



The Daily Bulletin: 2019-03-07

PUBLIC/HOUSE BILLS

H 76 (2019-2020) [SCHOOL SAFETY OMNIBUS](#). Filed Feb 13 2019, *AN ACT TO ESTABLISH THAT SCHOOL SAFETY REQUIREMENTS APPLY TO ALL PUBLIC SCHOOLS, CLARIFY THE POWERS AND DUTIES OF THE CENTER FOR SAFER SCHOOLS, REQUIRE THREAT ASSESSMENT TEAMS BE ESTABLISHED AT EACH PUBLIC SCHOOL AND CODIFY THE DUTIES OF THREAT ASSESSMENT TEAMS, REQUIRE LME/MCOS TO PROVIDE ASSISTANCE TO STUDENTS REFERRED BY THE SUPERINTENDENT, REQUIRE LOCAL BOARDS OF EDUCATION TO REQUIRE PEER-TO-PEER SUPPORT PROGRAMS AT ALL SCHOOLS WITH GRADES SIX AND HIGHER, REQUIRE REPORTING ON THE OPERATIONAL STATUS OF ALL PUBLIC SCHOOLS DURING STATES OF EMERGENCY, DEFINE THE TERM "SCHOOL RESOURCE OFFICER" AND REQUIRE TRAINING FOR SCHOOL RESOURCE OFFICERS, AND REQUIRE ANNUAL VULNERABILITY ASSESSMENTS FOR EACH PUBLIC SCHOOL BUILDING.*

House amendments make the following changes to the 3rd edition, as amended.

Amendment #6 amends proposed GS 115C-105.60 by expanding upon the actions that must be taken when an individual is determine to pose a high risk or imminent risk of violence or physical harm to self or others and the threat assessment team recommends that the student be referred for mental health services. Requires that the superintendent or designee notify the student's parent or legal guardian that: (1) the threat assessment team has made such a recommendation; (2) if the student is covered by private insurance or a Medicaid prepaid health plan, then the parent or guardian is encouraged to contact the student's primary care provider or insurance company; (3) if the student is uninsured or is covered by Medicaid and not enrolled in a prepaid health plan, then the parent or guardian is encouraged to contact the local management entity/managed care organization that serves the catchment area where the student resides; and (4) with consent, if the student is uninsured or is covered by Medicaid and not enrolled in a prepaid health plan, then the superintendent or designee must make a referral that includes the parent or guardian's contact information to the local management entity/managed care organization serving the catchment area where the student resides. Makes conforming changes to GS 115C-115.4.

Amendment #7 requires that the training and continuing education standards for school resources officers also include training on racial equity.

Intro. by White, Torbett, Horn, Elmore.

[GS 17C](#), [GS 17E](#), [GS 115C](#), [GS 116](#), [GS 143B](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, State Agencies, Department of Public Instruction](#)

H 300 (2019-2020) [EXTEND FUNDS DEADLINE FOR AUCTIONEERS](#). Filed Mar 7 2019, *AN ACT TO EXTEND THE AMOUNT OF TIME THAT AUCTIONEERS HAVE TO ACCOUNT FOR OR PAY OVER FUNDS FROM AN AUCTION SALE.*

Amends GS 85B-8(a)(3), which requires assessment of a civil penalty or the denial, suspension, or revocation of an auctioneer, auctioneer apprentice, or auction firm license for failure to account for or to pay over funds from an auction sale within a reasonable time. Current law requires the accounting or payment be made within 30 days. Now allows a 90-day window for auctioneers to account for or to pay over funds from an auction sale for items purchased on extension that require third-party authentication.

Intro. by Speciale.

[GS 85B](#)

[View summary](#)

[Business and Commerce, Occupational Licensing](#)

H 301 (2019-2020) [CIP REVISIONS/JUVENILE CODE](#). Filed Mar 7 2019, *AN ACT TO MAKE REVISIONS TO THE JUVENILE CODE PURSUANT TO RECOMMENDATIONS BY THE COURT IMPROVEMENT PROGRAM (CIP)*.

Makes the following changes to Abuse, Neglect, Dependency, GS Chapter 7B, Subchapter 1.

Amends GS 7B-101, adding to the definition of *responsible individual* an individual responsible for subjecting a juvenile to human trafficking, involuntary servitude, or sexual servitude who abuses or seriously neglects a juvenile.

Amends GS 7B-200(c)(1), which creates an automatic stay of any other civil action in which a juvenile's custody is an issue when a court obtains jurisdiction over a juvenile as a result of a petition alleging that the juvenile is abused, neglected, or dependent. Requires the court to ensure notice of the automatic stay is filed in the stayed action if the county and case file number are made known to the court. Details notice criteria.

Amends GS 7B-320(a), to generally require the county director of social services (director) to deliver written notice to an individual identified as a responsible individual in an expeditious manner after the completion of an investigative assessment response resulting in a determination of abuse or serious neglect (previously, required notice within five working days after completion).

Amends GS 7B-323, adding law enforcement investigating the abuse or serious neglect allegations to persons not excluded from a hearing ordered to be closed upon request of a party (previously, only court officers, the parties, and their witnesses). Specifies reliable and relevant evidence the court can allow to be admitted at the hearing for judicial review of the director's determination includes, but is not limited to, child medical evaluation reports and child and family evaluation reports that the director relied on to make the determination that abuse or serious neglect occurred.

Amends GS 7B-324, clarifying that an individual identified by a director as a responsible individual is not eligible (was, cannot petition) for judicial review if the individual is criminally convicted as a result of the same incident or fails to file the petition with the court in a timely manner after proper receipt of proper notice. Adds a new subsection, directing the court to dismiss an individual's petition for judicial review with prejudice if the individual is criminally convicted as a result of the same incident after the petition is filed.

Amends GS 7B-503, adding a juvenile's suffering from serious emotional damage to criteria that allows a court to order nonsecure custody, so long as there is a reasonable factual basis to believe the matters alleged in the petition for nonsecure custody are true.

Amends GS 7B-600, which requires the court to verify that a guardian of a juvenile will have adequate resources to care for the juvenile appropriately upon appointment. Adds that the fact that the prospective guardian has provided stable placement for the juvenile for at least six consecutive months is evidence that the prospective guardian has adequate resources. Adds the same language to provisions concerning the appointment of a prospective custodian of a juvenile in GS 7B-903, and the appointment of a prospective guardian or custodian of a juvenile at a permanency planning hearing under GS 7B-906.1.

Amends GS 7B-901, requiring a court's disposition order that places a juvenile in the custody of a county department of social services to direct that reasonable efforts for reunification are not required if the court makes written findings of fact that a court of competent jurisdiction has terminated involuntarily the parental rights of the parent to another child of the parent (previously, a court of competent jurisdiction terminates or has terminated), barring compelling evidence continued reunification efforts are warranted. Specifies that a court must schedule a permanency planning hearing (was, a subsequent hearing) within 30 days of determining that reunification efforts are not required.

Amends GS 7B-905.1, providing that an order removing custody from a parent, guardian, or custodian or that continues outside placement of the juvenile must provide for visitation that is in the best interest of the juvenile (previously, provide for appropriate visitation as may be in the best interest of the juvenile) consistent with the juvenile's health and safety. Specifies that the visitation in the best interest of the juvenile can include no visitation. Requires a director who temporarily suspends all or part of a visitation plan upon determining the plan is not consistent with the juvenile's health and safety to expeditiously file a motion for review and request a hearing be scheduled within 30 days of the suspension (previously not required to request a hearing). Adds that no motion or request of hearing is required if a review or permanency planning hearing is already scheduled to be heard within 30 days of the suspension.

Makes conforming and clarifying changes to GS 7B-906.1 concerning review and permanency planning hearings. Removes the requirement for the judge presiding over a permanency planning hearing to inform the parent, guardian, or custodian that failure or refusal to cooperate with the plan in a court order can result in reunification efforts ceasing. Adds to the findings a court must make in order to waive the holding of hearings required by the statute, require written reports to the court by the custodian in lieu of review hearings, or order that review hearings be held less often than every six months, finding by clear, cogent, and convincing evidence that the juvenile has resided in the placement for at least six consecutive months and the court enters a consent order pursuant to GS 7B-801(b1) (as an alternative to the required finding that the juvenile has resided in the placement for a period of at least one year).

