



## The Daily Bulletin: 2019-04-02

### PUBLIC/HOUSE BILLS

H 389 (2019-2020) [ABC/UNIV ATHLETIC FACILITY](#). Filed Mar 19 2019, *AN ACT TO AUTHORIZE PUBLIC COLLEGES AND UNIVERSITIES TO ALLOW ALCOHOL SALES AT STADIUMS, ATHLETIC FACILITIES, AND ARENAS LOCATED ON SCHOOL PROPERTY.*

House committee substitute to the 1st edition makes the following changes. Amends proposed GS 18B-1006(a)(9) as follows. Adds that if a Board of Trustees votes to allow the issuance of permits for the sale of alcoholic beverages at stadiums, athletic facilities, and arenas, then the Board must provide written notice to the North Carolina Alcoholic Beverage Control Commission that it has voted to allow the issuance of permits. Adds that the term public college or university does not include a community college. Adds that (a)(9) does not apply to any sales authorized under (a)(1)-(8) (which list other exceptions to the prohibition on issuing a permit for the sale of alcoholic beverages to a business on the campus or property of a public school, college, or university).

**Intro. by Bell, Boles, Goodman, Lewis.**

**GS 18B**

[View summary](#)

**[Alcoholic Beverage Control, Education, Higher Education](#)**

H 533 (2019-2020) [RETAIL WORKERS' BILL OF RIGHTS](#). Filed Apr 2 2019, *AN ACT TO ENACT THE RETAIL WORKERS' BILL OF RIGHTS TO ENSURE FAIR SCHEDULING AND TREATMENT OF RETAIL EMPLOYEES.*

Enacts new GS Chapter 95, Article 2B (Retail Workers' Bill of Rights).

Lists legislative findings regarding employment in retail work, and defines seven terms including *employer* and *retail establishment*.

GS 95-25.33, advance notice of work schedules and schedule changes, requires employers to provide new employees with written nonbinding estimates of the employee's expected minimum number of scheduled shifts per month and the days and hours of those shifts. Allows employees to request employers to modify the proposed work schedule, and requires an employer to accept or reject the request prior to the start of employment. Requires employers to provide employees with at least two weeks' notice of work schedules by posting the schedule on a biweekly schedule, either at the workplace or online. Requires an employer to give notice to an employee of any change to the employee's schedule, and requires additional compensation to the employee based on how long before the changed shifts notice was given, and the length of the changed shifts. Requires pay for oncall shifts in which an employee is not called into work. Provides seven exceptions for the schedule change compensation and exceptions (appears to intend oncall shift compensation), including for acts of God and unexpected absences of other employees. Allows employers to provide greater advance notice than required by this statute.

GS 95-25.34, equal treatment for parttime employees, prohibits employers from differentiating wages, paid and unpaid time off, and eligibility for promotion, between parttime and fulltime employees based on status as a part or fulltime employee. Provides that eligibility for promotion may be contingent upon the employee's availability for fulltime employment.

GS 95-25.35, notice of employee rights, directs the Commissioner of Labor (Commissioner) to publish and make available to employers, in specified languages, a notice suitable for posting by employers in the workplace informing employees of their rights under this Article, by the effective date of this act. Directs the Commissioner to update the notice on December 1 of any year in which there is a change in the required languages (based on languages spoken by percentages of the State's workforce). Directs employers to post the notice in a conspicuous place at every workplace in the State under the employer's control visited by its retail employees.

GS 95-25.36, records; retention requirements, requires employers to retain work schedules and payroll records for three years, and to allow the Department of Labor (Department) access to them to monitor compliance with this Article. Grants the Commissioner access to all places of labor subject to this Article during business hours to inspect books and records, interview employees, and investigate matters necessary to determine whether the employer has violated this Article. Provides that failure to maintain adequate records, or failure to allow the Department reasonable access to them as required, creates a presumption that the employer did not comply with the Article, absent clear and convincing evidence otherwise.

GS 95-25.37, exercise of rights protected; retaliation prohibited, prohibits the interference with the exercise any right protected under this Article. Prohibits employers from taking adverse employment action in retaliation for the exercise of rights protected under this Article.

GS 95-25.38, investigation; enforcement, authorizes the Commissioner to enforce the Article, including investigation of possible violations of the Article. Authorizes the Commissioner to order temporary or interim relief to mitigate a violation that the Commissioner has reason to believe has occurred, or to maintain the status quo, pending the completion of an investigation. Provides for the Commissioner to provide notice to an employer that has been determined to be in violation, as described, and authorizes the Commissioner to order appropriate relief, including payment of lost wages, as well as an administrative penalty, to employees, and enforcement costs to the state. Provides for an appeal to the NC Office of Administrative Hearings, and subsequently to the Wake County Superior Court, and describes the steps required to pursue such an appeal. Provides that failure to appeal constitutes failure to exhaust administrative remedies.

Clarifies that the Article does not limit other rights and remedies provided by law to employees. Contains a severability clause.

Clarifies that the Article does not create rights, requirements, power, or duties in conflict with any State or federal law.

Effective January 1, 2020.

**Intro. by Brockman, Fisher, Harrison, Holley.**

GS 95

[View summary](#)

**Business and Commerce, Employment and Retirement**

H 534 (2019-2020) **NC PHARMACY BENEFITS MANAGER LICENSURE ACT**. Filed Apr 2 2019, *AN ACT TO ESTABLISH STANDARDS AND CRITERIA FOR THE REGULATION AND LICENSURE OF PHARMACY BENEFITS MANAGERS PROVIDING CLAIMS PROCESSING SERVICES OR OTHER PRESCRIPTION DRUG OR DEVICE SERVICES FOR HEALTH BENEFIT PLANS.*

Makes the following changes to Article 56A, Pharmacy Management Benefits, of GS Chapter 58.

Adds claim, claims processing service, maximum allowable cost list, other prescription drug or device services, pharmacist services, and pharmacy benefits manager affiliate to the defined terms set out in GS 58-56A-1. Amends the definition of *health benefit plan* to now refer to the definition set out for the term in GS 58-3-167, and makes conforming changes to the definition. Amends the definition of *pharmacy benefits manager* to include any entity who contracts with a pharmacist or a pharmacy (was only a pharmacy) on behalf of an insurer or third-party administrator to administer or manage prescription drug benefits to perform three specified functions: (1) processing claims for prescription drugs or medical supplies or providing retail network management for pharmacies or pharmacists; (2) paying pharmacies or pharmacists for prescription drugs or medical supplies; or (3) negotiating rebates with manufacturers for drugs paid for or procured as described in the Article (previously, the definition did not specify functions performed by the manager). Makes conforming organizational changes.

Enacts GS 58-56A-2 to now require licensure by the Commissioner of Insurance (Commissioner) for a person or organization to establish or operate as a pharmacy benefits manager in the State for health benefit plans. Directs the Commissioner to prescribe the application for a license. Authorizes the Commissioner to charge an initial application fee of \$2,000 and an annual renewal fee of \$1,500. Sets forth six components the application must contain, including contact information of the pharmacy benefits manager, the manager's agent for service of process, each person with management control over the pharmacy benefits manager, and each person with a beneficial ownership interest in the pharmacy benefits manager. Further requires the application to include a signed statement indicating that no officer with management or control of the pharmacy benefits manager has been convicted of a felony or has violated any requirements of applicable state or federal law, or a signed statement describing relevant conviction or violation. Details further requirements for applicants which are a partnership or

other unincorporated association, limited liability company, or corporation, and has five or more partners, members, or stockholders. Mandates that any applicant or licensed pharmacy benefits manager must file notice a notice describing any material modification to the information required of applications. Directs the Commissioner to adopt rules establishing the licensing and reporting requirements of pharmacy benefits managers consistent with the Article.

Adds to GS 58-56A-3 concerning consumer protections. Now establishes that pharmacies and pharmacists cannot be prohibited, restricted, or penalized by a pharmacy benefits manager for discussing any information regarding the amount of the insured's cost share for a prescription drug. Modifies and adds to the contractual prohibitions of a pharmacy benefits manager to now prohibit restricting or penalizing a pharmacy or pharmacist from: (1) offering and providing direct and limited delivery services to an insured as an ancillary service of the pharmacy; (2) disclosing to any insured any health care information that the pharmacy or pharmacist deems appropriate within the pharmacist's scope of practice; (3) discussing information regarding the total cost for pharmacist services for a prescription drug, or from selling a more affordable alternative to the insured if available; and (4) disclosing information to the Commissioner investigating or examining a complaint or conducting a compliance review, which is considered proprietary, confidential, and not considered a public record. Specifies that a pharmacy benefits manager cannot prohibit a pharmacy or pharmacist from sharing proprietary or confidential information. Now prohibits a pharmacy benefits manager from charging or attempting to collect from an insured a copayment that exceeds the lesser of the total submitted charged by the network pharmacy, the contracted copayment amount, or the amount an individual would pay for a prescription drug if that individual was not insured and was paying cash for the prescription drug (was limited to a copayment that exceeds the total submitted charged by the network pharmacy). Now requires the insurer to include any amounts paid by the insured or paid on behalf of the insured by another person in calculating an insured's overall contribution to any out-of-pocket maximum or any cost-sharing required under a health benefit plan, as allowable under federal and state law. Eliminates provisions requiring any contract for the provision of a network to deliver health care services between a pharmacy benefits manager and insurer to be available for review by the Department of Insurance (Department). Eliminates the requirement for the Department to report any violations of the statute or GS 58-56A-4 to the Attorney General.

Prohibits a pharmacy benefits manager from causing or knowingly permitting the use of any advertisement, promotion, solicitation, representation, proposal or offer that is untrue, deceptive, or misleading. Prohibits a pharmacy benefits manager from knowingly making any misrepresentation. Prohibits a pharmacy benefits manager from requiring an insured to use a pharmacy benefits manager or affiliate for filling a prescription or the provision of other pharmacy care services. Permits an insured to use any in-network pharmacy or pharmacist for a prescription drug covered by the health benefit plan, including any specialty drugs and maintenance drugs, so long as the prescription drug is not a limited distribution drug, is not commonly carried in retail pharmacies, and requires special handling.

Amends GS 58-56A-4, regarding pharmacy and pharmacist protections, to now provide the following. Permits a pharmacy benefits manager to charge a reasonable fee or adjustment for the receipt and processing of a claim or otherwise hold a pharmacy responsible for a fee relating to the adjudication of a claim, only if the fee is reported on the remittance advice of the adjudicated claim or is set out in the contract between the pharmacy benefits manager and the pharmacy. Requires there to be a justification for each adjustment or fee. Maintains the provision which excludes from the statute's provisions claims under an employee benefit plan under the Employee Retirement Income Security Act or Medicare Part D. Explicitly prohibits pharmacy benefit managers from directly or indirectly charging a fee or adjustment if the fee or adjustment is not apparent at the time of claim processing, is not reported on the remittance advice of an adjudicated claim, or is charged after the initial claim is adjudicated in the point of sale. Prohibits the prohibition or restriction of a pharmacy or pharmacist from dispensing any prescription drug allowed to be dispensed under a license to practice pharmacy. Prohibits consistent under reimbursement with the express intent or purpose to drive out competition of financial injuring competitors, as specified. Prohibits requiring the use of mail order for filling prescriptions, unless required by the health benefit plan. Prohibits prohibiting a pharmacist or pharmacy from charging a shipping and handling fee to an insured requesting a prescription to be mailed or delivered. Does not allow a pharmacy benefits manager to prohibit participation in a class action lawsuit or penalize or retaliate against a pharmacist or pharmacy for exercising rights provided under the Article. Clarifies that the statute does not affect the right of a pharmacist or pharmacy to refuse to fill or refill a prescription, as specified. Allows a pharmacy or pharmacist to decline to provide pharmacist services on behalf of a pharmacy benefits manager or third-party administrator.

Adds to GS 58-56A-5, concerning the maximum allowable cost price of prescription drugs. Similarly, prohibits a pharmacy benefits manager from engaging in a pattern or practice of reimbursing independent pharmacies or pharmacists less than the amount of the National Drug Average Acquisition Cost. Requires pharmacy benefits managers to ensure that dispensing fees are not included in the calculation of maximum allowable cost price. Requires pharmacy benefits managers to establish an

administrative appeals procedure for reimbursement if the less than the net amount that the network paid to the suppliers of the drug. Sets forth parameters for the appeal procedure.

Enacts GS 58-56A-15. Sets forth limitations for retroactive denial or reduction of claims for pharmacist services after adjudication regarding fraudulent claims, claims already paid, services not rendered, and adjustments agreed upon. Clarifies that the statute does not limit overpayment recovery efforts by a pharmacy benefits manager.

Enacts GS 58-56A-20 to authorize pharmacy benefits manager networks to require different pharmacy accreditation standards or certification requirements for participating in the network, provided they are applied without regard to independent status or pharmacy benefits manager affiliation. Provides pharmacy locations with access to more than one network, as specified. Prohibits denying the right to any properly licensed pharmacist or pharmacy from participating in the network on the same terms and conditions of other participants in the network. Strictly prohibits benefit differentials. Prohibits conditioning participation on more stringent or additional requirements beyond federal and state licensure requirements. Requires pharmacy performance measure or pay-for-performance networks to use the electronic quality improvement platform for plans and pharmacies (EQuIPP) or another such unbiased, nationally-recognized entity. Details restrictions and limitations concerning pharmacy performance measures. Requires a pharmacist or pharmacy that belongs to a pharmacy service administration organization to receive a copy of the contract between the administration and the pharmacy benefits manager, upon request. Establishes that termination of a pharmacy or pharmacist from a network does not release the pharmacy benefits manager from the obligation to make any payment due to the pharmacy or pharmacist for pharmacist services properly rendered according to the contract.

Enacts GS 58-65A-25 to require disclosure to a health benefit plan or contracted providers under the plan of any difference between the amount paid to a pharmacy and the amount charged to the health benefit plan if the pharmacy benefits manager has a pharmacy benefits manager affiliate, as defined. Prohibits the transfer of personally identifiable data, as specified, from pharmacy benefits managers and affiliates for commercial purposes; however, permits the exchange of prescription information for the limited purposes of reimbursement, formulary compliance, pharmacy care, or utilization review.

Enacts GS 58-65A-30 to condition initial licensure or maintenance of licensure under the Article upon making available to the Department any network contract. Establishes an annual reporting requirement for all pharmacy benefit managers to report to the Commissioner specified information regarding rebates.

Enacts GS 58-65A-35 to provide for the enforcement of the Article by the Commissioner by means of examination or audit, as described. Authorizes the Commissioner to contract with consultants and other professional as necessary and appropriate to conduct examinations or audits. Requires pharmacy benefit managers to pay the costs incurred in an examination or audit, and requires the Commissioner to institute a civil action to recover the expenses of examination in instances of refusal or failure to pay. Deems information or data acquired during examination or audit proprietary, confidential and not public record. Directs the Commissioner to adopt rules regarding the regulation of pharmacy benefits managers consistent with the Article. Subjects violations of the Article to penalties prescribed under GS 58-56A-10, as recodified and amended. Further, subjects a pharmacy benefits manager to license revocation or denial as a result of violations. Requires the Commissioner to report to the Attorney General any violations of the Article in accordance with GS 58-2-40(5) (as deleted from GS 58-56A-3; expanded to include violations of the Article rather than specified provisions).

Recodifies GS 58-56A-10 as GS 58-56A-40. Adds to the existing provisions. Provides for a monetary penalty for a violation of any provision of the Article other than GS 58-56A-5 (Maximum allowable cost price), to be determined by the Commissioner upon consideration of the degree and extend of harm caused, the amount of money that inured to the benefit of the violator as a result of the violation, whether the violation was committed willfully, and the prior record of the violator in complying or failing to comply with laws, rules, or orders applicable to the violator. Require remittance of the clear proceeds of this newly prescribed penalty to the Civil Penalty and Forfeiture Fund pursuant to GS 115C-457.2. Clarifies that payment of this penalty is in addition to payment of any other penalty for a violation of the state's criminal laws. Makes clarifying, conforming and technical changes.

Amends 58-2-40(5) to require the Commissioner to report in detail to the Attorney General any violations of laws relative to pharmacy benefits managers.

Applies to any contracts entered into on or after January 1, 2020.

[View summary](#)

**Business and Commerce, Insurance, Occupational Licensing, Government, State Agencies, Department of Insurance, Health and Human Services, Health, Health Care Facilities and Providers**

H 535 (2019-2020) **FUNDS/REACH OUT AND READ CAROLINAS**. Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS FOR REACH OUT AND READ CAROLINAS*.

Appropriates \$1.5 million in recurring funds for each year of the 2019-21 biennium from the General or Fund to the Department of Health and Human Services, Division of Child Development and Early Education, to be allocated to Reach Out and Read Carolinas, to be used to promote language enrichment activities in families. Reach Out and Read Carolinas is to match these funds with \$1.5 million in private funds and in-kind contributions. Effective July 1, 2019.

**Intro. by Horn, Dobson, Murphy.**

APPROP

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**Education, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services**

H 536 (2019-2020) **ABC OMNIBUS REGULATORY REFORM**. Filed Apr 2 2019, *AN ACT TO MAKE VARIOUS REVISIONS TO THE ALCOHOLIC BEVERAGE CONTROL LAWS OF THIS STATE*.

To be summarized.

**Intro. by McGrady, Boles, Fisher, Hardister.**

[View summary](#)

H 537 (2019-2020) **ALT. HWY USE TAX VEHICLE SUBSCRIPTIONS**. Filed Apr 2 2019, *AN ACT TO REDUCE THE ALTERNATE HIGHWAY USE TAX ON VEHICLE SUBSCRIPTIONS*.

Amends GS 105-187.1 which sets forth defined terms for Article 5A, NC Highway Use Tax. Adds the terms *limited possession commitment*, *vehicle sharing service*, and *vehicle subscription*. Amends *long-term lease or rental* to specify that the term applies to agreements concerning a single motor vehicle. Amends *retailer* to include a person engaged in the business of offering vehicle subscriptions for motor vehicles. Amends *short-term lease or rental* to mean a lease or rental of a motor vehicle or motor vehicles, including a vehicle sharing service, that is not a long-term lease or rental or a vehicle subscription.

