

The Daily Bulletin: 2018-06-04

PUBLIC/HOUSE BILLS

H 717 (2017-2018) **JUDICIAL ELECTIONS CHANGES. (NEW)** Filed Apr 10 2017, *AN ACT TO REVISE JUDICIAL DIVISIONS; ALIGN THE SUPERIOR COURT, DISTRICT COURT, AND PROSECUTORIAL DISTRICTS IN CERTAIN JUDICIAL DISTRICTS; TO CLARIFY LISTING OF JUDICIAL SEATS ON THE BALLOT; AND TO LIMIT ROTATION OF SUPERIOR COURT JUDGES TO SIX MONTHS PER YEAR.*

Senate committee substitute makes the following changes to the 5th edition.

Deletes the proposed changes of the previous edition. Changes the act's long and short titles, and now provides the following.

Amends GS 7A-41(a), modifying the superior court judicial divisions. Decreases the number of judicial divisions from eight to five, moving the counties to divisions as specified. Additionally, modifies the superior court judicial districts. Moves Hoke County from District 16A to District 19D (consisting of Moore County), and increases the number of resident superior court judges in District 19D from one to two. Increases the number of resident superior court judges in District 19A (consisting of Cabarrus County) from one to two. Provides that the additional judge in District 19D and the additional judge in District 19A will take office on January 1, 2021, with an election in 2020 to be held accordingly. Effective July 1, 2018.

Amends GS 7A-133, modifying the district court judicial districts. Creates new District 19D, consisting of Hoke and Moore counties and assigned five district court judges. Makes conforming changes to: (1) remove Hoke County from District 16A (now consisting of Scotland, Anson, and Richmond counties only) and reducing the number of district court judges in District 16A from six to four and (2) remove Moore County from District 19B (now consisting of Montgomery and Randolph counties only) and reducing the number of district court judges in District 19B from seven to four. Additionally, increases the number of district court judges in District 19A (Cabarrus County) from five to six, District 25 (Burke, Caldwell and Catawba counties) from nine to 10, and District 29A (McDowell and Rutherford counties) from three to four. Limits two of the judgeships in District 16A to Richmond County residents, one judgeship to Anson County residents, and one judgeship to Scotland County residents. Limits five of the judgeships in District 25 to Catawba County resident candidates with the remaining five judgeships to be limited to Burke and Caldwell county resident candidates. To that end, provides that the first three district court judgeship vacancies occurring in District 25 of a Catawba County resident holding a judgeship when the act becomes law is to be filled according to law, but the next general election for that district court judgeship is limited to Burke or Caldwell County candidates. Further provides that upon each of the first three district court judgeship vacancies occurring in District 25 of a Catawba County resident holding a judgeship on the effective date of the act, the State Board of Elections and Ethics Enforcement (SBEEE) must ensure that only Burke or Caldwell residents can file for candidacy for that district court judgeship at the next general election for that judgeship. Provides that the additional judgeships in District 25, District 29A, and District 19A will take office on January 1, 2021, with an election in 2020 to be held accordingly.

Amends GS 7A-60, modifying the prosecutorial districts. Adds Scotland County to District 21 (consisting of Anson and Richmond counties) and increases the number of full-time assistant district attorneys in District 21 from six to nine. Adds Hoke County to District 28 (consisting of Moore County) and increases the number of full-time assistant district attorneys in District 28 from five to nine. Makes conforming change to eliminate District 19, which consisted of Scotland and Hoke counties and was assigned seven full-time assistant district attorneys. Additionally, eliminates existing District 36 (consisting of Burke, Caldwell, and Catawba counties and assigned 19 full-time assistant district attorneys) and instead creates new District 36A, consisting of Burke and Caldwell counties and assigned 10 full-time assistant district attorneys; and new District 36B, consisting of Catawba County and assigned ten full-time assistant district attorneys. Terminates the office and term of the district attorney for District 19, eliminated as described above, upon the expiration of the current term, December 31, 2020. Reassigns District 19 as provided by the act, effective January 1, 2021, and requires all open investigations and pending cases to be transferred to either District 21 or 28. Terminates the office and term of the district attorney for District 36, eliminated as described above, upon the expiration of the current term, December 31, 2022. Reassigns District 36 as provided by the act,

effective January 1, 2023, and requires all open investigations and pending cases to be transferred to either District 36A or 36B.

Amends GS 163A-1112, requiring that official ballots designate the vacancy sought if there are two or more vacancies for the office of justice or judge of the courts, but prohibits designation by the name(s) of any incumbent or other individual. Provides that the SBEEE determines the designation. Amends GS 163A-975, requiring superior court judges to designate the vacancy sought at the time of filing a notice of candidacy for any primary in which there are two or more vacancies for superior court judge (currently, not required of superior court candidates but required for associate justices of the Supreme Court, Court of Appeals, district court judge, and US Senators). Makes conforming change to reflect the new official ballot requirement set out in GS 163A-1112, as amended, prohibiting the required designation for the vacancy sought at the time of filing to be the name(s) of any incumbent or other individual and requiring the SBEEE to determine the designation. Applies to elections held on or after the date the act becomes law.