Amends GS 7B-906.2, to require reunification to be (was, to remain) the primary or secondary plan adopted by the court unless the court made findings under GS 7B-901(c) or GS 7B-906.1(d)(3), or makes written findings that reunification efforts clearly would be unsuccessful or inconsistent with the juvenile's health or safety. GS 7B-906.1(d)(3) concerns a court determining whether efforts to reunite the juvenile with either parent clearly would be unsuccessful or inconsistent with the juvenile's health or safety and need for a safe, permanent home within a reasonable period of time. Specifies that the determination that reunification will not be a primary or secondary plan can be made at any permanency planning hearing. Requires the court to make a finding about whether the reunification efforts to the county department of social services were reasonable at each permanency planning hearing (was, at the first permanency planning hearing) unless reunification efforts were previously ceased. Requires the court to make specified written findings at any permanency planning hearing demonstrating the degree of success or failure toward reunification (was, the lack of success).

Amends GS 7B-908, concerning placement review post-termination of parental rights. Provides for notice of the placement review to the legal guardian of the juvenile, as provided (previously, notice only to the juvenile if the juvenile is 12 years or older; the legal custodian; the person providing care for the juvenile; the guardian ad litem, if any; and any other person or agency the court specifies). Amends the statute further, limiting participation at the review hearings to the juvenile, the legal custodian or guardian, the person providing care for the juvenile, and the guardian ad litem (previously, limited attendance instead of participation; included the juvenile if the juvenile is at least 12 years of age, the legal custodian, the person caring for the juvenile, and the guardian ad litem). Adds new requirements for court orders following the completion of placement review hearings. Requires the order be entered no later than 30 days following completion, and if not entered within that period, requires a subsequent hearing to be scheduled as specified and entry of the order within 10 days of the subsequent hearing.

Enacts GS 7B-909.1, regarding the relinquishment of a juvenile to the department of social services for the purpose of adoption by a parent who is a respondent in an abuse, neglect, dependency action under Subchapter 1 of GS Chapter 7B. Requires, if the parent's retained counsel has entered a notice of appearance or the parent has an attorney whose provisional appointment has been confirmed by the court, before the execution of relinquishment: (1) notice be given to a parent's counsel or, if necessary, a partner or employee of the attorney's office of the arrangements made for the parent to execute the relinquishment at a specific date, time and location and (2) and advisement be given of the parent's right to seek the advice of counsel prior to executing relinquishment of a juvenile to the department of social services.

Makes clarifying changes to GS 7B-1001 regarding appeals for juvenile matters under Subchapter 1.

Updates the statutory reference in GS 7B-1003(e), now providing that GS 7B-903.1, concerning juvenile placement in the custody of the department of social services, applies to any order entered during an appeal that provides for the placement or continued placement of a juvenile in foster care.

Makes the following changes to Undisciplined and Delinquent Juveniles, GS Chapter 7B, Subchapter II.

Amends GS 7B-2503(1)c., regarding dispositional alternatives for undisciplined juveniles, which allows a court to place a juvenile needing more adequate care or supervision or a juvenile needing placement in the custody of a department of social services so long as the director has received notice and an opportunity to be heard. Current law requires this placement be reviewed in accordance with GS 7B-906.1 (review and permanency hearings). Adds a new provision explicitly stating an indigent parent's right to court-appointed counsel for representation in the hearings held pursuant to GS 7B-906.1 unless the parent knowingly and voluntarily waives the right. Makes further clarifying and technical changes. Makes identical changes to GS 7B-2506, regarding dispositional alternatives for delinquent juveniles.

Makes the following changes to Juvenile Records, GS Chapter 7B, Subchapter III.

Enacts GS 7B-3100(c), authorizing the juvenile's guardian ad litem attorney advocate appointed pursuant to GS 7B-601 to share confidential information about the juvenile with the juvenile's attorney appointed or retained pursuant to GS 7B-2000 (juvenile's right to counsel and presumption of indigence).

Effective October 1, 2019.

Intro. by Stevens, Morey.

GS 7B

[View summary](#)

Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Delinquency, Health and Human Services, Social Services, Child Welfare

H 302 (2019-2020) [AUTHORIZE SPORTS WAGERING ON TRIBAL LANDS](#). Filed Mar 7 2019, *AN ACT TO ENABLE WAGERING ON SPORTING EVENTS ON TRIBAL LANDS IN ACCORDANCE WITH THE FEDERAL INDIAN GAMING REGULATORY ACT.*

Identical to [S 154](#), filed 2/27/19.

Amends GS 14-292.2 as the title indicates.

Intro. by Corbin, Bell, Saine, Hunter.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Lottery and Gaming

H 303 (2019-2020) [RECORD OF EXCUSALS FROM JURY DUTY](#). Filed Mar 7 2019, *AN ACT TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR THE REMAINDER OF THE BIENNIUM.*

Enacts GS 9-6.2 to require the clerk of superior court to keep a record of the name, address, and reason for the excusal request of every person excused from jury duty based on disqualification(s) under GS 9-3 (qualifications of prospective jurors). Records must be maintained for the remainder of the biennium. Provides that these records are not public records under GS 132-1.

Additionally, if a person is disqualified or excused from jury duty for a reason related to qualifications under GS 160A-841 (Qualifications to vote; exclusion from electoral franchise), the clerk must provide a record of the person's name, address, reason for excusal, and the date of excusal to the local board of elections and the State Board of Elections on a quarterly basis. Provides that these records are public records under GS 132-1. Requires the State Board of Elections to retain the record for two years and allows the clerk of superior court to destroy the records at the end of each biennium.

Makes a conforming change to GS 9-6(e) to require the clerk of superior court to keep a record of excuses separate from the master jury list in accordance with GS 9-6.2, as enacted by this act.

Directs the Administrative Office of the Courts to amend the Rules of Recordkeeping to include procedures necessary to implement the new law.

Effective January 1, 2020.

Intro. by Cleveland, Conrad, C. Smith, Pittman.

GS 9

[View summary](#)

Courts/Judiciary, Court System, Government, Public Records and Open Meetings, State Agencies, Department of Justice

H 305 (2019-2020) [AMEND LAW REGARDING UNIVERSITY DISCIPLINE](#). Filed Mar 7 2019, *AN ACT TO ESTABLISH DUE PROCESS SAFEGUARDS FOR STUDENTS FACING UNIVERSITY DISCIPLINARY PROCEEDINGS*.

Amends GS 116-11 to require the UNC Board of Governors (BOG) to adopt mandatory, systemwide policies governing a student's due process rights during disciplinary investigations and hearings. Specifies five items that must be included in the policy with regard to allegations of sexual misconduct by a student, including that the accused student be promptly provided adequate notice including details of the allegations, details of any alleged violation of the Student Code of Conduct, and copies of all evidence at a meaningful time and in a meaningful manner and be advised of the right to consult legal counsel and to an appeal, as well as requiring that the standard of proof of responsibility for proving sexual misconduct be no less than clear and convincing evidence.

Enacts new Part 8, Student Disciplinary Proceedings, under Article 1 of GS Chapter 116. Enacts new GS 116-44.20 requiring each UNC constituent institution to adopt policies to govern student conduct and to establish adequate due process procedures to be followed when conducting disciplinary proceedings against students. Requires the policies to comply with the policies adopted by the BOG under GS 116-11, as described above; Article 1; and US and State laws and regulations. Requires that the University policies include or provide for the development of a Code of Student Conduct that notifies students of the standards of behavior, conduct that may subject a student to discipline, and the range of disciplinary measures that may be used. Allows the suspension, but not expulsion, of a student for conduct not occurring on campus, if the conduct violates the Code of Conduct and the conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the constituent institution or the safety of individuals in the educational environment. Prohibits allowing a student to be suspended or expelled long-term without first providing a hearing and prohibits imposing mandatory suspensions or expulsions for specific violations unless otherwise provided by state or federal law. Requires minimizing the use of long-term suspension and expulsion. Requires University policies to include the hearing notification procedures and due process procedures to be followed by university officials and students for cases involving a disciplinary outcome that may result in suspension or expulsion, consistent with Article 1.

