



## The Daily Bulletin: 2019-03-14

### PUBLIC/HOUSE BILLS

H 363 (2019-2020) **CRAFT BEER DISTRIBUTION & MODERNIZATION ACT**. Filed Mar 14 2019, *AN ACT TO CONFIRM THE STATE'S SUPPORT OF THE THREE-TIER SYSTEM FOR DISTRIBUTION OF MALT BEVERAGES AND THE FRANCHISE LAWS, TO MAKE ADJUSTMENTS TO MODERNIZE THE EXEMPTIONS TO THE THREE-TIER SYSTEM, AND TO PROMOTE THE GROWTH OF SMALL AND MID-SIZED INDEPENDENT CRAFT BREWERIES.*

Identical to [S 246](#), filed 3/13/19.

Includes whereas clauses.

Amends GS 18B-100, which establishes the purpose of GS Chapter 18B (Regulation of Alcoholic Beverages). Adds that if any provision or application of the Chapter is determined to be invalid or unconstitutional, the provision is stricken, and directs the remainder of the Chapter to be construed with the legislative intent to further limit commerce in alcoholic beverages, and with respect to malt beverages, unfortified wine, and fortified wine, construed to enhance regulatory control over taxation, distribution, and sale of alcoholic beverages through the three-tier regulatory system and the franchise laws imposed by the Chapter.

Amends GS 18B-1104(a)(8) regarding the authority of a brewery permit holder to obtain a malt beverage wholesaler permit. Expands the scope of the authorization to include breweries that sell, to consumers at the brewery, to wholesalers, to retailers, and to exporters, fewer than 100,000 barrels (was, fewer than 25,000 barrels) of malt beverages produced by it per year. Modifies the authorization to allow a brewery permit holder to obtain a malt beverage wholesaler permit to sell, deliver, and ship at wholesale up to 50,000 barrels of malt beverages manufactured by the brewery per year to unaffiliated retail permittees (previously, limited to malt beverages by the brewery only, with no reference to year). Adds that the barrelege limitations of subsection (a)(8) apply regardless of the number or type of permits that can be issued to a brewery. Specifies that the ABC Commission has no authority to allow more than three additional retail locations authorized. Includes malt beverages manufactured by a supplier that owns 5% or more of a brewery permittee acting under the authorization in the determination of whether the brewery permittee complies with the barrelege limitations. Does not apply to any exemption order or amendment thereto entered by the ABC Commission prior to the effective date of the act.

Amends GS 18B-300 regarding the purposes of the regulation of business relations between malt beverage manufacturers and importers and the malt beverage wholesalers. Adds seven purposes to the regulation, including protecting wholesalers against unfair treatment by suppliers, and promoting consumer choice by ensuring an independent wholesale distribution tier that enables wholesalers to distribute competing products of other suppliers.

Makes conforming changes to GS 18B-1305(a1), concerning termination of a franchise agreement by a small brewery authorized to distribute its own malt beverage products pursuant to GS 18B-1104(a)(8), as amended. Specifies that the term barrel is defined as in GS 18B-1104.

Includes a severability clause.

**Intro. by Lewis, Bell, Jackson, Reives.**

[View summary](#)

[Alcoholic Beverage Control](#)

H 364 (2019-2020) **HOUSE UNC BOG ELECTION**. Filed Mar 14 2019, *A HOUSE RESOLUTION PROVIDING FOR ELECTION OF MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.*

Blank bill.

**Intro. by Hastings, Fraley.**

HOUSE RES

[View summary](#)

**Government, State Agencies, UNC System**

H 365 (2019-2020) **STATE BOARD CONSTRUCTION CONTRACT CLAIM**. Filed Mar 14 2019, *AN ACT PROVIDING THE TIME PERIOD IN WHICH THE DIRECTOR OF THE OFFICE OF STATE CONSTRUCTION SHALL ISSUE A FINAL ORDER ALLOWING OR DENYING A CONTRACTOR'S VERIFIED WRITTEN CLAIM.*

Identical to [S 255](#), filed 3/14/19.

Amends GS 143-135.3 (Adjustment and resolution of State board construction contract claim). Amends the timeline for the Director of the Office of State Construction of the Department of Administration to issue a final written decision allowing or denying those portions of a contractor's claim that have not previously been compromised (currently called a written statement of the Director's decision). Directs the Director to investigate and issue a final written decision allowing or denying a claim of less than \$100,000 within 120 days of receipt of the contractor's verified claim, and within 180 days of receipt of a verified claim of between \$100,000 and \$5 million, and within 270 days of receipt of a claim of more than \$5 million. Authorizes the Director and the contractor to, in writing, extend the time in which the Director may issue a final written decision. Provides that the Director's failure to issue a final written decision as provided is a denial of the portions of the claim not previously compromised. Clarifies that the alternate civil action allowed under subsection (d) is permissible for claims denied under subsection (b) and (c) (currently, not specified).

Makes a conforming change to GS 143-135.6.

Effective January 1, 2020, and applies to verified claims submitted on or after that date.

**Intro. by Arp, Brody, Bell, Reives.**

GS 143

[View summary](#)

**Development, Land Use and Housing, Building and Construction**

H 366 (2019-2020) **RAISING WAGES FOR NC WORKERS**. Filed Mar 14 2019, *AN ACT INCREASING THE MINIMUM WAGE TO FIFTEEN DOLLARS PER HOUR OVER FIVE YEARS AND THEN ADJUSTING THE MINIMUM WAGE AUTOMATICALLY EACH YEAR BY INCREASES IN THE COST OF LIVING; ENDING THE SUBMINIMUM WAGE FOR PERSONS WITH DISABILITIES; PHASING OUT THE SUBMINIMUM WAGE FOR TIPPED EMPLOYEES OVER EIGHT YEARS; ENDING THE EXEMPTION FOR AGRICULTURAL AND DOMESTIC WORKERS.*

Current law, GS 95-25.3(a), sets the minimum wage that every employer must pay to each employee who performs any work during any workweek at the higher of \$6.15 per hour or the minimum wage set forth in 29 USC 206(a)(1) (the Fair Labor Standards Act, which may change with time), except as otherwise provided in the statute.

This act increases the state's minimum wage in the five phases. Effective January 1, 2020, sets the minimum wage at the higher of \$8 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2021, sets the minimum wage at the higher of \$10.35 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2022, sets the minimum wage at the higher of \$12 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2023, sets the minimum wage at the higher of \$13.50 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2024, sets the minimum wage at the higher of \$15 per hour or the minimum wage set forth in 29 USC 206(a)(1). Directs the Commissioner of Labor to calculate an adjusted minimum wage rate, beginning September 30, 2024, and on each September 30 thereafter, using the Consumer Price Index , CPI-U, or its successor index, as calculated by the US Department of Labor for the 12-month period preceding the previous September 1. Requires each adjusted minimum wage rate calculated to be published on September 30 and take effect on the following January 1.