Amends GS 105-187.5 to provide for a retailer to elect an alternate tax when applying for a certificate of title for a motor vehicle purchased for a limited possession commitments (was, for lease or rental), defined as long-term lease or rental, short-term lease or rental, and vehicle subscriptions. Defines *vehicle subscription* to mean a written agreement that grants a person the right to use and exchange motor vehicles owned by the person offering the agreement upon payment of a subscription fee, excluding a vehicle sharing service, which is defined as a service for which a person pays a membership fee for the right to use a motor vehicle(s) upon payment of an additional time-based or mileage-based fee. Makes conforming changes to the statute to refer to limited possession commitments rather than lease or rental. Sets tax rates for the gross receipts of vehicle subscriptions at 5% and maintains the current tax rates for short-term leases or rentals (8%) and long-term leases or rentals (3%).

Amends GS 105-187.9 to require \$10 million of the taxes collected at the rate of 5% and 8% under Article 5A (was only those collected at 8%) to be credited annually to the Highway Fund, with the remainder credited to the General Fund. Maintains the provision requiring taxes collected at the rate of 3% to be credited to the Highway Trust Fund.

Amends GS 105-550 (concerning Regional Transit Authority vehicle rental tax) and GS 153A-156 (concerning county gross receipts tax on short-term leases or rentals) to amend the definitions of *short-term lease or rental* in each statute to now refer to

the definition in GS 105-187.1, as amended.

Applies to vehicle subscription agreements entered into on or after October 1, 2019.

**Intro. by Conrad, Howard, Setzer, D. Hall.**

[GS 105, GS 153A](#)

[View summary](#)

[Government, Tax, Local Government, Transportation](#)

H 538 (2019-2020) [FACILITATE RESPONSE TO DISASTERS](#). Filed Apr 2 2019, *AN ACT TO FACILITATE RAPID RESPONSE TO STATE DECLARED DISASTERS BY EXEMPTING CERTAIN BUSINESSES AND EMPLOYEES FROM REGISTRATION AND TAX LAWS DURING THE DISASTER RESPONSE PERIOD.*

Enacts new GS 166A-19.70A as follows. Defines terms that are used in the statute and sets out the statute's purpose. Provides that an out-of-state business performing disaster-related work in the state during a disaster response period at the request of a critical infrastructure company (a *registered public communications provider* or a *registered public utility*, as defined in the statute) is not considered to be conducting business in the state and is therefore exempt from franchise tax, income tax, S-corporation income tax, information returns, unemployment tax, workers' compensation, and registration with the Secretary of State to transact business in the state. These exemptions cease to apply when the disaster response period expires. Disaster-related work is defined as repairing, renovating, installing, building, or performing services on critical infrastructure that has been damaged, impaired, or destroyed as a result of a disaster or emergency in an area covered by the disaster declaration. Provides that an out-of-state employee (meaning a nonresident who is an employee of an out-of-state business entitled to the relief described above or a nonresident employee of a critical infrastructure company temporarily in the state to perform disaster-related work during the disaster response period) is not required to pay state income tax, or file an income tax return, on earnings received for disaster-related work performed during a disaster response period. Provides that the employer of an out-of-state employee is not required to withhold income tax from the wages of the employee. Requires a critical infrastructure company that requests an out-of-state business to perform disaster-related work during the disaster response period to notify the State Emergency Response Team (Team) within 30 business days of the out-of-state business's entry into the state. Sets out information that must be included in the notice. Requires the Team to disseminate the information to the appropriate state agencies. Makes conforming changes to GS 96-9.2, GS 97-13, GS 105-125, GS 105-130.11, GS 105-131.7, GS 105-153.4, GS 105-153.8, GS 105-154, and GS 105-163.2.

Enacts new GS 55-1-51 by providing that an out-of-state business performing disaster-related work in this state during a disaster response period at the request of a critical infrastructure company is not required to obtain a certificate of authority from the Secretary of State. Provides that a person issued a temporary license by the Department of Revenue to import, export, distribute, or transport motor fuel in this state in response to a disaster declaration is not required to obtain a certificate of authority from the Secretary of State to transact business in the state for the duration of the temporary license.

Amends GS 105-130.5 by adding to the required additions to federal taxable income in determining state net income payments made to a related party not subject to tax in accordance with the policy in new GS 166A-19.70A, to the extent the payments are deducted in determining federal taxable income.

Enacts new GS 105-449.69A allowing the issuance of a temporary license to import, export, distribute, or transport motor fuel in the state in response to a disaster declaration, which expires upon the expiration of the disaster declaration. Requires filing an application for a temporary license within seven calendar days from the date of the disaster declaration. Requires the application include specified information. Allows issuance of a temporary license without requiring the applicant to file a bond or irrevocable letter of credit and without requiring the applicant to be authorized to transact business in the state with the Secretary of State.

Applies to taxable years beginning on or after January 1, 2019.

**Intro. by Howard, Setzer, Szoka.**

[GS 55, GS 96, GS 97, GS 105, GS 166A](#)

[View summary](#)

[Business and Commerce, Government, Public Safety and Emergency Management, Tax, Public Enterprises and Utilities](#)

H 539 (2019-2020) [TEMP. FIN. ASST./SA FACILITIES](#). Filed Apr 2 2019, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES, TO PROVIDE TEMPORARY FINANCIAL ASSISTANCE FOR FACILITIES LICENSED TO ACCEPT STATE-COUNTY SPECIAL ASSISTANCE*.

Appropriates \$19,872,000 in nonrecurring funds for each of the 2019-20 and 2020-21 fiscal years from the General Fund to the Department of Health and Human Services, Division of Social Services (DSS) to provide temporary assistance to facilities licensed to accept State-County Special Assistance payments (facility), as defined. Restricts use of the funds to the provisions of temporary financial assistance in the form of a monthly payment to the facilities on behalf of each resident who is a recipient of State-County Special Assistance, a program authorized by GS 108A-40. Requires counties to pay 50% of the cost of providing the monthly payments to the facilities. Details requirements and limitations for the monthly payments, including setting the payment amount at \$184 per month for each facility resident as of the first day of the month who is a recipient of State-County Special Assistance, and limiting the period of the prescribed monthly payments from July 1, 2019, to June 30, 2021. Terminates the monthly payments on the earlier of June 30, 2021, or upon depletion of the State and county funds allocations to DSS for each year of the 2019-21 fiscal year for that purpose.

Directs DSS to use an existing mechanism for administration of the funds in the least restrictive, timely, and accurate manner. Allows DSS to use up to \$250,000 in nonrecurring funds for each year of the 2019-21 fiscal biennium for administrative purposes in implementing the act.

Clarifies that nothing in the act obligates legislative appropriations or an entitlement to receive assistance under the act.

Effective July 1, 2019, and expires on June 30, 2021.

**Intro. by Murphy, Dobson, Lambeth, Adcock.**

**APPROP**

[View summary](#)

**Government, Budget/Appropriations, State Agencies,  
Department of Health and Human Services, Health and  
Human Services, Health, Health Care Facilities and Providers**

H 540 (2019-2020) [DRUG TRAFFICKING/JUDICIAL DISCRETION & STUDY](#). Filed Apr 2 2019, *AN ACT TO INCREASE JUDICIAL DISCRETION IN SENTENCING FOR DRUG TRAFFICKING OFFENSES AND TO REQUIRE THE NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION TO STUDY THE ADVISABILITY OF REDUCING SENTENCES FOR DRUG TRAFFICKING CONVICTIONS*.

Identical to [S 442](#), filed 4/1/19.

Part I.

Amends GS 90-95(h), which sets out drug trafficking offenses. Adds that a sentencing judge may reduce the fine or impose a prison term less than the applicable minimum prison term, or suspend the prison term imposed and place a person on probation, if the sentencing judge enters all of the following findings in the record: (1) the defendant was suffering from an addiction to a controlled substance that was insufficient to constitute a defense but significantly reduced the defendant's culpability; (2) the defendant has accepted responsibility for the defendant's criminal conduct; (3) the defendant has completed a substance abuse assessment; and (4) the defendant has a good treatment prognosis, and a workable treatment plan is available. Places upon the defendant the burden of proving by a preponderance of the evidence that the required factors exist. Allows ordering that a term of imprisonment imposed as a condition of special probation be served at an inpatient facility for treatment of substance abuse. Requires the defendant bear the expense of any treatment unless the court finds, upon good cause shown, that the defendant should not be required to pay any or all of the cost of treatment and orders that the cost be absorbed by the State. Allows the judge to set additional requirements related to the treatment. Allows the judge to credit against the active sentence imposed on a defendant the time the defendant was an inpatient at the treatment facility, so long as treatment occurred after the commission of the offense for which the defendant is being sentenced. Requires that when the defendant is placed on probation, that the judge impose a requirement that the defendant abstain from the use of any controlled substance without a valid prescription and obtain the education or treatment recommended by the substance abuse assessment.

Amends GS 122C-142.1 by making conforming changes to require area authorities to provide substance abuse services as described in GS 90-95 to consideration at sentencing. Adds to the information that must be included in the annual report on substance abuse assessments so that it also includes the number of substance abuse assessments requested in order to be presented to the court at sentencing under GS 90-95. Applies to offenses committed on or after December 1, 2019.

Part II.

Requires the North Carolina Sentencing and Policy Advisory Commission to study three specified issues related to inmates incarcerated solely for a conviction of a drug trafficking offense under GS 90-5(h), including the advisability of reducing sentences imposed under structured sentencing based on the case facts and records of inmates. Requires a report to the specified NCGA committee by February 15, 2020.

Part III.

Provides that prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

**Intro. by Murphy, Horn, Grange, Dobson.**

[STUDY, GS 90, GS 122C](#)

[View summary](#)

[Courts/Judiciary, Court System, Criminal Justice, Corrections \(Sentencing/Probation\), Health and Human Services, Health, Public Health](#)

H 541 (2019-2020) [CHANGE EXCLUSION FOR SOLAR ENERGY SYSTEMS](#). Filed Apr 2 2019, *AN ACT TO CHANGE THE PROPERTY TAX EXCLUSION FOR SOLAR ENERGY ELECTRIC SYSTEMS AND ALLOCATE CERTAIN TAX PROCEEDS FOR PUBLIC EDUCATION PURPOSES*.

Amends GS 105-275(45) by changing the property tax exclusion for solar energy electric systems from 80% of their appraised value to 60%. Directs that tax proceeds resulting from this amendment be used for public education and community college purposes enumerated in new subsection (b1) of GS 153A-149.

Amends GS 153A-149 by adding a new subsection (b1) requiring counties to use 50% of the tax proceeds collected under GS 105-275(45) for public education and community college: (1) construction, renovations, and repairs; (2) maintenance; and (3) associated debt service.

Effective July 1, 2019 and applies to taxes imposed for taxable years beginning on or after that date.

**Intro. by Dixon, Bell.**

[GS 105, GS 153A](#)

[View summary](#)

[Environment, Energy, Government, Tax, Local Government, Public Enterprises and Utilities](#)

H 542 (2019-2020) [INCLUDE SOLAR PROPERTY AS NONSYSTEM PROPERTY](#). Filed Apr 2 2019, *AN ACT TO INCLUDE CERTAIN SOLAR ENERGY PROPERTY AS NONSYSTEM PROPERTY*.

Amends GS 105-333(12) to establish that real and personal property used directly and exclusively for the conversion of solar energy to electricity are to be treated as nonsystem property as that term is used in Article 23 of GS Chapter 105 (Public Service Companies). Applies to taxes imposed for taxable year beginning on or after the July 1, 2019, effective date.

**Intro. by Dixon, Bell.**

[GS 105](#)

[View summary](#)

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

H 543 (2019-2020) [UTILITIES/AMEND REPS REQUIREMENTS](#). Filed Apr 2 2019, *AN ACT TO AMEND THE RENEWABLE ENERGY PORTFOLIO STANDARD*.

Amends the Renewable Energy and Energy Efficient Portfolio Standards (REPS) provided in GS 62-133.8 as follows. Sets the REPS requirement for electric public utilities at 10% of 2017 North Carolina retail sales for the 2018 calendar year and thereafter (currently, the Standard includes 10% of 2017 NC retail sales for calendar year 2018, and 12.5% of 2020 NC retail sales for calendar year 2021 and thereafter). Applies to cost recovery proceedings that occur on or after July 1, 2019.

**Intro. by Dixon, Bell.**

[GS 62](#)

[View summary](#)

[Environment, Energy, Public Enterprises and Utilities](#)

H 544 (2019-2020) [NCAMC/NCACC SPECIAL REGIS. PLATE](#). Filed Apr 2 2019, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE AN "NCAMC/NCACC" SPECIAL REGISTRATION PLATE*.

Enacts new GS 20-79.4(b)(147) as title indicates. Plate issuance is contingent on the receipt of at least 50 plate applications. Establishes a special plate fee of \$30 and requires that \$20 of that amount be transferred quarterly to NC Kids digital library. Effective July 1, 2019.

**Intro. by Potts, Jarvis, Corbin, Yarborough.**

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation](#)

H 545 (2019-2020) [PROTECT THE MILITARY/FISHERIES/TOURISM](#). Filed Apr 2 2019, *AN ACT TO PROHIBIT THE EXPLORATION, DEVELOPMENT, AND PRODUCTION OF OFFSHORE OIL AND GAS IN NORTH CAROLINA COASTAL WATERS IN ORDER TO PROTECT MILITARY OPERATIONS, COMMERCIAL AND RECREATIONAL FISHING, AND TOURISM, AND THE BILLIONS OF DOLLARS THEY CONTRIBUTE ANNUALLY TO THE COASTAL ECONOMY, AND THE STATE AS A WHOLE, FROM THE PROFOUND RISKS OF OFFSHORE OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION*.

Includes whereas clauses.

Amends GS 113A-119.2 concerning the review of offshore fossil fuel facilities. Adds the defined terms *development*, *exploration*, and *production*. Modifies the term *offshore fossil fuel facility* to mean facilities for the exploration, development, or production of oil or natural gas that have the potential to affect any land or water use or natural resource of the coastal area (previously specified that the potential affect was because of the size, magnitude or scope of impacts of the facilities). Now includes in the term any equipment associated with a structure located in coastal fishing waters, including gathering systems and processing and storage facilities, and pipelines that are used to carry, transport, or transfer oil, natural gas, liquid gas, liquid propane gas, or synthetic gas (previously did not include gathering systems and processing and storage facilities, and instead included vessels).

Now limits the additional information required for the review of an offshore fossil fuel facility to those located more than three geographical miles offshore (was, for those located in coastal fishing waters). Makes conforming changes. Adds a new provision explicitly prohibiting the exploration, development, or production of oil or natural gas within the estuarine and ocean waters of the State. Specifies that the estuarine and ocean waters of the State includes those ocean waters extending offshore to the limits of State jurisdiction. Additionally explicitly prohibits the construction or operation of offshore fossil fuel facilities in the estuarine and ocean waters of the State.

Amends GS 146-8 concerning the disposition of mineral deposits in State lands under water. Adds a new provision to explicitly prohibit the sale, lease, or other disposition of any submerged lands in the estuarine and ocean waters of the State for

the exploration, development, or production of oil or natural gas, and the construction or operation of offshore fossil fuel facilities. Specifies that the definitions provided in GS 113A-119.2, as amended, apply to the new provision.

Amends GS 143-215.94CC, making any responsible person strictly liable for all cleanup and removal costs and all damages incurred within the territorial jurisdiction of the State by any injured party that arise out of, or caused by, any exploration, development, or production occurring in waters beyond the jurisdiction of the State (was, any exploration in or upon coastal fishing waters). Specifies that the definitions provided in GS 113A-119.2, as amended, apply to the new provision. Removes the exception for damages which arise out of, or are caused by, a discharge that is authorized by and in compliance with a federal permit.

Amends GS 143-215.94GG, to require a person responsible for an offshore discharge to also immediately notify the Department of Environmental Quality (DEQ; previously only required notification of the Division of Emergency Management) pursuant to rules established by the DEQ Secretary and the Secretary of Public Safety. Makes conforming changes. Eliminates the provision which established that no penalty can be imposed for failure to notify the specified entities if the owner or operator has promptly reported the discharge to the federal authorities designated pursuant to specified federal law.

Amends GS 143-215.94HH, to include consultation with the Secretary of DEQ in the development of the State Emergency Response Commission's oil spill contingency plan. Allows the Commission to consult with the DEQ Secretary and the Secretary of Administration's designees (previously, specifically permitted consultation with the Secretary of Administration's designee in the Outer Continental Shelf Lands Office). Makes technical changes.

Provides a severability clause.

**Intro. by Butler, Harrison, Martin, Russell.**

[GS 113A, GS 143, GS 146](#)

[View summary](#)

[Environment, Energy](#)

H 546 (2019-2020) [PROHIBIT COUNTERFEIT/NONFUNCTIONAL AIRBAGS](#). Filed Apr 2 2019, *AN ACT TO PROHIBIT THE IMPORT, MANUFACTURE, SALE, OFFER OF SALE, INSTALLATION, OR REINSTALLATION OF COUNTERFEIT AND NONFUNCTIONAL AIRBAGS*.

Amends GS 20-4.01 which sets out the definitions that apply to GS Chapter 20 by adding and defining the terms airbag, counterfeit supplemental restraint system component, nonfunctional airbag, and supplemental restraint system.

Amends GS 20-71.4 to make it illegal to transfer a motor vehicle when the transferor has knowledge that a counterfeit supplemental restraint system, or a nonfunctional airbag, or no airbag has been installed in the vehicle.

Amends GS 20-136.2 to make it illegal to knowingly import, manufacture, sell, offer for sale, distribute, install or reinstall any device intended to replace a supplemental restraint system component in any motor vehicle if the device is a counterfeit component, nonfunctional airbag, or causes a vehicle to fail to meet federal motor vehicle safety standards. Violations are a Class H felony and constitute an unfair and deceptive trade practice. Previously the statute only addressed airbags and violations were a Class 1 misdemeanor. Adds that nothing in the statute prohibits auto dealers, repair professionals, recyclers, original equipment manufactures, or contractors from disposing of counterfeit supplemental restraint system components or nonfunctional airbags in accordance with federal and state law.

