

## The Daily Bulletin: 2018-12-04

### PUBLIC/HOUSE BILLS

H 1108 (2017-2018) [PED/INMATE PHARMACY PURCHASING/MONITORING](#). Filed Nov 28 2018, *AN ACT TO MODIFY INMATE PHARMACY PURCHASING AND MONITORING*.

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

Modifies the appropriations provisions in Section 1 of the act, providing for funds to cover the costs of contracting with a consultant with expertise in the federal 340B program. Authorizes up to \$25,000 of the funds appropriated to the General Assembly Legislative Services Office in SL 2018-5 for the purpose of developing a State Government Facilities Master Plan, to provide for the consultant costs associated with designing compliant mechanisms for purchasing inmate medications (previously, increased the budget of the General Assembly from the Unappropriated Balance Remaining by \$25,000 for the 2018-19 fiscal year).

**Intro. by Horn.**

GS 143B

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**Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Government, General Assembly, State Agencies, UNC System, Department of Public Safety, Office of State Budget and Management, Health and Human Services, Health, Health Care Facilities and Providers**

H 1108 (2017-2018) [PED/INMATE PHARMACY PURCHASING/MONITORING](#). Filed Nov 28 2018, *AN ACT TO MODIFY INMATE PHARMACY PURCHASING AND MONITORING*.

Senate committee substitute makes the following change to the 3rd edition.

Modifies proposed GS 143B-707.7, regarding data collection by the Department of Public Safety, Health Services Section, for prescription purchases by prisons. Instead of requiring the data collected to include the total *value* of each prescription purchased, now requires the inclusion of the total *cost* of each prescription purchased.

**Intro. by Horn.**

GS 143B

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**Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Government, General Assembly, State Agencies, UNC System, Department of Public Safety, Office of State Budget and Management, Health and Human Services, Health, Health Care Facilities and Providers**

H 1111 (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*.

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. Enacted December 4, 2018. Effective December 4, 2018, except as otherwise provided.

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

UNCODIFIED

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**Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Family Law, 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**

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.*

Part I

Amends GS 163A-883 by requiring, beginning January 1, 2019, that the Division of Motor Vehicles implement a method by which eligible individuals applying for a new, renewal, or correction of a drivers license, or special identification card, are automatically registered to vote or able to update voter registration if the voter has moved. Also amends GS 163A-884 to require, starting January 1, 2020, that offices that accept the following information provide an application process for automatic voter registration when an applicant applies for service or assistance or updates information for such services or assistance: (1) applications for a program of public assistance under Article 2 of GS Chapter 108A or Article 13 of GS Chapter 130A; (2) applications for State-funded State or local government programs providing services to persons with disabilities; or (3) claims for benefits under GS Chapter 96 of the General Statutes, the Employment Security Law. Both statutes include the following. Requires the person taking the application to notify the applicant of six items related to qualifications to vote, penalties for providing false information, and use of information provided by the applicant. Applicants failing to declare party affiliation are designated as unaffiliated. Requires applications to be transmitted electronically to the appropriate board of elections in five business days. Limits use of information related to a declination to register to purposes of voter registration. Requires that information acquired for automatic voter registration be kept confidential. Provides that if a person who is ineligible to vote becomes registered under this statute, the presumption is that the person's registration is officially authorized and is not attributed to any fault of the person. Specifies that the Department of Transportation (DOT) and the agencies in GS 163A-884 are not required to determine eligibility for voter registration and voting.

Makes conforming changes to GS 163A-862 and GS 163A-865 requiring county boards of elections to accept automatic voter registration.

Amends GS 163A-885 by requiring the educational programs and procedures presented to individuals applying to register to vote at the time they are restored to citizenship to include information on automatic voter registration. Makes conforming changes to GS 163A-885, concerning voter registration upon restoration of citizenship.

Amends GS 115D-5 to require, beginning January 1, 2020, that the State Board of Community Colleges provide each person enrolled and registered for courses in a state community college with the option for automatic voter registration. Also amends

GS 116-11 to require the same of the UNC Board of Governors for college and university students. Requires the person taking the application to notify the applicant of six items related to qualifications to vote, penalties for providing false information, and use of information provided by the applicant. Applicants failing to declare party affiliation are designated as unaffiliated. Requires applications to be transmitted electronically to the appropriate board of elections in five business days. Limits use of information related to a declination to register to purposes of voter registration. Requires that information acquired for automatic voter registration be kept confidential. Applications to register accepted under these statutes allow the registrant to vote in any election unless the registrant applies later than the twenty-fifth calendar day immediately preceding such election. Provides that if a person who is ineligible to vote becomes registered under this statute, the presumption is that the person's registration is officially authorized and is not attributed to any fault of the person. Specifies that the State community colleges, State colleges, or universities in the UNC system are not required to determine eligibility for voter registration and voting.

Requires the Bipartisan State Board of Elections and Ethics Enforcement to inform voters of the automatic voter registration procedures.

Changes to GS 163A-862, GS 163A-865, GS 163A-883, and GS 163A-885 are effective January 1, 2020. Changes to GS 163A-884, GS 163A-885, GS 115D-5, and GS 116-11 are effective January 1, 2021.

