sales and use tax at the rate of 1/4% in addition to all other State and local sales and use taxes for the purpose of public facilities and infrastructure. Sets out the form of the question for the ballot and other procedures for the advisory referendum. Authorizes the governing body to levy a local sales and use tax at a rate of 1/4% by resolution after 10 days' public notice if the majority of voters approve of the tax in the referendum. Provides for the administration of the additional taxes authorized by Article 47 to be in accordance with Article 39 of GS Chapter 105 (First One-Cent (1¢) Local Government Sales and Use Tax). Adds that the tax authorized by Article 47 is not applicable to the sales price of food that is exempt from tax pursuant to GS 105-164.13B or to the sales price of a bundled transaction pursuant to GS 105-467(a)(5a). Directs the Secretary of Revenue to distribute the net proceeds of the tax collected under Article 47 on a monthly basis to the municipality. Provides for allocation of proceeds where local sales or use taxes are collected but cannot be identified as being attributable to a particular taxing municipality. Provides that amounts collected by electronic transfer are included in the distribution for the month in which the return that applies to the payment is received. Permits the municipality to use the net proceeds of the tax levied under Article 47 for public facilities and infrastructure, as defined above.

Changes title to *AN ACT TO AUTHORIZE CERTAIN CITIES TO HOLD A REFERENDUM REGARDING THE LEVY OF A MUNICIPAL ONE-QUARTER PERCENT SALES AND USE TAX*.

Intro. by Fraley.

[Henderson, Iredell, Surry](#)

[View summary](#)

[Government, Tax](#)

H 978 (2017-2018) [HEMBY BRIDGE/STALLINGS CORPORATE LIMITS](#). Filed May 22 2018, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF HEMBY BRIDGE AND ADDING THAT PROPERTY TO THE CORPORATE LIMITS OF THE TOWN OF STALLINGS.*

House committee substitute makes the following changes to the 1st edition. Clarifies that except where otherwise provided, the act is effective when it becomes law.

Intro. by Arp.

[Union](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 156: EYEGLASSES EXEMPTION FROM MEDICAID CAPITATION.

House: Failed Concur In S Com Sub

House: Conf Com Appointed

H 934: THREAT ASSESSMENT TEAMS. (NEW)

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 938: VARIOUS SCHOOL SAFETY CHANGES. (NEW)

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

H 948: BUILDING CODE REGULATORY REFORM.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 982: IDD DATA SHARING/LONGITUDINAL DATA SYSTEM.

House: Reptd Fav Com Substitute

House: Re-ref Com On Education - Universities

H 983: ABLE ACT CHANGES/STUDY.

House: Reptd Fav

House: Re-ref Com On Finance

H 984: OVERSIGHT IDD EMPLOYMENT/EDUC. PROGRAMS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Appropriations

H 1024: SUPPORT SHELLFISH INDUSTRY.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 1025: GSC TECHNICAL CORRECTIONS 2018.

House: Passed 1st Reading

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

H 1026: STATE EMPLOYEE PAY RAISE/\$2,400.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 1029: DOT/DMV LEGISLATIVE REQUESTS.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 1035: COLLEGE OF THE ALBEMARLE/DARE COUNTY.

House: Filed

H 1036: PED LOTTERY RECOMMENDATIONS.

House: Filed

H 1037: SUPERIOR COURT DISTRICT 4.

House: Filed

H 1038: HEALTHY MOTHER & CHILD/SHACKLING PROHIBITION.

House: Filed

H 1039: SCHOOL SELF-DEFENSE ACT.

House: Filed

H 1040: AMEND SUM EJECT SERVICE/ALLOW PROCESS SERVER.

House: Filed

H 1041: VIPER - SURVEY/OUTREACH/IN-KIND CONTRIBUTIONS.

House: Filed

H 1042: DOA EFFICIENCY/PED.

House: Filed

H 1043: APPROPRIATE FUNDS FOR VIPER BUILD-OUT.

House: Filed

H 1044: GEN. ASSEMBLY/PREVENT WORKPLACE HARASSMENT.

House: Filed

H 1045: HEALTH-LOCAL CONFINEMENT/PRISON HEALTHCONNEX.

House: Filed

H 1046: PSYCHOLOGY INTERJDTL. COMPACT (PSYPACT).

House: Filed

H 1047: LRC HOA DISPUTE RESOLUTION/PED STUDY.

House: Filed

H 1048: REQUIRE EQUAL ACCESS TO ADVANCED CLASSES.

House: Filed

H 1049: SUPPORT SUSTAINABLE FISHERIES COMMUNITIES.

House: Filed

H 1050: EXPANSION OF STATE VETERANS CEMETERIES.

House: Filed

H 1051: RESTORE MASTER'S SUPPLEMENT FOR TEACHERS.

House: Filed

H 1052: FUND SROS AND CRISIS TRAINING.

House: Filed

H 1053: NEED-BASED SCHOL./FUNDS/MAIN PERMANENT CAMPUS.

House: Filed

H 1054: UNC CAPITAL PROJECTS.

House: Filed

S 99: REPORT CERTAIN CTR DATA/AUTO INS. ACCURACY. (NEW)

Senate: Withdrawn From Com

Senate: Placed on Today's Calendar

Senate: Conf Report Adopted 2nd

S 470: PERSONAL INJURY BANKRUPTCY TRUST CLAIMS.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 486: UNIFORM VOTING HOURS ACT.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

S 616: LIMIT LOOK-BACK FOR IMMATERIAL IRREGULARITIES.