Applies to offenses committed on or after December 1, 2019.

**Intro. by Faircloth, R. Turner, Cleveland, McNeill.**

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

H 547 (2019-2020) [OAK RIDGE PARK SECURITY SYSTEM FUNDS](#). Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS TO ASSIST THE TOWN OF OAK RIDGE WITH PURCHASING AND INSTALLING A SECURITY SYSTEM IN THE TOWN PARK*.

Appropriates \$100,000 in nonrecurring funds for 2019-20 from the General Fund to the Town of Oak Ridge, to be used to purchase and install a security system and high- resolution cameras in the Oak Ridge Town Park. Effective July 1, 2019.

**Intro. by Faircloth, Hardister.**

Guilford

[View summary](#)

**Government, Budget/Appropriations, Public Safety and  
Emergency Management**

H 548 (2019-2020) **MODIFY PHYSICAL THERAPY DEFINITION**. Filed Apr 2 2019, *AN ACT UPDATING THE DEFINITION OF PHYSICAL THERAPY TO EXCLUDE THE PRACTICE OF CHIROPRACTIC AND TO INCLUDE MANIPULATION OF THE SPINE WITHOUT A PRESCRIPTION FROM A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THIS STATE.*

Amends GS 90-270.90(4) as title indicates. Effective October 1, 2019.

**Intro. by Grange, Torbett, White, Dobson.**

GS 90

[View summary](#)

**Health and Human Services, Health, Health Care Facilities  
and Providers**

H 549 (2019-2020) **MATCHING FUNDS FOR AFFORDABLE HOUSING**. Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF COMMERCE TO BE USED ON A MATCHING BASIS WITH PRIVATE DONORS FOR THE PLANNING AND CONSTRUCTION OF AFFORDABLE HOUSING IN THE STATE.*

Identical to [S 456](#), filed 4/1/19.

Includes whereas clauses.

Appropriates \$2.5 million from the General Fund to the Department of Commerce (Department) for each the 2019-20 and 2020-21 fiscal years to be used to provide matching grants to nonprofits to fund the planning and construction of affordable housing projects in the State. Directs the Department to require nonprofits to match grant funds received at a 1:1 ratio. Requires the Department to develop guidelines and procedures for grant administration and distribution. Requires the Department to disburse grant funds to nonprofits equal to the amount of non-State matching funds the nonprofit has obtained, upon submission of satisfactory documentation, which can be on a monthly basis until the total amount awarded to the nonprofit grantee has been disbursed. Requires reversion of unmatched funds on June 30, 2021.

Directs the Department on or before May 1, 2020, and on or before May 1, 2021, to report to the specified NCGA committee and division on the grant program, including details of the number of grants issued, the grant recipients, the specific areas where funds were allocated, and the number of affordable housing units developed as a result of the grant program.

Effective July 1, 2019.

**Intro. by Beasley, Hardister.**

APPROP

[View summary](#)

**Development, Land Use and Housing, Property and Housing,  
Government, Budget/Appropriations, State Agencies,  
Department of Commerce**

H 550 (2019-2020) **URGE CONGRESSIONAL SUPPORT OF VA MISSION ACT**. Filed Apr 2 2019, *A HOUSE RESOLUTION URGING CONGRESS TO ENSURE FULL IMPLEMENTATION OF THE VA MISSION ACT OF 2018.*

As title indicates.

**Intro. by Grange, Potts, Szoka.**

HOUSE RES

[View summary](#)**Military and Veteran's Affairs**

H 551 (2019-2020) **REQUIRE PAID WORK BREAKS**. Filed Apr 2 2019, *AN ACT AMENDING THE WAGE AND HOUR ACT TO REQUIRE EMPLOYERS TO PROVIDE A TWENTY-MINUTE PAID BREAK TO ANY EMPLOYEE WORKING A SHIFT OF SIX HOURS OR MORE.*

Enacts GS 95-25.4A to require all employers to offer employees at least one voluntary paid break of at least 20 minutes duration near the middle of a workday which is six or more hours. Specifies that the break cannot be used to delay the beginning or shorten the work period without the approval of the employer.

Amends GS 95-25.23 to establish a penalty for violations of GS 95-25.4A and any regulation issued pursuant to the statute in an amount not to exceed \$100 for the first violation, or not to exceed \$500 for each subsequent violation. Requires consideration of the business size and gravity of the violation in assessing the penalty amount. Deems the determination of the Commissioner of Labor final unless the person charges with the violation takes exception to the determination and within 15 days after receipt of notice, as specified, in which case the final determination will be made in administrative and judicial proceedings pursuant to GS Chapter 150B, as specified.

Amends GS 95-241(a)(1), adding to the persons protected from discrimination or retaliation in employment those filing a claim, initiating any inquiry, investigation, inspection, proceeding or other action, or testifying or providing information to any person with respect to GS 95-25.4A.

**Intro. by Dahle, Beasley, Hawkins.**

GS 95

[View summary](#)**Employment and Retirement**

H 556 (2019-2020) **FUNDS FOR FOOD BANKS**. Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS FOR FEEDING THE CAROLINAS FOOD BANKS.*

Appropriates \$1 million in recurring funds for each year of the 2019-21 fiscal biennium from the General Fund to the Department of Health and Human Services, to be allotted equally among the six Feeding the Carolinas food banks in the State. Effective July 1, 2019.

**Intro. by Dobson, Horn, R. Turner, Clemmons.**

APPROP

[View summary](#)**Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Public Assistance**

H 557 (2019-2020) **MUNICIPAL OMNIBUS BILL**. Filed Apr 2 2019, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS AFFECTING MUNICIPALITIES.*

Identical to [S 504](#), filed 4/2/19.

Amends GS 105-373 by allowing the governing body of a taxing unit to, in its discretion, relieve the tax collector of taxes owed that are ten or more years past due when it appears to the governing body that such taxes are uncollectable. Effective for taxable years beginning on or after January 1, 2019.

Amends GS 105-472 to require the board of county commissioners in each taxing county to adopt a resolution in November (was, April) of each year that determines which of the methods of tax distribution (per capita or ad valorem) will be in effect

during the next succeeding fiscal year. Adds that if the method of distribution is changed from the prior fiscal year, then the change does not become effective unless written notice is provided to the affected municipalities before December 15 in the year of the adoption of the resolution and copies of the notice are submitted to the Secretary of Revenue. Applies to resolutions determining the method of distribution adopted on or after the date that the act becomes law.

Amends GS 75-41, concerning contracts with automatic renewal clauses, by adding that nothing in the statute creates liability for any public officer or employee of a political subdivision of the State for disbursement of public funds pursuant to a contract rendered void under (e), which provides that a violation of the statute renders the automatic renewal clause void and unenforceable.

Amends GS 143B-135.56 to amend the allocation of funds in the Parks and Recreation Trust Fund to require that 30% be used to provide matching funds to local governmental units or public authorities on a dollar-for-dollar basis for local park and recreation purposes, to local governmental units identified as a tier one area, or to a local governmental unit located within a tier one area (was, only to local governmental units or public authorities on a dollar-for-dollar basis for local park and recreation purposes). Applies to allocations on or after July 1, 2019.

Amends GS 157-3, which sets out the definitions for use in the Housing Authorities Law by amending the definition of housing project to include the specified types of property and facilities that are acquired or constructed pursuant to a single plan or undertaking (in addition to the other specified purposes) to provide safe and sanitary housing for persons of low income, or moderate income, or low and moderate income, through payment of either or both of rent subsidies and relocation assistance (was, to provide safe and sanitary housing for persons of low income through payment of rent subsidies) from any source. Makes additional clarifying changes.

Amends GS 160A-497, concerning city or county programs for senior citizen assistance by defining senior citizen to mean citizens who are at least 55 (was, 60) years old.

Amends GS 160A-31, concerning annexation by petition; GS 160A-58.1, concerning a petition for annexation; and GS 160A-58.7, concerning annexation of municipal property by adding that the city council may include in the annexation ordinance a description of the area to be annexed any state-maintained street, street right-of-way, or easement. Deletes the provisions stating that a municipality has no legal interest in a state-maintained street unless it owns the underlying fee and not just an easement.

Amends GS 160A-536 by providing that in addition to the requirements listed in (d) of the statute, if the city enters into a contract with any person or entity other than its own forces or another governmental agency (was, enter into a contract with a private agency) for a service district, then the city must comply with the five listed requirements. Makes conforming changes to those requirements by replacing references to a "private agency" with "person or entity other than its own forces or another governmental agency."

Amends GS 162A-211 by adding that revenue from system development fees calculated using the combined cost method may be expended for previously completed capital improvements for which capacity exists and for capital rehabilitation projects.

**Intro. by Ross, Adcock.**

[GS 75](#), [GS 105](#), [GS 143B](#), [GS 157](#), [GS 160A](#), [GS 162A](#)

[View summary](#)

**[Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Tax, Local Government, Health and Human Services, Social Services, Adult Services](#)**

H 559 (2019-2020) [THE POLLINATOR PROTECTION ACT](#). Filed Apr 2 2019, *AN ACT TO ENACT THE POLLINATOR PROTECTION ACT OF 2019*.

Identical to [S 496](#), filed 2/2/19.

Includes whereas clauses.

Amends GS 143-460, which includes the definitions for use in Article 52, Pesticide Board, of GS Chapter 143. Adds and defines the term neonicotinoid pesticide as any pesticide containing a chemical belonging to the neonicotinoid class of chemicals, including, but not limited to, imidacloprid, nithiazine, acetamiprid, clothianidin, dinotefuran, thiacloprid, thiamethoxam, and any other chemical designated by the North Carolina Pesticide Board (Board) as belonging to the neonicotinoid class of chemicals. Excludes from the term pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals harmful to the health of a domesticated animal, personal care products used to mitigate lice or bedbugs, or any product regulated under the North Carolina Structural Pest Control Act.

Amends GS 143-443 to make it illegal to distribute, sell, or offer for sale within this state or deliver for transportation or transport in intrastate commerce or between points within this state through any point outside this state any neonicotinoid pesticide to the public at retail, unless the seller is authorized to sell a restricted use pesticide. Also makes it unlawful to use a neonicotinoid pesticide, unless the person is: (1) a licensed pesticide applicator, or a person working under the direct supervision of a licensed pesticide applicator; (2) a farmer, or person working under the direct supervision of a farmer, who uses the pesticide for agricultural purposes; or (3) a veterinarian using the pesticide in the practice of veterinary medicine.

The above provisions are effective October 1, 2019.

Requires the Board, with the assistance and input of the Pesticide Advisory Committee, to monitor the final pollinator risk assessments undertaken by the US Environmental Protection Agency and report on any legislative or regulatory changes necessary to protect pollinators within the state, taking into account findings and any recommendations of the risk assessment. Requires the Board to forward its report and recommendations for statutory and regulatory changes to the Commissioner and the Environmental Review Commission within six months of the completion of the final pollinator risk assessments for neonicotinoid pesticides.

Requires the Board to study whether the State should have the authority to regulate the use and sale of seeds treated with systemic insecticides, and report study results to the Environmental Review Commission no later than November 1, 2019.

**Intro. by Harrison.**

[View summary](#)

[Agriculture, Environment, Environment/Natural Resources](#)

H 566 (2019-2020) [POLLUTER PAYS](#). Filed Apr 2 2019, *AN ACT TO MAKE PERSONS CAUSING OR CONTRIBUTING TO CONTAMINATION RESPONSIBLE FOR COSTS OF CLEANUP AND PROVISION OF ALTERNATIVE WATER SUPPLIES TO PERSONS WITH WATER SUPPLIES AFFECTED BY SUCH CONTAMINATION AND TO PROHIBIT AN ELECTRIC PUBLIC UTILITY FROM RECOVERING COSTS RELATED TO THE MANAGEMENT OF COAL COMBUSTION ASH AND UNLAWFUL DISCHARGES FROM COAL ASH PONDS.*

Amends GS 143-215.3, which establishes the general and auxiliary powers of the Environmental Management Commission (Commission) and the Department of Environmental Quality (DEQ). Authorizes the Secretary of DEQ (Secretary) to order persons causing or contributing to water or air pollution that is causing danger to the health or safety of the public, revealed by an investigation pursuant to Article 21 (Water and Air Resources) or Article 21B (Air Pollution Control) of GS Chapter 143, to immediately reduce or discontinue the emission or discharge, or take other necessary measures or omissions, within a period of time specified at the discretion of the Secretary. Permits the Secretary to order the person to provide alternate water supplies or to establish a permanent replacement water supply to persons with water supplies damaged by the water or air pollution in question at the discretion of the Secretary. Specifies that the establishment of a permanent replacement water supply must be by connection to a public water supply, unless an affected household opts for a whole house filtration system that the responsible person will be required to install and maintain. Additionally, the Secretary is authorized to assess the person causing or contributing to the pollution in question for any actual and necessary costs incurred by the State in removing, correcting, or abating any adverse effects upon the water or air resulting from the pollution for which the person is responsible. Authorizes the Secretary to file a civil action in superior court in the county where the pollution in question occurred or where the person resides or has its principal place of business to recover sums assessed if a person refuses or fails to pay within a reasonable time.

Amends GS 143-215.2, which authorizes the Commission to issue a special order or other instrument to any person responsible for causing or contributing to any pollution of state waters within an area for which standards have been adopted pursuant to

GS 143-214.1 or GS 143-215. Adds to the Commission's authority to issue special orders by specifying that a special order can include a requirement that the responsible person provide temporary alternate or permanent replacement water supplies to persons with supplies damaged by the water pollution in question.

Amends GS 62-133.13, adding a new provision prohibiting electric public utilities from recovering from the retail electric customers of the state costs incurred on or after January 1, 2014, that are related to the management of coal combustion residuals disposed of in coal combustion residuals surface impoundments, including costs associated with complying with the coal ash management provisions of Part 2I of Article 9 of GS Chapter 130A. Modifies existing language to now prohibit electric public utilities from recovering from the retail electric customers of the state costs incurred on or after January 1, 2014, that are related to an unlawful discharge to the surface waters of the state from a coal combustion residuals surface impoundment, unless the Commission determines the discharge was due to an event of force majeure (currently, this provision is not limited to costs incurred on or after a certain date). Specifies that "costs related to unlawful discharges to the surface waters of the state" includes any corrective actions required of the electric public utility under state or federal law. Removes the provision providing that "unlawful discharge" is the discharge that results in a violation of state or federal surface water quality standards. Makes organizational changes.

Appropriates \$75,000 from the General Fund to DEQ to implement the act.

Exempts the act from the provisions of GS 143C-5-2, concerning the order of appropriations bills.

**Intro. by Harrison, Russell, Hunt, B. Turner.**

**APPROP, GS 62**

[View summary](#)

**Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality (formerly DENR), Public Enterprises and Utilities**

## PUBLIC/SENATE BILLS

S 220 **REMOVAL OF POLITICAL SIGNS BY CITIZENS**. Filed Mar 11 2019, *AN ACT TO ALLOW ANY CITIZEN TO REMOVE A POLITICAL SIGN THAT REMAINS IN A PUBLIC RIGHT-OF-WAY THIRTY DAYS AFTER THE TIME WITHIN WHICH POLITICAL SIGNS ARE TO BE REMOVED.*

Senate amendment #1 to the 2nd edition deletes the previous provisions and now provides as follows.

Amends GS 136-32, deeming unlawfully placed and abandoned property any political signs that remain in a public right-of-way more than 30 days after the end of the period described in subsection (b) of the statute (which requires signs to be removed by the tenth day after primary or election day). Allows persons to remove and dispose of signs considered unlawfully placed and abandoned property without penalty. Makes similar additions to subsection (f) of the statute to now require municipalities adopting an ordinance regulating political sign placement to include the same provisions applicable to signs remaining in the right-of-way of streets located in the corporate limits of the municipality and maintained by the municipality. Applies to offenses committed on or after December 1, 2019.

**Intro. by D. Davis, Tillman, Hise.**

**GS 136**

[View summary](#)

**Government, Elections**

S 463 (2019-2020) **REGULATION OF RAILROAD CREWS**. Filed Apr 2 2019, *AN ACT TO PROHIBIT A TRAIN OR LIGHT ENGINE USED IN CONNECTION WITH THE MOVEMENT OF FREIGHT FROM BEING OPERATED IN THIS STATE UNLESS IT HAS A CERTAIN NUMBER OF CREW MEMBERS.*

Amends GS Chapter 136, Article 15 (Railroads) by adding new GS 136-199, requiring a crew of at least two persons for a railroad train or light engine used in a Class One railroad, as defined by the Federal Surface Transportation Board, when moving freight. Provides that any person who willfully violates this section is guilty of a Class 1 misdemeanor and will be assessed a fine as follows: (1) first offense, \$250 to \$1,000; (2) second offense committed within three years of the first, \$1,000 to \$5,000; (3) third and subsequent offense within a three year period, \$5,000 to \$10,000. Exempts persons who move locomotives unattached to railcars within a rail yard as well as employees who are temporarily assigned to work with train or yard crews consistent with 49 C.F.R. 218.22 ("utility employee"). Defines "light engine" as a locomotive with no cars attached. Effective January 1, 2020.

**Intro. by Van Duyn, Sanderson.**

[GS 136](#)

[View summary](#)

[Transportation](#)

S 464 (2019-2020) [FULL REPEAL OF HB2](#). Filed Apr 2 2019, *AN ACT AMENDING S.L. 2017-4 TO REPEAL HOUSE BILL 2 IN ITS ENTIRETY.*

Identical to [H 515](#), filed 3/28/19.

Repeals Article 81A, Preemption of Regulation of Access to Multiple Occupancy Restrooms, of GS Chapter 143.

Repeals Section 3 of SL 2017-4, which prohibits local governments from enacting or amending an ordinance regulating private employment practices or regulating public accommodations. Amends Section 4, SL 2017-4, making a conforming repeal of the sunset provision for Section 3 of the act (currently set to expire December 1, 2020).