## Part II

Enacts new GS 163A-866.5 allowing a person to register to vote and then vote in the person's county of residence on election day or during the one-stop voting period. Requires that the person complete a voter registration form, including the attestation that the person meets each eligibility requirement and provide proof of residence by presenting one of the specified valid documents. A person voting on the same day as registering will vote a retrievable ballot. Sets out requirements for verifying registration and counting the ballot. Allows an individual who will become old enough to register and vote in the general election for which a primary is held, even though they are not so qualified by the date of the primary, to register for the primary and general election before the primary and then vote in the primary and general election after being registered under the statute.

Makes conforming changes to GS 163A-843, GS 163A-865, GS 163A-1144, GS 163A-1300, GS 163A-1587, and GS 163A-1588.

## Part III

Enacts GS 163A-869.1, requiring county boards of elections to issue voter photo identification cards (photo ID cards) to registered voters upon request at no charge beginning no later than July 1, 2019. Describes the cards, requiring that they contain the voter's photograph and voter registration number and expire eight years after issuance. Requires the Bipartisan State Board of Elections and Ethics Enforcement (State Board) make available to county boards of elections the necessary equipment to print the cards, while county boards operate and maintain the equipment. Directs the State Board to adopt related rules no later than April 15, 2019, including at minimum: (1) requiring registered voters to provide their date of birth and last four digits of their Social Security number to obtain a photo ID card; (2) issuing photo ID cards at any time; and (3) allowing for issuance of duplicate photo ID cards at no charge upon request in person, by phone, or by mail.

Enacts GS 163A-1145.1, setting out the requirement to produce photo identification to vote in person. Outlines acceptable forms of photo identification, regardless of whether expired or without an expiration: NC driver's license; a special identification card or similar card issued by the NC Department of Motor Vehicles (DMV); a US passport; an NC voter photo ID card; a tribal enrollment card issued by a federally or state recognized tribe; a student ID card issued by an institution of higher learning; a driver's license or special identification card issued by another state, DC, or a US territory so long as the voter's voter registration was within 90 days of the election; a military identification card; a Veterans Identification Card; any expired acceptable form of ID under the statute if the voter is 70 years old so long as the ID was unexpired on the voter's 70<sup>th</sup> birthday; an employee ID card; and a government-issued identification card. Details verification of photo identification presented by an assigned precinct official. Allows registered voters that cannot produce the required photo identification to cast a provisional ballot that will be counted only if the voter brings an acceptable form of photo identification to the county board of elections by the end of business on the business day prior to the county's canvass. Allows those with a religious objection to being photographed, a reasonable impediment to obtaining a photo identification, or unable to produce a photo ID due to being a victim of a natural disaster to cast a provisional ballot upon completion of an affidavit as described. Provides for the county board of elections to review photo identification exceptions and affidavits. Specifies that the purpose of the required

identification is only to confirm the person presenting to vote is the voter on the registration record, and that an address listed on any identification is not determinative of residence for voting purposes.

Amends GS 20-37.7 to allow special identification cards to be issued free of charge to applicants who are at least 17 (was, 70) years old. Makes conforming changes.

Adds an NC voter registration card issued pursuant to GS 163A-869 to the examples of specific documents that are reasonably reliable indicators of residency for purposes of obtaining a driver's license, learner's permit, or special ID card from the DMV.

Makes conforming changes to GS 163A-1137 and GS 163A-1300 concerning presenting photo identification to vote in person.

Directs the State Board to establish an aggressive voter education program concerning the new provisions, including: posting information concerning voter ID changes at each county board of elections, the State Board's office, and their respective websites; training precinct officials; coordinating with each county board of elections to conduct seminars prior to September 1, 2019; and coordinating with local governments, service organizations, and media outlets to disseminate voter ID changes to the public. Specifically requires the State Board to notify each registered voter who does not have an NC issued driver's license or identification card by September 1, 2019, of the act's provisions; the requirements to vote absentee, early, on election day, or by provisional ballot; and state the availability of a free NC voter photo ID card. Requires the State Board to create a list of all registered NC voters who are otherwise qualified to vote but do not have an NC driver's license or other photo identification issued by the NC DMV as of September 1, 2019. Requires the list be made available to any registered voter upon request and at a reasonable fee. Requires the NC DMV to provide the list of persons with an NC driver's license or other photo identification issued by the NC DMV at no cost to the State Board.

Makes conforming changes to repeal Sections 1.1, 5.2, 5.3 (as amended by SL 2015-103), 5.4, and 5.5 of SL 2013-381, the Voter Information Verification Act.

Makes conforming changes, repealing the following statutes relating to voter identification: GS 163A-868, GS 163A-1140(b), GS 163A-1145, GS 163A-1146, GS 163A-1147, GS 163A-1167, GS 163A-1168, and GS 163A-1301.

