

The Daily Bulletin: 2018-12-03

PUBLIC/HOUSE BILLS

H 1111 (2017-2018) (2017-2018) **ADDITIONS & CORRECTIONS TO 2018 APPOINTMENTS**. Filed Nov 28 2018, *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE AND TO MAKE FURTHER MODIFICATIONS TO APPOINTMENTS MADE IN THE 2018 APPOINTMENTS BILL.*

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

Amends the Speaker's recommendations by adding in home counties for Representatives Torbett and Fraley.

New Part II appoints the specified persons to the following boards and commissions upon the recommendation of the President Pro Tempore, effective on the specified dates, with terms expiring as provided: NC State University Board of Trustees, License to Give Trust Fund Commission, Domestic Violence Commission, Education Commission of the States, North Carolina Locksmith Licensing Board, North Carolina Interpreters and Transliterated Licensing Board, North Carolina Partnership for Children Inc. Board of Directors, North Carolina Education and Workforce Innovation Commission, Board of Trustees of the State Health Plan for Teachers and State Employees, North Carolina Commission on Indigent Defense Services, North Carolina Brain Injury Advisory Council, and the North Carolina Charter Schools Advisory Board.

Amends the appointment to the North Carolina Respiratory Care Board in SL 2016-70 by extending the expiration of the term from June 30, 2019, to November 30, 2019. Amends multiple sections in SL 2017-75 to remove the appointment of Leigh T. Brown and extend the expiration of the terms of the remaining named appointees to the North Carolina Housing Finance Agency Board of Directors from 2019 to 2021, extend the term for the appointee to the Outdoor Heritage Advisory Council by one year, and extend the term of the appointee to the State Board of Proprietary Schools by two years and make a technical change. Amends SL 2017-213 by extending the term of the appointee to the North Carolina Sheriff's Education and Training Standards Commission by one year. Amends SL 2018-127 by changing the effective date of the appointment to the North Carolina Human Resources Commission to July 1, 2018 (was, January 1, 2019) and changes the expiration of the term to June 30, 2022 (was, December 31, 2022).

Makes conforming changes to the act's long title.

Intro. by Rules, Calendar, and Operations of the House.

UNCODIFIED

Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Family Law, Court System, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Environment, Environment/Natural Resources, Government, General Assembly, Public Safety, State Agencies, UNC System, State Government, Executive, State Personnel, Health and Human Services, Health, Health Insurance, Social Services, Child Welfare, Transportation

[View summary](#)

H 1115 (2017-2018) [LET NORTH CAROLINA VOTE ACT](#). Filed Dec 3 2018, *AN ACT PROVIDING FOR AUTOMATIC VOTER REGISTRATION AT DRIVERS LICENSE OFFICES, PUBLIC AGENCIES, COMMUNITY COLLEGES, AND COLLEGES AND UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA SYSTEM; REQUIRING THE BIPARTISAN STATE BOARD OF ELECTIONS AND ETHICS ENFORCEMENT TO IMPLEMENT AN OUTREACH CAMPAIGN INFORMING CITIZENS ABOUT AUTOMATIC VOTER REGISTRATION; ALLOWING INDIVIDUALS WHO MEET THE CRITERIA TO REGISTER TO VOTE OR CHANGE VOTER REGISTRATION ONLINE; REESTABLISHING SAME DAY REGISTRATION, INCLUDING ON ELECTION DAY; REESTABLISHING THE PROGRAM TO PREREGISTER 16 AND 17 YEAR OLDS; AND IMPLEMENTING THE CONSTITUTIONAL REQUIREMENT OF PHOTOGRAPHIC IDENTIFICATION TO VOTE IN PERSON.*

To be summarized.

Intro. by Meyer, Morey, Farmer-Butterfield, John.