**Intro. by Van Duyn, Foushee, Mohammed.**

[UNCODIFIED](#)

[View summary](#)

[Employment and Retirement, Government, State Government, Local Government](#)

S 465 (2019-2020) [REDUCE SPEED IN RESIDENTIAL SUBDIVISIONS](#). Filed Apr 2 2019, *AN ACT TO REDUCE THE SPEED LIMIT FOR STATE-MAINTAINED ROADS LOCATED WITHIN A RESIDENTIAL SUBDIVISION.*

Amends GS 20-141 to provide that the speed limit on State-maintained roads one mile or less within a residential subdivision is 25 miles per hour. The speed limit may be increased if two-thirds of property owners within the subdivision petition the Department of Transportation (DOT) for an increase and the DOT determines a higher speed is reasonable and safe. The speed limit may be decreased if the DOT determines that the current speed allowed is unsafe. Effective December 1, 2019.

**Intro. by Gallimore, T. Alexander.**

[GS 20](#)

[View summary](#)

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

S 466 (2019-2020) [EDPNC MODIFICATIONS](#). Filed Apr 2 2019, *AN ACT TO MODIFY CERTAIN PROVISIONS CONCERNING THE ECONOMIC DEVELOPMENT PARTNERSHIP OF NORTH CAROLINA.*

Amends GS 143B-431.01(b) to prohibit the Department of Commerce (Department) from contracting with a North Carolina nonprofit corporation regarding the administration of a site certification program. Specifies that the provision does not prohibit the contracting of responsibility for creating or maintaining a website with data on unutilized or underutilized properties in the State with potential commercial or industrial reuses.

Amends GS 143-431.01(d) (appears to intend GS 143B-431.01(d)), which sets forth conditions which must be satisfied prior to the Department contracting with a nonprofit corporation and in order for the nonprofit to receive State funds. Now requires the

nonprofit to have a governing board consisting of 18 voting members rather than 17, to now include the Secretary of Commerce (Secretary) as an ex officio member. Prohibits the Secretary from engaging in fund-raising activities by or on behalf of the nonprofit. Eliminates the requirement for the governing board to quarterly and upon request report to the specified committee chair on the progress of the State's economic development. Makes conforming changes.

Amends GS 143B-431.01(e), which sets forth the mandatory contract terms for any contract entered into pursuant to the statute. Modifies subdivision (e)(10) to now require each contract to contain a provision limiting the term of renewal of the contract to no more than three years (previously, limited the term of the contract to five years and permitted one year extensions up to four times after at least four-fifths of the original contract terms had passed). Requires notice of intent to renew for the initial renewal be given no less than five months prior to the expiration of the remaining contract, with subsequent notice of intent to renew to be given at least one year prior to the expiration of the remaining term of the contract, including any extension. Mandates the Department to renew a contract for which proper notice is given within 30 days. Now prohibits a contract extension from extending the remaining term of the contract to more than four years (was, two years). Eliminates the clarification that the provision does not prohibit entering into a new contract with the nonprofit. Effective January 1, 2020, further amends subdivision (e)(10) to require a contract entered into under the statute to be on a calendar year basis.

Directs the Department to report to the specified NCGA committee chairs by June 1, 2019, on any changes or intended changes to the scope to the contract for the performance of certain functions pursuant to GS 143B-431.01, as amended, from that which is specified in the contract in effect as of January 1, 2019.

Amends GS 143B-431.01(e)(14) to require contracts entered into pursuant to the statute to contain a provision allowing the nonprofit to receive funds from fund-raising efforts and sources other than State funds (previously, the required provision mandated nonprofits fund raise at least \$5.75 million during the term of the contract to support operations and functions of the corporation, with at least \$750,000 required to be raised during the first year of the contract term and at least \$1.25 million to be raised in subsequent years of contract term). Makes conforming changes.

Specifies that the initial term of renewal of an existing contract is limited to no more than three years plus the remainder of the calendar year in which the contract is renewed.

**Intro. by B. Jackson, Gunn, Edwards.**

[GS 143, GS 143B](#)

[View summary](#)

**Development, Land Use and Housing, Community and Economic Development, Government, State Agencies, Department of Commerce**

S 467 (2019-2020) [SUPPORT FOR USCMA](#). Filed Apr 2 2019, *A JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO APPROVE THE UNITED STATES-MEXICO-CANADA AGREEMENT IN ORDER TO ENSURE CONTINUITY IN TRADE AMONG THE THREE NORTH AMERICAN ECONOMIC PARTNERS.*

Includes whereas clauses.

As title indicates.

**Intro. by B. Jackson.**

[JOINT RES](#)

[View summary](#)

**Business and Commerce**

S 468 (2019-2020) [INSURANCE COVERAGE/PUBLIC BUILDINGS](#). Filed Apr 2 2019, *AN ACT TO REDUCE THE IMPACT TO TAXPAYERS OF NATURAL DISASTERS AND OTHER INSURABLE RISKS BY ENHANCING INSURANCE COVERAGE FOR PUBLIC BUILDINGS.*

Makes the following changes to Article 31, Insuring State Property, Officials and Employees, of GS Chapter 58.

Amends GS 58-31-1 to create the State Property Insurance Fund (Fund) for the purpose of providing a reserve against loss from fire and other perils as specified in the Article (was titled the State Property Fire Insurance Fund and only for a reserve against loss from fire). Makes technical deletions. Makes conforming changes throughout the Article.

Amends GS 58-31-5 to now require the Commissioner of Insurance (Commissioner) to annually file with the Department of Administration (was, for biennial appropriations) an estimate of the appropriations necessary to provide coverage sufficient to protect the State from loss or damage to any of its departments institutions, and agencies up to 75% of their property value (was, up to 50% of their value). Adds a new requirement for the Commissioner to annually adjust the value of all State property covered by the State Property Insurance Fund by 2%. Makes technical and conforming changes.

Amends GS 58-31-10 to now require the Commissioner to purchase insurance or reinsurance from qualified insurers necessary to protect the Fund against loss on any one building and its contents in excess of \$50,000 (previously, only authorized the Commissioner with the approval of the Director of Budget and the Council of State to do so). Now specifies that the premiums for the coverage is to be paid by each requesting department, agency, or institution with rates fixed by the Commissioner (previously, premiums were paid from the Fund). Removes the requirement to provide sprinkler leakage insurance upon request of any State agency or institution. Makes conforming changes.

Amends GS 58-31-12 to authorize the Commissioner to adopt insurance forms for coverages provided by the Fund, removing the qualification that approval of the Council of State is required.

Amends GS 58-31-15 to require every State department, agency and institution to obtain extended coverage insurance and any other property insurance coverages that the Commissioner determines appropriate in light of the location, exposure to risk, age, and any other factors the Commissioner finds relevant to ensure appropriate coverage for the state-owned property insured by the Fund (previously, permitted the provision of extended coverage insurance and other property insurance upon request of any department, agency, or institution). Maintains the requirement for each respective department, agency or institution to pay the premiums for this coverage at rates fixed by the Commissioner. Allows the Commissioner to purchase insurance or reinsurance that may be necessary to protect the Fund against loss with respect to the coverage from insurers admitted to do business in the State, removing qualification requiring approval of the Governor and Council of State. Now defines extended insurance coverage to include but not be limited to insurance against loss or damage caused by fire, lightning, windstorm, hail, explosion, riot, riot attending a strike, civil commotion, vandalism, water damage, aircraft, vehicles or smoke (previously, limited to the specified causes of loss or damage and did not include fire, lightning, vandalism, or water damage). Makes conforming changes.

Enacts GS 58-31-18 to require flood insurance to be provided on State-owned property of each department, agency, or institution insured by the Fund when the property is located or becomes located in an area identified on the latest Flood Insurance Rate Map as an area that will be inundated by the flood event having a 1% chance of being equaled or exceeded in any given year. Requires the respective department, agency or institution to pay the premiums of the coverage at rates fixed by the Commissioner. Authorizes the Commissioner to purchase insurance or reinsurance that may be necessary to protect the Fund against loss with respect to flood insurance coverage from insurers admitted to do business in the State.

Amends GS 58-31-20, concerning use and occupancy and business interruption insurance which can be provided to state-owned property insured by the Fund upon request. Removes the qualification for the Commissioner to obtain approval of the Governor and Council of State in order to purchase insurance or reinsurance necessary to protect the Fund against loss with respect to the coverage.

Makes the language in GS 58-31-25 and GS 58-31-35 gender neutral.

Further amends GS 58-31-35 to clarify that officers and boards in custody of state-owned property have a duty to inform the Commissioner a full and detailed description of the property and inform the Commissioner of any changes in the property, its location, or its surroundings.

Makes conforming changes to GS 147-69.2.

Effective March 31, 2021.

**Intro. by Sawyer, Johnson, Burgin.**

**GS 58, GS 147**

[View summary](#)

**Business and Commerce, Insurance, Government, State**

**Agencies, Department of Insurance, State Government, State Property**

S 469 (2019-2020) **FUNDS FOR SMITHVILLE COMMUNITY COALITION**. Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS TO THE SMITHVILLE COMMUNITY COALITION, INC., FOR THE PROTECTION OF THE HISTORICALLY AFRICAN-AMERICAN NEIGHBORHOOD KNOWN AS SMITHVILLE IN THE TOWN OF CORNELIUS*.

Appropriates \$50,000 for 2019-20 in nonrecurring funds to the Smithville CommUNITY Coalition Inc. to be used as title indicates. Effective July 1, 2019.

**Intro. by Marcus.**

**APPROP**

[View summary](#)

**Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations**

S 470 (2019-2020) **ANTI-POVERTY PROGRAM FUNDS**. Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS FOR THE GETTING AHEAD PROGRAM AT DAVIDSON UNITED METHODIST CHURCH TO HELP ALLEVIATE POVERTY*.

Appropriates \$25,000 in nonrecurring funds for 2019-20 from the General Fund to the Davidson United Methodist Church to be used as title indicates. Effective July 1, 2019.

**Intro. by Marcus.**

**APPROP**

[View summary](#)

**Government, Budget/Appropriations, Health and Human Services, Social Services, Public Assistance**

S 471 (2019-2020) **REINSTATE MTN ISLAND LAKE MARINE COMMISSION**. Filed Apr 2 2019, *AN ACT TO AUTHORIZE THE REINSTATEMENT OF THE MOUNTAIN ISLAND LAKE MARINE COMMISSION*.

Amends GS 77-70, the definitions for the Mountain Island Lake Marine Commission (Commission), making clarifying changes and adding and defining participating counties.

Amends GS 77-71, to makes organizational changes now providing that the provisions of any joint resolution can be modified, amended, or rescinded by a subsequent joint resolution made with the unanimous consent of the participating counties (previously did not require unanimous consent). Provides that after a unilateral withdrawal from participation by a participating county the Commission will continue with the remaining participating counties, with any property of the withdrawing county being distributed as determined by all participating counties. Provides that all property of the Commission will be distributed as specified if all participating counties withdraw.

Amends GS 77-72, deleting various provisions which provided for the membership of the governing board. Now provides that the Commission will have a governing board of seven members, distributed between the participating counties based on their relative population, subject to the provisions of this section. Makes organizational changes.

Amends GS 77-73, 77-74, 77-75, 77-76(a) and 77-78(a), making technical and conforming changes.

Provides that this act only applies to Gaston, Lincoln, and Mecklenburg counties.

**Intro. by Marcus.**

**Gaston, Lincoln, Mecklenburg**

[View summary](#)

**Environment**

S 472 (2019-2020) [STUDY/MPO VOTING POWER DISTRIBUTION](#). Filed Apr 2 2019, *AN ACT TO STUDY THE DISTRIBUTION OF VOTING POWER AMONG THE VOTING MEMBERS OF METROPOLITAN PLANNING ORGANIZATIONS AND RURAL TRANSPORTATION PLANNING ORGANIZATIONS.*

Creates a 10-member Study Commission on the Distribution of Voting Power in Metropolitan Planning Organizations and Rural Transportation Planning Organizations. Directs the study to consider multiple issues relating to the distribution of voting power. Requires that the Commission report to the 2020 Regular Session of the 2019 General Assembly. Terminates the Commission upon the earlier of filing the report or the convening of the 2020 Regular Session.

**Intro. by Marcus.**

[STUDY](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning, Government, General Assembly, Local Government, Transportation](#)

S 473 (2019-2020) [VARIOUS OLB AND ADMINISTRATIVE LAW CHANGES](#). Filed Apr 2 2019, *AN ACT TO REFORM FINANCIAL REPORTING OF OCCUPATIONAL LICENSING BOARDS, COMBINE THE FUNCTIONS OF THE NORTH CAROLINA BOARD OF BARBER EXAMINERS AND THE NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS, AUTHORIZE AGENCIES TO MAKE TECHNICAL CORRECTIONS TO ADOPTED RULES WITHOUT REVIEW BY THE RULES REVIEW COMMISSION, AUTHORIZE THE CODIFIER OF RULES TO MAKE TECHNICAL CORRECTIONS TO ADOPTED RULES, CLARIFY THAT A PARTY MAY COMMENCE A CONTESTED CASE IN A DISPUTE WITH AN AGENCY WITHOUT PETITIONING THE AGENCY FOR RULE MAKING OR OBTAINING A DECLARATORY RULING, REVISE THE PROCESS FOR THE REVIEW AND READOPTION OF EXISTING RULES, AND EXPAND THE MASSAGE AND BODYWORK THERAPY BOARD.*

Part I.

Directs the Joint Legislative Administrative Procedure Oversight Committee (Committee) to study whether the definition of *occupational licensing board* under GS 93B-1 and the definition of *occupational licensing agency* under GS 150B-2 should be specific lists of occupational licensing boards in order to clarify which state agencies should be considered occupational licensing boards for purposes of GS Chapters 93B and 150B. Directs the Committee to recommend which state agencies should be included under each definition if that determination is made, and report the results of the study to the 2020 General Assembly.

Amends GS 143B-426.39, requiring the State Controller to develop and prescribe a uniform format for financial statements of the annual financial audits required by each licensing board pursuant to GS 93B-2(b). Requires consultation with the State Auditor and occupational licensing boards in doing so. The financial statement audit reporting format is to be used for reports submitted on or after July 1, 2020.

Enacts GS 93B-2.1, establishing the fiscal year for each licensing board to begin on July 1 and end on June 30. Effective July 1, 2020, and applies to the fiscal year beginning on that date.

Requires the State Controller to consider whether to integrate occupational licensing board data into any new standard accounting system or accounting software acquired and used by the State.

Amends GS 93B-2 as follows. Requires the occupational licensing boards' annual reports to be filed with the Attorney General only, no longer requiring filing with the Secretary of State and expands upon the items that must be included in the report to include the number of applications applying for licensure under GS 93B-15.1(k) and the number of licenses granted. Current law requires each licensing board to electronically file an annual financial report with the Secretary of State, the Attorney General, the Office of State Budget and Management (OSBM), and the Joint Legislative Administrative Oversight Committee (Administrative Procedure Oversight Committee). Amends GS 93B-2(b) to now require each licensing board to conduct an annual financial audit of its operations and provide an electronic copy of the audit to the State Auditor, the State Controller, the OSBM, and the Administrative Procedure Oversight Committee. Additionally requires the audit to be conducted in compliance with auditing standards for governmental entities developed by the US Government Accountability Office, and provided in the

form prescribed by the State Controller pursuant to GS 143B-426.39, as amended above. Amends GS 93B-4, which requires the State Auditor to audit licensing boards from time to time, to authorize the State Auditor to perform an audit upon the recommendation of the Administrative Procedure Oversight Committee. Makes conforming changes to GS 93B-2 and GS 93B-4. Effective July 1, 2020.

## Part II.

Repeals GS Chapters 86A (regarding Barbers) and 88A (Electrolysis Practice Act).

Enacts new GS Chapter 86B (Barbers and Electrolysis Act). Prohibits a person from practicing barbering, electrolysis, or laser, light source, or pulsed-light treatments; opening or operating a barbershop or electrologist or laser hair practitioner office; or teaching barbering, electrolysis, or laser, light source, or pulsed-light treatments in a school on or after January 1, 2020, without a state license issued pursuant to the new chapter, with specified exemptions. Makes practice without a license in violation of this Chapter a Class 3 misdemeanor. Defines *barber*, *electrologist/electrolocist*, and *laser hair practitioner*, as well as seven other terms related to the Chapter. Establishes the NC Board of Barber and Electrolysis Examiners (Board), with seven members appointed by the Governor, to be appointed for three-year terms with initial appointments to be made on or before October 1, 2019, and initial terms to begin on January 1, 2020. Provides Board members are subject to removal by the Governor for good cause. Provides for Board vacancies, the election of Board officers, Board meetings, and compensation of Board members. Prohibits the Board from issuing a license to teach barbering to any Board member during that member's term on the Board. Prohibits a Board member from being employed by the Board for at least one year after that member's term expires. Charges the Board with the administration of GS Chapter 86B and authorizes the Board to investigate violations of the Chapter.

Sets forth qualifications for a licensure as a registered barber, a barber apprentice license, an electrologist license, a license as a laser hair practitioner, a barber instructor license, a certificate as an electrology instructor, and a license as a laser hair practitioner instructor. Provides for temporary employment permits for persons who have completed the required hours of a barber school, electrologist school, or laser hair practitioner school, but have not yet taken the required examination, allowing them to practice under the supervision of a licensed barber, electrologist, or laser hair practitioner, as appropriate. Provides for the licensure of applicants licensed and in good standing in other states. Provides for the licensure of barbershops. Authorizes the practice of barbering by licensed individuals outside of barbershops to attend to the needs of sick and disabled individuals, as specified. Provides for the licensing and regulation of barber schools. Requires specified bonds for private barber schools. Provides for certification requirements as a Board-approved school of electrology and as a Board-approved school of laser, light source, or pulsed-light treatments. Directs the Board to conduct examinations for certificates of licensure under this Chapter, and to adopt sanitary rules applicable to licensees under this Chapter, as specified. Details license renewal requirements and procedures for expired licenses and licenses with inactive status. Authorizes the Board to take disciplinary actions, including a civil penalty of up to \$500, against licensees for violations of the Chapter or rules adopted by the Board. Provides for the Board or the Department of Health and Human Services (DHHS), or any county or district health director, to apply to superior court to enjoin illegal practices under the Chapter or the Board's rules. Specifies exemptions from the Chapter's requirements. Provides two schedules of maximum fees that the Board may charge to pay the costs of the administration of this Article, one related to barbering, and the other related to electrolysis and laser, light source, and pulsed-light treatment.