Further amends GS 95-25.3 to eliminate the statute's provisions regarding lower wage rates for students, learners, apprentices, and messengers; persons whose earning or productive capacity is impaired by age or physical or mental deficiency or injury; persons economically disadvantaged or unemployed; and persons employed by seasonal food service establishments.

Current law, GS 95-25.3(f), authorizing tips earned by tipped employees to be counted as wages up to the amount permitted in section 3(m) of 29 USC 203(m) (the Fair Labor Standards Act) if certain notice and recording requirements are met.

This act eliminates the reference to the Fair Labor Standards Act and instead establishes a statutory cap on the amount of tips earned by a tipped employee which can be counted as wages. Increases the cap in phases, eventually ending the practice of counting tips as wages and effectively establishing a minimum wage for tipped employees. Effective January 1, 2020, sets the initial cap at \$5 per hour. Effective January 1, 2021, sets the cap at \$6.50 per hour. Effective January 1, 2022, sets the cap at \$8 per hour. Effective January 1, 2023, sets the cap at \$9.50 per hour. Effective January 1, 2024, sets the cap at \$11 per hour. Effective January 1, 2025, sets the cap at \$12.50 per hour. Effective January 1, 2026, sets the cap at \$14 per hour. Effective January 1, 2027, sets the cap at \$15 per hour. For all of these phases, maintains the existing provision authorizing tip pooling so long as no employee's tips are reduced by more than 15% under the arrangement. Effective January 1, 2028, sets the minimum wage rate of a tipped employee at the amount set under subdivision (a)(5) (as amended, \$15 per hour or the minimum wage set forth in 29 USC 206(a)(1)), and prohibits tips from counting as wages. Maintains the existing provision authorizing tip pooling but modifies the provision to prohibit the reduction of any employee's wages under the arrangement.

Amends GS 95-25.14(a), eliminating agricultural employees and domestic employees from persons exempt from minimum wage, overtime, youth employment, and record keeping laws, as specified. Makes clarifying and technical changes.

**Intro. by Fisher, Farmer-Butterfield, Black, Harrison.**

[GS 95](#)

[View summary](#)

[Agriculture, Employment and Retirement](#)

H 367 (2019-2020) [APSEED PILOT PROJECT/FUNDS](#). Filed Mar 14 2019, *AN ACT TO ESTABLISH THE "APSEED" PILOT PROJECT AND APPROPRIATE FUNDS FOR THAT PURPOSE*.

Directs the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (Division), to establish a three-year pilot project to implement the "ApSeed" program, which aims to prepare children for prekindergarten through an interactive learning device (a "seedling"). Requires Forsyth, Hoke, New Hanover, Watauga, and Yadkin counties to participate in the project. Directs the participating counties to select children to participate in the program based on greatest need.

Appropriates from the General Fund to the Division \$2.5 million in nonrecurring funds for each year of the 2019-21 fiscal biennium to provide for associated equipment and costs for the project. Directs the funds to be allocated to the five participating counties in an amount up to \$500,000 for each year of the biennium, as determined by the Division.

Requires the Director of the Budget, for the 2021-22 fiscal year only, to include in the base budget the amount of nonrecurring funds needed to support the project, with any unexpended funds reverting back to the General Fund upon completion of the project.

Directs the Division to report to the specified NCGA Committees and Division within six months of the project's completion. Details six components required to be included in the report, including the number of children served by age and county, skills gained, the extent of parental involvement, total project costs, and the amount of funds needed to expand the program statewide.

Effective July 1, 2019.

**Intro. by Horn, Warren, Lucas, Howard.**

[APPROP, STUDY](#)

[View summary](#)

[Education, Preschool, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services](#)

H 369 (2019-2020) **ELECTION OBSERVER BILL OF RIGHTS**. Filed Mar 14 2019, *AN ACT TO ESTABLISH A BILL OF RIGHTS FOR ELECTION OBSERVERS*.

Amends GS 163A-821(c) to establish seven express rights of election observers. Details explicit right to: (1) begin observation duties from the time the judge of elections enters the polling location until all ballot containers are officially sealed and the voting enclosure is secured for the day; (2) hear the name and address of each voter when the voter first announces the voter's name at the initial check-in table and ask any election official to repeat the name or address of the voter if the observer was unable to hear the voter's name or address when it was initially announced; (3) observe curbside voting and hear the name or address of the voter as it is announced and to ask any election official to repeat the name or address of the voter if the observer is unable to hear the voter's name or address when initially announced; (4) traverse freely between the curbside voting area and the voting enclosure throughout the curbside voting process; (5) observe curbside voting at such a distance as to enable the observer to hear any instruction or verbal communication between the election assistant and the curbside voter; however, does not allow the election observer to stand within five feet of the curbside voter's vehicle; (6) keep in view any and all ballot boxes until after the ballot boxes are sealed at the end of the day; and (7) only be expelled by a chief judge of elections for cause, in writing, with the expulsion notice signed by the chief judge and at least one other judge assigned to that precinct before the expulsion notice may be lawfully served on the observer. Applies to observations for elections held on or after the date the act becomes law.

**Intro. by Speciale.**

GS 163

[View summary](#)

**Government, Elections**

H 370 (2019-2020) **REQUIRE SHERIFF COOPERATION WITH ICE**. Filed Mar 14 2019, *AN ACT TO REQUIRE LOCAL LAW ENFORCEMENT TO HOLD PRISONERS SUBJECT TO UNITED STATES DEPARTMENT OF HOMELAND SECURITY DETAINERS, TO CREATE A PRIVATE RIGHT OF ACTION AGAINST LOCAL JURISDICTIONS THAT DO NOT COMPLY WITH STATE LAWS RELATED TO IMMIGRATION, AND TO ENCOURAGE COMMUNITY OUTREACH PROGRAMS*.

#### Section 1

Amends GS 162-62, Legal status of prisoners. Requires administrators or another in charge of county jails, local confinement facilities, district confinement facilities, or satellite jails/work release units to attempt to determine if a prisoner that is confined in their facility and charged of a crime (was, a felony) or impaired driving offense is a legal US resident by an inquiry of the prisoner and/or examination of any relevant documents. Now mandates (previously, mandates where possible) the facility administrator or another in charge to make a query of Immigration and Customs Enforcement (ICE) of the US Department of Homeland Security (Department) if unable to determine if the prisoner is a legal US resident/citizen. Eliminates the provision deeming receipt of a facility's query as ICE's notification of the prisoner's unlawful resident status and confinement.

Adds new requirements of the facility when a prisoner is subject to an immigration detainer request issued by the Department. Requires the facility to comply with, honor and fulfill the detainer request and inform the prisoner that the prisoner is being held pursuant to the detainer request. Excludes from these requirements persons who are victims of or witnesses to a criminal offense, persons reporting a criminal offenses, or persons who have provided proof of citizenship or has lawful immigration status.