Makes conforming changes to GS 163A-869(e), GS 163A-913, GS 130A-93.1(c), GS 161-10(a)(8), GS 163A-1389(13), GS 163A-821, GS 163A-867(g)(2), GS 163A-1133(b), GS 163A-1134(e), GS 163A-1298(a), GS 163A-1300(a) and (i), GS 163A-1303, GS 163A-1306, GS 163A-1308(c), GS 163A-1310(c), GS 163A-1315, GS 163A-1368, GS 163A-1411(41), and GS 163A-1520(a).

#### Part IV

Amends GS 163A-864, requiring the State Board to make voter registration forms available for completion and submission online.

Enacts GS 163A-864.5, permitting individuals to register to vote or change voter registration online if eligible to vote and possess either an NC driver's license or special identification card issued by the DMV. Requires the State Board to establish a secure website for voters to submit voter registration applications, applications reporting a change of personal information or party affiliation, eligibility information, or the individual's email address. Provides for verification of online applications, updating of the statewide registration database, and searching for duplicate registrations by the county board of elections and State Board.

Amends GS 163A-871, providing for the confidentiality of any online registration data or email addresses submitted under new GS 163A-864.5. Makes technical and clarifying changes.

Provides Part IV is effective January 1, 2020.

#### Part V

Amends GS 163A-1300(b), as amended, extending early voting to 1:00 p.m. on the last Saturday before an election (currently, 7:00 p.m. on the last Friday before an election). Additionally requires county boards of elections to conduct one-stop voting on the last Saturday before the election from 8:00 a.m. until 1:00 p.m., and authorizes county boards to continue one-stop voting until 5:00 p.m. on that Saturday.

Amends GS 163A-1303(c), as amended, concerning the requirement that all one-stop voting sites be open for the same number of hours uniformly throughout a county if a county board of elections opens one-stop sites on Saturdays during the required

period under GS 163A-1300(b). Excepts the last Saturday before the election from this requirement.

**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 1118 (2017-2018) [ADJOURN SINE DIE/DECEMBER 5TH](#). Filed Dec 4 2018, *A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE 2017 REGULAR SESSION OF THE GENERAL ASSEMBLY*.

Provides that when the House of Representatives and the Senate of the 2017 Regular Session of the General Assembly adjourn on December 5, 2018, they stand adjourned sine die.

**Intro. by Jackson.**

[JOINT RES](#)

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[Government, General Assembly](#)

H 1120 (2017-2018) [RECONSTITUTE VARIOUS BOARDS & COMMISSIONS](#). Filed Dec 4 2018, *AN ACT TO RECONSTITUTE SEVERAL BOARDS AND COMMISSIONS HELD TO HAVE UNCONSTITUTIONALLY APPOINTED MEMBERSHIP PURSUANT TO MCCRORY V. BERGER AND COOPER V. BERGER*.

Amends GS 143B-168.4, concerning the Child Care Commission as follows. Increases the number of members appointed by the Governor while make conforming decreases in the number appointed by the General Assembly. Makes related conforming and clarifying changes. Amends the terms of the appointees. Amends the term of the initial committee chair. Adds that members can be removed under GS 143B-13(d), which allows any member of a commission to be removed from office by the Governor for misfeasance, malfeasance, and nonfeasance. Makes other technical changes.

Amends GS 143B-135.240, concerning the Clean Water Management Trust Fund Board of Trustees as follows. Increases the number of members appointed by the Governor while making conforming decreases in the number appointed by the General Assembly. Specifies the terms of the members. Adds that members can be removed under GS 143B-16, which allows any member of a board, council, or committee to be removed from office by the Governor for misfeasance, malfeasance, or nonfeasance.

Amends GS 143B-135.202 concerning the North Carolina Parks and Recreation Authority as follows. Increases the number of members appointed by the Governor while making conforming decreases in the number appointed by the General Assembly. Makes related conforming and clarifying changes. Amends the terms of the appointees.

Amends GS 74C-4 concerning the Private Protective Services Board as follows. Increases the number of members appointed by the Governor while making conforming decreases in the number appointed by the General Assembly. Requires that three of the Governors' appointees be licensees under GS Chapter 74C (Private Protective Services). Sets out the terms of the appointees.

Amends GS 143B-472.128 concerning the Rural Infrastructure Authority as follows. Increases the number of members appointed by the Governor while making conforming decreases in the number appointed by the General Assembly. Amends the terms of the appointees.

Amends GS 143-135.25 concerning the State Building Commission as follows. Increases the number of members appointed by the Governor while making conforming decreases in the number appointed by the General Assembly. Amends the terms of the appointees. Adds that members can be removed under GS 143B-13(d), which allows any member of a commission to be removed from office by the Governor for misfeasance, malfeasance, and nonfeasance.

Specifies that all rules, regulations, and decisions made by the predecessor boards, commissions, and authorities reconstituted in this act remain in full force and effect until and unless duly modified by the successor entities.