Recodifies GS 116-40.11 as GS 116-44.21 and includes it in new Part 8. Also amends the statute to give any student enrolled at a constituent institution who is accused of a violation of the Student Code of Conduct (was, violation of the disciplinary or conduct rules) the right to be represented, at the student's expense, by a licensed attorney or nonattorney advocate who must be (was, may be) allowed to participate during any disciplinary hearing or procedure. Provides that a student does not have the right to be represented by an attorney or advocate for any allegation of academic dishonesty (previously also included situations where the institution has implemented a student honor court that is fully staffed by students to address such violations). Makes additional conforming changes.

Applies to investigations and proceedings initiated on or after October 1, 2019.

Intro. by Setzer, Howard, Saine, D. Hall.

[GS 116](#)

[View summary](#)

[Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System](#)

H 306 (2019-2020) [RISK-BASED REMEDIATION/ANIMAL WASTE MGMT](#). Filed Mar 7 2019, *AN ACT TO ALLOW RISK-BASED REMEDIATION FOR ANIMAL WASTE MANAGEMENT SYSTEMS*.

Amends GS 130A-310.67 as the title indicates.

Intro. by Dixon, Strickland, Bell.

[GS 130A](#)

[View summary](#)

[Agriculture, Environment, Environment/Natural Resources, Health and Human Services, Health, Public Health](#)

H 307 (2019-2020) [RIGHT-OF-WAY FOR LEFT-TURNING FARM EQUIPMENT](#). Filed Mar 7 2019, *AN ACT TO PROHIBIT OVERTAKING AND PASSING LEFT-TURNING FARM EQUIPMENT*.

Amends GS 20-150 to prohibit drivers from overtaking and passing self-propelled farm equipment proceeding in the same direction that is making a left turn or signaling an intent to do so.

Intro. by Dixon, Brisson, Humphrey, R. Turner.

[GS 20](#)

[View summary](#)

[Agriculture, Courts/Judiciary, Motor Vehicle](#)

H 308 (2019-2020) [EXPAND AGRICULTURAL OUTDOOR ADVERTISING](#). Filed Mar 7 2019, *AN ACT TO EXPAND OUTDOOR ADVERTISING FOR BONA FIDE FARMS ON THEIR OWN PROPERTY*.

Amends GS 136-129 to exempt specified outdoor advertising promoting a bona fide farm from the prohibition on outdoor advertising within 660 feet of the right-of-way of the interstate or primary highway system. In order to be exempt, the outdoor advertising must promote a bona fide farm that is exempt from specified zoning regulations if the sign is more than three feet long on any side and it is located on the bona fide farm property (this replaces the exemption that applied to advertisements for the sale of any fruit or vegetable crop by the grower at a roadside stand or by having the purchaser pick the crop on the property if the sign met specified requirements).

Intro. by Dixon, Strickland, Barnes, Conrad.

[GS 136](#)

[View summary](#)

[Agriculture, Business and Commerce](#)

H 309 (2019-2020) [ADVERSE POSSESSION CHANGES](#). Filed Mar 7 2019, *AN ACT TO MODIFY THE PROCESS FOR ACQUIRING TITLE TO LANDS USING ADVERSE POSSESSION*.

Amends GS 1-40, extending the period required before a person acquires title in fee of real property by adverse possession from 20 to 30 years. Adds new requirements of a person acquiring title in fee to real property by adverse possession, including paying the previous owner (1) the fair market value of the property at the time of acquisition and (2) reimbursement for all property taxes incurred for the 30 years the property was adversely possessed. Adds a new limitation prohibiting a title transfer by adverse possession if the property being adversely possessed is entirely within one foot of the recorded boundary of the property.

Intro. by Dixon, Brisson, Sasser, Jones.

[GS 1](#)

[View summary](#)

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

H 310 (2019-2020) [CLARIFY INSURANCE PROD'R CRIM. BCKGRD CHECK](#). Filed Mar 7 2019, *AN ACT TO EXEMPT LIMITED LINE CREDIT INSURANCE PRODUCERS FROM CRIMINAL BACKGROUND CHECK REQUIREMENTS*.

Amends GS 58-33-48 as the title indicates. Effective October 1, 2019, and applies to applications for a new limited line credit insurance producer license or a renewal or continuation of such a licence received by the Commissioner of Insurance on or after that date.

Intro. by McElraft, Setzer, Richardson, Pierce.

[View summary](#)

[Business and Commerce, Insurance, Occupational Licensing](#)

H 312 (2019-2020) **HATE CRIMES PREVENTION ACT**. Filed Mar 7 2019, *AN ACT TO INCREASE THE SCOPE AND PUNISHMENT OF HATE CRIMES; TO REQUIRE THE STATE BUREAU OF INVESTIGATION TO CREATE AND MAINTAIN A HATE CRIMES STATISTICS DATABASE; TO REQUIRE THE NORTH CAROLINA JUSTICE ACADEMY TO DEVELOP AND PROVIDE LAW ENFORCEMENT OFFICERS WITH TRAINING ON IDENTIFYING, RESPONDING TO, AND REPORTING HATE CRIMES; AND TO REQUIRE THE CONFERENCE OF DISTRICT ATTORNEYS OF NORTH CAROLINA TO DEVELOP AND PROVIDE TRAINING TO PROSECUTORS ON HOW TO PROSECUTE HATE CRIMES.*

Part I

Entitles this act “The Hate Crimes Prevention Act.”

Part II

Amends GS 14-3 by expanding the categories under which a crime will be elevated to a higher level offense as a hate crime under subsection (c) to include crimes committed because of the victim’s ethnicity, gender, gender identity, gender expression, disability, or sexual orientation. Class 2 or Class 3 misdemeanors committed for these reasons will be elevated to a Class 1 misdemeanor. Class A1 or Class 1 misdemeanors committed for these reasons will be elevated to a Class H felony. Adds new subsection (d), permitting the victim of a hate crime as defined in subsection (c) or an immediate family member of the victim to obtain appropriate relief from the offender in a civil action in any court of competent jurisdiction, including actual damages, punitive damages, reasonable attorneys’ fees, and any other litigation costs reasonably incurred. Actual damages under this subsection includes damages for emotional distress. Makes conforming changes to the statute's caption.

Amends GS 14-401.14, changing the title from ethnic intimidation to Intimidation by hate crime; teaching any technique to be used in the commission of a hate crime. Expands the categories covering hate crime identical to the above changes to GS 14-3. Adds new subsection (c), allowing for the victim of a hate crime or their family to seek civil damages, identical to the above changes to GS 14-3. Includes gender-neutral pronoun change.

Amends GS 15A-1340.16(d)(17), expanding the definition of an *aggravating factor* identical to the above definition of hate crime.

Amends GS Chapter 14, Article 8, adding new GS 14-34.11, titled Felonious assault as a hate crime. Creates the crime *felonious assault as a hate crime*, defined as assaulting or attempting to assault a person and inflicting serious bodily injury because of the actual or perceived race, ethnicity, color, religion, nationality, country of origin, gender, gender identity, gender expression, disability, or sexual orientation of that person. Punishable as a Class F felony, elevated to a Class E felony if death results from the offense, or the offense includes the commission or attempted commission of kidnapping, first- or second-degree forcible rape, or first- or second-degree forcible sexual offense. Forbids introducing substantive evidence of expressions or associations of the accused at trial unless the evidence specifically relates to the crime charged under this statute. Permits the victim of a hate crime or the victim's family to seek civil damages, identical to the above changes to GS 14-3. Defines *gender identity* as actual or perceived gender-related characteristics.

This Part becomes effective December 1, 2019, and applies to offenses committed on or after that date.

Part III

Amends GS Chapter 143B, Article 13, enacting new GS 143B-907, titled Hate crime statistics. Directs the State Bureau of Investigation (SBI) to collect, analyze, and disseminate information regarding the commission of offenses punishable under GS 14-3(c), 14-401.14, or 14.34.11. This information must include the total number of offenses committed for each type, identifying characteristics of the offender and victim from each offense, and the disposition of each offense. Requires all State and local law enforcement agencies to report monthly to the SBI on offenses committed in their jurisdictions that meet the criteria for a hate crime. Requires the SBI to report to the General Assembly on a yearly basis on the information gathered. The SBI must also publish this report on its website. Requires the SBI to share any information collected under this section upon request of any local law enforcement agency, unit of local government, or State agency. Effective January 1, 2021.