Provides for the initial appointments to the Board, with (1) four barbers serving on the State Board of Barber Examiners as of December 31, 2019, until their terms expire; (2) one electrologist designated by the Governor serving on the State Board of Electrolysis Examiners as of December 31, 2019, for a three-year term; (3) one physician appointed by the Governor for a two-year term; and (4) one public member appointed by the Governor for a one-year term. Effective when the act becomes law.

Directs the Board to review the licensing fee limitations and licenses established in Section 2 of this Act, and the fees adopted by the State Board of Barber Examiners and the State Board of Electrolysis Examiners, and determine whether the fee limitations and fees should be reduced, and whether certain licenses should be consolidated or eliminated, and to report its findings and recommendations to the Joint Legislative Administrative Procedure Oversight Committee by March 1, 2020.

Licenses and registrations issued by the State Board of Electrolysis Examiners and the State Board of Barber Examiners, prior to the effective date of this act, remain in full force.

Vests and transfers all of the property and assets owned by the State Board of Electrolysis Examiners and the State Board of Barber Examiners in the newly established Board of Barber and Electrolysis Examiners.

Requires the Department of the State Treasurer to hold funds received in the name of the Board separate from funds received in the name of the Board of Electrolysis Examiners or the Board of Barber Examiners prior to the effective date of the act.

Rules adopted by the Board of Barber Examiners and the Board of Electrolysis Examiners remain in effect as provided in GS 150B-21.7.

Effective January 1, 2020, and applies to applications for licensure, examination, and renewal submitted on or after that date.

### Part III.

Changes the title of GS 150B-21.5 of the Administrative Procedure Act (APA) to Circumstances when notice and rule-making hearing not required; circumstances when submission to the Commission not required. Amends subsection (a) to provide that an agency is not required to publish a notice of text in the North Carolina Register, hold a public hearing, or submit the amended rule to the Rules Review Commission (Commission) for review (previously, did not except submission of the amended rule to the Commission for review) when the agency proposes to amend a rule to do one of the specified purposes in subsection (a). Provides changes to a few of the specified purposes for which notice, a public hearing, and submission to the Commission for review are not required, which include (1) when the rule is amended to change information readily available to the public, such as an address, telephone number, or a web site (previously, did not include a web site) and (2) when the rule is amended to correct a typographical error (previously, correct a typographical error in the North Carolina Administrative Code). Further, moves the sixth purpose excepted in subsection (a) to new subsection (a1) to provide that an agency is not required to publish a notice of text in the Register or hold a public hearing when it proposes to change the rule in response to a request or an objection by the Commission, unless the Commission determines that the change is substantial (note, not excepted from rule submission to the Commission in this circumstance). Creates new subsection (e) to require any agency that adopts or amends a rule under subsection (a) or (c) of GS 150B-21.5 to notify the Codifier of Rules of its actions. Directs the Codifier of Rules to make the appropriate changes to the North Carolina Administrative Code when notified of such agency action.

Changes the title of GS 150B-21.20 of the APA to Codifier's authority to revise rules. Amends Codifier of Rules authority to allow the Codifier, after consulting with the agency that adopted the rule, to revise a rule (previously, revise the form of a rule submitted for inclusion in the North Carolina Administrative Code) to do one or more of the specified objectives. Adds four objectives for which the Codifier may revise a rule: (1) to substitute one name for another when an organization or position is renamed; (2) to correct a citation in the rule to another rule or law when the citation has become inaccurate because of the repeal or renumbering of the cited rule or law; (3) to change information that is readily available to the public, such as an address, a telephone number, or a web site; or (4) to correct a typographical error.

Divides existing GS 150B-22 (Settlement; contested case) into two subsections. Additionally, clarifies that a party or person aggrieved cannot be required to petition an agency for rule making or to seek or obtain a declaratory ruling before commencing a contested case under GS 150B-23 (provisions for commencement of a contested case). Makes conforming change to GS 150B-43 (Right to judicial review).

Makes the following changes to the Administrative Procedure Act concerning the periodic review and expiration of existing rules. Eliminates the distinction between rules that are necessary with substantive public interest or necessary without substantive public interest under the provisions of GS 150B-21.3A. Eliminates those defined terms in subsection (a), and instead defines *necessary rule* to mean any rule other than an unnecessary rule. Makes conforming changes to the definition of *public comment* to include written comments objecting to an agency's determination of the rule as necessary or unnecessary. Makes conforming changes throughout GS 150B-21.3A to remove any language distinguishing necessary rules with or without substantive public interest. Amends subsection (c) of GS 150B-21.3A, which sets out the review process an agency must conduct of its existing rules at least once every 10 years. Step 1 now requires the agency to evaluate all of its existing rules and submit a report to the Rules Review Commission that includes the agency's initial determination of whether an existing rule is necessary or unnecessary, all public comments the agency received during the comment period to the agency's initial determination, and the agency's response to the public comment. Step 2 of the rule review process requires the Rule Review Commission (Commission) to review the agency reports that are required in Step 1. In its review, the Commission must determine whether a public comment to a rule that the agency determined to be unnecessary in Step 1 has merit, and if the Commission determines that the public comment has merit, then the Commission must designate the rule as necessary. Currently, a public comment only has merit if it addresses the specific substance of a rule and relates to any of the standards for review of a rule by the Commission under GS 150B-21.9(a) (the four standards for review are whether the rule is within the agency's authority; whether the rule is clear and unambiguous; whether the rule is reasonably necessary; and whether the rule

was adopted in accordance with Part 2 of Article 2A of GS Chapter 150B, Adoption of Rules). This act removes the requirement that the public comment has to relate to any of the standards for review by the Commission under GS 150B-21.9(a) to have merit for purposes of Step 2 of the rule review process under GS 150B-21.3A(c)(2). Makes conforming changes. Makes organizational and technical changes to GS 150B-21.3A to combine subsections (e) and (e1), concerning exclusions from the statute's provisions. Makes conforming changes. Applies to agency rule reports submitted to the Office of Administrative Hearings pursuant to GS 150B-21.3A(c)(1), as amended, on or after January 1, 2020.

Part IV.

Amends GS 90-625, increasing the number of members on the NC Board of Massage and Bodywork Therapy from seven to nine by adding two members who are persons licensed to operate a massage and bodywork therapy establishment under Article 36, appointed by the General Assembly upon recommendation of one member each by the Speaker and the President Pro Tempore. Provides for the initial appointments of the two new members to be made on or before October 1, 2019, with terms beginning on that date. Provides for the term of the initial member appointed and recommended by the Speaker to end on June 30, 2020, and the term for the initial member appointed and recommended by the President Pro Tempore to end on June 30, 2021. Effective July 1, 2019.

**Intro. by Wells.**

**STUDY, GS 86B, GS 90, GS 93B, GS 143B, GS 150B**

[View summary](#)

**Business and Commerce, Occupational Licensing, Government, APA/Rule Making, State Agencies, Office of State Controller**

S 474 (2019-2020) **CLEAN UP OBSOLETE BOARDS**. Filed Apr 2 2019, *AN ACT TO ABOLISH OBSOLETE BOARDS AND COMMISSIONS THAT ARE NO LONGER FUNCTIONAL*.

To be summarized.

**Intro. by Wells.**

[View summary](#)

S 475 (2019-2020) **STUDY SCHOOL ACCOUNTABILITY MEASURES**. Filed Apr 2 2019, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO STUDY THE REPORTING METHODS USED FOR SCHOOL ACCOUNTABILITY PURPOSES ON THE NORTH CAROLINA ANNUAL SCHOOL REPORT CARDS*.

Requires the State Board of Education, in consultation with the State Superintendent of Public Instruction, to study reporting methods used to meaningfully differentiate schools on the North Carolina annual school report cards, and to make recommendations for improvement to more accurately gauge the effectiveness of each public school. Requires the study to analyze (1) the reporting of school achievement and school growth separately; (2) the reporting by graph which shows the intersection of growth scores with each of the following: (a) school achievement, (b) local school administrative unit achievement, and (c) State achievement; and (3) including the school achievement and growth scores for the prior two school years in annual graphical reporting. Mandates the State Board and the Superintendent submit a final report of the results and recommendations to the Joint Legislative Education Oversight Committee by February 15, 2020.

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

**STUDY**

[View summary](#)

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

S 476 (2019-2020) [REAFFIRM LOCAL CONTROL OF DISCIPLINE POLICIES](#). Filed Apr 2 2019, *AN ACT TO REAFFIRM LOCAL CONTROL OVER STUDENT DISCIPLINE POLICIES NOT INCONSISTENT WITH STATE AND FEDERAL LAW*.

Includes whereas clauses.

Directs local boards of education to repeal any student discipline policies that were based on a specified set of six federally-promulgated statements of policy or guidance which were issued on January 8, 2014, but withdrawn on December 21, 2018, and to adopt new student discipline policies in accordance with local standards of conduct.

Mandates that new student discipline policies comply with all applicable state and federal statutory and constitutional nondiscrimination requirements

Amends GS 115C-390.2(a) to require local boards of education to consult with teachers, school-based administrators, parents, and local law enforcement agencies when adopting student discipline policies, and that the policies be based on local standards of conduct that do not necessarily have to be consistent with interpretations of federal law that have been withdrawn by federal agencies.

Amends GS 115C-390.2 to add new subsection (a1) requiring each local board of education to provide the Department of Education with a copy of its most up-to-date student discipline policy no later than September 1 of each year.

Applies beginning with 2019-20 school year. The sections regarding new student discipline policies apply to policies adopted on or after the effective date of this act.

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

GS 115C

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 477 (2019-2020) [SCHOOL LEASE PAYMENTS-USE OF LOTTERY FUNDS](#). Filed Apr 2 2019, *AN ACT TO MAKE TIER THREE COUNTIES ELIGIBLE FOR THE NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND AND TO AUTHORIZE COUNTIES TO USE FUNDS FROM THE PUBLIC SCHOOL BUILDING CAPITAL FUND FOR NEW CONSTRUCTION LEASES*.

Amends Section 5.3(d) of SL 2017-57, as amended, concerning increasing amount of the revenue of the NC Education Lottery dedicated to assisting local governments in meeting local school capital needs. Expands the authorized use of the Needs-Based Public School Capital Fund, created in Section 5.3(d), to now allow for the Fund to be used to award grants to counties to assist with their critical public school building capital needs (previously limited to counties designated as development tier one or tier two areas). Amends Section 5.3(e) of SL 2017-57, as amended, to establish a matching requirement for recipient counties designated as development tier three areas at a ratio of 1:1.

Amends GS 115C-546.2 regarding allocations from the Public School Building Capital Fund (Fund). Authorizes counties to use Fund monies to enter into a lease agreement for the construction of new school facilities so long as four criteria are satisfied, including the retention of ownership of the subject property by the county and the term of the lease agreement being at least 15 years but no more than 25 years. Specifies that *lease agreement* includes any ancillary agreements or predevelopment agreements entered into in anticipation of or in accordance with a lease. Subjects lease agreements to the requirements of Article 8, GS Chapter 159 (regarding local government financing agreements); permits the Local Government Commission to consider other relevant construction and financing methods available to the county in determining whether the lease agreement is necessary or expedient pursuant to GS 159-151. Makes conforming changes.

**Intro. by Sawyer, Tillman.**

GS 115C

[View summary](#)

[Education, Elementary and Secondary Education, Lottery and Gaming](#)

S 478 (2019-2020) [REMOVAL POWER/MODIFY REPORTING](#). Filed Apr 2 2019, *AN ACT TO ALLOW THE REMOVAL OF INDIVIDUALS FROM BOARDS AND COMMISSIONS FOR MISFEASANCE, MALFEASANCE, AND NONFEASANCE AND TO*

*MODIFY THE REPORTING REQUIREMENT RELATED TO GENDER-PROPORTIONATE APPOINTMENTS TO CERTAIN BOARDS AND COMMISSIONS.*

Enacts GS 120-25, requiring that legislative appointees be removed from office by the Governor for misfeasance, malfeasance, or nonfeasance, upon recommendation of the Speaker or President Pro Tempore, respective to the initial appointment recommendation, within 30 days after receipt of the recommendation of removal.

Amends GS 143-157.1, concerning reports on gender-proportionate appointments. Now requires annual reporting by September 1 to the Secretary of State by appointing authority of every public body whose membership is composed in whole or in part of appointees by a State or local appointing authority, disclosing specified information related to appointments and appointees' gender as previously specified (previously distinguished reports for statutorily created public bodies; required the Secretary to provide copies of the names of all State bodies that an appointing authority must report on to the Governor, Speaker, and President Pro Tempore). Specifies that *public body* applies to any entity designated as a nonadvisory board by the State Ethics Commission under Subchapter II of GS Chapter 153A. Removes the Community College Board of Trustees from the public bodies which the clerk of the appointing authority must submit a report on behalf of the body to the Secretary of State. Makes further clarifying and organizational changes.

**Intro. by Sawyer.**

GS 120, GS 143

[View summary](#)

**Business and Commerce, Occupational Licensing,  
Government, General Assembly**

S 479 (2019-2020) [NORTH CAROLINA CANCER REGISTRY IMPROVEMENT](#). Filed Apr 2 2019, *AN ACT TO IMPROVE THE DATA COLLECTION OF THE NORTH CAROLINA CENTRAL CANCER REGISTRY.*

Enacts new 58-50-6 requiring insurers that offer a health benefit plan in North Carolina to electronically submit quarterly reports to the central cancer registry for each cancer or benign brain or central nervous system tumor diagnosis according to the reporting guidelines established in GS 130A-209.

Amends GS 130A-209 in the following ways: (1) deletes the reporting compliance date of October 1, 2014 from subsection (a); (2) replaces subsection (c) with a new provision requiring that insurers of health benefit plans file quarterly electronic reports (language identical to proposed section 58-50-6); and (3) makes minor changes to key terms from subsection (c) and includes those terms, plus adds definitions for the terms "health benefit plan" and "insurer," to a new subsection (d).

Provides that in any capitated contracts for coverage of Medicaid or NC Health Choice services, the Department of Health and Human Services must require the entity under contract to report electronically on a quarterly basis to the central cancer registry each diagnosis of cancer or benign brain or central nervous system tumor in any Medicaid or NC Health Choice recipient covered by the entity under contract. Requires the report to contain information to assist the Department in identifying the health care facility or health care provider required to report to the cancer registry.

Effective October 1, 2019.

**Intro. by Sawyer.**

GS 58, GS 130A

[View summary](#)

**Health and Human Services, Health**

S 480 (2019-2020) [SUBDIVISION STREETS/DOT ACCEPTANCE](#). Filed Apr 2 2019, *AN ACT TO MAKE CHANGES TO STATE LAW CONCERNING THE ACCEPTANCE OF SUBDIVISION STREETS BY THE DEPARTMENT OF TRANSPORTATION, TO REQUIRE THE DEPARTMENT TO COMPILE A COUNTY PUBLIC STREET INFORMATION DATABASE, AND TO REGULARLY UPDATE AND PUBLISH THE SUBDIVISION ROADS MANUAL.*

Enacts new GS 153A-331.1 requiring the Department of Transportation (DOT) to follow the specified procedure for the acceptance of subdivision streets that are: (1) located outside municipal limits, (2) designated as public under GS 136-102.6, and (3) have not been platted or received preliminary plat approval. Mandates a procedure for acceptance of streets by the DOT upon submission of a sealed certificate by the engineer of record for the design of subdivision streets intended to be designated public which confirms conformity with applicable standards. Directs the DOT to verify within 30 days the certified information, upon which it must accept the street for maintenance within 30 days, notify the developer within 10 days and record a statement of acceptance with the county recorder. Directs the developer within 30 days of acceptance to establish a performance guarantee as defined in GS 160A-372(g)(1) which must include a set of minimum requirements. Require the DOT to inspect the street a year later and notify the developer of any deficiencies, which must be corrected within 30 days so DOT can release the performance guarantee.

Enacts new GS 136-18.06 requiring the Department of Transportation to provide to each county on a monthly basis the necessary information to compile a database of county public streets to be put into operation on or before January 1, 2020. Requires the data to reside on any existing database system chosen by the county for this purpose, and be available to the public in either graphic or tabular format or both.

Enacts GS 136-18.07 requiring the DOT to update its Subdivision Roads Minimum Construction Standards Manual and related pavement or other policies by July 1, 2020, and regularly after that to reflect changes in federal, state, and case law. Directs the DOT to report all updates to the Joint Legislative Transportation Oversight Committee.

Effective October 1, 2019.

**Intro. by McInnis, J. Davis, D. Davis.**

[GS 136, GS 153A](#)

[View summary](#)

**Government, State Agencies, Department of Transportation, Local Government, Transportation**

S 481 (2019-2020) [ONLINE SALES & AUCTIONS FOR JUDICIAL SALES](#). Filed Apr 2 2019, *AN ACT TO ALLOW THE USE OF REAL ESTATE BROKERS AND ONLINE SALES FOR JUDICIAL SALES ORDERED BY A JUDGE OR CLERK OF COURT FOR REAL OR PERSONAL PROPERTY*.

Makes the following changes to Article 29A, Judicial Sales, of GS Chapter 1.

Enacts GS 1-339.3A(b) to authorize judges or clerks of court having jurisdiction to order that a sale of real or personal property be conducted using a licensed real estate broker or licensed auctioneer, or that a sale be conducted online. Requires such an order to specify the terms of sale, including allowable commission and fee amounts, and direct the person designated to hold the sale under GS 1-339.4 (lists eight persons which may be designated) to facilitate the transaction. Requires notice of sale and any other listing to comply with GS 1-339.15. Excludes such sales from the upset bid procedure set out in GS 1-339.25 (concerning real property) or GS 1-339.26 (concerning real property sold in parts). Makes language gender neutral. Makes organizational changes. Makes conforming changes throughout Article 29A.