Creates an annual reporting requirement for facility administrators or others in charge to report the number of queries performed pursuant to the statute, as amended, and their results to the Governor's Crime Commission, beginning January 1, 2020. Requires the Governor's Crime Commission to make the reports available to the public.

Makes conforming changes.

#### Sections 2 and 3

Amends GS 153A-145.5 (concerning counties) and GS 160A-205.2 (concerning cities), enacting identical provisions to prohibit counties and cities from prohibiting federal law enforcement officers from entering and conducting enforcement

activities at any county jail, local confinement facility, district confinement facility, or satellite jail/work release unit. Makes conforming changes to provide for GS 162-62(b2), as enacted.

#### Section 4

Enacts GS 64-40, establishing a civil action for declaratory and injunctive relief for private residents to bring against a city, county, or local law enforcement agency that the person believes is not in compliance with a State law related to immigration, defined as GS 153A-145.5, GS 160A-205.2, and GS 162-62 (all amended by the act). Provides for filing of the action, and requires award of reasonable attorneys' fees and court costs to the prevailing party under the action. Requires a court to impose civil penalties against a city, county, or law enforcement agency for noncompliance with any order issued, ranging from \$1,000 to \$1,500 per day for the first offense, and \$25,000 to \$25,500 per day for each subsequent offense. Defines law enforcement agency.

#### Sections 5 and 6

Enacts GS 160A-290 and GS 162-27, authorizing chiefs of police and sheriffs to adopt a written policy requiring their respective agencies to perform community outreach activities to educate the public that an officer cannot inquire about the immigration status of a victim or witness to an alleged criminal offense unless the officer determines that the inquiry is necessary to investigate the offense or provide the victim or witness with information about federal visas designed to protect individuals provided assistance to law enforcement. Requires any policy adopted to include outreach to victims of sexual assault and domestic abuse.

#### Section 7

Provides the act is effective December 1, 2019.

**Intro. by D. Hall, Jones, Saine, C. Smith.**

[GS 64, GS 153A, GS 160A, GS 162](#)

[View summary](#)

**[Government, Public Safety and Emergency Management, Local Government](#)**

## PUBLIC/SENATE BILLS

S 214 (2019-2020) [ENSURE ORDERLY 2019 ELECTIONS](#). Filed Mar 11 2019, *AN ACT TO DELAY THE IMPLEMENTATION OF THE REGULATORY REQUIREMENTS OF S.L. 2018-144 IN ORDER TO ENSURE THE EFFICIENT ADMINISTRATION OF UNEXPECTED SPECIAL ELECTIONS*.

AN ACT TO DELAY THE IMPLEMENTATION OF THE REGULATORY REQUIREMENTS OF S.L. 2018-144 IN ORDER TO ENSURE THE EFFICIENT ADMINISTRATION OF UNEXPECTED SPECIAL ELECTIONS. Enacted March 14, 2019. Effective March 14, 2019.

**Intro. by Hise, Daniel.**

[UNCODIFIED](#)

[View summary](#)

**[Government, Elections](#)**

S 255 (2019-2020) [STATE BOARD CONSTRUCTION CONTRACT CLAIM](#). Filed Mar 14 2019, *AN ACT PROVIDING THE TIME PERIOD IN WHICH THE DIRECTOR OF THE OFFICE OF STATE CONSTRUCTION SHALL ISSUE A FINAL ORDER ALLOWING OR DENYING A CONTRACTOR'S VERIFIED WRITTEN CLAIM*.

Amends GS 143-135.3 (Adjustment and resolution of State board construction contract claim). Amends the timeline for the Director of the Office of State Construction of the Department of Administration to issue a final written decision allowing or denying those portions of a contractor's claim that have not previously been compromised (currently called a written statement of the Director's decision). Directs the Director to investigate and issue a final written decision allowing or denying a claim of

less than \$100,000 within 120 days of receipt of the contractor's verified claim, and within 180 days of receipt of a verified claim of between \$100,000 and \$5 million, and within 270 days of receipt of a claim of more than \$5 million. Authorizes the Director and the contractor to, in writing, extend the time in which the Director may issue a final written decision. Provides that the Director's failure to issue a final written decision as provided is a denial of the portions of the claim not previously compromised. Clarifies that the alternate civil action allowed under subsection (d) is permissible for claims denied under subsection (b) and (c) (currently, not specified).

Makes a conforming change to GS 143-135.6.

Effective January 1, 2020, and applies to verified claims submitted on or after that date.

**Intro. by Rabon.**

GS 143

[View summary](#)

**Development, Land Use and Housing, Building and Construction**

S 261 (2019-2020) [NONPROFIT CHARITABLE ACTIVITY AUTH. ACT.](#) Filed Mar 14 2019, *AN ACT TO ALLOW CERTAIN POOL SELLING ACTIVITY AMONG PERSONS AND NONPROFITS.*

Enacts GS 14-309.16, authorizing participation in pool selling where all monies paid by participants are paid out to either the winning participants based on the result of the pool and/or to a nonprofit organization. Defines *pool selling* to mean the act of selling or distributing shares or changes in a betting pool. Restricts the use of monies paid out to a nonprofit to benefit the purpose or cause for which the nonprofit was created.

**Intro. by Gunn.**

GS 14

[View summary](#)

**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Nonprofits**

S 265 (2019-2020) [NC TRANSPORTATION MUSEUM FUNDS.](#) Filed Mar 14 2019, *AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA TRANSPORTATION MUSEUM.*

Identical to [H 282](#), filed 3/5/19.

Includes whereas clauses.

Appropriates \$2.5 million for 2019-20 and \$2 million for 2020-21 from the General Fund to the Department of Natural and Cultural Resources, Division of State Historic Sites, to be used to complete the renovation and expansion of the Power House facility at the NC Transportation Museum. Effective July 1, 2019.

**Intro. by Ford.**

APPROP

[View summary](#)

**Government, Budget/Appropriations, Cultural Resources and Museums, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Transportation**

S 268 (2019-2020) [AG DISASTER FUND/EXCESSIVE RAIN & FLOODING.](#) Filed Mar 14 2019, *AN ACT TO EXTEND THE DEADLINE TO APPLY FOR THE HURRICANE FLORENCE AGRICULTURAL DISASTER PROGRAM OF 2018 FOR CERTAIN COUNTIES THAT RECEIVED A PRESIDENTIAL OR SECRETARIAL DISASTER DECLARATION AS A RESULT OF EXCESSIVE RAIN*

*AND FLOODING THAT OCCURRED DURING MAY 15, 2018, THROUGH DECEMBER 31, 2018, AFTER THE ORIGINAL DEADLINE.*

Deems eligible for financial assistance set out in Section 5.11 of SL 2018-136 (Hurricane Florence Agricultural Disaster Program of 2018) persons who experienced a verifiable loss of agricultural commodities as a result of excessive rain and flooding that occurred during May 15, 2018, through December 31, 2018, whose farm is located in a county that received a Presidential or Secretarial disaster declaration, as specified, between January 31, 2019, and February 15, 2019. Directs the Department of Agriculture and Consumer Services to accept applications from eligible persons for no more than 10 consecutive business days on which the federal government is not partially or fully shut down, beginning on the date the act becomes law. Sunsets the act on the date the Department has processed all applications validly received during the prescribed period.