**Intro. by McGrady.**

GS 143B

[View summary](#)

**Business and Commerce, Development, Land Use and Housing, Building and Construction, Community and Economic Development, Education, Preschool, Environment, Environment/Natural Resources, Government, Public Safety, Health and Human Services, Social Services, Child Welfare**

## **PUBLIC/SENATE BILLS**

S 469 (2017-2018) [TECHNICAL CORRECTIONS. \(NEW\)](#) Filed Mar 29 2017, *AN ACT TO MAKE VARIOUS TECHNICAL, CLARIFYING AND CONFORMING CHANGES TO THE GENERAL STATUTES AND SESSION LAW.*

House committee substitute makes the following changes to the 4th edition. Deletes the contents of the previous edition and replaces it with the following. Makes conforming changes to the act's short and long titles.

### Section 1

Repeals GS 66-353 which required a cable service franchisee to file an annual service report with the Secretary of State. Applies to annual service reports required to be filed on or after the date the act becomes law.

### Section 2

Requires that the funds provided to Dragonfly House in SL 2018-5 be allocated to the Davie County Sheriff's Office be provided to Dragonfly House Children's Advocacy Center, Inc., in Mocksville.

Specifies that the grant-in-aid provided to Patriot's Charity under SL 2018-5 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).

Amends SL 2018-5, as amended, by adding that the grant-in-aid in the amount of \$700,000 given to Cedar Point for downtown revitalization is to be provided instead to Carteret County for economic development.

### Section 3

Amends Section 8.3 of SL 2018-5 concerning the principal bonus schedule by providing that a principal who qualifies for a bonus and supervised a school with an overall school performance grade of D or F for a majority of either of the following school years (was, for a majority of the 2017-18 school year) is qualified for a bonus of twice the amount listed: (1) the 2016-17 school year, if the principal supervised the same school for a majority of the 2016-17 and 2017-18 school years; or (2) the 2017-18 school year.

Requires such a bonus payment to be considered an additional payment of the bonus the principal received under Section 8.3 and not a new, separate, or second bonus.

Require that bonus payments under this section be paid by December 31, 2018, to qualifying principal employed as of October 1, 2018.

### Section 4

Amends GS 160A-400.54 by adding that the application fee that a city may charge to applicants for a permit for collocation of small wireless facilities and the technical consulting fee that the city may charge for each application are both subject to the limitations in GS 160A-296(a)(6), which concerns a city's power to regulate and charge fees for digging in the streets, sidewalks, or alleys, and includes a prohibition on charging fees to businesses providing telecommunications service (with named fee exceptions).

#### Section 5

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

Amends GS 1-267.1 concerning the composition of a three-judge panel to hear certain constitutional challenges, by updating the numbers of the districts from which the judges are to be appointed to the panel.

#### Section 6

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 7

Corrects a statutory cross-reference in GS 58-51-37.

#### Section 8

Amends Section 2 of SL 2018-75 to clarify the effective date for new GS 14-43.15 concerning affirmative defenses for human trafficking victims, new GS 14-43.16 providing for confidentiality for human trafficking victims, and for changes to GS 14-43.20 concerning restitution for victims of human trafficking. Deletes Section 5 of that act, which amended the definition of abused juveniles to include all human trafficking victims less than 18 years old. Provides that Section 1 of that act which made the definition of victim apply throughout the article is effective December 1, 2018, and applies to offenses committed on or after that date.

#### Section 9

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 10

Amends Section 19.4 of SL 2018-5, as amended, concerning a grant-in-aid to Veterans Leadership Council of North Carolina-Cares to be used for the Veterans Life Center by requiring the Office of State Budget and Management and the Office to State Controller to take steps necessary to effectuate the necessary transfer of funds. Also corrects a statutory cross-reference.

#### Section 11

Amends Section 35.26 of SL 2018-5 which granted five days of annual leave to state employees by adding that the number of days awarded that carry forward to each following year is equal to the number of days awarded in the section that remain on December 31 of each year plus the number of days awarded in the section that were deducted from vacation leave in excess of 30 days for the calculation of sick leave. Prohibits requiring an employee to take the additional leave awarded. Applies retroactively to July 1, 2018.

#### Section 12

Amends GS 18B-1002 to authorize issuing permits to a profession sports organization (as defined) for the retail sale of malt beverages, wine, or mixed beverages for consumption on the premises of a professional sporting event at a stadium (1) with seating capacity of at least 40,000, and (2) that is owned or leased by a constituent institution of UNC in a county with a

population of at least 900,000 people. Species that issuance of this permit also allows the issuance of a purchase-transportation permit. Makes a conforming change to GS 18B-1006.

#### Section 12.5

Adds electronic standup scooter to the defined terms in GS 20-4.01. Excludes electronic standup scooters from the defined terms motor vehicle and moped (passenger vehicle), but deems an electronic standup scooter a vehicle for purposes of GS Chapter 20. Makes organizational changes.

Amends GS 20-51, exempting electronic standup scooters from the requirement of registration and certificate of title.

#### Section 12.6

Amends GS 20-7(b2), permitting disclosure of a social security number obtained in an application for a license, permit, or special identification card by the Division of Motor Vehicles (DMV) to the Judicial Department for the purpose of administering the criminal and motor vehicle laws.