Amends GS 7A-47.3, requiring the Chief Justice to strive to allow each regular superior court judge to be assigned to the district or set of districts from which he or she was elected or appointed no less than one half of the calendar year in making rotation assignments. Makes organizational changes.

Intro. by Burr, Stone, Destin Hall, Millis.

GS 7A, GS 163A

[View summary](#)

Courts/Judiciary, Court System, Government, Elections

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 amendment makes the following changes to 2nd edition. Amends GS 115C-105.52A, placing the onus on the Department of Public Safety, Division of Emergency Management, to collaborate with the Department of Public Instruction, Division of School Operations, and the Center for Safer Schools, to develop a facility vulnerability assessment tool for school safety. Previously, the Center for Safer Schools was directed to collaborate with the other departments. Adds new Section 5. (b1), amending GS 115C-105.49(a), requiring each local school administrative unit to report to the Center for Safer Schools the date and time of the annual school-wide tabletop exercise and drill for each school under the administrative unit's control.

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

H 1037 (2017-2018) **VARIOUS JUDICIAL DISTRICTS CHANGES (NEW)**. Filed May 30 2018, *AN ACT TO REVISE CERTAIN JUDICIAL DISTRICTS.*

House amendments make the following changes to the 2nd edition.

Amendment #1 makes technical changes to the proposed changes to GS 7A-133 and Section 4 of the act.

Amendment #2 further amends GS 7A-133, limiting one of the three district court judgeships in District 20A (as amended in the previous edition, consists of Montgomery and Stanly counties and is assigned three district court judges) to residents of Montgomery County and the remaining judgeships in District 20A to residents of Montgomery or Stanly counties.

Amendment #3 provides that the proposed changes to GS 7A-133 regarding district court districts are effective January 1, 2019. Further, provides that the act applies to elections in 2018 and thereafter except as otherwise provided.

Intro. by Dixon, Cleveland, Shepard.

[GS 7A](#)

[View summary](#)

[Courts/Judiciary, Court System, Government, Elections](#)

H 1083 (2017-2018) [SPEAKER'S APPOINTMENTS 2018](#). Filed Jun 4 2018, *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES*.

Includes whereas clauses.

Appoints three members to the 911 Board for terms expiring December 31, 2021, effective January 1, 2018.

Intro. by Lewis.

[UNCODIFIED](#)

[View summary](#)

[Government, Public Safety, State Government, Executive](#)

PUBLIC/SENATE BILLS

S 757 (2017-2018) [VARIOUS COURT DISTRICTS CHANGES \(NEW\)](#). Filed May 28 2018, *AN ACT TO MAKE VARIOUS CHANGES TO THE SUPERIOR COURT DISTRICTS, DISTRICT COURT DISTRICTS, AND PROSECUTORIAL DISTRICTS*.

House amendment amends the 4th edition.

Further amends GS 7A-41(a) by moving Pender County in its entirety to superior court District 5A, also consisting of part of New Hanover County (the previous edition made these changes to the composition of District 5A set out in subsection (b) of the statute; currently, Pender County is placed partly in Districts 5A and 5B). Additionally, assigns Districts 5B and 5C, consisting of parts of New Hanover County, to the second judicial division.

Amends the implementation provisions for the proposed changes to GS 7A-41, requiring elections to be held in 2018 and every eight years thereafter for Districts 5A and 5C (was, Districts 12A and 12C, parts of Cumberland County), and requiring elections to be held in 2020 and every eight years thereafter for District 5B (was, District 12B, part of Cumberland County).

Further amends GS 7A-133(b), which sets out the composition of partial district court districts, adding that the names and boundaries of voting tabulation districts (VTDs) specified for Wake County are as shown on the 2010 Census Redistricting TIGER/Line Shapefiles (the previous edition only specifies VTDs for Mecklenburg County in addition to the existing specification for Vance County VTDs).

Amends the implementation provisions for proposed changes to GS 7A-133 regarding district court judicial districts. Requires one judge (was, two judges) in District 10B (part of Wake County) and one judge (was, two judges) in District 10F (part of Wake County) to take office on January 1, 2019, with elections in 2018 and every four years thereafter. Requires two judges (was, one judge) in District 10B and two judges (was, one judge) in District 10F to take office on January 1, 2021, with elections in 2020 and every four years thereafter.

Makes technical change to the conditional directive for the Director of the Budget in Section 3.

Intro. by Bishop, Tarte.

[Mecklenburg, New Hanover, Pender, Wake, GS 7A](#)

[View summary](#)

[Courts/Judiciary, Court System, Government](#)

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 amendment makes the following changes to 4th edition. Amends GS 115C-218.90, removing proposed subsection (4a), which permitted the board of directors of a municipal charter school to elect to become a participating employer in the Teachers' and State Employees' Retirement System and the State Health Plan for Teachers and State Employees. Deletes Section 7, amending GS 135-4(cc) by removing provision for employees of a charter school operated by a municipality to participate in the retirement system for teachers and State employees. Deletes Section 8, amending GS 135-5.3 to remove provision for the board of directors of a charter school operated by a municipality to elect to become a participating employer in the State employees retirement system. Deletes Section 9, amending GS 135-48.47, removing provision that prevented employees of a charter school operated by a municipality from participating in the State Health Plan. Deletes Section 10, amending GS 135-48.54, to remove provision for the board of directors of a charter school operated by a municipality to elect to become a participating employer in the State employees retirement system.