**Intro. by Edwards.**

UNCODIFIED

[View summary](#)

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

S 269 (2019-2020) **CUT STONE/PRODUCT MANUFACTURING EXEMPTION.** Filed Mar 14 2019, *AN ACT TO EXEMPT CERTAIN EQUIPMENT USED FOR CUT STONE AND STONE PRODUCTS FROM SALES TAX.*

Amends GS 105-164.13 by adding an exemption from sales tax for the sale of equipment, or an attachment or repair part for equipment, used in cutting, shaping, polishing, and finishing rough cut slabs and blocks of stone and stone-like products and sold to a company primarily engaged in the business of providing made-to-order countertops, walls, or tubs. Applies to sales made on or after July 1, 2019.

**Intro. by Edwards.**

GS 105

[View summary](#)

**Business and Commerce, Government, Tax**

S 274 (2019-2020) **GRANVILLE/HUNTING LOCAL MODIFICATIONS.** Filed Mar 14 2019, *AN ACT TO REGULATE HUNTING IN GRANVILLE COUNTY.*

Applies to Granville County only; effective October 1, 2019.

Makes it unlawful to hunt or attempt to hunt on the land of another, fish on the land of another, or to possess a firearm, bow and arrow, crossbow, or other weapon, on the land of another or on the right-of-way of any public road or highway adjacent to the land of another for purposes of taking wildlife without having written permission on one's person. Requires the written permission be signed by the landowner or lessee, or the landowner or lessee's designee, and dated for the current hunting or fishing season. Prohibits written permission from exceeding one year and permits the written permission to be valid for a shorter period than stated in the permission. Requires the permission to be displayed upon request of specified law enforcement officers.

Deems members of a hunting club to have the written permission required to hunt or fish if the landowner or lessee granted permission to the hunting club to hunt or fish on the land and the person carries a membership card and a copy of valid written permission granted to the hunting club.

Considers a person not physically present on another person's land to be hunting on the land if the person allows a dog under the person's ownership, possession, or control to run upon or across another person's land in order to hunt deer or bear during their respective seasons.

Exempts from the provisions (1) the landowner or lessee's immediate family, as defined, and (2) highway travelers lawfully possessing weapons in the course of travel not stopped or loitering for the purpose of hunting or using weapons.

Makes it unlawful to hunt at any time on, from, or across the right-of-way of any public road or highway.

Makes it unlawful to hunt deer or bear with the aid of dogs unless (1) each dog wears a GPS tracking collar with tags identifying the full name, address, and phone number of its owner or the president of the hunting club which is using the dog to hunt; (2) the individual or hunt club using dogs to hunt allows specified officers to inspect data from each dog's GPS device; and (3) the release location of the dogs is at least 200 contiguous acres owned by the person or consists of at least 350 contiguous acres where the person has written permission to hunt, as enacted. Excludes the use of a single, leashed dog to assist a hunter in receiving a dead or wounded animal.

Defines *hunt* to have the same meaning as provided in GS 113-130(5a).

Makes any violation of the act a Class 2 misdemeanor, enforceable by law enforcement officers of the Wildlife Resources Commission, sheriffs and deputy sheriffs, and other peace officers with general subject matter jurisdiction.

Makes conforming repeals to the following laws, regarding property registration and the regulation of hunting: SL 1959-459 (regarding hunting deer from public highways); SL 1991-159 (regarding property registration, "posted" notices, and entry permits); SL 1995-152 (regarding property registration); SL 2009-45 (prohibiting hunting with dogs without permission); SL 2009-118 (concerning property registration).

**Intro. by Woodard.**

[Granville](#)

[View summary](#)

[Animals](#)

S 277 (2019-2020) [HUNTERSVILLE OCULAR MELANOMA STUDY FUNDS](#). Filed Mar 14 2019, *AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF HUNTERSVILLE TO STUDY AND ABATE FREQUENT CASES OF OCULAR MELANOMA IN THE AREA.*

Appropriates \$100,000 in nonrecurring funds from the General Fund to the Town of Huntersville for the 2019-20 fiscal year to be used as the title indicates. Effective July 1, 2019.

**Intro. by Marcus.**

[APPROP, STUDY, Mecklenburg](#)

[View summary](#)

[Government, Budget/Appropriations, Health and Human Services, Health](#)

S 280 (2019-2020) [SBCC ELECTIONS](#). Filed Mar 14 2019, *A JOINT RESOLUTION SETTING THE DATE FOR THE SENATE AND THE HOUSE OF REPRESENTATIVES TO ELECT MEMBERS TO THE STATE BOARD OF COMMUNITY COLLEGES.*

Sets April 11, 2019, as the date that the Senate and House of Representatives will elect members to the State Board of Community Colleges. Requires the Senate to elect one member and the House to elect one member, each serving a term of six years beginning July 1, 2019. Requires the House to elect one member to fill an expired term ending June 30, 2021. Requires each chamber to follow the procedure in GS 115D-2.1 for the nomination and election.

**Intro. by Ballard, Horner, Tillman.**

[JOINT RES](#)

[View summary](#)

[Government, General Assembly, State Agencies, Community Colleges System Office](#)

S 284 (2019-2020) [STATE AUDITOR/VERIFICATIONS & ACCESS](#). Filed Mar 14 2019, *AN ACT RELATING TO VERIFICATION BY THE STATE AUDITOR OF COMPLIANCE WITH STATUTORY REQUIREMENTS SUCH AS CONDITIONS PRECEDENT, CLASSIFICATIONS, AND SIMILAR ELIGIBILITY OR QUALIFYING STANDARDS AND PROVIDING THE AUDITOR ACCESS TO INFORMATION NECESSARY FOR VERIFICATION.*

Amends GS 147-64.6 concerning the duties and responsibilities of the State Auditor. Adds the duty to independently examine into and make findings of fact on whether State agencies are adhering to statutory requirements that include conditions precedent, classifications, and similar eligibility or qualifying standards to assure that statutory intent is carried out while the requirements are effective. Further, makes the State Auditor responsible for verification audits for compliance with statutory requirements. Provides that the verification audits for compliance can be initiated at the Auditor's discretion or requested by the Governor or the General Assembly, and do not require advance notice to the organization or State agency being audited. Grants the State Auditor access to examine the accounts and records of any organization or State agency relating to a verification audit for compliance with statutory condition precedent, classification, or other similar eligibility or qualifying standard.