#### Section 13

Amends Section 15.19(b) of SL 2017-57, permitting the Industrial Commission to retain the additional revenue up to the previously specified \$1.2 million of the receipts collected by the Commission (previously, more specifically of the fee charged to parties for the filing of compromise settlement agreements) to be used to replace and maintain the case management systems and related expenditures. Adds language to appropriate for the same purpose any funds, as described, deemed unappropriated.

#### Section 14

Makes technical correction to GS 131E-184(h) (concerning exemption from certificate of need review) to refer to the Legacy Medical Care Facility in subsection (1).

#### Section 15

Amends GS 143B-344.62, charging the Outdoor Heritage Advisory Council with fixing the salary of the executive director.

#### Section 16

Makes technical correction to GS 45-21.21, concerning the required notice of postponement of a sale, to refer to the notice of postponement required by subsection (g) that must be delivered to the Clerk of Superior Court rather than subsection (b) in subsections (h) and (i).

#### Section 17

Extends the date by which the Wildlife Resources Commission must recommend legislation concerning derelict and abandoned vessels, required by Section 2.8 of SL 2018-138, from March 1 to April 30, 2019.

#### Section 18

Amends Section 2.2 of SL 2018-138 (Hurricane Florence/Supplemental Act), which provided guidance for purposes of determining the average daily membership of the school supervised by the principal for schools designated under a major disaster declaration by the President. Reduces the number of days the principals supervising school must be closed from 15 to 10 days during the months of September, October and November 2018 as a result of Hurricane Florence to qualify under the provision.

#### Section 19

Amends GS 115C-242 concerning the use and operation of school buses, specifically permitting the use of school buses for transportation outside of the State when the superintendent determines the travel is the most direct route to and from the school. Makes technical and clarifying changes.

#### Section 20

Adds to the definition of innovative school (IS) operator in GS 115C-75.5(3), to provide that entities selected as an operator can include public or private higher education institutions, nonprofit and for-profit corporations, partnerships, limited liability



companies, or local boards of education as provided in new GS 115C-75.7(c1). New GS 115C-75.7(c1) permits the local board, no later than January 1, to submit to the Innovative School District (ISD) Superintendent a five-year plan to dramatically improve student achievement including an implementation timeline with benchmarks, as specified, upon a local board consenting to transfer the selected school to the ISD as an innovative school. Authorizes the State Board of Education to (1) approve the plan, (2) select the local board as IS operator of the qualifying school, and (3) impose additional conditional requirements for plan approval. Amends GS 115C-75.8, concerning the selection of IS operators, providing for local boards of prospective innovative schools to be selected as IS operator, subject to the specified criteria. Requires the State Board of Education to select another entity as IS operator if a five-year plan for student performance improvement is not agreed to and approved by January 15. Conditions the existing provision that encourages IS operators to hold public informational sessions and other outreach prior to a local board's adoption of the resolution required by GS 115C-75.7(c) to when practicable to do so. Makes conforming changes. Amends GS 115C-75.9 concerning management of innovative schools, allowing the ISD Superintendent to review the potential impact of any changes regarding student enrollment at an innovative school and request a hearing before the State Board of Education regarding any proposed assignment if a local board of education is the ISD operator. Requires a local board that is an IS operator to provide facility and capital expenditures, transportation services, and services for children with disabilities in the same manner as provided for other schools in the local administrative unit in that school year. Details specific parameters concerning employees of a school that is transferring to the ISD if the IS operator is a local board of education, including the ISD Superintendent's authority to direct the local on whether to continue employment. Makes other conforming changes to reflect the addition of local boards as possible IS operators.

Amends GS 115C-75.10 regarding innovative school funds, adding a new provision specifying that funding for support and operational services, as defined, must be provided in the same manner and degree as in the prior school year if the IS operator is a local board. Makes organizational and conforming changes.

Amends GS 115C-75.11, granting the ISD Superintendent the authority to select, approve, or remove the school principal of the innovative school if the IS operator is a local board. Makes conforming changes.

Amends GS 115C-75.12 concerning the term of supervision for an innovative school. Provides that if by the end of the five-year contract the school's average annual percentage growth during the contract does not exceed the average annual percentage growth of other qualifying schools during the same term, the State Board cannot renew the contract of the IS operator and must close the school (previously, cannot renew the contract of the IS operator and must develop a transition plan to return the school to the local school administrative unit). Adds provisions concerning the period of an approved plan for an IS operator that is a local board, providing for revocation of approval or nonrenewal of an approved plan based on performance, optional extension of an approved plan for three years by either the State Board of Education or the IS operator, and revocation of an approved plan on other grounds. Further provides for the local board's provision of services in the event that approval is revoked and another IS operator must be selected. Makes conforming changes.

Applies beginning with the 2019-20 school year.

## Section 21

Extends the Agricultural Disaster Program deadlines for financial assistance for losses due to Hurricane Florence set out in Section 5.11 of SL 2018-136 from December 10 to December 20, 2018.