Directs the SBI to develop guidelines for the information on hate crimes required to be submitted by local law enforcement agencies. Requires the first report by the SBI to the General Assembly to be submitted by January 15, 2022.

Appropriates \$1.89 million in nonrecurring funds for the 2020-21 fiscal year from the General Fund to the SBI to cover any costs incurred in establishing the hate crime statistics database. Appropriates \$530,000 in recurring funds for the 2020-21 fiscal year from the General Fund to the SBI to hire an additional employee to manage the database.

Effective July 1, 2020.

Part IV

Amends GS 17D-2(c), adding new subdivision (5), requiring the North Carolina Justice Academy to develop and provide training to law enforcement officers on how to identify, respond to, and report hate crimes.

Amends GS 17C-6(a) and GS 17E-4(a), requiring the minimum educational, training, in-service training, and continuing education standards for criminal justice officers and sheriffs established by the Training Standards Commission to include education and training on how to identify, respond to, and report a hate crime.

Effective July 1, 2020.

Part V

Amends GS 7A-413 to add new subsection (c), requiring the Conference of District Attorneys to develop and provide training to prosecutors on prosecuting hate crimes.

Effective July 1, 2020.

Part VI

Except as otherwise provided, this act is effective when it becomes law.

Intro. by Majeed, Harrison, Meyer, Martin.

[APPROP, GS 7A, GS 14, GS 15A, GS 17C, GS 17D, GS 17E, GS 143B](#)

[View summary](#)

[Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Justice](#)

H 313 (2019-2020) [MODIFY WEIGHTING/SCHOOL PERFORMANCE GRADES](#). Filed Mar 7 2019, *AN ACT TO MODIFY THE WEIGHTING OF THE SCHOOL ACHIEVEMENT SCORE AND THE SCHOOL GROWTH SCORE IN THE CALCULATION OF SCHOOL PERFORMANCE SCORES AND GRADES*.

Amends GS 115C-83.15(d) to increase the weight of the school growth score in calculating the total school performance scores that are used to determine school performance grades. Establishes the school growth score and the school achievement score each account for 50% of the total school performance score (currently, the school achievement score accounts for 80% and the school growth score accounts for 20%).

Applies beginning with the 2019-20 school year.

Intro. by Gill, Lucas, Gailliard, Butler.

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 314 (2019-2020) [CONST. AMENDMENT/REPEAL LITERACY TEST](#). Filed Mar 7 2019, *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REPEAL THE LITERACY TEST REQUIREMENT*.

Subject to voter approval at the statewide election on November 3, 2020, repeals Section 4 of Article VI of the North Carolina Constitution, which requires every person registering to vote to be able to read and write any section of the Constitution in the English language. If approved, effective upon certification.

Intro. by Alexander, Stevens, Speciale, Pierce.

CONST

[View summary](#)

[Constitution, Government, Elections](#)

H 315 (2019-2020) [INSTRUCTIONAL MATERIAL SELECTION](#). Filed Mar 7 2019, *AN ACT TO MODERNIZE THE SELECTION OF INSTRUCTIONAL MATERIALS FOR NORTH CAROLINA PUBLIC SCHOOLS*.

Repeals Part 3 of Article 8 of GS Chapter 115C concerning general education textbooks.

Enacts Part 3C to Article 8, Selection of Instructional Material.

Provides definitions for Part 3C, including defining the terms *health and safety programs*, *instructional materials*, *local committee*, *parent*, *State Committee*, *supplemental materials*, and *unfit materials*.

Directs local boards of education to select and adopt instructional materials for each standard course of study at each instructional level in the elementary school and the secondary school adopted by the State Board of Education (State Board). Allows local boards to require certified expert employees evaluate materials being considered for adoption, as specified.

Directs local boards to adopt written policies for the selection and procurement of supplemental materials. Grants local boards the sole authority regarding selection and procurement of supplemental materials. Specifies that supplemental materials cannot displace or be used to the exclusion of instructional materials.

Requires local boards to hold a public hearing after at least 10 days' public notice when adopting, modifying, or amending a health and safety program and its instructional and supplemental materials. Further, requires 60 days' electronic and written notice to all parents and students in the local school administrative unit (local unit) of the hearing and the opportunity to review the materials in the program repository. Details parental notice requirements.

Requires State Board allocation and appropriations in the current expense or capital outlay budgets of local units to be used by local boards for the purchase, lease, or rental of instructional or supplemental materials and for hardware, software, or other equipment necessary for the use of the materials. Vests the title of the materials with the local board. Encourages partnership with other local boards or public schools to jointly purchase materials. Includes conditions for the purchase of instructional materials. Requires local board to publish on the local unit's website the title, author, and publisher of all materials purchased.

Requires public elementary and secondary school students be provided with free instructional materials, with proper care and return. Further details the provision and maintenance of instructional and supplemental materials. Authorizes the assessment of damage fees against a student's parent or legal guardian for abuse or loss of instructional or supplemental materials or equipment necessary for the use of the materials under rules adopted by the local board.

Requires local boards to maintain a continuous repository of currently purchased instructional supplemental materials, maintained at a central location for in-person review upon request, with the names of the materials posted to the local unit's website for review. Details requirements regarding the maintenance of a continuous repository of current objectives, entire curricula, texts, and all other materials used in any health and safety program. Requires 14 days' electronic and written notice each school year to parents of students participating in a health and safety program of the right to review the objectives, complete materials, and entire curriculum of the program in the repository. Details further requirements for the parental notice.

Authorizes any parent, guardian, or person in the place of the parent to purchase any instructional material needed for any public school student from the local board in which the student is enrolled. Authorizes local boards to dispose of discontinued instructional or supplemental materials.

Requires every local board to establish a local community media advisory committee to investigate and evaluate challenges to instructional and supplemental materials on the grounds that they are unfit. Requires the local committee to include a principal, teacher, and parent each from a high school, middle school, and elementary school. Provides for submitting challenges to materials, hearings on challenges, recommendations from the committee on the material's retention or removal, and the local

board's subsequent determination. Limits the local committee's determination to considering whether the material is unfit on the grounds of being educationally unsuitable; pervasively vulgar; or inappropriate to the age, maturity, or grade level of the students. Provides for an appeal to the State Community Media Advisory Committee if the local board determines the challenged material will be retained.

Establishes the State Community Media Advisory Committee to review challenged material appeals. Provides for the Committee's membership and member recusal. Requires the State Board to designate the form and manner for appeals. Provides for an appeal hearing to be held within four weeks of filing. Limits the Committee's determination to considering whether the material is unfit on the grounds of being educationally unsuitable; pervasively vulgar; or inappropriate to the age, maturity, or grade level of the students. Requires the Committee to make a recommendation to the State Board within two weeks of the hearing. Requires the State Board to make a final determination, not subject to appeal, as to the challenged material at the next meeting following the receipt of the Committee's recommendation. Requires the local board to remove the material if that is the decision of the State Board.

Amends GS 115C-11, changing the voting requirements for the adoption of textbooks by the State Board. Now requires the majority of State Board members present and voting to carry a motion, with a roll call vote on each motion (previously, required majority vote of the whole membership). Makes conforming changes.

Makes conforming repeal of GS 115C-12(9)b., which required the State Board to adopt and supply textbooks.

Makes conforming changes to GS 115C-12(9)c, GS 115C-12(18)d., GS 115C-47(6), GS 115C-47(33), GS 115C-47(33a), GS 115C-75.10(c), GS 115C-81.25(d), GS 115C-242(3), GS 115C-271(d)(2), GS 115C-384(c), GS 115C-390.2(l)(1), GS 115C-390.5(c)(1), GS 115C-398, and GS 143C-9-7(b).

Makes conforming repeals of GS 115C-81.5(b)(3) and GS 115C-81.25(b)(3). Repeals GS 143A-48, which transferred the Textbook Commission to the Department of Public Instruction (DPI).