**Intro. by Hise.**

[GS 147](#)

[View summary](#)

[Government, State Agencies, Office of State Auditor](#)

S.J.R. 288 (2019-2020) [HONOR FRANK BALLANCE, JR.](#) Filed Mar 14 2019, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FRANK W. BALLANCE, JR., FORMER MEMBER OF THE GENERAL ASSEMBLY.*

As title indicates.

**Intro. by Smith.**

[JOINT RES](#)

[View summary](#)

[Government, General Assembly](#)

## LOCAL/HOUSE BILLS

H 368 (2019-2020) [BERMUDA RUN/SPEED RESTRICTIONS.](#) Filed Mar 14 2019, *AN ACT TO IMPOSE A 25 MILE PER HOUR SPEED RESTRICTION ON PUBLIC VEHICULAR AREAS IN THE TOWN OF BERMUDA RUN.*

Applies only to the Town of Bermuda Run. Makes it unlawful to operate a vehicle in excess of 25 miles per hour on a *public vehicular area*, as the term is defined in GS 20-4.01; effective upon erection of proper signage upon the affected public vehicular areas. Makes any violation a violation of GS 20-141 (Speed restrictions). Applies to offenses committed on or after December 1, 2019.

**Intro. by Howard.**

[Davie](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

## LOCAL/SENATE BILLS

S 256 (2019-2020) [CORNELIUS LOCAL OPTION SALES TAX.](#) Filed Mar 14 2019, *AN ACT TO AUTHORIZE THE LEVY OF A MUNICIPAL SALES AND USE TAX OF UP TO ONE-HALF PERCENT.*

Applicable only to the Town of Cornelius, enacts Article 47 to GS Chapter 105. Subject to voter approval, authorizes the Town to levy a one-half cent sales and use tax in addition to any other State and local sales and use taxes levied. Requires the tax to be levied by resolution and only after 10 days' public notice. Sets parameters for an election on the question, and provides ballot language. Provides for the administration of the tax. Requires the Secretary of Revenue to monthly distribute the net proceeds collected from the tax to the Town, and provides for apportionment in situations where proceeds cannot be identified as attributable to a particular taxing municipality. Specifies that amounts collected by electronic funds transfer payments are

included in the monthly distribution in which the return that applies to the payment is received. Authorizes the Town to use the net proceeds of the tax levied under Article 47 for road construction and maintenance.

**Intro. by Marcus.**

[Mecklenburg](#)

[View summary](#)

**Government, Tax**

S 257 (2019-2020) [PINEVILLE LOCAL OPTION SALES TAX](#). Filed Mar 14 2019, *AN ACT TO AUTHORIZE THE LEVY OF A MUNICIPAL ONE-QUARTER PERCENT SALES AND USE TAX*.

Applicable only to the Town of Pineville, enacts Article 47 to GS Chapter 105. Subject to voter approval, authorizes the Town to levy a one-quarter cent sales and use tax in addition to any other State and local sales and use taxes levied. Requires the tax to be levied by resolution and only after 10 days' public notice. Sets parameters for an election on the question, and provides ballot language. Provides for the administration of the tax. Requires the Secretary of Revenue to monthly distribute the net proceeds collected from the tax to the Town, and provides for apportionment in situations where proceeds cannot be identified as attributable to a particular taxing municipality. Specifies that amounts collected by electronic funds transfer payments are included in the monthly distribution in which the return that applies to the payment is received. Authorizes the Town to use the net proceeds of the tax levied under Article 47 for public infrastructure and facilities.

**Intro. by Marcus.**

[Mecklenburg](#)

[View summary](#)

**Government, Tax**

S 258 (2019-2020) [DAVIDSON/DEMOLITION OF HISTORIC STRUCTURES](#). Filed Mar 14 2019, *AN ACT AUTHORIZING THE TOWN OF DAVIDSON TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES*.

Amends SL 2007-66, as amended, adding the Town of Davidson to the municipalities authorized to adopt ordinances after proper notice and a public hearing, as specified, to regulate the demolition of historic structures within its municipal corporate limits and extraterritorial jurisdiction.

**Intro. by Marcus.**

[Iredell, Mecklenburg](#)

[View summary](#)

**Development, Land Use and Housing, Building and Construction**

S 259 (2019-2020) [DAVIDSON/PRESERVE HERITAGE TREES](#). Filed Mar 14 2019, *AN ACT PROVIDING THAT THE TOWN OF DAVIDSON MAY ADOPT ORDINANCES THAT PROHIBIT THE REMOVAL OF HERITAGE TREES FROM PROPERTY TO BE DEVELOPED FOR SINGLE-FAMILY OR DUPLEX RESIDENTIAL USES*.

Current law, Section 4, SL 1997-420, authorizes certain municipalities, including the Town of Davidson, to adopt ordinances to regulate the planting, removal, and preservation of trees on public and private property within the municipality, with the exception of property to be developed for single-family or duplex residential uses. Applicable to the Town of Davidson only, amends Section 4, SL 1997-420, to permit an ordinance adopted pursuant to the Section to prohibit the removal of heritage trees from property to be developed for single-family or duplex residential uses. Defines *heritage tree* to mean a native tree species that is 30 inches in diameter at breast height.

**Intro. by Marcus.**

[Iredell, Mecklenburg](#)

[View summary](#)

**Development, Land Use and Housing, Property and Housing**

S 260 (2019-2020) [DAVIDSON HISTORIC DIST. SUBDIVISION EXEMPTION](#). Filed Mar 14 2019, *AN ACT TO EXEMPT DESIGNATED HISTORIC DISTRICTS FROM CERTAIN RESTRICTIONS ON ZONING IN THE TOWN OF DAVIDSON*.

Current law, GS 160A-376, defines *subdivision* as the term applies to Part 2, Article 19, regarding subdivision regulation, and exempts from the term and the regulations of Part 2 the division of a tract held in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the municipality, as shown in its subdivision regulations. Applicable to the Town of Davidson only, amends GS 160A-376 to specify that a National Register Historic District located within the corporate limits of the municipality is not included in this exclusion, as described.

**Intro. by Marcus.**

[Iredell, Mecklenburg](#)

[View summary](#)

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

S 262 (2019-2020) [UNION/PROHIBIT CERTAIN HUNTING ACTS](#). Filed Mar 14 2019, *AN ACT TO PROHIBIT HUNTING AND FISHING ON PRIVATE PROPERTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE AND TO PROHIBIT HUNTING ON PRIVATE PROPERTY WHILE UNDER THE INFLUENCE OF AN IMPAIRING SUBSTANCE IN UNION COUNTY*.

Applicable in Union County only, prohibits the following acts. Makes it unlawful to take wildlife or attempt to do so on another person's land, or to fish on another person's land, without carrying the landowner/lessee's (or designee's) written permission, signed and dated for the current hunting or fishing season. Limits the validity of the written permission to one year or less. Makes it unlawful for a person to take wildlife or attempt to do so on another person's land while under the influence of an impairing substance or with an alcohol concentration of 0.08 or more. Violations are a Class 2 misdemeanor. Enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by peace officers with general subject matter jurisdiction. Applies to offenses committed on or after October 1, 2019.