[GS 20](#), [GS 115D](#), [GS 116](#), [GS 161](#), [GS 163A](#)

[View summary](#)

[Education](#), [Higher Education](#), [Government](#), [Elections](#), [Ethics and Lobbying](#), [State Agencies](#), [Community Colleges System Office](#), [UNC System](#), [Department of Transportation](#), [State Board of Elections](#)

H 1116 (2017-2018) [HONOR JARED FRANKS, FALLEN POLICE OFFICER](#). Filed Dec 3 2018, *A HOUSE RESOLUTION HONORING THE LIFE AND MEMORY OF JARED FRANKS, FALLEN POLICE OFFICER.*

As title indicates.

Intro. by Hardister, Faircloth, Blust, Harrison.

[HOUSE RES](#)

[View summary](#)

[Government](#), [Cultural Resources and Museums](#), [Public Safety](#)

H 1117 (2017-2018) [RESTRUCTURE ELECTION ADMIN/ETHICS/LOBBYING/CF](#). Filed Dec 3 2018, *AN ACT TO TRANSFER THE FUNCTION OF ELECTION ADMINISTRATION TO THE STATE BOARD OF ELECTIONS ADMINISTRATION; TO TRANSFER THE FUNCTIONS OF ETHICS, LOBBYING, AND CAMPAIGN FINANCE TO THE STATE BOARD OF ETHICS, LOBBYING, AND CAMPAIGN FINANCE; TO REPEAL STATUTES CREATING THE CHILD CARE COMMISSION, THE CLEAN WATER MANAGEMENT TRUST FUND BOARD OF TRUSTEES, THE NORTH CAROLINA PARKS AND RECREATION AUTHORITY, THE PRIVATE PROTECTIVE SERVICES BOARD, THE RURAL INFRASTRUCTURE AUTHORITY, AND THE STATE BUILDING COMMISSION FOR WHICH THE APPOINTED STRUCTURES WERE RULED UNCONSTITUTIONAL PURSUANT TO MCCRORY V. BERGER AND COOPER V. BERGER; AND TO REPEAL THE CONSTITUTIONAL AMENDMENTS PUBLICATION COMMISSION.*

Part I

Directs the Revisor of Statutes to recodify Articles 15 through 22 and Article 27 of GS Chapter 163A, and any other existing, related law, into new GS Chapter 147B, entitled Election Administration. Provides for the new Chapter's structure.

Establishes the State Board of Election Administration (SBEA), consisting of five registered voters appointed by the Governor for four-year terms. Provides for member qualifications, appointment, terms, removal, oath, and reimbursement. Further provides parameters for SBEA meetings and powers, including the power to issue subpoenas, summon witness and compel production of evidence as specified. Creates the position of Executive Director of the SBEA who is appointed by the SBEA for two-year term. Provides for the payment, qualifications and duties of the Executive Director.

Repeals the following statutes creating and providing for the Bipartisan State Board of Elections and Ethics Enforcement: GS 163A-1; GS 163A-2, GS 163A-3; GS 163A-4; and GS 163A-6.

Amends GS 163A-766, reducing the number of registered voters making up each county's board of elections from four to three persons and prohibiting no more than two members from belonging to the same political party (under current law, two members are to be of the political party with the highest number of registered affiliates and two are to be of the political party

with the second highest number of affiliates). Makes technical changes. Amends GS 163A-767 to make conforming changes concerning county board of elections meetings to reflect the proposed reduction in members.

Amends GS 163A-1181, permitting the SBEA to order a new election upon agreement of at least three of its members (current law requires at least five) in the specified situations under current law.

Maintains validity of any assignment of duties and function related to election administration from the Governor and General Assembly to the Bipartisan State Board of Elections and Ethics Enforcement. Provides for the continuation of each enumerated commission, board or other function of state government transferred to the SBEA for purposes of succession to all the rights, powers, duties, and obligations of the former. Charges the SBEA with exercising the functions of former named entities referred to by law, contract or other document.