Amends GS 1-339.6, excepting a sale order pursuant new GS 1-339.3A(b) from the requirement that all public sales for real property must be held in the county where the property is situated unless a single tract situated in two or more counties.

Amends GS 1-339.7, creating an exception from the requirement that personal property be present at the place of the public sale if an order authorized by new GS 1-339.3A provides otherwise.

Amends GS 1-339.9 to authorize a judge or clerk of court having jurisdiction of real property to be sold which consists of separate lots or other units, or personal property to be sold consisting of more than one article, to order that the property be sold using one of the alternate sale methods provided in GS 1-339.3A(b). Makes clarifying, technical and conforming changes. Makes the language gender neutral.

Makes the provisions of GS 1-339.13 regarding the order of public sale also apply to an order of sale under new GS 1-339.3A(b). Makes additional conforming changes.

Amends GS 1-339.20 to require that sales ordered under new GS 1-339.3A(b) which have not been completed prior to the date provided in the order of sale follow the procedures as previously specified for public sales not held at their fixed time or not postponed as required, and postponed sales not held at their fixed time. Makes language gender neutral.

Amends GS 1-339.21, expanding the provisions which apply to the time of public sale by auction to online sales under new GS 1-339.3A(b).

Amends GS 1-339.22, concerning continuance on uncompleted public sales, establishing that online sales ordered under new GS 1-339.3A(b) cannot be restricted as to date and time unless provided by order of the judge or clerk or court.

Amends the following statutes to include online sales under new GS 1-339.3A(b) within the scope of their provisions: GS 1-339.23 (concerning when conformation of sale of personal property is necessary; delivery of property; bill of sale); GS 1-339.24 (concerning report of sale; when the sale is final as to personal property); GS 1-339.28 (concerning confirmation of the sale of real property); GS 1-339.29 (concerning tender of the real property deed; order for possession); and GS 1-339.31 (concerning reports of a commissioner or trustee in a deed of trust authorized to hold a public sale). Makes additional clarifying changes to GS 1-339.29. Makes the language of GS 1-339.31 gender neutral, and makes additional clarifying changes.

Applies to orders entered on or after January 1, 2020.

**Intro. by McInnis.**

GS 1

[View summary](#)

[Courts/Judiciary, Civil, Civil Law](#)

S 482 (2019-2020) [THE HAIDEN PREVATTE ACT](#). Filed Apr 2 2019, *AN ACT TO EXPAND THE LIST OF PERSONS WHO DETERMINE WHEN A DOG IS A "POTENTIALLY DANGEROUS DOG" AND TO EXPAND THE SCOPE OF THE PENALTY IMPOSED ON THE OWNER OF A DANGEROUS DOG THAT ATTACKS A PERSON.*

Amends GS 67-4.1 and 67-4.3 as titles indicates; changes are designated the "Haiden Prevatte Act." Amends definition of "dangerous dog" in GS 67-4.1 to add a local law enforcement officer to list of persons who can determine whether a dog is "potentially dangerous" and to make minor language clarifications. Amends GS 67-4.3 by removing the minimum cost of medical treatment for physical injury by a dangerous dog attack before its owner may be found guilty of a Class 1 misdemeanor, and by adding a new penalty to make the owner of a dangerous dog that kills a person guilty of a Class I felony. Effective December 1, 2019 and applies to offenses committed on or after that date.

**Intro. by McInnis.**

GS 67

[View summary](#)

[Animals](#)

S 483 (2019-2020) [VACATION RENTAL ACT CHANGES](#). Filed Apr 2 2019, *AN ACT TO CLARIFY THAT PROPERTIES SUBJECT TO THE VACATION RENTAL ACT ARE ALSO SUBJECT TO THE GENERAL STATUTES GOVERNING CITY AND COUNTY ENFORCEMENT OF HAZARDOUS AND UNLAWFUL CONDITIONS.*

Amends GS 42A-3, which sets out the scope of GS Chapter 42A, the Vacation Rental Act. Adds that the provisions of GS 160A-424 (concerning cities) and GS 153A-364 (concerning counties) regarding inspections for hazardous or unlawful conditions also apply to properties covered under the Vacation Rental Act.

**Intro. by McInnis.**

GS 42A

[View summary](#)

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

S 484 (2019-2020) **MODIFICATIONS TO NC INNOCENCE INQUIRY COMMISS.** Filed Apr 2 2019, *AN ACT TO MODIFY VARIOUS STATUTORY PROVISIONS REGARDING THE NORTH CAROLINA INNOCENCE INQUIRY COMMISSION.*

Makes the following changes to Article 92, NC Innocence Inquiry Commission (Commission), of GS Chapter 15A.

Modifies the defined terms set out in GS 15A-1460. Now defines *claim of factual innocence* to mean a claim on behalf of a person convicted of a felony, asserting the complete innocence of any criminal responsibility for the felony for which the person was convicted (previously limited to claims on behalf of living persons, and also included asserting complete innocence for any other reduced level of criminal responsibility relating to the crime) for which there is some credible, verifiable evidence of innocence that has not been previously presented at trial or considered at a hearing granted through postconviction relief. Also modifies *claimant*, *formal inquiry*, and *victim*.

Amends GS 15A-1463 to no longer require that the sheriff on the Commission hold office at the time of his or her appointment to the Commission. Adds a new requirements for at least one meeting of the Commission a year to include a time for public comment with public notice provided at least two weeks prior to the meeting. Specifies that the meeting notice is to be public notice. Makes technical changes.

Makes technical changes to GS 15A-1464 regards terms of Commission members. Now includes the sheriff member in those members serving by virtue of elective or appointive office who can only serve so long as the officeholders hold their respective offices.

Amends GS 15A-1467 to require the Director to provide counsel who referred a claim with the case disposition and memorandum if the claim is closed prior to formal inquiry. Makes a conforming change to eliminate the prohibition against considering a claim of factual innocence if the convicted person is deceased. Specifies that the periodic case update for cases granted a formal inquiry provided by the Director to the District Attorney and the convicted person, or counsel, must include a complete summary of all witness interviews and the results of all forensic testing that has been conducted, with the goal of encouraging cooperation pursuant to GS 15A-1468(f) (which provides for agreement between the DA and the convicted person or their counsel that there is sufficient evidence of factual innocence to merit judicial review).

Amends GS 15A-1468 to require at least two weeks' public notice of Commission hearings to be made by the Administrative Office of the Courts. Adds a new requirement for a copy of any written statement of the DA or designee provided to the Commission prior to any Commission proceeding be provided to the claimant's counsel or to the claimant, as appropriate. Removes the distinction for cases where the convicted person entered and was convicted on a plea of guilty in the provisions regarding the full Commission's vote to establish further disposition of the case (which required all eight voting Commission members to conclude there is sufficient evidence of factual evidence to merit judicial review in order for the case to be referred) to instead include all cases in the general provision which requires five or more voting Commission members to conclude there is sufficient evidence of factual evidence to merit judicial review in order for the case to be referred to the senior resident superior court judge in the court of original jurisdiction. Adds a new requirement for the Commission to make a copy of the entire file available to the district attorney and defense counsel when the parties agree that there is sufficient evidence of factual innocence to merit judicial review pursuant to GS 15B-1468(f). Further requires copies of the full case files for formal inquiry cases not presented to the Commission to be provided to the district attorney and defense counsel when the formal inquiry is completed, in accordance with specified statutes. Removes the provision which authorizes the district attorney and defense counsel to determine which evidence, if any, will be presented to the three-judge panel, and relocates the provision to GS 15A-1469.

Amends GS 15A-1469, removing the exceptions for the requirement for the Commission's entire file to be unencumbered by protective orders when transferred to the district attorney and defense council pursuant to GS 15A-1468(g) (previously referred to GS 15A-1469(g)). Adds a new provisions requiring that, if the claimant files a motion for appropriate relief pursuant to Article 89 of GS Chapter 15A any time within a year of the denied relief, the motion must be considered by the senior judge of the three-judge panel.

Applies to offenses committed on or after December 1, 2019.

**Intro. by McKissick, Britt, Daniel.**

**GS 15A**

[View summary](#)**Courts/Judiciary, Criminal Justice, Corrections  
(Sentencing/Probation)**

S 485 (2019-2020) **DESTRUCTION OF CERTAIN FIREARMS/LOCAL OPTION**. Filed Apr 2 2019, *AN ACT TO AUTHORIZE A COUNTY OR CITY TO ADOPT AN ORDINANCE ALLOWING FOR THE DESTRUCTION OF FIREARMS FOUND, RECEIVED, CONFISCATED, OR SEIZED IN ACCORDANCE WITH APPLICABLE LAW.*

Amends GS 153A-129 (Counties; Firearms) by adding new subsection (b1) authorizing a county to pass an ordinance for the destruction of a firearm turned over to a law enforcement agency pursuant to GS 15-11.1(b)(4), 15-11.2(d)(1), or 14-269.1(4b).

Amends GS 160A-189 (Cities and Towns; Firearms) by dividing existing text into enumerated subsections and adding the same language that was added to GS 153A-129(b1) in newly created subsection (b).

Amends GS 15-11.1(b)(4) (seizure, custody and disposition of articles; exceptions) to include as a disposition of a firearm turned over to law enforcement its destruction, if the agency is located in a city or county that has adopted an ordinance authorizing destruction of a firearm.

Amends GS 15-11.2(d)(1) (disposition of unclaimed firearms not confiscated or seized as trial evidence) by reorganizing the text into subdivisions, adding clarifying language that if the firearm will not be disposed of pursuant to (d)(3), the firearm may be destroyed, adding new language allowing for destruction if the possessing law enforcement agency is located in a city or county that has adopted an ordinance authorizing destruction of a firearm.

Amends GS 14-269.1(4b) (confiscation and disposition of deadly weapons) by adding new subdivision (iii) to allow for the destruction of a firearm possessed by a law enforcement agency located in a city or county that has adopted an ordinance authorizing destruction of a firearm.

Effective December 1, 2019 and applies to firearms seized, confiscated, received, or found on or after that date.

**Intro. by McKissick, Britt.**[GS 14, GS 15, GS 153A, GS 160A](#)[View summary](#)**Courts/Judiciary, Criminal Justice, Criminal Law and  
Procedure, Government, Local Government**

S 487 (2019-2020) **STUDENT MEAL DEBT POLICY**. Filed Apr 2 2019, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT A POLICY TO ENSURE THE UNIFORM ADMINISTRATION OF UNPAID MEAL CHARGES.*

Enacts GS 115C-12(47) to direct the State Board of Education to adopt a policy to ensure the uniform administration of unpaid meal charges in local school administrative units, including at a minimum, a guarantee that students are not prevented from receiving nutritious meals because of an unpaid meal charge. Applies beginning with the 2019-20 school year.

**Intro. by B. Jackson.**[GS 115C](#)[View summary](#)**Education, Elementary and Secondary Education**

S 488 (2019-2020) **REALISTIC EVALUATION OF ACTUARIAL LIABILITIES**. Filed Apr 2 2019, *AN ACT TO REQUIRE STRESS TESTING FOR THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, AS RECOMMENDED BY THE PEW FOUNDATION; TO MAKE AMENDMENTS RELATED TO THE PENSION SOLVENCY FUND; AND TO MAKE TECHNICAL CORRECTIONS TO THE LAWS PERTAINING TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE NORTH CAROLINA NATIONAL GUARD PENSION FUND, NORTH CAROLINA PUBLIC SCHOOL TEACHERS' AND PROFESSIONAL*

*EDUCATORS' INVESTMENT PLAN, AND THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES.*

To be summarized.

**Intro. by B. Jackson, Wells, Chaudhuri.**

[View summary](#)

S 489 (2019-2020) [CLARIFY WACCAMAW SIOUAN](#) . Filed Apr 2 2019, *AN ACT AMENDING THE STATE RECOGNITION OF THE WACCAMAW SIOUAN TRIBE OF NORTH CAROLINA.*

Amends GS 71A-4, which recognizes the Waccamaw Siouan Tribe of North Carolina. Provides that those described individuals will continue to enjoy all their rights, privileges, and immunities as an American Indian Tribe with a recognized tribal governing body carrying out and exercising substantial governmental duties and powers similar to the State, being recognized as eligible for the special programs and services provided by the US to Indians because of their status as Indians (rather than as citizens of the State, subject to all obligations and duties of citizens).

**Intro. by Britt.**

[GS 71A](#)

[View summary](#)

**Government, State Government**

S 490 (2019-2020) [REVISE PARENTING COORDINATOR LAWS/FAMILY LAW](#). Filed Apr 2 2019, *AN ACT TO AMEND THE LAWS PERTAINING TO PARENTING COORDINATORS.*

Identical to [H 470](#), filed 3/26/19.

Makes the following changes to Article 5, Parenting Coordinator, GS Chapter 50.

Adds party to the defined terms set out in GS 50-90, defining the term to mean any person granted legal or physical custodial rights to a child in a child custody action.

Amends GS 50-91, regarding the appointment of parenting coordinators. Now authorizes the court to appoint or reappoint a parenting coordinator at any time in a child custody action involving minor children brought under Article 1, on or after entry of a custody order other than an ex parte order, or upon entry of a contempt order involving a custody issue pursuant to: (1) all parties' consent to the appointment and the scope of authority; (2) upon motion of a party requesting the appointment; or (3) upon the court's own motion (previously, did not provide for reappointment; specified during the proceedings of the action; did not provide for the court to make appointment upon motion of a party requesting appointment or upon its own motion). Further provides for the court to make specified findings that the action is a high-conflict case, the appointment is in the best interests of any minor child in the case, and that the parties are able to pay for the cost of the coordinator, in the event the parties have not consented to the appointment (previously, allowed the court to make the appointment without consent of the parties upon entry of a custody order other than an ex parte order, or upon entry of a parenting plan, only if those specified findings were made). Adds that the court does not have to find a substantial change of circumstance has occurred to appoint a parenting coordinator. Requires the appointing order to specify the terms of the appointment. Removes the requirements for the order to specifically incorporate any agreement regarding the role of the coordinator made by the parties. Also eliminates the requirement for the court to give a copy of the order to the parties prior to the appointment conference. Provides for selection of the parenting coordinator from a list maintained by the district court (previously, selection specifically by the court). Clarifies that prior to appointment, the court, the parties' attorneys, or the parties must contact the coordinator to determine if the coordinator is willing and able to accept the appointment.

Amends GS 50-92, regarding the authority of the parenting coordinator. Requires the authority to be limited to matters that will aid the parties in complying with the custody order, resolving disputes regarding issues that were not specifically addressed in the custody order, or ambiguous or conflicting terms in the custody order (previously, identify disputed issues, reduce

misunderstandings, clarify priorities, explore possibilities for compromise, develop methods of collaboration in parenting, and compliance with the court's order). Now provides 20 areas which the scope of authority can, but is not limited to, including transition time, pick up, or delivery; sharing vacations and holidays; diet, clothing, extracurricular activities, and discipline. Authorizes the coordinator to decide any issue within the scope of authority, and deems the decision enforceable as an order of the court. Requires decisions to be in writing and provided to the parties and their attorneys. Deems the decision binding so long as the custody order is in effect, even after the expiration of the coordinator's term unless the coordinator or subsequent coordinator modifies the decision or the courts review and modifies the decision. Allows any party or their attorney to file a motion for the court to review a coordinator's decision. Requires the parties to comply with the decision unless the court, after a review hearing, determines the decision is not in the child's best interest or the decision exceeded the scope of authority (previously, allowed the court to authorize the coordinator to make decisions regarding implementation of the parenting plan not specifically governed by the order, binding on the parties until reviewed by the court at a hearing at the request of the coordinator or either party; did not provide specific findings the court must make in its review of the decision). Provides that the moving party or their attorney must cause a subpoena to be issued for the coordinator's attendance at the review hearing (previously, only the judge presiding over the case can subpoena the coordinator to attend and testify at the review hearing). Requires the court to determine how the coordinator's fees are to be apportioned between the parties at the conclusion of the review hearing. Further authorizes the court to review and modify the coordinator's decision after the expiration of a parenting coordinator's term (not previously provided for). Requires the coordinator to provide any financial issues related to the coordinator's decisions to the parties or their attorneys (previously, did not specify that financial issues must relate to the coordinator's decisions and limited reference to the parties' attorneys). Make further clarifying changes.

Amends GS 50-93, regarding qualifications for inclusion of the district court's list of parenting coordinators, now requiring the person to hold a master's or doctorate degree in psychology, law, social work, or counseling (removing the qualification to hold a master's degree or doctorate degree in medicine or a related area) and current North Carolina license in the coordinator's areas of practice (previously, did not specify the license must be a North Carolina license; removes the qualifying phrase of applicability).

Amends GS 50-94, concerning the parenting coordinator appointment conference, to no longer require a conference if the coordinator's term is later extended; a subsequent coordinator is appointed in the same matter; or the parties, their attorneys, and the proposed coordinator consent to a waiver of the conference by signing the proposed appointment order. Prohibits the court from entering an appointment order or conducting a conference unless a custody order has already been entered or is simultaneously entered. Removes the requirement for the court to determine the information each party must provide to the parenting coordinator at the time of the appointment conference. Makes clarifying changes. Eliminates the provisions requiring the coordinator and any guardians ad litem to bring all necessary releases, contracts, and consents to the conference, and requiring the coordinator to schedule the first session with the parties.

Amends GS 50-95, concerning fees of the parenting coordinator, to now require the coordinator to file a fee report and request a hearing in the event of a dispute of fee or retainer payment (previously, the coordinator was not required to file a fee report, and disputes on retainers were not included). Now additionally provides for a party disputing the fees or the allocation of the fees to file a motion with the court requesting a review of the fees. Adds that the district court retains jurisdiction to resolve disputes regarding the coordinator's fees after the conclusion of the coordinator's term so long as the coordinator's fee report was filed in a timely manner. Removes the provision authorizing the court to condition the appointment upon the parties' payment of a specified fee to the coordinator, and prohibiting the coordinator from beginning any duties until the fee has been paid.