## Section 22

Amends GS 115C-112.5(2), which defines eligible student for purposes of special education scholarships for children with disabilities awarded by the NC State Education Assistance Authority. Adds to the definition, a child under the age of 22 who resides in North Carolina meeting the specified criteria under current law, who was enrolled in a nonpublic school during the spring semester prior to the school year for which the student is applying and was enrolled for the entire school year immediately prior to the school year in which the student enrolled in the nonpublic school in a NC public school or a Department of Defense Elementary and Secondary School located in NC. Further, modifies the definition to specify enrollment during the spring semester prior to the school year for which the student is applying (rather than simply the previous semester) for three existing alternative qualifications: the child was enrolled in a NC public school or a Department of Defense Elementary and Secondary School located in NC, the child received special education or related services through NC public schools as a preschool child with a disability, or the child received a scholarship. Makes clarifying and conforming changes to GS 115C-112.6(a2) regarding priority of awards.

Sets forth specific qualifications for any student to receive a scholarship pursuant to Part 1H of Article 9 of GS Chapter 115C (Special Education Scholarships for Children with Disabilities), and granting those students eligible for a scholarship in the 2019-20 school year solely due to the provisions of Section 22.(c) of the act priority in award of scholarships over all applicants except those previously awarded scholarships.

Amends GS 115C-562.1(3)a. and GS 115C-562.2(a)(1), making similar clarifying changes to the student eligibility and priority provisions regarding scholarships grants to attend any public school as those made to the special education scholarship provisions.

#### Section 22.2

Amends GS 14-43.17 by adding that the statute, which concerns confidentiality of human trafficking victims, does not apply to records that have been made part of the court file in the custody of the General Court of Justice. Makes conforming changes.

#### Section 22.3

Amends GS 15A-173.2 to require that the notification that a certificate of relief is automatically removed for a subsequent felony or misdemeanor conviction appear on the Petition and Order for a Certificate of Relief (was, on the forms that record criminal judgments).

#### Section 22.5

Amends GS 115C-218.90 by adding that a municipal charter school's board of directors may elect to participate in the Teachers' and State Employees' Retirement System and the State Health Plan for Teachers and State Employees. Applies only to Cornelius, Huntersville, Matthews, and Mint Hill.

GS 135-5.3 by allowing the board of directors of a charter school operated by a municipality to elect to become a participating employer in the Teachers' and State Employees' Retirement System.

Amends GS 135-4 allowing for the purchase of creditable service in the Teachers' and State Employees' Retirement System for employment as an employee of a charter school operated by a municipality whose board did not elect to participate in the system upon completion of five years of membership service.

Amends GS 135-48.47 by providing that the section, which allows employees and dependents of employees of local governments to participate in the State Health Plan for Teachers and State Employees, does not apply to employees of a charter school operated by a municipality.

Amends GS 135-48.54 by providing that no later than two years after a written charter has been signed, the board of directors of a charter school operated by a municipality must elect whether to become a participating employer in the State Health Plan for Teachers and State Employees.

**Intro. by Brown.**

UNCODIFIED, GS 1, GS 14, GS 18B, GS 20, GS 45, GS 58, GS 66, GS 115C, GS 128, GS 131E, GS 135, GS 143B, GS 160A

**Agriculture, Alcoholic Beverage Control, Business and Commerce, Insurance, Courts/Judiciary, Civil, Civil Law, Motor Vehicle, Court System, Development, Land Use and Housing, Education, Elementary and Secondary Education, Employment and Retirement, Environment, Aquaculture and Fisheries, Government, State Agencies, Department of Commerce, Department of Health and Human Services, Department of Transportation, Office of State Budget and Management, Office of State Controller, State Government, State Personnel, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Military and Veteran's Affairs, Public Enterprises and Utilities**

[View summary](#)

S 824 (2017-2018) (2017-2018) [IMPLEMENTATION OF VOTER ID CONST. AMENDMENT](#). Filed Nov 27 2018, *AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REQUIRING PHOTOGRAPHIC IDENTIFICATION TO VOTE*.

House committee substitute makes the following changes to the 3rd edition.

Deletes the provision allowing the Bipartisan State Board of Elections and Ethics Enforcement (State Board) to spend the entirety of the Voter Education Fund for the implementation of the act and makes the following appropriations instead. Appropriates \$2.25 million for 2018-19 from the General Fund to the State Board, with \$750,000 used to implement the act and that may be used to create temporary positions at the State Board. Requires the State Board to transfer to the Division of Motor Vehicles, Department of Transportation, up to \$1.5 million for 2018-19 for the loss of revenues resulting from implementing the act. Appropriates \$850,000 from the General Fund to the North Carolina Public Campaign Fund for 2018-19; requires that the State Board allocate these funds to county boards of elections for maintenance grants for printing equipment.

**Intro. by Krawiec, Ford, Daniel.**

[APPROP](#), [STUDY](#), [GS 20](#), [GS 130A](#), [GS 161](#), [GS 163A](#)

[View summary](#)

[Courts/Judiciary](#), [Criminal Justice](#), [Criminal Law and Procedure](#), [Education](#), [Higher Education](#), [Government](#), [Budget/Appropriations](#), [Elections](#), [State Agencies](#), [Community Colleges System Office](#), [UNC System](#), [State Board of Elections](#), [State Government](#), [State Personnel](#), [Local Government](#)

S 824 (2017-2018) [IMPLEMENTATION OF VOTER ID CONST. AMENDMENT](#). Filed Nov 27 2018, *AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REQUIRING PHOTOGRAPHIC IDENTIFICATION TO VOTE*.