Allows for any business or other matter undertaken or commanded by any state program, office, or contract transferred to the Bipartisan State Board of Elections and Ethics Enforcement pertaining to the functions, power, obligations, and duties set forth in the act that is pending on January 1, 2017, or after to be conducted and completed by the SBEA in the same manner and under the same terms and conditions.

Provides that the act's reorganization and consolidation does not effect any ongoing investigation or audit related to election administration. Transfers any ongoing proceeding before the State Ethics Commission, the State Board of Elections, or the Bipartisan State Board of Elections and Ethics Enforcement on or after January 1, 2017, to the SBEA. Provides that prosecutions for offenses or violations committed before January 1, 2017, are not affected by the act.

Provides for the continued effectiveness of rules adopted by the State Board of Elections and the Bipartisan State Board of Elections and Ethics Enforcement as provided in GS 150B-21.7, and policies, procedures, and guidance until amended or repealed by the SBEA.

Transfers all authority, powers, duties and functions, records, personnel, property, and unexpended balances of funds of the Bipartisan State Board of Elections and Ethics Enforcement related to election administration to the SBEA. Designates the Director of Budget to resolve any disputes arising from the transfer. Transfers the appropriations and resources of the Bipartisan State Board of Elections and Ethics Enforcement related to election administration to the SBEA as a Type I transfer under GS 143-6.

Requires the SBEA to report to the specified NCGA committees on or before March 1, 2019, and again on or before April 1, 2020, to recommend statutory changes necessary for implementation.

Part II

Directs the Revisor of Statutes to recodify Articles 5 through 9 and Articles 23 through 26 of GS Chapter 163A, and any other existing, related law into new GS Chapter 138B, entitled Ethics, Lobbying, and Campaign Finance. Provides for the new Chapter's structure.

Establishes the State Board of Ethics, Lobbying, and Campaign Finance (Board), consisting of eight members serving four-year terms. Provides for the appointment of four members by the Governor and four members by the General Assembly with two upon recommendation of the Speaker and two upon recommendation of the President Pro Tempore. Provides for a split political makeup of the eight members and sets forth parameters for initial member terms. Further provides for member qualification, removal, vacancies, oath, and reimbursement. Sets parameters for Board meetings, staff and offices.

Amends GS 163A-156(c) and GS 163A-1440(7), concerning the institution of ethics or campaign finance proceedings, now providing that the Board must initiate an inquiry or make investigations, respectively, as previously provided upon a complaint signed and sworn under oath or affirmation (under current law, the Board can begin ethics proceedings in response to a signed complaint of any individual filed with the Board, and make investigations upon complaint under oath by any registered voter).

Amends GS 163A-1451(f), removing the notification and consultation with the district attorney requirement after the Board accesses a civil penalty or imposes a civil remedy under the statute. Instead, requires the decision of the Board be referred to the Office of Administrative Hearings for an administrative hearing under Article 3 of GS Chapter 150B.

Amends GS 163A-1445, requiring the Board to report possible violations of campaign finance regulations (Article 23 of GS Chapter 163A) to the district attorney of the prosecutorial district in which the candidate for nomination or election resides in the case of a candidate for nomination or election to the office of Governor, Lt. Governor, cabinet offices, all other state

elective offices, justices and judges, and district attorney of superior court (previously, reported to the DA of the prosecutorial district in which Wake County resides).

Similarly to GS 163A-156(c) and GS 163A-1440(7), amends GS 120-103.1, requiring the Legislative Ethics Committee to conduct an investigation as previously specified upon receipt of a signed and sworn, under oath or affirmation, allegation of unethical conduct (under current law, upon receipt of a signed and sworn allegation of unethical conduct).

Part III

As title indicates, repeals the following statutes, which establish appointment structures for certain boards and commissions, effective June 30, 2019:

- GS 143B-168.4 (Child Care Commission);
- GS 143B-135.240 (Clean Water Management Trust Fund Board of Trustees);
- GS 143B-135.202 (North Carolina Parks and Recreation Authority);
- GS 74C-4 (Private Protective Services Board);
- GS 143B-472.128(a)-(i) (Rural Infrastructure Authority); and
- GS 143-135.25 (State Building Commission).