House: Serial Referral To Judiciary I Added

S 757: MECKLENBURG COURT DISTRICTS FAIRNESS ACT.

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Engrossed

Senate: Special Message Sent To House

House: Special Message Received From Senate

House: Passed 1st Reading

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

S 758: BUILD NC BOND ACT OF 2018.

Senate: Passed 1st Reading

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

S 759: DOA EFFICIENCY/PED.

Senate: Passed 1st Reading

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

S 760: IDD DATA SHARING/LONGITUDINAL DATA SYSTEM.

Senate: Passed 1st Reading

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

S 761: OVERSIGHT IDD EMPLOYMENT/EDUC. PROGRAMS.

Senate: Passed 1st Reading

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

S 762: STATE AS A MODEL EMPLOYER/IDD.

Senate: Passed 1st Reading

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

S 763: ABLE ACT CHANGES/STUDY.

Senate: Passed 1st Reading

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

S 764: UNC-CHAPEL HILL/MONUMENT RELOCATION.

Senate: Passed 1st Reading

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

S 767: MEDICAID EXPANSION/HEALTHCARE JOBS INITIATIVE.

Senate: Passed 1st Reading

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

S 768: PEOPLE FIRST LANGUAGE 2018.

Senate: Passed 1st Reading

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

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

S 770: ADJUST GSC MEMBERSHIP.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

S 771: GSC TECHNICAL CORRECTIONS 2018.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

S 772: VIPER - SURVEY/OUTREACH/IN-KIND CONTRIBUTIONS.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

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

S 773: APPROPRIATE FUNDS FOR VIPER BUILD-OUT.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

S 774: MONITOR STATE AGENCY SPANS OF CONTROL/PED.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

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

S 777: TRIBAL RECOGNITION - LUMBEE INDIANS.

Senate: Filed

Senate: Filed

S 778: AMENDS PROBATE/TRUSTS/WILLS CHOICE OF LAW.

Senate: Filed

Senate: Filed

S 779: TELEMEDICINE POLICY.

Senate: Filed

Senate: Filed

S 780: COVERAGE OF SERVICES FOR GROUP HOME RESIDENTS.

Senate: Filed

Senate: Filed

S 781: PHASE OUT SOLAR PROPERTY TAX EXCLUSION.

Senate: Filed

Senate: Filed

S 782: NC ADOPT EQUAL RIGHTS AMENDMENT/FUNDS.

Senate: Filed

S 783: NORTH CAROLINA EQUAL PAY ACT/FUNDS.

Senate: Filed

Senate: Filed

S 784: AFFORDABLE HOUSING ACT.

Senate: Filed

Senate: Filed

S 785: "ALPHA PHI ALPHA FRATERNITY" SPECIAL PLATE.

Senate: Filed

Senate: Filed

S 786: HEALTHY MOTHER & CHILD/SHACKLING PROHIBITION.

Senate: Filed

Senate: Filed

S 787: SMALL FARMS TO HEALTHIER SCHOOLS INITIATIVE.

Senate: Filed

Senate: Filed

S 788: KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & REG.

Senate: Filed

Senate: Filed

S 789: GEN. ASSEMBLY/PREVENT WORKPLACE HARASSMENT.

Senate: Filed

S 790: PED LOTTERY RECOMMENDATIONS.

Senate: Filed

Senate: Filed

LOCAL BILLS

H 514: PERMIT MUNICIPAL CHARTER SCHOOL/CERTAIN TOWNS.

Senate: Reptd Fav As Amended
Senate: Com Amend Adpt & Engross 1
Senate: Re-ref Com On Rules and Operations of the Senate
Senate: Sequential Referral To Pensions and Retirement and Aging Added
Senate: Reptd Fav
Senate: Re-ref Com On Pensions and Retirement and Aging

H 947: MOORESVILLE LOCAL OPTION SALES TAX.

House: Reptd Fav Com Substitute
House: Ruled Material
House: Re-ref Com On Finance

H 954: ROCKINGHAM COUNTY SCHOOL BOARD/CHAIR TERM.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading

H 957: GRAHAM COUNTY OCCUPANCY TAX.

House: Reptd Fav
House: Re-ref Com On Finance

H 978: HEMBY BRIDGE/STALLINGS CORPORATE LIMITS.

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

H 989: MADISON CHARTER/TOWN MANAGER.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 05/31/2018

H 991: FOX TRAPPING LOCAL OMNIBUS.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 05/31/2018

H 993: BESSEMER CITY CHARTER AMENDMENT.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 05/31/2018

H 1023: SPOUSE EMP. & LOC. SALES TAX/CERTAIN COUNTIES.

House: Passed 1st Reading
House: Ref to the Com on State and Local Government I, if favorable, Finance

H 1027: BALD HEAD ISLAND/VILLAGE DEPT. PUBLIC SAFETY.

House: Passed 1st Reading
House: Ref To Com On State and Local Government I

H 1028: OAK ISLAND CHARTER AMENDMENT.

House: Passed 1st Reading
House: Ref To Com On State and Local Government I

S 765: NO CLASS RANK COMPUTATION/CHAPEL HILL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 766: ABSENTEE BALLOTS/REGISTERED VOTERS/GREENE CO.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 769: APEX ANNEXATION.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 775: BLACK MOUNTAIN/MONTREAT CORPORATE LIMITS.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 776: HENDERSONVILLE DEANNEXATION.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

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