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

Part II

Makes clarifying change to proposed GS 163A-869.1 (concerning voter photo ID cards) and GS 163A-1145.1 (concerning the requirement for photo ID to vote in person) to more specifically refer to a registered voter throughout the proposed language.

Amends proposed GS 163A-869.1, concerning the rules the Bipartisan State Board of Elections and Ethics Enforcement (State Board) is required to adopt relating to voter photo ID cards. Now requires the State Board to adopt rules to ensure a registered voter seeking to obtain a voter photo ID card provides the registered voter's name, date of birth, and the last four digits of the registered voter's Social Security number (previously, did not require the voter provide the voter's name). Further, requires the State Board to adopt rules to ensure the registered voters that update their voter registration to reflect a name change can request and obtain a replacement card from their county board of elections by providing their date of birth and the last four digits of their Social Security number in person, by phone, or by mail.

Makes the following changes to proposed GS 163A-1145.1. Adds to subsection (b) concerning photo ID verification, generally providing that a voter must be permitted to vote unless the judges of election present unanimously agree the photo ID presented does not bear any reasonable resemblance to that voter. Adds to subsection (c) concerning provisional ballots. Requires State Board to provide registered voters casting provisional ballots due to failure to present a photo ID an information sheet containing the time by which the voter must return to the county board of elections to present an acceptable form of photo ID and what forms of photo ID are acceptable in order for the provisional ballot to be counted. Makes a conforming change to subsection (d) concerning exceptions to the voter ID requirement, to refer to an acceptable form of photo ID (was, a valid and current photo ID) as provided in subsection (a), reflecting the same change in phrasing adopted in the previous edition. Adds a new exception for registered voters not producing an acceptable form of photo ID, permitting a voter to cast a provisional ballot in the presence of two witnesses and complete a witness verification form as described. Further, adds a new subsection requiring the State Board to adopt a witness verification form with space to identify the two witnesses, the witnesses' signatures, and the witnesses' addresses. Specifies that failure to list a ZIP code does not invalidate the witness form. Makes conforming changes to subsection (e).

Adds to proposed GS 163A-1145.2, concerning approval of student ID cards for voting identification, to require a participating college or university that has had its student ID cards approved for use by the State Board to provide copies of any new design of the student ID cards to the State Board to assist with training purposes.

Modifies proposed GS 163A-1145.3, concerning approval of employee ID cards for voting identification, clarifying the State Board's approval of the specified cards is for the purpose of voter identification under new GS 163A-1145.1.

Makes conforming changes to GS 163A-1307(b), concerning the required application content that must be printed on each container-return envelope for absentee ballots, to require the inclusion of instructions for absentee voters to include a readable photocopy or completed affidavit, or bring an acceptable form of photo ID to the county board as specified in GS 163A-1310, as amended.

Amends GS 163A-1310 to now require an absentee voter to also place either of the following in the container-return envelope along with their folded ballot and securely seal it in the presence of two witnesses: (1) a readable photocopy of the voter's acceptable photo ID under new GS 163A-1145.1(a) or (2) a completed affidavit in accordance with new GS 163A-1145.1(d)(1) (religious objection exception), (d)(2) (reasonable impediment exception), or (d)(3) (natural disaster exception). Further adds that if an absentee voter does not include a photocopy or completed affidavit, as specified, their ballot is counted only if the voter brings an acceptable form of photo ID to the county board of elections no later than the end of business on the business day prior to the county's canvass. Specifies that any readable photocopy of a registered voter's photo ID received by a county board must be treated as a voted ballot under GS 163A-1105. Requires county boards to provide for secure storage of personally identifying information.

Makes organizational changes.

Makes clarifying change to proposed GS 20-37.7(d2), regarding the Division of Motor Vehicles (DMV)'s automatic issuance of special identification cards upon receipt of seized or surrendered licenses, permits, and endorsements.

Adds to the powers and duties of the State Board in GS 163A-741, requiring the Board to include a prominent statement that submitting fraudulently or falsely completed declarations is a Class I felony under GS Chapter 163A on all forms prepared by the Board.

Consolidates and adds to the directive for the State Board regarding an aggressive voter education program. Expands the education efforts in coordination with local media outlets, county boards of commissions, and county boards of elections as specified to specifically include efforts to inform rural, military, veteran, elderly, underserved, minority, and other communities as determined by local needs of the changes in the act, the various voting options, and the availability of free voter ID cards (previously, to underserved and minority communities). Removes the specific requirement that this information be disseminated in Spanish and other languages deemed necessary. Adds that the educational program must inform the public regarding NC residency requirements to vote, including the requirement for intent to remain in the state, and the penalty for voting in multiple states, when appropriate, in the State Board's educational program.