Designates the Department of Natural and Cultural Resources to serve as the successor-in-interest for all outstanding instruments payable to the Clean Water Management Trust Fund Board of Trustees, and the Rural Economic Development Division to serve the same for all outstanding instruments payable to the Rural Infrastructure Authority.

Part IV

Repeals Article 4A of GS Chapter 147, the Constitutional Amendments Publication Commission.

Part V

Repeals Sections 3 through 21 of SL 2017-6, creating the Bipartisan State Board of Elections and Ethics Enforcement.

Repeals Part VIII of SL 2018-2, amending the Governor's control over the Bipartisan State Board of Elections and Ethics Enforcement.

Grants the Revisor of Statutes authorities regarding changing references, modifying citations, and the like to reflect the act's changes. Requires the Revisor to consult with the Bipartisan Sate Board of Elections and Ethics Enforcement, the new SBEA, and the new Board on this recodification.

Provides a severability clause.

Intro. by Lewis.

GS 74C, GS 120, GS 138B, GS 143, GS 143B, GS 147B, GS 163A

[View summary](#)

Business and Commerce, Occupational Licensing, Development, Land Use and Housing, Building and Construction, Environment, Environment/Natural Resources, Government, Elections, Ethics and Lobbying, Public Safety, Health and Human Services, Social Services, Child Welfare

PUBLIC/SENATE BILLS

S 117 (2017-2018) [FORFEIT. RETMT/ANTI-SPIKING/SERV. PURCH/TC. \(NEW\)](#). Filed Feb 21 2017, *AN ACT TO PROHIBIT THE RECEIPT OF BENEFITS FROM THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM FOR JUDGES WHO HAVE BEEN IMPEACHED AND CONVICTED OR REMOVED FROM OFFICE; TO AMEND FELONY FORFEITURE STATUTES; TO CLARIFY ANTI-PENSION-SPIKING CONTRIBUTION-BASED BENEFIT CAP; AND TO PROVIDE AN EXEMPTION FROM RULE MAKING; TO MAKE OTHER TECHNICAL AND SUBSTANTIVE CHANGES TO LAW RELATING TO THE STATE TREASURER, TO THE*

TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, TO THE LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM LAWS, TO THE STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES, AND RELATED STATUTES; AND TO MAKE A TECHNICAL CORRECTION TO THE STATUTES THAT INDICATE THE YEAR IN OR AFTER WHICH LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM MAY RETIRE AFTER ACHIEVING TWENTY-FIVE YEARS OF CREDITABLE SERVICE SO THAT THE YEAR IN THE STATUTE AND THE YEAR THE SESSION LAW BECOMES EFFECTIVE ARE IN AGREEMENT.

House committee substitute makes the following changes to the 4th edition.

Changes the act's long and short titles.

Part I

Changes the statutory number for the proposed provisions regarding forfeiture of retirement benefits for conviction on impeachment of removal from office of justices and judges, now GS 135-75.1C.

Amends GS 135-75.1B (enacted in SL 2018-52), to also prohibit any members whose retirement benefits have been forfeited under new GS 135-75.1C from subsequently purchasing or repurchasing either those forfeited benefits or any associated creditable membership service associated.

Amends proposed GS 135-56(k), adjusting the date by which a justice or judge who is in service and has vested in the Judicial Retirement System is not entitled to any creditable service if convicted on impeachment or removed from office for acts committed after that date, to now be October 1, 2019 (was, December 1, 2017).

Changes the effective date for the provisions of Part I to now be October 1, 2019 (was, December 1, 2017).

Part III

Makes technical changes to the proposed changes to GS 135-5(a3) and GS 128-27(a3), concerning the anti-pension-spiking contribution based benefit cap for retirement allowances provided by the Retirement Systems for Teachers and State Employees and Local Government, to reflect the changes enacted to those statutes in SL 2018-22.