Expands GS 50-96, now allowing meeting and communications between the parties, their attorneys, or any other person with information that assists the coordinator in the coordinator's duties, to be informal and ex parte. Now requires the parties to timely execute any releases necessary to facilitate communication with any person having information that assists the coordinator in the coordinator's duties, upon request of the coordinator. Authorizes the coordinator, in the coordinator's discretion, to meet or communicate with the minor children.

Rewrites GS 50-97, regarding reports of the parenting coordinator. Now permits the coordinator to file a report with the court regarding any of the five specified issues, including the parenting coordinator's belief that the existing custody order is not in the best interest of the child, a party's noncompliance with a decision of the coordinator or the terms of the custody order, or the parenting coordinator's request that the appointment be modified or terminated. Provides for a hearing in the event of a party's noncompliance with the coordinator's decision, the terms of the custody order, or nonpayment of the coordinator fees (previously, provided for a hearing no later than two weeks following receipt of the required report if the coordinator made

noncompliance determinations). Specifies that the provisions do not prevent a party from filing its own motion regarding noncompliance with the coordinator's decision or the terms of the custody order. Now requires an expedited hearing to be granted and occur within four weeks of the filing of the report unless the coordinator requests longer or the court has already issued an order during a party to show cause why the party should not be held in contempt. Authorizes the court to issue temporary custody orders as required for a child's best interest after a hearing on the report.

Rewrites GS 50-98, regarding parenting coordinator records, to permit the coordinator to release any records held by the coordinator to the parties or their attorneys, at the discretion of the coordinator (previously, required the coordinator to provide written summaries of development and copies of other written communications to the parties and their attorneys; also required coordinators to maintain records of each meeting, which could only be subpoenaed by the presiding judge, and were reviewable in camera and released only if the court determined the records would assist the parties with the presentation of their case at trial). Now permits any party to apply to the presiding judge for the issuance of a subpoena to compel production of the coordinator's records. Requires any party submitting the application to provide reasonable notice to the coordinator and the parties so that any objection to the release of information or the manner of release can be considered prior to the issuance of the subpoena.

Amends GS 50-99, authorizing the court to terminate or modify the parenting coordinator's appointment upon motion of any party, upon the agreement of the parties, or by the court on its own motion, for good cause shown (previously, included upon motion of either party at the request of the coordinator). Now allows for the court to modify or terminate the coordinator's appointment upon request of the coordinator for good cause shown as set forth in GS 50-97(a)(5), as enacted. Makes organizational changes to the provisions describing good cause, and now includes in the term: (1) lack of reasonable progress (previously qualified with over a significant period of time despite the best efforts of the parties and the coordinator) and (2) the inability or unwillingness of the coordinator to continue to serve (was, the coordinator is unable or unwilling to serve). Makes clarifying changes.

Effective October 1, 2019.

**Intro. by Britt.**

[GS 50](#)

[View summary](#)

[Courts/Judiciary, Civil, Family Law](#)

S 491 (2019-2020) [REVISE EQUITABLE DISTRIBUTION LAWS](#). Filed Apr 2 2019, *AN ACT TO REVISE THE LAWS PERTAINING TO EQUITABLE DISTRIBUTION*.

Substantively identical to [H 469](#), filed 3/26/19.

Amends GS 50-20.1, concerning the equitable distribution of certain marital benefits, retitling the statute Pension, retirement, and deferred compensation benefits (was, Pension and retirement benefits). Modifies and adds to the statute's provisions, now providing as follows.

Provides for the distribution of vested marital pension, retirement, or deferred compensation benefits to be payable as a lump sum from the plan, program, system, or fund for those benefits; as fixed amounts over a period of time from the plan, program, system or fund for those benefits; as a prorated portion of the benefits made to the designated recipient at the time the participant-spouse, as defined, is eligible to receive benefits, actually begins to receive benefits, or reaches earliest retirement age (previously limited to the time the time the party actually begins to receive benefits and by appropriate domestic relations order); by awarding a larger portion of other assets to the party not receiving the benefits and a smaller share of other assets to the party entitled to receive the benefits; or as a lump sum, over a period of time in fixed amounts, by agreement (not previously an option).

Provides for the distribution of nonvested marital pension, retirement, or deferred compensation benefits to be payable as a lump sum agreement; over a period of time in fixed amounts by agreement; or as a prorated portion of the benefits made to the designated recipient at the time the participant-spouse, as defined, is eligible to receive benefits, actually begins to receive benefits, or reaches earliest retirement age, if permitted by the plan, program, system, or fund (previously limited to the time the time the party actually begins to receive benefits and by appropriate domestic relations order).

Makes conforming changes throughout to refer to the plan, program, system, or fund for the benefits rather than the fund or plan for those benefits. Prohibits a court from requiring the administrator of the plan, program, system, or fund involved to make any payments or distributions to the nonparticipant spouse, except as the terms of the plan, program, system, or fund permit (previously prohibited until the party against whom the award is made actually begins to receive the benefits unless the plan permits an earlier distribution).

Provides that when the amount of the benefit payable by the plan, program, system, or fund to the participant-spouse is determined in whole or part by the length of time of the participant-spouse's employment, the marital portion is determined using the proportion of time the marriage existed simultaneously with the total time of the employment which earned the benefit subject to equitable distribution to the total amount of time of employment which earned the benefit subject to equitable distribution (clarified from existing language). Maintains existing language concerning the determination calculation. Requires the award to include costs of living adjustments and similar enhancements to the participant's benefit. Provides that if a court makes the award payable as a prorated portion of the benefits made to the designated recipient, as specified in subdivisions (a)(3) or (b)(3) as amended, and divides the marital portion of the benefit equally, the court is not required to determine the total value of marital benefits before classifying and distributing the benefits; however, neither party is prohibited from presenting evidence of the total value of any marital benefits or any benefits that are separate property of either spouse. Provides for a similar distribution where a pension, retirement, or deferred compensation plan, program, system, or fund, or applicable statute, limits or restricts the amount of the benefit subject to equitable distribution.

Requires the court to determine the award when the amount of the benefit payable by the plan, program, system, or fund is based on contributions and held in one or more accounts with readily determinable balances, by determining the amount in the account balance that is due to contributions made or earned during the marriage and before separation, together with the income, gains, losses, appreciation, and depreciation accrued on those contributions. Allows the court to determine the award based on the proportion of the time the marriage existed simultaneously with the employment which earned the benefit subject to equitable distribution to the total amount of time of employment, as in subsection (d) as amended, if sufficient evidence is not presented to the court to make the determination required. Either way, requires the award to be based on the vested and nonvested accrued benefit as of the date of separation, together with the income, gains, losses, appreciation, and depreciation accrued after the date of separation on the date-of-separation benefits. Prohibits the award from including contributions that can accrue or be made after the date of separation, or any income, gains, losses, appreciation, and depreciation accrued on those contributions.

Maintains the award cap of 50% of the benefits the person against whom the award is made is entitled to receive as vested and nonvested pension, retirement, or deferred compensation benefits, except as previously specified. Maintains the provisions providing for the unpaid balance of the award to pass as previously specified in the event the person receiving the award dies.

Provides further specifications for when an award is made payable as a prorated portion of the benefits made to the designated recipient pursuant to subdivisions (a)(3) and (b)(3) as amended, regarding awards and allocations dependent on whether the pension, retirement or deferred compensation plan, program, system, or fund permits the use of a "separate interest" approach in the domestic relations order.

Adds that whenever a pension, retirement, or deferred compensation plan, program, system, or fund does not automatically provide pre-retirement survivor annuity protection for the nonparticipant spouse, the court is required to order the protection for the nonparticipant spouse if permitted by the plan, program, system, or fund. Authorizes the court to equally allocate any fees assessed by the plan, program, system, or fund in order to process any domestic relations order or qualified domestic relations order.

Maintains the provisions concerning a court's avenues to require distribution of the award, now including by domestic relations order.

Clarifies that the statute and GS 50-21 apply to all vested and nonvested pension, retirement, and deferred compensation plans; programs; systems; or funds, including but not limited to the specified programs and plans provided, including uniformed services retirement programs, church plans, and charitable organization plans (previously specified certain plans but did not qualify that covered plans are not limited to those specified).

Provides for a court to enter a subsequent order to clarify or correct a prior order upon a plan, program, system, or fund deeming an order providing for distribution of its benefits unacceptable.

Allows a claim to be filed, as specified, for an order effectuating the distribution of benefits provided in a valid written agreement, as defined in GS 50-20(d), whether or not a claim for equitable distribution has been filed or adjudicated.

Authorizes a court to enter an order effectuating the distribution provided for in the valid written agreement.

Applies to distributions made on or after October 1, 2019.

**Intro. by Britt.**

[View summary](#)

[Courts/Judiciary, Civil, Civil Law](#)

S 492 (2019-2020) [ADOPTION LAW CHANGES](#). Filed Apr 2 2019, *AN ACT TO MAKE VARIOUS CHANGES UNDER THE LAWS PERTAINING TO ADOPTIONS*.

Amends GS 48-2-100, which prohibits state courts from exercising jurisdiction under the Chapter if, at the time an adoption petition is filed, a court of any other state is exercising jurisdiction substantially in conformity with the Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA; Article 2, GS Chapter 50A), unless the other state court dismisses its proceeding or releases its exclusive, continuing jurisdiction prior to grant of the adoption decree. Expands the jurisdiction of state courts under the Chapter to matters in which another state is exercising jurisdiction in substantial conformity with the UCCJEA and places custody of the adoptee in an agency, the petitioner, or another custodian expressly in support of an adoption plan that does not identify a specific prospective adoptive parent other than the petitioner. Makes clarifying changes.

Amends GS 48-2-101, to allow an adoption petition to alternatively be filed in the county in which the adoptee was born if the petition is filed before the adoptee is 6 months old. Provides flexibility to venue choice for adoption petitions, subject to timely written objection by a person or agency entitled to notice under GS 48-2-401(b) or (c) at which time the petitioner must designate a county which satisfies one of the four applicable criteria. Specifies that a change in venue does not change the filing date of the petition or affect any time period under the Chapter.

Amends GS 48-2-205, concerning the recognition of adoption decrees from other jurisdictions. Provides that two persons (was, a man and a woman) who adopted a minor child in a foreign country while married to one another must readopt jointly, regardless of whether they have been since divorced. Adds that if two persons have adopted a minor child in a foreign country while married to one another and one of them has died, the survivor can petition for readoption and the court must issue a decree of adoption in the names of both the persons who adopted the minor child in a foreign country. Makes conforming changes to GS 48-2-301(c), concerning who can file adoption petitions.

Makes clarifying and organizational changes to GS 48-2-606, concerning adoption decrees.

Amends GS 48-3-303, concerning information which must be reported in preplacement assessments, to allow for the redaction from the assessment provided to a placing parent or guardian detailed information reflecting the prospective adoptive parent's income, expenditures, assets, and liabilities (was, income and financial account balances).

Amends GS 48-3-605 to now require an individual before whom a consent is signed and acknowledged to certify in writing that to the best of the individual's knowledge or belief, the parent, guardian, or minor to be adopted executing the consent has been advised of the right to seek the advice of legal counsel before executing the consent. Makes identical changes to the provisions regarding the execution of relinquishment set out in GS 48-3-702. Amends GS 48-3-606 and GS 48-3-703 to refer to the right to seek the advice of legal counsel, rather than to employ independent legal counsel, concerning requirements of the consent or the relinquishment executions.

Amends GS 48-9-102 concerning confidentiality and sealing of adoption records. Clarifies that the Department of Social Services, Division of Social Service (DSS) must permanently index and file the records, without review. Now requires DSS to transmit a report of each adoption and name changes to the State Registrar or entity of another state responsible for issuing birth certificates within 40 days after receiving the report from the court (previously, no timeline specified).

Amends GS 48-9-109 to add that nothing in Article 9, Confidentiality of Records and Disclosure of Information, prevents an employee of a court, agency, or any other person from giving a file-stamped copy of a document to a person, or to the legal representative of a person, who has filed the document in an adoption proceeding.

Amends GS 1-597, regarding regulations for newspaper publication of legal notices and advertisements. Provides that whenever a notice or any other paper, document, or legal advertisement of any kind or description is required to be published in a jurisdiction outside of the State where legal notices are customarily published in specialized legal publications, any form of publication that meets the requirements for legal notices under the law of the locality where it is published is deemed sufficient under GS 1-597.

Amends GS 7B-200, regarding jurisdiction over cases involving juveniles alleged to be abused, neglected, or dependent to explicitly include in a court's exclusive original jurisdiction proceedings for the return of a juvenile to the State and proceedings to review a refusal or failure of the administrator of the Interstate Compact on the Placement of Children (the Compact; set forth in Article 38, GS Chapter 7B) in the State to forward a request for approval of a placement to the receiving state or to find that placement does not appear to be contrary to the interests of the child. Enacts GS 7B-3807 to provide for such judicial proceedings under the Compact. Provides for initiation of the review by motion in a pending action, as specified, or by petition. Requires the administrator to communicate an intention to refuse to forward a request for approval of a placement to the receiving state or to find that a placement does not appear to be contrary to the interests of the child, or for the matter to have been before the administrator for more than five business days, before a motion or petition to be filed. Requires notice of the motion or petition for review to be given to the administrator by any reasonable means. Provides for venue in instances in which there is not a pending action as to the juvenile, as specified, in a court in the State. Deems this review to be an expedited proceeding, and requires the court to conduct a hearing within 10 days from the date of filing the petition or during the next term of court, as appropriate, and authorizes the court to order the administrator to take any action the administrator is permitted to take.

Amends GS 150B-1 to exempt the from the contested case provisions the Department of Health and Human Services in administering the Compact under Article 38, GS Chapter 7B.

Effective October 1, 2019.

**Intro. by Britt.**

[GS 1](#), [GS 7B](#), [GS 48](#), [GS 150B](#)

[View summary](#)

[Courts/Judiciary](#), [Civil](#), [Family Law](#), [Juvenile Law](#), [Abuse, Neglect and Dependency](#), [Government](#), [APA/Rule Making](#)

S 493 (2019-2020) [DVPO TIME OF EXPIRATION](#). Filed Apr 2 2019, *AN ACT TO CLARIFY THE SPECIFIC TIME THAT A DOMESTIC VIOLENCE PROTECTION ORDER EXPIRES ON THE LAST DAY THAT THE ORDER IS VALID.*

Amends GS 50B-3 by specifying that domestic violence protective orders expire at 11:50 pm on the indicated expiration date, unless stated otherwise in the order.

**Intro. by Britt.**

[GS 50B](#)

[View summary](#)

[Courts/Judiciary](#), [Civil](#), [Family Law](#), [Criminal Justice](#), [Criminal Law and Procedure](#)

S 494 (2019-2020) [REVOCATION OF LICENSE/PENALTY/COSTS](#). Filed Apr 2 2019, *AN ACT TO AMEND THE LAWS GOVERNING THE REVOCATION OF DRIVERS LICENSES FOR FAILURE TO PAY FINE, PENALTY, OR COSTS.*

Amends GS 20-24.1 (revocation of drivers license for failure to appear or pay fine, penalty or costs for motor vehicle offenses) by adding to subdivision (a)(2) the requirement that before revoking a license upon failure to pay a fine, penalty or court costs as ordered by the court, there must be a court order at sentencing supported by findings of fact that the person is able to pay and there is good cause to suspend the person's license if the person fails to pay. Modifies subsection (b) by removing costs from several subdivisions, and adding new subdivision (5) as one of several enumerated conditions, any one of which need to be met before a license may be restored; subdivision (5) adds that a license revoked for failure to pay a fine, penalty or court costs under subdivision (a)(2) remains revoked until 12 months have passed since revocation. Amends subsection (c) to

exclude from the requirement of paying a restoration fee a person who is indigent. Makes other minor, non-substantive changes, including making some language gender-neutral.

Modifies GS 20-24.2 (court to report failure to appear or pay fine, penalty or costs) by making clarifying changes.

**Intro. by Britt, McKissick, Mohammed.**

GS 20

[View summary](#)

**Courts/Judiciary, Motor Vehicle, Government, State Agencies,  
Department of Transportation**

S 495 (2019-2020) [AUTOMATIC & AMP ONLINE VOTER REGISTRATION](#). Filed Apr 2 2019, *AN ACT TO PROVIDE FOR AUTOMATIC VOTER REGISTRATION AT DRIVERS LICENSE OFFICES, PUBLIC AGENCIES, COMMUNITY COLLEGES, AND COLLEGES AND UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA; TO REQUIRE THE STATE BOARD OF ELECTIONS TO IMPLEMENT AN OUTREACH CAMPAIGN INFORMING CITIZENS ABOUT AUTOMATIC VOTER REGISTRATION; AND TO ALLOW INDIVIDUALS WHO MEET THE CRITERIA TO REGISTER TO VOTE OR CHANGE VOTER REGISTRATION ONLINE.*

#### Part I. Automatic Voter Registration

Amends GS 163A-862 and GS 163A-865 authorizing county boards of elections to accept automatic voter registration.

Amends GS 163A-883 to require, beginning January 1, 2020, the Division of Motor Vehicles, in consultation with the State Board of Elections, to develop and implement a method by which eligible individuals shall be automatically registered to vote. Requires DMV officials taking driver's license applications to affirmatively inquire whether the applicant wishes to register to vote or update their registration, note the applicant's response, and register the applicant to vote if the applicant wishes. The applicant must attest to the information provided for voter registration. Confidentiality of voter information must be maintained by the State Board of Elections.

The above provisions are effective January 1, 2020.

Amends GS 163A-884 to require, beginning January 1, 2021, voter registration agencies (which include state offices that accept applications for public assistance, services for persons with disabilities, and unemployment benefits) to provide, in consultation with the State Board of Elections, an application process for automatic voter registration with each recertification, renewal, or change of address relating to the service or assistance of the agency. Specifies certain procedural requirements substantially similar to those provided for in GS 163A-883, as amended. Does not require an agency to provide automatic voter registration to a person with disability at the person's home. Requires electronic transmittal of applications to the appropriate board of elections.

Amends GS 163A-885 to authorize automatic voter registration at the time of restoration of citizenship, effective January 1, 2020. Further amends the statute to authorize online voter registration at the time of restoration of citizenship, effective January 1, 2021.