Effective July 1, 2019, designates the existing Textbooks and Digital Resources funding allotment in the State Public School Fund as the Instructional Materials funding allotment in the Fund. Directs the State Board to establish the purposes for which re-designated funds can be used, as specified.

Makes conforming changes to GS 115C-105.25(b)(12) and GS 115C-81.30(c).

Prohibits the State Board from renewing contracts or entering new contracts for textbooks or instructional materials. Requires the State Board make any textbooks or instructional materials available through existing contracts available to local boards for purchase.

Authorizes local boards, by resolution, to continue use of previously adopted State textbooks for a standard course of study until the course is revised by the State Board.

Specifies that no local board is required to hold a public hearing pursuant to the act for any health and safety program in use prior to the 2018-19 school year until that program is amended, modified, or replaced. Requires all local boards to establish a program repository of current health and safety programs for access to parents prior to the start of the 2019-20 school year. Prohibits implementation of any program until the current program is included in the repository.

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

Intro. by Elmore, Arp, Johnson.

[GS 115C, GS 143A, GS 143C](#)

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, State Board of Education, Local
Government**

H 317 (2019-2020) [ADD'L MAGISTRATES IN MECKLENBURG COUNTY](#). Filed Mar 7 2019, *AN ACT TO ADD FIVE ADDITIONAL MAGISTRATE POSITIONS TO MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS.*

Amends GS 7A-133 by increasing the number of magistrates in Mecklenburg County from 26.50 to 31.50.

Appropriates \$338,015 for 2019-20 and \$322,875 for 2020-21 from the General Fund to the Administrative Office of the Courts.

Effective July 1, 2019.

Intro. by Logan, Belk, Clark.

[APPROP, GS 7A](#)

[View summary](#)

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

H 318 (2019-2020) [OPIOID PRESCRIPTION & TREATMENT OPT OUT ACT](#). Filed Mar 7 2019, *AN ACT ESTABLISHING THE RIGHT OF PATIENTS TO ELECT NONOPIOID PRESCRIPTIONS AND TREATMENT, ESTABLISHING A PROCESS BY WHICH PATIENTS MAY OPT OUT OF OPIOID PRESCRIPTIONS AND TREATMENT, AND REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AND MAKE AVAILABLE ON ITS INTERNET WEB SITE AN OFFICIAL FORM FOR PATIENTS TO VOLUNTARILY OPT OUT OF OPIOID PRESCRIPTIONS AND TREATMENT.*

Titles the act as The Opioid Prescription and Treatment Opt Out Act.

Enacts new GS 90-21.17A, which provides as follows. Sets out the General Assembly's intent. Allows an authorized practitioner (a physician, physician assistant, or nurse practitioner licensed and in good standing in this state) to issue a portable voluntary nonopioid advance directive form (form) for a patient, as follows: (1) with the patient's consent if the patient is a competent adult; (2) with the consent of the patient's parent, legal guardian, or legal custodian, if the patient is a minor; or (3) with the consent of the patient's representative, if the patient is not a minor but is incapable of making an informed decision regarding consent for the opt out. Sets out requirements for documenting the basis for the form and for the required signatures. Requires the Department of Health and Human Services (DHHS), in consultation with named entities, to develop and update, as necessary, an official voluntary nonopioid advance directive form that indicates to all health care providers that the patient must not be offered, prescribed, supplied with, or otherwise administered a controlled substance containing an opioid. Requires that the form be provided to the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services and that the form be easily accessible on DHHS's website. Sets out fields that must be included on the form. Provides liability from criminal prosecution, civil liability, or disciplinary action for any authorized practitioner, emergency medical professional, hospice provider, or other health care provider who withholds opioid prescription and treatment in good-faith reliance on the form if there are no reasonable grounds for doubting the validity of the form or the identity of the patient and the provider does not have actual knowledge of the revocation of the form. Also provides immunity for failure to follow a form if the provider had no actual knowledge that the form existed. Knowingly or willfully failing to comply with a form is grounds for liability in a civil action, disciplinary action, or both. Allows health care facilities to develop policies and procedures authorizing providers to accept a form as if it were an order of the medical staff of that facility. Specifies that authorized practitioners in a health care facility are not prohibited from issuing a written order, other than a form, to allow a patient to opt not to receive opioid prescription and treatment or to use, withhold, or withdraw additional medical interventions as provided in the form. Provides that similar forms originating outside of the state are valid if the form appears to have been issued in accordance with the applicable requirements of that jurisdiction or this state.

Makes conforming changes to GS 130A-466.

The above provisions are effective January 1, 2020.

Requires DHHS, in consultation with specified entities, to develop an official form, make the form easily accessible on the DHHS website, and provide notification and a copy of the form to the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services by January 1, 2020.

Intro. by Belk, Black, Dobson, White.

[GS 90, GS 130A](#)

[View summary](#)

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

H 319 (2019-2020) [IN-STATE TUITION EQUITY](#). Filed Mar 7 2019, *AN ACT TO AUTHORIZE CERTAIN IMMIGRANT YOUTH TO RECEIVE IN-STATE TUITION AT THE UNIVERSITY OF NORTH CAROLINA AND COMMUNITY COLLEGES IN THIS STATE.*

Amends GS 116-143.1 (provisions for determining resident status for tuition purposes in State supported institutions of higher learning). Adds new subsection (n) to establish that a person who meets four qualifications must be accorded resident tuition status: (1) the person received a high school diploma from a secondary or high school within North Carolina or received a high school equivalency diploma within North Carolina; (2) the person attended NC schools for a minimum of two consecutive years immediately prior to high school graduation; (3) if the person does not have lawful immigration status, then the person must also file an affidavit with the constituent institution or community college to which the person is enrolled stating that the person has filed an application to legalize his or her immigration status or will file an application as soon as he or she is eligible to do so; and (4) the person satisfies the admission standards for the constituent institution or community college to which the person applied and has secured admission and enrolled as a student at the constituent institution or community college. Adds new subsection (o) to establish that any information obtained as part of the process for applying for in-State tuition pursuant to new subsection (n) is confidential and not public record. Effective July 1, 2019, and applies beginning with the 2019-20 academic year.

Intro. by Meyer, Fisher, Harrison, Brockman.

[GS 116](#)

[View summary](#)

[Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Immigration](#)

PUBLIC/SENATE BILLS

S 66 (2019-2020) [ALLOW GAME NIGHTS](#). Filed Feb 14 2019, *AN ACT TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE "GAME NIGHTS," TO PROVIDE FOR THE REGULATION OF NONPROFIT ORGANIZATIONS HOLDING "GAME NIGHTS," AND TO ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES AT "GAME NIGHTS."*

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

Amends GS 14-309.27 to require game night permit applications to be submitted to the Alcohol Law Enforcement Headquarters (was, to the central office or to the Alcohol Law Enforcement district office with jurisdiction over the facility).

Makes organizational changes to proposed GS 14-309.29 regarding game night prizes and costs.

Adds GS 14-309.29(a), which explicitly prohibits cash prizes and limits game night event prizes to award by raffle only, to the provisions which govern employer paid events under GS 14-309.34.

Enacts GS 14-309.36 to clarify that nothing in new Part 4 of Article 37 authorizes the possession, transportation, or use of any slot machine, video gaming machine, or electronic machine or device prohibited by GS 14-304 through GS 14-309.

Intro. by Gunn, McInnis, J. Alexander.

[GS 14, GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control, Government, Public Safety and Emergency Management, State Agencies, Department of Public Safety, Lottery and Gaming, Nonprofits](#)

S 86 (2019-2020) [SMALL BUSINESS HEALTHCARE ACT](#). Filed Feb 19 2019, *AN ACT TO CREATE GREATER OPPORTUNITIES FOR SMALL EMPLOYERS TO PROVIDE EMPLOYEES ACCESS TO HEALTH INSURANCE.*

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

Part I

Modifies and adds to the previously modified requirements for MEWA (multiple employer welfare arrangement) licensure set out in GS 58-49-40. Now requires a MEWA to be established by a group of employers under an association (not previously required) (1) having a constitution and bylaws, (2) organized and maintained in good faith for a continuous period of at least two years (previously, for a continuous period of two years for purposes other than that of obtaining or providing insurance), and (3) with at least one substantial business purpose unrelated to offering and providing health coverage or other employee benefits to its employer members and their employees (previously proposed as a separate requirement). Adds a new requirement for the MEWA to have at least 500 covered lives. Makes organizational changes. Makes conforming changes to proposed GS 58-49-40(h), regarding treatment of a MEWA as having a commonality of interest. Further amends GS 58-49-40, enacting a new subsection to specify that a newly created association is deemed to have been organized and maintained for as long as its newest constituent association has been in existence as applicable to MEWA licensure qualifications.