Makes clarifying and technical changes to the proposed changes to GS 135-6(l) and GS 128-28(m), concerning the duties of a designated actuary in each System. Further specifies that the described studies, assumptions and rates used by the actuary set out in the actuary's periodic reports, annual valuations of System assets, or other materials provided to the Board of Trustees, once accepted by the Board, are considered part of the Plan documentation governing the System and effective the first date of the month following adoption, unless a different date is specified in the adopting resolution and that effective date is after the adoption date.

Changes the effective date provision for Part III. Provides that the provisions of this Part are effective January 1, 2019, and apply to calculations on or after that date, if HB 1055 of the 2017 Regular Session (Retirement Complexity Reduction Act of 2018) does not become law. Provides that if HB 1055 does become law, then the proposed changes to GS 135-6(l) and GS 128-28(m), concerning the duties of a designated actuary in each System, become effective on the date that Section 1 of HB 1055 becomes effective (effective when becomes law; contains identical proposed changes to those statutes) and applies to calculations on or after that date, and proposed changes to GS 135-5(a3) and GS 128-27(a3), concerning the anti-pension-spiking contribution based benefit caps in each System, become effective January 1, 2019, and applies to calculations on or after that date.

Part IV

Makes organizational changes and adds to the proposed rule making exemption for the Boards of the Teachers and State Employees and Local Government Retirement Systems, GS 150B-1(d)(29). Now includes in the exemption the Boards' adoption of asset smoothing methods, actuarial cost methods, and amortization policies after presentation of the actuary's recommendations.

Makes clarifying and technical changes to the proposed changes to GS 135-6(n) and GS 128-28(o), expressly requiring the Board of Trustees of each System to adopt for each System necessary contribution-based benefit cap factors in addition to mortality and service tables required to be adopted upon recommendations from the actuary based on the five-year actuarial investigation and valuation.

Changes the effective date for the provisions of Part IV. Provides that the provisions of this Part are effective January 1, 2019, and apply to actuarial tables, assumptions, and contribution-based cap factors changed on or after that date and actuarial investigations and calculations made on or after that date, if HB 1055 of the 2017 Regular Session (Retirement Complexity Reduction Act of 2018) does not become law. Provides that if HB 1055 does become law, then the proposed changes become effective on the date that Section 1 of HB 1055 becomes effective (effective when becomes law; contains identical proposed changes to the statutes) and applies to actuarial tables, assumptions, and contribution-based cap factors changed on or after that date and actuarial investigations and calculations made on or after that date.

Part V

Amends GS 135-4 and GS 135-1.1 (concerning the Retirement System for Teachers and State Employees), GS 128-26 (concerning the Retirement System for Counties, Cities, and Towns), GS 135-56 (concerning the Judicial Retirement System), GS 120-4.15 (concerning the Legislative Retirement System), pushing back the service purchase provision effective date to the specified dates, but only if HB 1055 of the 2017 Regular Session (Retirement Complexity Reduction Act of 2018; Section 5 of the act amends the same statutes as Part V of this act) becomes law.

Amends Section 5.(k) of HB 1055 (2017), requiring the Retirement Systems Division of the Department of State Treasurer to accept and process all service purchase request forms, for all service purchases that are required to have been made by June 30, 2019 (currently, December 31, 2018), that are received by the Division on or before that date.

Adds that if HB 1055 of the 2017 Regular Session becomes law, the provisions of Part V become effective on the date Section 5 of HB 1055 becomes law.

Part VI

Amends GS 135-5 (concerning the Retirement System for Teachers and State Employees) and GS 128-27 (concerning Coverage of Governmental Employees under Title II of the Social Security Act), changing the optional retirement allowance elections by delaying the triggering date, as specified, but only if HB 1055 of the 2017 Regular Session (Retirement Complexity Reduction Act of 2018; Section 6 of the act amends the same statutes as Part VII of this act) becomes law.