Adds new directive for the State Board, requiring the Board to review, update, and make further recommendation on steps to implement the use of electronic and digital information in all polling places statewide to the specified NCGA committee by September 1, 2019. Details requirements of the review, including addressing a proposed plan for a pilot project to implement electronic pollbooks.

**Intro. by Krawiec, Ford, Daniel.**

[STUDY, GS 20, GS 130A, GS 161, GS 163A](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Higher Education, Government, Elections, State Agencies, Community Colleges System Office, UNC System, State Board of Elections, State Government, State Personnel, Local Government](#)

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

Adds a section amending Section 5.6(b)(6) of SL 2018-5 to require that the \$20,000 of the funds transferred to the State Emergency Response/Disaster Relief Reserve that is to be used for a grant-in-aid to Transylvania County for storm debris cleanup in streams and rivers must be appropriated to the Office of State Budget and Management instead of to the Department of Environmental Quality, Division of Water Resources.

**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](#)

## LOCAL/HOUSE BILLS

H 1119 (2017-2018) [BOARD VACANCIES/CITY OF WINSTON-SALEM](#). Filed Dec 4 2018, *AN ACT TO MODIFY THE PROCESS FOR FILLING VACANCIES ON THE CITY COUNCIL IN THE CITY OF WINSTON-SALEM.*

Amends Section 1 of SL 1971-1248 as follows. Replaces references to the the Winston-Salem Board of Alderman with the Winston-Salem City Council. Requires the City Council to adopt a resolution calling for a special primary and election when there is a vacancy on the Council when the vacancy occurs for twelve months or more. The election is to be held in the ward represented by the vacating member. Sets out terms for calculating when a vacancy begins if the vacancy is due to resignation. Sets out when the candidate elected is to be installed. Establishes additional requirements for conducting the election and setting the date for the election and candidate filings, and requires the Council to reimburse the Forsyth County Board of Elections for the costs of the primary and election. Makes conforming changes to Section 2. Applies to vacancies existing on or after the date that the act becomes law.

Makes seats that meet the following subject to a special primary and election to be conducted under Section 1 of SL 1971-1248: (1) a vacancy for that seat occurs in 2018 or 2019; (2) the vacancy was filled by the City Council using the appointment process in GS 160A-63; (3) the Forsyth County Board of Elections receives a petition calling for a special primary and election signed by at least 1% of the total number of registered voters in the ward which the seat represents, as reflected by the voter registration records as of January 1 of the year in which the petition is received; and (4) the unexpired term of office for the seat is 12 months or more, as of the date the petition is received by the Forsyth County Board of Elections. Requires the City Council to reimburse the Forsyth County Board of Elections for the costs of administering any special primary and election. Applies to any seat that was vacated in 2018 or 2019.

**Intro. by Lambeth, Terry, Montgomery, Conrad.**

[Forsyth](#)

[View summary](#)

[Government, Elections](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

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

*Senate: Reptd Fav*

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

*Senate: Reptd Fav*

*Senate: Placed on Today's Calendar*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 1108: PED/INMATE PHARMACY PURCHASING/MONITORING.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

*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 36(b)*

**H 1111: ADDITIONS & CORRECTIONS TO 2018 APPOINTMENTS.**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

*House: Ratified*

*House: Pres. To Gov. 12/4/2018*

*House: Ch. SL 2018-139*

**H 1115: LET NORTH CAROLINA VOTE ACT.**

*House: Passed 1st Reading*

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

**H 1116: HONOR JARED FRANKS, FALLEN POLICE OFFICER.**

*House: Passed 1st Reading*

*House: Cal Pursuant 32*

*House: Placed On Cal For 12/05/2018*

**H 1118: ADJOURN SINE DIE/DECEMBER 5TH.**

*House: Filed*

**H 1120: RECONSTITUTE VARIOUS BOARDS & COMMISSIONS.**

*House: Filed*

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

*House: Passed 2nd Reading*

**S 469: TECHNICAL CORRECTIONS. (NEW)**

*House: Reptd Fav Com Sub 3*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 12/05/2018*

**S 824: IMPLEMENTATION OF VOTER ID CONST. AMENDMENT.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Rules, Calendar, and Operations of the House*

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 12/05/2018*

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

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Select Committee on Nominations*

**S 827: EXTEND AGRICULTURAL DISASTER PROGRAM DEADLINE.**

*Senate: Passed 1st Reading*

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

**S 828: TECHNICAL CORRECTIONS.**

*Senate: Passed 1st Reading*

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

*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 From Senate*

*House: Passed 1st Reading*

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

**S 829: RETAIL INSTALLMENT SALES ACT AMENDMENTS.**

*Senate: Passed 1st Reading*

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

**S 830: AMEND/PROCESSING FEE FOR RETURNED CHECK.**

*Senate: Passed 1st Reading*

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

**S 831: CONSUMER FINANCE ACT AMENDMENTS.**

*Senate: Passed 1st Reading*

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

**LOCAL BILLS**

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

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

**H 1119: BOARD VACANCIES/CITY OF WINSTON-SALEM.**

*House: Filed*