Part II

Modifies the proposed changes to GS 58-51-80, concerning requirements for group accident and health insurance policies and contracts. Further specifies that, as used in the provisions concerning premium payment under a policy issued to an employer or to the trustee of a fund established by an employer or two or more employers in the same industry or kind of business whereby the employer is the policyholder and the policy covers employees or agents for amounts of insurance based on a plan, *employer* includes a MEWA that has at least 500 covered lives and is classified by the US Department of Labor as a bona fide group or association under either any US Department of Labor advisory opinion addressing specified circumstances or the specified section of the Employee Retirement Income Security Act and its implementing regulations, including 29 CFR, Part 2510 (containing the definitions of certain terms; previously, implementing regulations were not included).

Adds to the proposed changes to GS 58-57-80 to specify that a newly created association is deemed to have been organized and maintained for as long as its newest constituent association has been in existence, as applicable to the requirements concerning policies issued to an association or to a trust or trustees of a fund established, created, or maintained for the benefit of members of one or more associations. Makes organizational and clarifying changes.

Intro. by Bishop, Krawiec, Edwards.

GS 58

[View summary](#)

Business and Commerce, Insurance, Government, State Agencies, Department of Insurance, Health and Human Services, Health, Health Insurance

S 127 (2019-2020) **PROTECT GOVERNMENTAL ACCOUNTABILITY**. Filed Feb 25 2019, *AN ACT TO CLARIFY STATE AGENCIES' OBLIGATIONS TO REFRAIN FROM INTERFERENCE WITH STATE EMPLOYEES' DUTY TO REPORT VIOLATIONS OF STATE OR FEDERAL LAW, FRAUD, MISAPPROPRIATION OF STATE RESOURCES, AND OTHER GOVERNMENTAL IMPROPRIETIES; AND MAKE OTHER CHANGES TO FOSTER GOVERNMENTAL ACCOUNTABILITY TO PREVENT VIOLATIONS OF STATE OR FEDERAL LAW, FRAUD, MISAPPROPRIATION OF STATE RESOURCES, AND OTHER GOVERNMENTAL IMPROPRIETIES.*

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

Amendment #1 amends the proposed language in GS 126-84, GS 126-85, and GS 120-19 to require that the legislative panels be duly appointed by the President Pro Tem and/or the Speaker of the House.

Amendment #2 adds the requirement that, effective when the act becomes law, the head of each State agency, department, and institution notify its employees of the changes made by the act.

Intro. by Brown, Daniel, Hise.

GS 120, GS 126

[View summary](#)

Employment and Retirement, Government, State Government, State Personnel

S 206 (2019-2020) [ADD'L JUDGE AND MAGISTRATES IN UNION COUNTY](#). Filed Mar 7 2019, *AN ACT TO ADD ONE DISTRICT COURT JUDGE TO DISTRICT 20D IN UNION COUNTY AND TO ADD THREE MAGISTRATES TO UNION COUNTY AND TO APPROPRIATE FUNDS.*

Identical to [H 259](#), filed 3/4/19.

Amends GS 7A-133, increasing the number of district court judges in District 20D (Union County) from one to two, and increasing the number of magistrates in Union County from seven to ten. Appropriates from the General Fund to the Administrative Office of the Courts \$202,809 for the 2019-20 fiscal year and \$302,948 for the 2020-21 fiscal year. Provides that the increase in district court judgeships is effective January 1, 2021, and requires elections conducted in 2020 to be in accordance with the judgeships created by the act. Provides that the remainder of the act is effective July 1, 2019.

Intro. by Johnson.

[APPROP, Union, GS 7A](#)

[View summary](#)

[Courts/Judiciary, Government, Budget/Appropriations](#)

S 208 (2019-2020) [REMOVE SIZE RESTRICTIONS/CERTAIN POLIT. SIGNS](#). Filed Mar 7 2019, *AN ACT TO REMOVE THE SIZE RESTRICTIONS FOR POLITICAL SIGNS PLACED ON PRIVATE PROPERTY WITH THE PERMISSION OF THE PROPERTY OWNER.*

Amends GS 136-32 by excluding political signs that are on private property with the property owner's permission and are outside of any State or municipal right-of-way, from the requirement that signs not be higher than 42 inches above the edge of the pavement of the road or larger than 864 square inches.

Intro. by McInnis, Daniel, Hise.

[GS 136](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Elections](#)

S 209 (2019-2020) [HATE CRIMES PREVENTION ACT](#). Filed Mar 7 2019, *AN ACT TO INCREASE THE SCOPE AND PUNISHMENT OF HATE CRIMES; TO REQUIRE THE STATE BUREAU OF INVESTIGATION TO CREATE AND MAINTAIN A HATE CRIMES STATISTICS DATABASE; TO REQUIRE THE NORTH CAROLINA JUSTICE ACADEMY TO DEVELOP AND PROVIDE LAW ENFORCEMENT OFFICERS WITH TRAINING ON IDENTIFYING, RESPONDING TO, AND REPORTING HATE CRIMES; AND TO REQUIRE THE CONFERENCE OF DISTRICT ATTORNEYS OF NORTH CAROLINA TO DEVELOP AND PROVIDE TRAINING TO PROSECUTORS ON HOW TO PROSECUTE HATE CRIMES.*

Identical to [H 312](#), filed 3/7/19.

Part I

Entitles this act "The Hate Crimes Prevention Act."

Part II

Amends GS 14-3 by expanding the categories under which a crime will be elevated to a higher level offense as a hate crime under subsection (c) to include crimes committed because of the victim's ethnicity, gender, gender identity, gender expression, disability, or sexual orientation. Class 2 or Class 3 misdemeanors committed for these reasons will be elevated to a Class 1 misdemeanor. Class A1 or Class 1 misdemeanors committed for these reasons will be elevated to a Class H felony. Adds new subsection (d), permitting the victim of a hate crime as defined in subsection (c) or an immediate family member of the victim to obtain appropriate relief from the offender in a civil action in any court of competent jurisdiction, including actual damages, punitive damages, reasonable attorneys' fees, and any other litigation costs reasonably incurred. Actual damages under this subsection includes damages for emotional distress. Makes conforming changes to the statute's caption.

Amends GS 14-401.14, changing the title from ethnic intimidation to Intimidation by hate crime; teaching any technique to be used in the commission of a hate crime. Expands the categories covering hate crime identical to the above changes to GS 14-3. Adds new subsection (c), allowing for the victim of a hate crime or their family to seek civil damages, identical to the above changes to GS 14-3. Includes gender-neutral pronoun change.

Amends GS 15A-1340.16(d)(17), expanding the definition of an aggravating factor identical to the above definition of hate crime.

Amends GS Chapter 14, Article 8, adding new GS 14-34.11, titled Felonious assault as a hate crime. Creates the crime felonious assault as a hate crime, defined as assaulting or attempting to assault a person and inflicting serious bodily injury because of the actual or perceived race, ethnicity, color, religion, nationality, country of origin, gender, gender identity, gender expression, disability, or sexual orientation of that person. Punishable as a Class F felony, elevated to a Class E felony if death results from the offense, or the offense includes the commission or attempted commission of kidnapping, first- or second-degree forcible rape, or first- or second-degree forcible sexual offense. Forbids introducing substantive evidence of expressions or associations of the accused at trial unless the evidence specifically relates to the crime charged under this statute. Permits the victim of a hate crime or the victim's family to seek civil damages, identical to the above changes to GS 14-3. Defines gender identity as actual or perceived gender-related characteristics.

This Part becomes effective December 1, 2019, and applies to offenses committed on or after that date.