Adds that if HB 1055 of the 2017 Regular Session becomes law, the provisions of Part V become effective on the date Section 6 of HB 1055 becomes law.

Part VII

Amends Section 3(b) of SL 2018-84, providing for a five year sunset of the changes to GS 135-5.3(f) in that act, which require a charter school ceasing participation in the retirement system for teachers and state employees to pay withdrawal liability in a lump sum or installment payment plan under which the Retirement System would have a lien on the real property of the charter school. Allows charter schools entering a withdrawal of liability payment plan prior to the sunset date a full three years to complete the payment plan with lien priority applicable during the entire period of the payment plan. (The act provides alternate but substantively identical provisions depending on whether HB 1055 of the 2017 Regular Session becomes law).

Part VIII

Amends GS 135-5 and GS 128-27, changing the date of retirement from service determinant from July 1, 2018, to July 1, 2019, for the retirement allowances of members of the Retirement Systems for Teachers and State Employees and Local Government. Effective July 1, 2019.

Intro. by Pate, Tucker.

[GS 7A, GS 120, GS 128, GS 135, GS 150B](#)

[View summary](#)

[Courts/Judiciary, Court System, Education, Elementary and Secondary Education, Employment and Retirement, Government, APA/Rule Making, Public Safety](#)

AN ACT TO MODIFY THE PER JOB CAP FOR PURPOSES OF CERTAIN JOB DEVELOPMENT INCENTIVE GRANT AWARDS. Enacted December 3, 2018. Effective December 3, 2018.

Intro. by Tillman, Newton, Alexander.

GS 143B

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Employment and Retirement

S 823 (2017-2018) [HURRICANE FLORENCE/SUPPLEMENTAL ACT](#). Filed Nov 27 2018, *AN ACT TO PROVIDE ADDITIONAL DISASTER RELIEF IN RESPONSE TO HURRICANE FLORENCE.*

AN ACT TO PROVIDE ADDITIONAL DISASTER RELIEF IN RESPONSE TO HURRICANE FLORENCE. Enacted December 3, 2018. Effective December 3, 2018, except as otherwise provided.

Intro. by Brown, B. Jackson.

GS 7A

[View summary](#)

Agriculture, Animals, Business and Commerce, Courts/Judiciary, Development, Land Use and Housing, Community and Economic Development, Education, Elementary and Secondary Education, Environment, Aquaculture and Fisheries, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Agriculture and Consumer Services, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Justice, Department of Public Instruction, Department of Public Safety, Office of State Budget and Management, Transportation

S 827 (2017-2018) [EXTEND AGRICULTURAL DISASTER PROGRAM DEADLINE](#). Filed Dec 3 2018, *AN ACT TO EXTEND THE APPLICATION PERIOD FOR THE HURRICANE FLORENCE AGRICULTURAL DISASTER PROGRAM OF 2018.*

As title indicates, amends SL 2018-136 to extend the deadline from December 10, 2018, to December 20, 2018.

Intro. by B. Jackson.

UNCODIFIED

[View summary](#)

Agriculture, Government, Public Safety, State Agencies, Department of Agriculture and Consumer Services

S 828 (2017-2018) [TECHNICAL CORRECTIONS](#). Filed Dec 3 2018, *AN ACT TO MAKE VARIOUS TECHNICAL, CLARIFYING, AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.*

Section 1

Amends GS 135-5 (Retirement System for Teachers and State Employees) and GS 128-27 (Retirement System for Counties, Cities and Towns) by extending the triggering date for retirement allowance provisions from July 1, 2018, to July 1, 2019. Effective July 1, 2019.

Section 2

Specifies that the grant-in-aid provided to Patriot's Charity in the specified budget code is to be provided to Patriot Military Family Foundation.

Amends SL 2018-5, Section 26.3, as amended, to provide that the allocation of the \$3,165,308 to the Office of State Budget and Management (OSBM) is to include an allocation to provide law enforcement grant-in-aid in the amount of \$15,000 to the Bryson City Fire Department for equipment upgrades (was, \$15,000 to the Bryson City Police Department for a K-9 transport unit).