**Intro. by Johnson.**

[Union](#)

[View summary](#)

[Animals](#)

S 263 (2019-2020) [LAW ENFORCEMENT RECORDINGS/WINSTON-SALEM](#). Filed Mar 14 2019, *AN ACT TO AMEND THE PUBLIC RECORD STATUTES WITH REGARD TO THE CITY OF WINSTON-SALEM RELATED TO LAW ENFORCEMENT AGENCY RECORDINGS AND CLOSED SESSIONS*.

Applies only to the City of Winston-Salem.

Amends GS 132-1.4A regarding law enforcement agency recordings. Expands purposes for which the custodial law enforcement agency can disclose or release a recording to now include disclosing or releasing a recording: (1) to partnering local agencies for any internal investigation, administration decision making, or training purpose; (2) to school resource officers for disclosure to a juvenile whose image or voice is captured in the recording, such juvenile's parents or legal guardians, and principals and school administrators where such juvenile is enrolled; (3) to a citizen review board, as defined, for review of complaints so long as board members have executed a confidentiality agreement; (4) to identify or locate a potential criminal suspect, victim of a crime, or missing person so long as single or limited random images extracted from the recording which depict only the face or other identifying characteristics of the suspect, victim, or missing person are disclosed or released; (5) to the city or county manager upon the manager's request for management and administrative purposes, as specified, so long as the manager has executed a confidentiality agreement; and (6) to the city or town council in closed session upon recommendation of the city or town manager and majority vote of the city or town council so long as council members have executed a confidentiality agreement. Prohibits release of recorded images to the public by a citizens review board, a city or county manager, or a city or town council unless required by court order. Allows council members to make public statements to restore confidence in law enforcement without breaching the confidentiality agreement. Makes it a Class 3

misdemeanor punishable by a fine at the court's discretion, not exceeding \$500, for any person to knowingly and willfully disclose or release a recording in violation of the statute. Adds *deceased person* to the defined terms used in the statute.

Amends GS 143-318.11, allowing a public body to hold a closed session when required to view a recording regulated (was, released) pursuant to GS 132-1.4A, as amended.

**Intro. by Lowe, Krawiec.**

Forsyth

[View summary](#)

**Government, Public Records and Open Meetings, Public Safety and Emergency Management**

S 264 (2019-2020) **LEE CTY MUNICIPALITIES/VOLUNTARY ANNEXATIONS**. Filed Mar 14 2019, *AN ACT REMOVING CERTAIN RESTRICTIONS ON SATELLITE ANNEXATIONS FOR MUNICIPALITIES IN LEE COUNTY*.

Applicable to Lee County only, amends GS 160A-58.1, removing the restriction on proposed satellite annexations, which requires the nearest point on the proposed satellite corporate limits not exceed more than three miles from the primary corporate limits of the annexing city.

**Intro. by Burgin.**

Lee

[View summary](#)

S 266 (2019-2020) **FAYETTEVILLE PWC/SMALL BUSINESS ENTERPRISE**. Filed Mar 14 2019, *AN ACT AUTHORIZING THE FAYETTEVILLE PUBLIC WORKS COMMISSION TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM*.

Amends Chapter VIA of the Charter of the City of Fayetteville, set out in SL 1979-557, as amended, by adding a new section to authorize the Fayetteville Public Works Commission to establish a small business enterprise program to promote small business development as prescribed.

**Intro. by Clark, deViere.**

Cumberland

[View summary](#)

**Business and Commerce**

S 267 (2019-2020) **BUNCOMBE 1/4 CENT SALES TAX USE RESTRICTION**. Filed Mar 14 2019, *AN ACT TO RESTRICT THE USE OF THE QUARTER-CENT SALES TAX PROCEEDS IN BUNCOMBE COUNTY FOR COMMUNITY COLLEGE NEEDS AT ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE*.

Sets restrictions on the use of the 1/4 cent sales tax proceeds in Buncombe County, prioritizing uses for community college needs as follows, applicable for the fiscal year beginning July 1, 2019. Sunsets the provisions June 30, 2027. Requires the County to appropriate to an eligible community college, defined as a community college with a main campus located in the county: (1) for each fiscal year an amount equal to the college's debt service obligations for that fiscal year; (2) a deferred capital repair amount to be used for deferred capital repairs and renovations needs, in the specified amounts for fiscal years 2019-27; (3) for each fiscal year an amount up to \$5 million annually for operating expenses; and (4) a reserve of \$2 million for the benefit of the college, with use restricted to repairs and renovations necessitated by damage from an unexpected emergency occurrence, whereby the county must restore funds disbursed the succeeding fiscal year. Provides for the remainder of the tax proceeds to be used in conformity with Article 46, GS Chapter 105, subject to voter approval.

**Intro. by Edwards, Van Duyn.**

Buncombe

[View summary](#)

**Education, Higher Education, Government, Tax**

S 270 (2019-2020) [DURHAM DEANNEXATION](#). Filed Mar 14 2019, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF DURHAM*.

Removes one parcel, as described, from the City of Durham's corporate limits. Effective June 30, 2019.

**Intro. by McKissick, Woodard.**

[Durham](#)

[View summary](#)

S 271 (2019-2020) [DURHAM SPEED DEVICE PILOT/SCHOOL ZONES](#). Filed Mar 14 2019, *AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ESTABLISH A PILOT PROGRAM FOR THE USE OF ELECTRONIC SPEED-MEASURING SYSTEMS TO DETECT SPEED LIMIT VIOLATIONS IN SCHOOL ZONES*.

Allows the City of Durham (City), by December 1, 2019, to establish and implement a pilot program to use electronic speed measuring systems to detect speeding in school zones. Defines *electronic speed measuring system* (system) to mean a mobile or fixed device (1) consisting of an automated traffic camera and sensor and (2) capable of measuring speed and producing one or more digital photographs of a motor vehicle violating the speed limit set in a school zone. Requires that the system produce at least one photo clearly showing a recorded image of the vehicle speeding; the vehicle registration number and state of issuance; the date, time, and location of the violation; and the recorded speed. Requires the posting of signs warning of the presence of the system.

Makes a violation of a speed limit set in a school zone detected by an electronic speed-measuring system a noncriminal violation for which a civil penalty of \$250 is to be assessed and for which no points are to be assigned. Requires the City to issue a notice of violation to the registered owner of a vehicle cited for a speeding violation detected by a system, and sets out requirements for what must be contained in the notice, as well as notice delivery requirements.

Makes the registered owner of a vehicle cited for a violation detected by the system responsible for the penalty unless, within 30 days of service of the notification, the owner submits a sworn affidavit containing information concerning who, other than the owner, had control of the vehicle at the time of the violation. If the registered owner fails to pay the penalty or respond to the notice within 30 days, the owner waives the right to contest responsibility and is subject to an additional \$125 penalty. Sets out provisions concerning assigning liability to the actual operator when the operator was someone other than the registered vehicle owner.