Part III

Amends GS Chapter 143B, Article 13, enacting new GS 143B-907, titled Hate crime statistics. Directs the State Bureau of Investigation (SBI) to collect, analyze, and disseminate information regarding the commission of offenses punishable under GS 14-3(c), 14-401.14, or 14.34.11. This information must include the total number of offenses committed for each type, identifying characteristics of the offender and victim from each offense, and the disposition of each offense. Requires all State and local law enforcement agencies to report monthly to the SBI on offenses committed in their jurisdictions that meet the criteria for a hate crime. Requires the SBI to report to the General Assembly on a yearly basis on the information gathered. The SBI must also publish this report on its website. Requires the SBI to share any information collected under this section upon request of any local law enforcement agency, unit of local government, or State agency. Effective January 1, 2021.

Directs the SBI to develop guidelines for the information on hate crimes required to be submitted by local law enforcement agencies. Requires the first report by the SBI to the General Assembly to be submitted by January 15, 2022.

Appropriates \$1.89 million in nonrecurring funds for the 2020-21 fiscal year from the General Fund to the SBI to cover any costs incurred in establishing the hate crime statistics database. Appropriates \$530,000 in recurring funds for the 2020-21 fiscal year from the General Fund to the SBI to hire an additional employee to manage the database.

Effective July 1, 2020.

Part IV

Amends GS 17D-2(c), adding new subdivision (5), requiring the North Carolina Justice Academy to develop and provide training to law enforcement officers on how to identify, respond to, and report hate crimes.

Amends GS 17C-6(a) and GS 17E-4(a), requiring the minimum educational, training, in-service training, and continuing education standards for criminal justice officers and sheriffs established by the Training Standards Commission to include education and training on how to identify, respond to, and report a hate crime.

Effective July 1, 2020.

Part V

Amends GS 7A-413 to add new subsection (c), requiring the Conference of District Attorneys to develop and provide training to prosecutors on prosecuting hate crimes.

Effective July 1, 2020.

Part VI

Except as otherwise provided, this act is effective when it becomes law.

Intro. by Chaudhuri, Foushee, Mohammed.

APPROP, GS 7A, GS 14, GS 15A, GS 17C, GS 17D, GS 17E, GS 143B

[View summary](#)

Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Justice

S 210 (2019-2020) **ORGAN & TISSUE DONATION/HEART HEROES**. Filed Mar 7 2019, *AN ACT AMENDING THE REVISED UNIFORM ANATOMICAL GIFT ACT TO INCLUDE TISSUE DONATION AS PART OF THE DRIVERS LICENSE DONOR AUTHORIZATION.*

Identical to [H 126](#), filed 2/20/19.

Amends GS 130A-412.7, as the title indicates. Effective October 1, 2019.

Intro. by Krawiec, McKissick, Horner.

GS 130A

[View summary](#)

Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation, Health and Human Services, Health

LOCAL/HOUSE BILLS

H 304 (2019-2020) **SCHOOL CALENDAR FLEX/CERTAIN SCHOOL SYSTEMS**. Filed Mar 7 2019, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN LOCAL BOARDS OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local boards of education for the Burke County and Rutherford County Schools with additional flexibility in adopting their school calendars. Applies beginning with the 2019-20 school year.

Intro. by Blackwell, Rogers.

Burke, Rutherford

[View summary](#)

Education, Elementary and Secondary Education

H 311 (2019-2020) **GREENSBORO/REAL PROPERTY CONVEYANCES**. Filed Mar 7 2019, *AN ACT AUTHORIZING THE CITY OF GREENSBORO TO CONVEY CITY-OWNED REAL PROPERTY FOR THE PURPOSE OF INCREASING THE SUPPLY OF AFFORDABLE HOUSING FOR LOW- AND MODERATE-INCOME PERSONS.*

As title indicates. Also requires that the conveyance of the property be made according to a resolution adopted by the governing body at a regular or special meeting authorizing the appropriate municipal official to make the conveyance for the purpose of increasing the supply of affordable housing for low- and moderate-income persons. Requires the resolution to be posted on Greensboro's website at least 10 calendar days before the date the conveyance is executed.

Intro. by Quick, Clemmons, Harrison, Hardister.

Guilford

[View summary](#)

Development, Land Use and Housing, Property and Housing

H 316 (2019-2020) [MEALS TAX FOR ROCKINGHAM SPEEDWAY](#). Filed Mar 7 2019, *AN ACT TO CREATE A SPECIAL TAXING DISTRICT CONSISTING OF THE PROPERTY OCCUPIED BY THE ROCKINGHAM SPEEDWAY AND TO AUTHORIZE THE DISTRICT TO LEVY A PREPARED FOOD AND BEVERAGES TAX OF UP TO TEN PERCENT FOR THE PURPOSE OF IMPROVING AND PROMOTING THE SPEEDWAY AND FOR TOURISM DEVELOPMENT IN THE DISTRICT.*

Creates a new tax district in Richmond County consisting of the property occupied by the Rockingham Speedway to be called Richmond County District R. The District is a body politic and corporate. Provides for the governance of that district by the Richmond County Board of Commissioners. Authorizes the Richmond County District R governing body to levy a prepared food and beverages tax of up to 10% by resolution and after 10 days of public notice and a public hearing. Specifies seven exemptions. Directs retailers to collect the tax and the governing body of the district to administer the tax. Provides for refunds to nonprofit or governmental entities of the tax paid by those entities. Allows the governing body of the district to deduct up to 3% of the gross proceeds for administering and collecting the tax; the remaining proceeds are to be used for specified functions related to the speedway and to promote travel and tourism in the district. Provides for repeal of the tax.

Intro. by Goodman.

[Richmond](#)

[View summary](#)

[Government, Tax](#)

LOCAL/SENATE BILLS

S 207 (2019-2020) [MECKLENBURG CTY/PUBLIC-PRIVATE AGREEMENTS](#). Filed Mar 7 2019, *AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY.*

Amends SL 2009-162, Section 1, to allow Mecklenburg County to enter into reimbursement agreements with private property owners for the design and construction of park infrastructure or parks that are included in the county's Parks Master Plan and are located on property adjacent to or close to other property owned by the private property owner or its affiliates.

Intro. by Waddell, J. Jackson, Mohammed.

[Mecklenburg](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 19: [DARE COUNTY/CC CONSTRUCTION FUNDS.](#)

House: Withdrawn From Com

House: Re-ref to the Com on Appropriations, Capital, if favorable, Rules, Calendar, and Operations of the House

House: Withdrawn From Com

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

H 30: [OFFICIAL STATE FROZEN TREAT.](#)

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 57: [CREATE TERM FOR PUBLIC SCHS. & CODIFY NCVPS.](#)

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 73: CIVIC RESPONSIBILITY EDUCATION.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 75: SCHOOL MENTAL HEALTH SCREENING STUDY.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 76: SCHOOL SAFETY OMNIBUS.

House: Amend Adopted A6
House: Amend Adopted A7
House: Passed 3rd Reading
House: Ordered Engrossed

H 114: GROSS PREMIUM TAX/PHPS.

House: Passed 3rd Reading

H 218: BROADCAST NC HOUSE OF REPS SESSIONS.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 241: EDUCATION BOND ACT OF 2019.

House: Withdrawn From Cal
House: Re-ref Com On Rules, Calendar, and Operations of the House

H 253: CONFIRM JAMES GILLEN/INDUSTRIAL COMMISSION.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 255: CONFIRM LOUIS BLEDSOE/SP. SUPERIOR CT. JUDGE.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate
Senate: Withdrawn From Com
Senate: Re-ref Com On Select Committee on Nominations

H 278: PARITY FOR FIRST RESPONDERS.

House: Passed 1st Reading
House: Ref to the Com on Finance, if favorable, Pensions and Retirement, if favorable, Rules, Calendar, and Operations of the House

H 279: ADDITIONAL JUDGE IN DISTRICT 23.

House: Passed 1st Reading

House: Ref to the Com on Appropriations, Justice and Public Safety, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

H 280: MOD RIGHTS/PRIVILEGES/IMMUNITIES LUMBEE TRIBE.

House: Passed 1st Reading

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

H 282: NC TRANSPORTATION MUSEUM FUNDS.

House: Passed 1st Reading

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

H 283: CONNER'S LAW.