Section 3

Amends Section 6.2 of SL 2018-5 by adding a prohibition on state agencies administering funds for a non-state entity that is subject to GS 143C-6-23 (State grant funds: administration; oversight and reporting requirements) from requiring as a condition for receipt of the funds submission of a document certifying that (1) it is an organization that is exempt from taxation or (2) it is a nonprofit organization, unless specifically required by state or federal law.

Requires OSBM to review its rules governing disbursement of State funds to non-state entities to determine if its rules comply with GS 143C-6-23 and report to the specified NCGA committees and division by March 1, 2019.

Section 4

Amends Section 3 of SL 2018-121 to set the total number of assistant district attorneys in District 28 at six instead of nine.

Intro. by Brown.

GS 128, GS 135

[View summary](#)

Courts/Judiciary, Employment and Retirement, Government, Budget/Appropriations, Public Safety, State Agencies, Office of State Budget and Management, State Government, State Personnel, Local Government, Military and Veteran's Affairs

S 829 (2017-2018) [RETAIL INSTALLMENT SALES ACT AMENDMENTS](#). Filed Dec 3 2018, *AN ACT TO AMEND THE RETAIL INSTALLMENT SALES ACT*.

Amends GS 25A-10 by amending the definition of *official fees* under the Retail Installment Sales Act to include fees and charges set by law that are or will be paid to public officials or any other person (was, public officials only) for determining the existence of or for perfecting, releasing, or satisfying a security interest related to a consumer credit sale; specifically includes any lien notation fee.

Amends GS 25A-15, concerning finance charge rates for consumer credit installment sale contracts, by adding that a consumer credit installment sale contract may be either precomputed or interest bearing. All balances due under such a contract from any person as a buyer or as an endorser, guarantor, or surety for any buyer is to be considered a part of the amount financed with regard to the contract when computing interest or charges. Provides that the finance charge rates are simple interest rates (was, are the rate that are required to be disclosed by the Consumer Credit Protection Act). Amends the caps on the finance charge rates for a consumer credit installment sales contract.

Applies to contracts entered into, renewed, or modified on or after October 1, 2019.

Intro. by D. Davis, Gunn.

GS 25A

[View summary](#)

Banking and Finance

S 830 (2017-2018) [AMEND/PROCESSING FEE FOR RETURNED CHECK](#). Filed Dec 3 2018, *AN ACT TO AMEND THE PROCESSING FEE FOR RETURNED CHECKS*.

Amends GS 25-3-506 by increasing the maximum amount that may be charged by a person who accepts a check as a processing fee on a returned check from \$25 to \$35. Effective October 1, 2019.

Intro. by D. Davis, Gunn.

[GS 25](#)

[View summary](#)

[Banking and Finance](#)

S 831 (2017-2018) [CONSUMER FINANCE ACT AMENDMENTS](#). Filed Dec 3 2018, *AN ACT TO AMEND THE CONSUMER FINANCE ACT BY INCREASING THE MAXIMUM FEE A LICENSEE MAY CHARGE ON A LOAN.*

Amends GS 53-176 by changing the maximum amounts that a licensee may charge as a processing fee on a loan. Allows a fee not to exceed \$50 for loans up to \$5,000 and 1% of the cash advance for loans above \$5,000 (was, not to exceed \$25 for loans up to \$2,500 and 1% of the cash advance for loans above \$2,500 not to exceed a total of \$40). Prohibits the charges (was, the charges may) from being assessed more than twice in 12 months. Applies to contracts entered into, renewed, or modified on or after October 1, 2019.

Intro. by D. Davis, Gunn.