Requires that any photos recorded by a system that captures a speeding violation in a school zone also be provided to the investigating law enforcement agency for use as evidence in any proceeding alleging a violation of GS 20-141.1 (speed limits in school zones).

Sets out notification requirements for when a law enforcement officer cites or arrests a vehicle owner or operator in an area when a system is in use for detecting speeding. Prohibits the City from issuing a notice of violation upon receiving such notice from law enforcement.

Requires the City to establish an administrative nonjudicial hearing process to review challenges to penalties assessed under this act. Allows a person dissatisfied with the City's decision at the hearing to appeal the decision to the district court. Appeal must be made within 30 days of notification of a final decision by the City.

Allows the City and the Durham Public Schools Board of Education to enter into an interlocal agreement necessary and proper to effectuate the purpose and intent of this act. The agreement may include provisions on cost-sharing and reimbursement.

Provides that Durham must pay a one time fee of \$1,000 to the Division of Motor Vehicles before implementing the pilot program on the use of electronic speed-measuring systems to detect speeding in school zones.

Requires the City, no later than three years after implementing the pilot program, to report the results of the pilot program to the chairs of the Joint Legislative Transportation Oversight Committee and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety.

Sets the pilot program to expire upon the earlier of the submission of the required report or three years after the date of implementation of the pilot program.

**Intro. by McKissick, Woodard.**

[Durham](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, Transportation](#)

S 272 (2019-2020) [ZONING FOR UNIVERSITY FACILITIES-DURHAM](#). Filed Mar 14 2019, *AN ACT TO ALLOW FOR UNIFORM ZONING CLASSIFICATION OF CERTAIN RESIDENTIAL FACILITIES AT NORTH CAROLINA CENTRAL UNIVERSITY*.

Requires that student housing associated with North Carolina Central University be permitted in any zoning district if (1) the parcels of land being assembled on which a student housing project is planned to be built each are owned either by the State or by a nonprofit foundation affiliated with the University; (2) the parcels of land being assembled on which a student housing project is planned to be built each have been included in the approved Millennial Campus Plan; and (3) at least one of the parcels of land being assembled on which a student housing project is planned to be built presently is located in a zoning district in which student housing is a generally permitted use. Makes development submittals for student housing projects that meet the criteria subject to the UC-2 zoning requirements of the Durham City-County Unified Development Ordinance. Applies to Durham only. Applies to development submittals initially submitted to Durham on or before June 30, 2019.

**Intro. by McKissick, Woodard.**

[Durham](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Education, Higher Education, Government, State Agencies, UNC System](#)

S 273 (2019-2020) [20TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 14 2019, *AN ACT RELATING TO THE 20TH SENATORIAL DISTRICT*.

Blank bill.

**Intro. by McKissick.**

[Durham](#)

[View summary](#)

S 275 (2019-2020) [DURHAM/NONMUNICIPAL UTILITY RELOCATION COSTS](#). Filed Mar 14 2019, *AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO REIMBURSE NONMUNICIPAL UTILITY OWNERS FOR UTILITY RELOCATION COSTS WITHOUT COMPLYING WITH THE STATE'S CONTRACTING LAWS*.

Amends the Durham City Charter, Chapter VII of SL 1975-671, by adding a new section that allows Durham to reimburse a nonmunicipal utility owner for utility relocation costs that exceed the dollar threshold in GS 143-129 (concerning the procedure for letting of public contracts) and GS 141-131(a) (appears to intend GS 143-131(a) concerning when counties, cities, towns and other subdivisions may let contracts on informal bids) without complying with the requirements of GS Chapter 143, Article 8 (governing public contracts).

**Intro. by Woodard, McKissick.**

[Durham](#)

[View summary](#)

[Public Enterprises and Utilities](#)

S 276 (2019-2020) [DURHAM/RELOCATION OF NONMUNICIPAL UTILITIES](#). Filed Mar 14 2019, *AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO CONDEMN OR ACQUIRE PROPERTY NECESSARY TO PROVIDE TRANSPORTATION PROJECT RIGHTS-OF-WAY FOR THE RELOCATION OF UTILITIES*.

Amends the Durham City Charter, Chapter VII of SL 1975-671, by adding a new provision in Sec. 74 that allows Durham to condemn or acquire property in fee or appropriate easements that are necessary to provide transportation project rights-of-way for the relocation of utilities when required for city transportation projects. Also gives Durham authority to acquire rights-of-way necessary for the present or future placement of utilities.

**Intro. by Woodard, McKissick.**

[Durham](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Public Enterprises and Utilities, Transportation](#)

S 278 (2019-2020) [CHARLOTTE DOUGLAS INTERNATIONAL/CITY OPERATE](#). Filed Mar 14 2019, *AN ACT PROVIDING THAT THE CITY OF CHARLOTTE SHALL HAVE AUTHORITY TO OWN AND OPERATE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT*.

Repeals SL 2013-358, which creates the Charlotte Douglas International Airport Authority under the City of Charlotte, and SL 2014-10, which clarifies that the Authority is an agency within the City of Charlotte. Maintains Section 2, SL 2013-358, which repeals SL 2013-272 (created the Charlotte Douglas International Airport Authority, distinct from that created by SL 2013-358).

**Intro. by Bishop, Waddell.**

[Mecklenburg](#)

[View summary](#)

[Transportation](#)

S 279 (2019-2020) [SCHOOL CALENDAR 3-YEAR FLEX/CERTAIN SYSTEMS](#). Filed Mar 14 2019, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY FOR A THREE-YEAR PERIOD 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. Authorizes the Greene County and Pitt County Boards of Education to determine the opening and closing dates of their public schools within the requirements of GS 115C-84.2(a)(1). Further authorizes the Board to depart from the requirements of GS 115C-84.2(d) after receiving community and parent input at a public hearing, and to select the opening and closing dates after an additional public hearing. Applies for the 2019-20, 2020-21, and 2021-22 school years.

Directs the Boards to report to the Department of Public Instruction (DPI) on the act's implementation, including effects on student achievement and recommendations regarding school calendar flexibility. Requires DPI to evaluate the reports and provide an aggregated report to the specified NCGA committee by November 15, 2022.

**Intro. by D. Davis.**

[Greene, Pitt](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 281 (2019-2020) [SCHOOL CALENDAR FLEX/CERTAIN SCHOOL SYSTEMS](#). Filed Mar 14 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 authorize local boards of education to align the calendar of schools in the local school administrative unit with the calendar of a community college serving the city or county in which the unit is located. Applies to the Alleghany County Schools, Ashe County Schools, Elkin City Schools, Mount Airy City Schools, Surry County Schools, Watauga County Schools, and Wilkes County Schools with additional flexibility in adopting their school calendars. Applies beginning with the 2019-20 school year.