House: Passed 1st Reading

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

H 284: EXPUNCTION LAW REVISIONS.

House: Passed 1st Reading

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

H 287: REPEAL G.S. 1-113.

House: Passed 1st Reading

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

H 288: FIRST AID AND SAFETY TRAINING IN SCHOOLS.

House: Passed 1st Reading

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

H 289: POW/MIA SPECIAL REGISTRATION PLATE.

House: Passed 1st Reading

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

H 290: FUNDING FOR MARC, INC.

House: Passed 1st Reading

House: Ref to the Com on Health, if favorable, Appropriations, Health and Human Services, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House

H 291: CONTINUE SOC. SERVICE REGNL SUPERVSN WORK GRP.

House: Passed 1st Reading

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

H 292: ASSESS NC FAST DASHBOARD UPGRADE.

House: Passed 1st Reading

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

H 293: AMEND FUNERAL PROCESSION LAW.

House: Passed 1st Reading

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

H 294: PARTISAN ELECTIONS ACT.

House: Passed 1st Reading

House: Ref to the Com on Elections and Ethics Law, if favorable, Rules, Calendar, and Operations of the House

H 295: PROHIBIT CORPORAL PUNISHMENT IN PUBLIC SCHS.

House: Passed 1st Reading

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

H 296: RESPECT FOR FAMILIES OF LAW ENFORCEMENT.

House: Passed 1st Reading

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

H 297: PSYCHOLOGY INTERJDTL. COMPACT (PSYPACT).

House: Passed 1st Reading

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

H 300: EXTEND FUNDS DEADLINE FOR AUCTIONEERS.

House: Filed

H 301: CIP REVISIONS/JUVENILE CODE.

House: Filed

H 302: AUTHORIZE SPORTS WAGERING ON TRIBAL LANDS.

House: Filed

H 303: RECORD OF EXCUSALS FROM JURY DUTY.

House: Filed

H 305: AMEND LAW REGARDING UNIVERSITY DISCIPLINE.

House: Filed

H 306: RISK-BASED REMEDIATION/ANIMAL WASTE MGMT.

House: Filed

H 307: RIGHT-OF-WAY FOR LEFT-TURNING FARM EQUIPMENT.

House: Filed

H 308: EXPAND AGRICULTURAL OUTDOOR ADVERTISING.

House: Filed

H 309: ADVERSE POSSESSION CHANGES.

House: Filed

H 310: CLARIFY INSURANCE PROD'R CRIM. BCKGRD CHECK.

House: Filed

H 312: HATE CRIMES PREVENTION ACT.

House: Filed

H 313: MODIFY WEIGHTING/SCHOOL PERFORMANCE GRADES.

House: Filed

H 314: CONST. AMENDMENT/REPEAL LITERACY TEST.

House: Filed

H 315: INSTRUCTIONAL MATERIAL SELECTION.

House: Filed

H 317: ADD'L MAGISTRATES IN MECKLENBURG COUNTY.

House: Filed

H 318: OPIOID PRESCRIPTION & TREATMENT OPT OUT ACT.

House: Filed

H 319: IN-STATE TUITION EQUITY.

House: Filed

S 6: DARE COUNTY/CC CONSTRUCTION FUNDS.

House: Withdrawn From Com

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

S 20: EMERGENCY WORKER PROTECTION ACT.

Senate: Reptd Fav

S 46: STANDING UP FOR RAPE VICTIMS ACT OF 2019.

Senate: Withdrawn From Com

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

S 55: CONTINUING EDUCATION FOR GENERAL CONTRACTORS.

Senate: Withdrawn From Com

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

S 61: GUARDIAN/PARENT AUTHORIZED PLATE.

House: Passed 1st Reading

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

S 66: ALLOW GAME NIGHTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 77: AG DISASTER FUND/CERTAIN COUNTIES.

Senate: Ratified

S 86: SMALL BUSINESS HEALTHCARE ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 88: ELECTRICIAN REQUIREMENTS FOR CERTAIN ORGS.

Senate: Withdrawn From Com

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

S 105: FEDERAL MOTOR CARRIER SAFETY/PRISM.

Senate: Reptd Fav

Senate: Placed On Cal For 03/12/2019

S 106: CLARIFY LIMITED IMMUNITY/OVERDOSE VICTIMS.

Senate: Reptd Fav

S 113: DMV/EMERGENCY CONTACT INFORMATION.

Senate: Reptd Fav

Senate: Placed On Cal For 03/12/2019

S 127: PROTECT GOVERNMENTAL ACCOUNTABILITY.

Senate: Amend Adopted A1

Senate: Amend Adopted A2

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 155: ASSESS COSTS OF LOCAL LEO CRIME LAB ANALYSIS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 161: ENACT THE NORTH CAROLINA CAREGIVERS ACT.

Senate: Withdrawn From Com

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

S 162: LOAN ORIGATION/LATE PAYMENT CHARGE CHANGES.

Senate: Reptd Fav

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

S 168: EXPAND ALLOWABLE MEDICAL USES OF CBD OIL.

Senate: Withdrawn From Com

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

S 187: FAYETTEVILLE MLK PARK/FUNDS.

Senate: Withdrawn From Com

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

S 192: SCHOOL SECURITY ACT OF 2019.

Senate: Passed 1st Reading

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

S 193: PROTECT PUBLIC/MOTOCROSS FACILITIES.

Senate: Passed 1st Reading

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

S 195: A TIME FOR SCIENCE FUNDS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 196: LOST SHEEP RESOURCE FOUNDATION FUNDS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 199: CHILD SEX ABUSE/STRENGTHEN LAWS.

Senate: Passed 1st Reading

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

S 200: HUMAN TRAFFICKING COMMISSION RECOMMENDATIONS.-AB

Senate: Passed 1st Reading

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

S 202: DMV/HIGH-RISK DRIVING BEHAVIORS.

Senate: Passed 1st Reading

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

S 203: ETHICS TRAINING FOR SCHOOL EMPLOYEES.

Senate: Passed 1st Reading

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

S 206: ADD'L JUDGE AND MAGISTRATES IN UNION COUNTY.

Senate: Filed

S 208: REMOVE SIZE RESTRICTIONS/CERTAIN POLIT. SIGNS.

Senate: Filed

S 209: HATE CRIMES PREVENTION ACT.

Senate: Filed

S 210: ORGAN & TISSUE DONATION/HEART HEROES.

Senate: Filed

LOCAL BILLS**H 4: CLAREMONT DEANNEXATION.**

House: Passed 3rd Reading

H 7: GRAHAM COUNTY OCCUPANCY TAX.

House: Passed 3rd Reading

H 52: WRIGHTSVILLE BEACH LOCAL ACT AMENDMENT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 59: WINSTON-SALEM/REAL PROPERTY CONVEYANCES.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 281: EXPAND SPECIAL ASSESSMENTS FOR DAM REPAIR.

House: Passed 1st Reading

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

H 285: CITY OF SANFORD/VOLUNTARY ANNEXATIONS.

House: Passed 1st Reading

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

H 286: FAYETTEVILLE ETJ & AMP ANNEXATION OF SHAW HEIGHTS.

House: Passed 1st Reading

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

H 304: SCHOOL CALENDAR FLEX/CERTAIN SCHOOL SYSTEMS.

House: Filed

H 311: GREENSBORO/REAL PROPERTY CONVEYANCES.

House: Filed

H 316: MEALS TAX FOR ROCKINGHAM SPEEDWAY.

House: Filed

S 194: WEST JEFFERSON SATELLITE ANNEXATIONS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 197: PITT COUNTY ANIMAL CONTROL RECORDS.

Senate: Passed 1st Reading

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

S 198: FOUR-YEAR TERMS/TOWN OF BETHEL.

Senate: Passed 1st Reading

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

S 201: TOWN OF BOLTON/DEANNEXATION.

Senate: Passed 1st Reading

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

S 204: POWELL BILL FOR PARKS/TOBACCOVILLE.

Senate: Passed 1st Reading

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

S 205: VILLAGE OF CLEMMONS/DEANNEXATION.

Senate: Passed 1st Reading

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

S 207: MECKLENBURG CTY/PUBLIC-PRIVATE AGREEMENTS.

Senate: Filed

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