[GS 53](#)

[View summary](#)

[Banking and Finance](#)

LOCAL/HOUSE BILLS

H 1110 (2017-2018) (2017-2018) [TEN-TEN FIRE DISTRICT GOVERNANCE](#). Filed Nov 28 2018, *AN ACT REGARDING THE GOVERNANCE OF THE FAIRVIEW (TEN-TEN) FIRE PROTECTION DISTRICT.*

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

Changes the name of the fire protection district to the Ten-Ten (Fairview) (was, Fairview only) fire protection district. Adds that the proceeds of the reestablished tax collected within the boundaries of the Ten-Ten (Fairview) fire protection district, less the cost of administering and collecting the tax (not to exceed two percent) of the amount collected each year must be remitted to the special fund described in GS 69-25.7. Makes additional clarifying changes.

Amends GS 69-25.7 by reinstating the language deleted in the previous edition and limiting the scope of those provisions to fire protection in portions of Wake County excluding the Ten-Ten (Fairview) fire protection district. Makes organizational changes but retains the provisions requiring the special fund for the tax to be administered to provide protection within the Ten-Ten (Fairview) fire protection district by the Fairview Fire Protection District Commission with appointments and terms as previously specified. These provisions apply to the portion of Wake County designated as of the effective date of the act within the boundaries of the Ten-Ten (Fairview) fire protection district.

Intro. by Dollar.

[Wake](#)

[View summary](#)

[Government, Public Safety, Tax](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 1025: [GSC TECHNICAL CORRECTIONS 2018.](#)

Senate: Withdrawn From Com

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

H 1108: PED/INMATE PHARMACY PURCHASING/MONITORING.

Senate: Withdrawn From Com

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

H 1111: ADDITIONS & CORRECTIONS TO 2018 APPOINTMENTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 12/04/2018

H 1113: HURRICANE FLORENCE/SUPPLEMENTAL ACT.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 1114: CHANGE BURDEN OF PROOF/CANDIDACY CHALLENGE.

House: Passed 1st Reading

House: Ref To Com On Elections and Ethics Law

H 1115: LET NORTH CAROLINA VOTE ACT.

House: Filed

H 1116: HONOR JARED FRANKS, FALLEN POLICE OFFICER.

House: Filed

H 1117: RESTRUCTURE ELECTION ADMIN/ETHICS/LOBBYING/CF.

House: Filed

House: Rules Suspended

House: Passed 1st Reading

House: Ref To Com On Elections and Ethics Law

S 117: FORFEIT. RETMT/ANTI-SPIKING/SERV. PURCH/TC. (NEW).

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 12/04/2018

S 820: HIGH-PAY JDIG JOB CAP MODIFICATION.

Senate: Ratified

Senate: Pres. To Gov. 12/3/2018

Senate: Signed by Gov. 12/3/2018

Senate: Ch. SL 2018-137

S 823: HURRICANE FLORENCE/SUPPLEMENTAL ACT.

Senate: Ratified

Senate: Pres. To Gov. 12/3/2018

Senate: Signed by Gov. 12/3/2018

Senate: Ch. SL 2018-138

S 826: CONFIRM CRAIG CROOM/SPECIAL SUPERIOR CT JUDGE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 827: EXTEND AGRICULTURAL DISASTER PROGRAM DEADLINE.

Senate: Filed

S 828: TECHNICAL CORRECTIONS.

Senate: Filed

S 829: RETAIL INSTALLMENT SALES ACT AMENDMENTS.

Senate: Filed

S 830: AMEND/PROCESSING FEE FOR RETURNED CHECK.

Senate: Filed

S 831: CONSUMER FINANCE ACT AMENDMENTS.

Senate: Filed

LOCAL BILLS

H 1109: MACON/CLAY/NO RIGHT-OF-WAY SPOTLIGHTING.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 12/04/2018

H 1110: TEN-TEN FIRE DISTRICT GOVERNANCE.

House: Reptd Fav Com Substitute

House: Re-ref Com On Finance

H 1112: CHINA GROVE SATELLITE ANNEXATIONS.

House: Passed 1st Reading

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