**Intro. by Ballard.**

[Alleghany, Ashe, Surry, Watauga, Wilkes](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 282 (2019-2020) [MODIFY CUMBERLAND PREPARED FOOD TAX](#). Filed Mar 14 2019, *AN ACT TO MODIFY THE CUMBERLAND COUNTY PREPARED FOOD AND BEVERAGE TAX ORIGINALLY AUTHORIZED TO FACILITATE THE FINANCING OF AN ARENA IN CUMBERLAND COUNTY*.

Amends SL 1993-413, as amended, which authorizes Cumberland County to levy a 1% prepared food and beverage tax, the proceeds of which are transferred to the Cumberland County Civic Center Commission for financing new arena facilities or the expansion of existing arena facilities and other costs of acquiring, constructing, maintaining, operating, marketing, and promoting the new arena or expanded arena facilities.

Adds new distribution provisions, requiring the County to divide the net proceeds among the county and its municipalities based on the per capita method provided in GS 105-472(b)(1), with municipalities receiving 25% of the amount they would receive with the per capita method for the 2020, 2021, and 2022 calendar years and 50% of the amount they would have received with the per capita method for the 2023 and 2024 calendar years. Requires distributions to be based solely on the per capita method for calendar years after 2024. Defines *net proceeds*.

Modifies the authorized uses of the proceeds distributed to the county, as now provided. Replaces "new arena facilities" and "arena facilities" with *qualifying facilities*, defined as an arena facility, a civic center, a performing arts center, or other similar facility that is approved by the Cumberland County Board of Commissioners that can be reasonably expected to increase travel and tourism to Cumberland County.

Adds use restrictions applicable to municipalities, requiring municipalities to use the proceeds distributed to them under the act for the financing of construction or expansion of facilities that improve civic life of their residents and for the promotion and funding of events at the facilities.

Eliminates the provision mandating the tax's repeal when the new or expanded arena facilities for which the tax was imposed are constructed and their debt paid.

Applies to sales of prepared food and beverages made on or after January 1, 2021.

**Intro. by Clark.**

[Cumberland](#)

[View summary](#)

[Government, Tax](#)

S 283 (2019-2020) [BERMUDA RUN/SPEED RESTRICTIONS](#). Filed Mar 14 2019, *AN ACT TO IMPOSE A 25 MILE PER HOUR SPEED RESTRICTION ON PUBLIC VEHICULAR AREAS IN THE TOWN OF BERMUDA RUN*.

Identical to [H 368](#), filed 3/14/19.

Applies only to the Town of Bermuda Run. Makes it unlawful to operate a vehicle in excess of 25 miles per hour on a public vehicular area, as the term is defined in GS 20-4.01; effective upon erection of proper signage upon the affected public vehicular areas. Makes any violation a violation of GS 20-141 (Speed restrictions). Applies to offenses committed on or after December 1, 2019.

**Intro. by Krawiec.**

Davie

[View summary](#)[Courts/Judiciary, Motor Vehicle](#)

S 285 (2019-2020) [MAIN STREET COMMUNITY REINSTATEMENT](#). Filed Mar 14 2019, *AN ACT TO DIRECT THE DEPARTMENT OF COMMERCE TO REINSTATE THE TOWN OF BURNSVILLE TO THE MAIN STREET PROGRAM.*

As title indicates.

**Intro. by Hise.**

Yancey

[View summary](#)[Government, State Agencies, Department of Commerce](#)

S 286 (2019-2020) [AMEND FIRE PROT. FEES/UNION/BRUNSWICK](#). Filed Mar 14 2019, *AN ACT TO AMEND FIRE PROTECTION FEE PROCEDURES REGARDING CERTAIN ANNEXED AREAS IN BRUNSWICK AND UNION COUNTIES.*

Amends Section 1, SL 1999-323, as amended (concerning Brunswick County) and Section 1, SL 1991-883, as amended (concerning Union County), which authorize Brunswick County and Union County to create fire protection districts supported by fees, respectively. Adds identical provisions to each statute to establish that any portion of a fee-supported fire district that is annexed as a noncontiguous area pursuant to Part 4, Article 4A of GS Chapter 160A (intended) remains a part of and pays fees to the fee-supported fire district. Sunsets the act on June 30, 2049.

**Intro. by Rabon, Johnson.**

Brunswick, Union

[View summary](#)[Government, Public Safety and Emergency Management](#)

S 287 (2019-2020) [REDUCE SPEED LIMITS/DURHAM](#). Filed Mar 14 2019, *AN ACT TO REDUCE THE SPEED LIMITS TO 25 MILES PER HOUR ON RESIDENTIAL STREETS IN DURHAM EXPERIENCING CONGESTION AS DETERMINED BY THE CITY OF DURHAM'S TRANSPORTATION DEPARTMENT.*

Makes it unlawful to drive in excess of 25 miles per hour on residential streets in Durham that the City of Durham's Transportation Department has determined to be experiencing congestion. Applies to offenses committed on or after December 1, 2019.

**Intro. by Woodard.**

Durham

[View summary](#)[Courts/Judiciary, Motor Vehicle, Transportation](#)

S 289 (2019-2020) [TOWN OF RED SPRINGS/ETJ AUTHORITY](#). Filed Mar 14 2019, *AN ACT AMENDING THE EXTRATERRITORIAL JURISDICTION AUTHORITY OF THE TOWN OF RED SPRINGS.*

Amends GS 160A-360, concerning territorial jurisdiction, to specify that the Town of Red Springs has no authority to exercise any power under the statute outside of its corporate limits.

Provides that upon the Town's relinquishment of the jurisdiction over an area that the Town is regulating under GS Chapter 160A, Article 19 (Planning and Regulation of Development), the Town regulations and powers of enforcement remain in effect until the earlier of (1) Robeson County adopting the regulation or (2) 120 days has elapsed following the effective date of this act. Allows Robeson County, during this period, to hold hearings and take measures required to adopt county regulations for the area.

**Intro. by Britt.**

Robeson

[View summary](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 67: ROAD BARRIER PROHIBITION.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

#### **H 82: RAILROAD CROSSINGS/ON-TRACK EQUIPMENT.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

#### **H 100: REQUIRED TRAINING POLICE TELECOMMUNICATORS.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

#### **H 158: DOT REPORTING CHANGES.-AB**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

#### **H 224: ASSAULT W/ FIREARM ON LEO/INCREASE PUNISHMENT.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

#### **H 241: EDUCATION BOND ACT OF 2019.**

*House: Passed 3rd Reading*

#### **H 254: CONFIRM KEN GOODMAN/INDUSTRIAL COMMISSION.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

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

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 263: FILL VACANCIES/MODIFY 2018 APPOINTMENTS.**

*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 264: GSC TECHNICAL CORRECTIONS 2019.**

*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*

**LOCAL BILLS****H 84: CITY OF KANNAPOLIS/ANNEXATION.**

*House: Passed 3rd Reading*

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