Intro. by Brawley.

[Mecklenburg, Union](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

LOCAL/SENATE BILLS

S 803 (2017-2018) [BALD HEAD ISLAND/NO-WAKE ZONE ENFORCEMENT](#). Filed Jun 4 2018, *AN ACT PROVIDING THAT A VIOLATION OF THE NO-WAKE SPEED ZONE UPON THE WATERS WITHIN THE COMMUNITY OF THE VILLAGE OF BALD HEAD ISLAND IS AN INFRACTION AND THAT A VIOLATION IS ENFORCEABLE AS IF IT WERE A PROVISION OF THE GENERAL LAWS REGULATING BOATING SAFETY*.

Amends SL 1987-688, Sections 2.1 and 3, making the violation of a no-wake speed restricted area while operating a water vessel an infraction as provided under GS 14-3.1, and subject to a \$50 fee. A person guilty of such an infraction may not be assessed court costs. Previously, this violation was a misdemeanor subject to a fine of up to \$250. Provides that this act is enforceable under GS 75A-17 as if it were a provision of GS Chapter 75A, meaning that wildlife protectors, Department of Environmental Quality enforcement personnel, and other State law-enforcement officers may enforce this violation.

Previously, enforcement was limited to officers of the Wildlife Resources Commission and the Brunswick County Sheriff.

Applies to Village of Bald Head Island only.

Intro. by Rabon.

[Brunswick](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 577: [LSC CRIM. CHECK/FELONIOUS GAMING MACHINES \(NEW\)](#).

House: Failed Concur In S Com Sub

House: Conf Com Appointed

Senate: Conf Com Appointed

H 717: [JUDICIAL ELECTIONS CHANGES. \(NEW\)](#)

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

H 931: UNEMPLOYMENT INSURANCE TECHNICAL CHANGES.

House: Withdrawn From Cal
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 06/05/2018

H 938: VARIOUS SCHOOL SAFETY CHANGES. (NEW)

House: Amend Adopted A1
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Engrossed

H 985: RETIREMENT TECHNICAL CORRECTIONS ACT OF 2018.-AB

House: Placed On Cal For 06/05/2018

H 1021: PEOPLE FIRST LANGUAGE 2018.

House: Serial Referral To Appropriations Stricken
House: Withdrawn From Com
House: Re-ref Com On Judiciary I

H 1037: VARIOUS JUDICIAL DISTRICTS CHANGES (NEW).

House: Amend Adopted A1
House: Amend Adopted A2
House: Amend Adopted A3
House: Passed 2nd Reading

H 1083: SPEAKER'S APPOINTMENTS 2018.

House: Filed

S 168: SUBSIDY RECIPIENTS TO COOPERATE/CHILD SUPPORT.

House: Withdrawn From Com
House: Re-ref Com On Judiciary I

S 486: THE ELECTIONS SECURITY AND TRANSPARENCY ACT (NEW).

House: Amend Failed A1
House: Amend Failed A2
House: Amend Failed A3
House: Passed 2nd Reading
House: Passed 3rd Reading

S 711: NC FARM ACT OF 2018.

Senate: Sequential Referral To Judiciary Stricken
Senate: Sequential Referral To Finance Stricken
Senate: Sequential Referral To Rules and Operations of the Senate Stricken
Senate: Sequential Referral To Finance Added
Senate: Sequential Referral To Judiciary Added
Senate: Sequential Referral To Rules and Operations of the Senate Added

S 757: VARIOUS COURT DISTRICTS CHANGES (NEW).

House: Amend Adopted A1
House: Passed 2nd Reading

LOCAL BILLS

H 514: PERMIT MUNICIPAL CHARTER SCHOOL/CERTAIN TOWNS.

Senate: Amend Adopted A1
Senate: Passed 3rd Reading
Engrossed

H 930: APEX ANNEXATION.

House: Passed 3rd Reading

H 942: KINSTON DEANNEXATION CORRECTIONS.

House: Passed 3rd Reading

H 946: MOORESVILLE DEANNEXATION.

House: Passed 3rd Reading

H 950: CARTHAGE, POLLOCKSVILLE SATELLITE ANNEXATIONS (NEW).

House: Passed 3rd Reading

H 978: HEMBY BRIDGE/STALLINGS CORPORATE LIMITS.

House: Passed 3rd Reading

H 1082: WAKE/CHATHAM/HARNETT BOUNDARY LINE.

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

S 566: WRIGHTSVILLE BEACH/WILMINGTON DEANNEX-ANNEX (NEW).

House: Passed 3rd Reading

S 802: WESLEY CHAPEL DEANNEXATION.

Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

S 803: BALD HEAD ISLAND/NO-WAKE ZONE ENFORCEMENT.

Senate: Filed

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