Amends GS 115D-5 and GS 116-11 to require, beginning January 1, 2021, the State Board of Community Colleges and the UNC Board of Governors, in consultation with the State Board of Elections, to provide each person enrolled and registering for courses as a student at a State community college or a State college or university in the UNC System the option for automatic voter registration. Specifies certain procedural requirements substantially similar to those provided for in GS 163A-883 and GS 163A-844, as amended. Provides that applications to register accepted by a State community college or constituent institution of UNC entitles a registrant to vote in any primary, general or special election unless the registrant made application later than the 25th calendar day immediately preceding the election; permits continuing acceptance of applications during that period.

The above provisions are effective January 1, 2021.

Requires the State Board of Elections to develop education and outreach programs to inform voters of automatic registration procedures established by the act.

#### Part II. Online Voter Registration

Amends GS 163A-864 by adding the requirement that the State Board of Elections make the voter registration application forms available for completion and submission on a secure website.

Enacts new GS 163A-864.1 allowing an individual to register to vote or change voter registration online if the individual: (1) is eligible to register to vote and (2) possess a current and valid North Carolina driver's license (including a learner's permit or provisional license) or a special identification card for nonoperators. Requires the State Board to establish a secure website for the completion and submission of voter registration applications. Specifies information that the website must allow an individual to submit, including information to establish eligibility and the individual's email address. Requires the county board of elections, upon receipt of an online application, to verify specified applicant information. Requires the Division of Motor Vehicles (DMV) to transfer the applicant's digital signature in the DMV records to the State Board if the State Board verifies the driver's license or Social Security number. Requires the State Board to notify the applicant if the State Board cannot verify the driver's license or Social Security number.

Amends GS 163A-871 to add specified identifying information submitted during the online voter registration application process to the information that is confidential.

Effective December 1, 2019.

**Intro. by Woodard, Clark, Lowe.**

GS 115D, GS 116, GS 163A

**Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Government, Elections, State Agencies, Community Colleges System Office, UNC System, Department of Health and Human Services, Department of Transportation, State Board of Elections, Local Government, Health and Human Services, Social Services, Public Assistance**

[View summary](#)

S 496 (2019-2020) [THE POLLINATOR PROTECTION ACT](#). Filed Apr 2 2019, *AN ACT TO ENACT THE POLLINATOR PROTECTION ACT OF 2019*.

Includes whereas clauses.

Amends GS 143-460, which includes the definitions for use in Article 52, Pesticide Board, of GS Chapter 143. Adds and defines the term neonicotinoid pesticide as any pesticide containing a chemical belonging to the neonicotinoid class of chemicals, including, but not limited to, imidacloprid, nithiazine, acetamiprid, clothianidin, dinotefuran, thiacloprid, thiamethoxam, and any other chemical designated by the North Carolina Pesticide Board (Board) as belonging to the neonicotinoid class of chemicals. Excludes from the term pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals harmful to the health of a domesticated animal, personal care products used to mitigate lice or bedbugs, or any product regulated under the North Carolina Structural Pest Control Act.

Amends GS 143-443 to make it illegal to distribute, sell, or offer for sale within this state or deliver for transportation or transport in intrastate commerce or between points within this state through any point outside this state any neonicotinoid pesticide to the public at retail, unless the seller is authorized to sell a restricted use pesticide. Also makes it unlawful to use a neonicotinoid pesticide, unless the person is: (1) a licensed pesticide applicator, or a person working under the direct supervision of a licensed pesticide applicator; (2) a farmer, or person working under the direct supervision of a farmer, who uses the pesticide for agricultural purposes; or (3) a veterinarian using the pesticide in the practice of veterinary medicine.

The above provisions are effective October 1, 2019.

Requires the Board, with the assistance and input of the Pesticide Advisory Committee, to monitor the final pollinator risk assessments undertaken by the US Environmental Protection Agency and report on any legislative or regulatory changes necessary to protect pollinators within the state, taking into account findings and any recommendations of the risk assessment. Requires the Board to forward its report and recommendations for statutory and regulatory changes to the Commissioner and the Environmental Review Commission within six months of the completion of the final pollinator risk assessments for neonicotinoid pesticides.

Requires the Board to study whether the State should have the authority to regulate the use and sale of seeds treated with systemic insecticides, and report study results to the Environmental Review Commission no later than November 1, 2019.

**Intro. by Woodard.**

[GS 143](#)

[View summary](#)

[Agriculture, Environment, Environment/Natural Resources](#)

S 497 (2019-2020) [ANIMAL ABUSE REGISTRY](#). Filed Apr 2 2019, *AN ACT TO CREATE THE NORTH CAROLINA ANIMAL ABUSER REGISTRATION ACT*.

Enacts Article 47A, Animal Abuser Registry, to GS Chapter 14. Defines abuser or animal abuser, animal, animal abuse offense, Bureau, companion animal, and conviction. Requires the NC State Bureau of Investigation (Bureau) to post on its website a publicly accessible list of any persons convicted of an animal abuse offense, defined as any violation of animal cruelty laws set out in Article 47 of GS Chapter 14, beginning January 1, 2020, for offenses committed on or after that date. Requires the list to include the abuser's intake photo, full name, and other identifying data. Prohibits inclusion of personally identifying information, as specified. Requires clerks of court to forward to the Bureau copies of judgment and the date of birth of all persons convicted of an animal abuse offense within 60 calendar days of the judgment. Requires the Bureau to maintain the convicted abuser's information for two years following the date of the person's first conviction, and remove the information after two years unless the person has subsequently been convicted of another animal abuse offense during that period. Requires the Department to maintain the information for five years for a person's subsequent conviction for animal abuse, as specified, and remove the information after the five years unless there is a subsequent conviction in those five years. Requires the Bureau to remove a person's information from the registry if the sole offense requiring the person to be included on the registry is expunged. Effective January 1, 2020.

**Intro. by Woodard.**

[GS 14](#)

[View summary](#)

[Animals, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure](#)

S 498 (2019-2020) [FACILITATE RESPONSE TO DISASTERS](#). Filed Apr 2 2019, *AN ACT TO FACILITATE RAPID RESPONSE TO STATE DECLARED DISASTERS BY EXEMPTING CERTAIN BUSINESSES AND EMPLOYEES FROM REGISTRATION AND TAX LAWS DURING THE DISASTER RESPONSE PERIOD*.

Identical to [H 538](#), filed 4/2/19.

Enacts new GS 166A-19.70A as follows. Defines terms that are used in the statute and sets out the statute's purpose. Provides that an out-of-state business performing disaster-related work in the state during a disaster response period at the request of a critical infrastructure company (a registered public communications provider or a registered public utility, as defined in the statute) is not considered to be conducting business in the state and is therefore exempt from franchise tax, income tax, S-corporation income tax, information returns, unemployment tax, workers' compensation, and registration with the Secretary of State to transact business in the state. These exemptions cease to apply when the disaster response period expires. Disaster-related work is defined as repairing, renovating, installing, building, or performing services on critical infrastructure that has been damaged, impaired, or destroyed as a result of a disaster or emergency in an area covered by the disaster declaration. Provides that an out-of-state employee (meaning a nonresident who is an employee of an out-of-state business entitled to the relief described above or a nonresident employee of a critical infrastructure company temporarily in the state to perform disaster-related work during the disaster response period) is not required to pay state income tax, or file an income tax return, on earnings received for disaster-related work performed during a disaster response period. Provides that the employer of an out-of-state employee is not required to withhold income tax from the wages of the employee. Requires a critical infrastructure company that requests an out-of-state business to perform disaster-related work during the disaster response period to notify the State Emergency Response Team (Team) within 30 business days of the out-of-state business's entry into the state. Sets out information that must be included in the notice. Requires the Team to disseminate the information to the appropriate state

agencies. Makes conforming changes to GS 96-9.2, GS 97-13, GS 105-125, GS 105-130.11, GS 105-131.7, GS 105-153.4, GS 105-153.8, GS 105-154, and GS 105-163.2.

Enacts new GS 55-1-51 by providing that an out-of-state business performing disaster-related work in this state during a disaster response period at the request of a critical infrastructure company is not required to obtain a certificate of authority from the Secretary of State. Provides that a person issued a temporary license by the Department of Revenue to import, export, distribute, or transport motor fuel in this state in response to a disaster declaration is not required to obtain a certificate of authority from the Secretary of State to transact business in the state for the duration of the temporary license.

Amends GS 105-130.5 by adding to the required additions to federal taxable income in determining state net income payments made to a related party not subject to tax in accordance with the policy in new GS 166A-19.70A, to the extent the payments are deducted in determining federal taxable income.

Enacts new GS 105-449.69A allowing the issuance of a temporary license to import, export, distribute, or transport motor fuel in the state in response to a disaster declaration, which expires upon the expiration of the disaster declaration. Requires filing an application for a temporary license within seven calendar days from the date of the disaster declaration. Requires the application include specified information. Allows issuance of a temporary license without requiring the applicant to file a bond or irrevocable letter of credit and without requiring the applicant to be authorized to transact business in the state with the Secretary of State.

Applies to taxable years beginning on or after January 1, 2019.

**Intro. by B. Jackson, Blue, Newton.**

[GS 55, GS 96, GS 97, GS 105, GS 166A](#)

[View summary](#)

**Business and Commerce, Government, Public Safety and  
Emergency Management, Tax, Public Enterprises and Utilities**

SJR 499 (2019-2020) [HONOR FRANK BALLANCE, JR.](#) Filed Apr 2 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.**

[SENATE RES](#)

[View summary](#)

S 500 (2019-2020) [MODIFY ADVANCED MATH COURSE ENROLLMENT.](#) Filed Apr 2 2019, *AN ACT TO MAKE CERTAIN MODIFICATIONS TO THE IMPLEMENTATION OF ADVANCED MATH COURSES OFFERED WHEN PRACTICABLE FOR GRADES THREE AND HIGHER.*

Amends GS 115C-81.36, concerning advanced courses in mathematics, as follows. Requires charter schools, in addition to the already listed local boards of education, to offer advanced courses in math in grades three and higher when practicable. Requires, when advanced math courses are offered, any student scoring at the highest level (was, scoring a level five) on the end-of-grade or end-of grade test for math to be enrolled in the advanced course for the next math course in which the student is enrolled; makes the same changes for seventh grade students whose next level course will be at a high school level. Allows local boards of education to administer diagnostic assessments upon enrollment in the high school level math course to provide identified students with supplemental content enrichment.

Requires the Department of Public Instruction (DPI) to report annually, beginning October 15, 2019, to the specified NCGA committee on data collected on students who were eligible for advanced math courses and information as to how many were and were not placed in advanced math courses. Specifies information to be included in the report.

Requires DPI to provide guidance to local boards of education and charter schools on how to best develop programming and courses to ensure that all impacted students receive rigorous, academically appropriate instruction in mathematics.

Makes conforming changes to GS 115C-218.85.

Applies beginning with the 2019-20 school year.

**Intro. by Smith, Tillman, Chaudhuri.**

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education**

S 501 (2019-2020) **KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & AMP REG.** Filed Apr 2 2019, *AN ACT DESIGNATING THE MONTH OF NOVEMBER AS MARROW DONATION AWARENESS MONTH AND DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF MOTOR VEHICLES TO RAISE AWARENESS THROUGH PUBLIC SERVICE ANNOUNCEMENTS ABOUT BONE MARROW DONATION AND BONE MARROW DONATION REGISTRIES.*

Includes whereas clauses.

Enacts GS 103-15 designating November as Marrow Donation Awareness Month.

Directs the Department of Health and Human Services (DHHS) to make available on its website a public service announcement regarding bone marrow donation and transplantation sufficient to allow an individual to make a decision about whether to participate in a local or national bone marrow donation registry.

Requires DHHS to provide a link to the public service announcement to the Division of Motor Vehicles (DMV), which the DMV must make available on its website. Additionally requires the DMV to broadcast the public service announcement on monitors at drivers license office locations across the State.

**Intro. by Smith, Hise.**

GS 103

[View summary](#)

**Government, Cultural Resources and Museums, State Agencies, Department of Health and Human Services, Department of Transportation, Health and Human Services, Health, Public Health**

S 502 (2019-2020) **"BAN THE BOX"**. Filed Apr 2 2019, *AN ACT REQUIRING THE FAIR ASSESSMENT OF PERSONS WITH CRIMINAL HISTORIES BY "BANNING THE BOX."*

Adds a new Article 17, Fair Assessment of Persons with Criminal Histories, to GS Chapter 126. Defines the following terms as they apply in this Article: (1) criminal history means a state or federal history of conviction for a misdemeanor or felony relevant to an applicant's fitness for public employment but does not include a record of arrest that did not result in a conviction; (2) hiring authority means an agent responsible by law for the hiring of persons for public employment; and (3) public employment means any employment, including seasonal or temporary work, where the State or any local political subdivision of the State is the employer.

Prohibits a hiring authority from (1) asking about or considering the criminal history of an applicant for public employment or (2) including such an inquiry on any initial employment application form until the hiring authority has made a conditional offer of employment to the applicant. Declares that this Article does not apply to public employment in positions where the hiring authority is required by law to consider the applicant's criminal record. Provides that nothing in this Article is to be construed to prevent any hiring authority in its discretion from adopting the provisions of this Article.

Prohibits any person from being disqualified for public employment solely or in part because of a previous conviction except as otherwise required by law or if the conviction is determined to be substantially related to the qualifications, functions, or duties of the position after all of the following factors are considered: (1) the level and seriousness of the crime; (2) the date of the crime; (3) the age of the person at the time of conviction; (4) the circumstances surrounding the commission of the crime; (5) the connection between the criminal conduct and the duties of the position; (6) the prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed; and (7) the subsequent

commission of a crime by the person. Clarifies that an arrest record that did not result in a conviction cannot be the basis for disqualification from public employment.

Requires a hiring authority to inform an individual of a potential adverse hiring decision based on the background check and provide the applicant an opportunity to provide evidence that the report is incorrect or inaccurate.

Specifies criteria governing data to be collected by the Office of State Personnel.

Declares that the provisions of this Article apply to all applicants for public employment. Makes a conforming change to GS 126-5.

Effective when the act becomes law and applies to applications for employment made on or after that date.

**Intro. by Mohammed, McKissick.**

[GS 126](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Employment and Retirement](#)

S 503 (2019-2020) [WAGE THEFT ACT](#). Filed Apr 2 2019, *AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO END WAGE THEFT.*

Makes clarifying and organizational changes to the defined terms set out in GS 95-25.2, applicable to Article 2A, the Wage and Hour Act. Adds the terms *employment status*, *intentional*, and *willful*.

Amends GS 95-25.13 to now require every employer to notify its employees in writing at the time of hire and upon any material change, of: (1) the promised wages and the basis upon which wages will be calculated; (2) the method, day, and place for payment; (3) the specified contact information and tax identification numbers for the employer; and (4) the employment status of the employee (previously, did not require written notification and limited notification to promised wages and the day and place for payment, and only required the notification upon hire). Also requires employers to furnish each employee with the information required by 13 NCAC 12 .0801(6) and 13 NCAC 12 .0801(8) through (13) for each pay period (concerning the employee's rate of pay, total hours worked each workweek, total straight-time earned each workweek, total overtime earnings each workweek, total additions or deductions from wages, total gross wages paid each pay period, and the date of payment).

Amends GS 95-25.22, regarding recovery of unpaid wages by employees from employers who violate GS 95-25.3 (Minimum Wage), GS 95-25.4 (Overtime), or GS 95-25.6 through GS 95-25.12 (Wage Payment). Now provides for the award of liquidated damages equal to twice the amount (was equal to the amount) found to be due under subsection (a) (which provides for unpaid amounts plus interest at the legal rate (provided in GS 24-1) from the date each amount first came due). Adds a new provision to require employers to be liable to the affected employee(s) for actual damages for violations of GS 95-25.13 (regarding employee notifications, postings and records) or any rule adopted under the statute. Additionally authorizes a court which finds an intentional violation of the Article or any regulation issued under the Article to award statutory damages of up to \$500 per employee per violation. Requires the court to consider the nature and persistence of the violations and the extent of the employer's culpability when setting the amount of statutory damages. Further, now requires the court to order costs and fees of the action and reasonable attorneys' fees to be paid by the defendant (previously permissible). Allows an action arising out of a willful violation to be brought within three years, and allows for actions to be brought within one year after notification to the employee of final disposition by the State of a complaint for the same violation (currently, requires all actions to be brought within two years).

Amends GS 95-25.23, which provides for civil penalties for certain violations of up to \$500 for the first violation and up to \$1,000 for subsequent violations. Adds to the scope of the statute employer violations of GS 95-25.3 (Minimum Wage), GS 95-25.4 (Overtime), GS 95-25.6 (Wage Payment) and GS 95-25.13 (Notification) (previously only included violations of GS 95-25.5, Youth Employment). Subjects the assessment of penalties under the statute to a three-year (was two-year) statute of limitations, commencing at the time of the occurrence of the violation.

Enacts GS 95-25.23D, establishing, for an employee for purposes of wage claims and collections, entitlement to a lien upon (1) all property of the employer located in the State, and (2) all property upon which the employee has performed work, as specified, for the full amount of the wages and any statutory penalties owed. Allows a wage claim or action to enforce a lien

under the statute to be brought by the employee individually or by the Commissioner, or by any representative of the employee, including collective bargaining representatives. Directs the Commissioner to record and provide notice of the lien on behalf of the employee if no lien has been recorded at the time the employee files a complaint with the Commissioner. Provides for joinder of wage claims or wage deficiencies against the same employer, and proportionate payments whether or not claims have been joined in the case of the sale of property subject to the lien being insufficient to pay all claimants. Limits liens to personal property to that which can be subject to a security interest under the Commercial Code by filing a financing statement. Provides for recordation and perfection of a claim of lien. Details the procedure and requirements for filing notice of the lien with the Secretary of State and service of the employer. Allows the lien to be filed at any time prior to the expiration of the statute of limitations for a wage claim on the same wages pursuant to GS 95-25.22(f), as amended. Specifies that mistakes and errors do not invalidate the claim unless made with intent to defraud. Provides for foreclosure upon any property subject to the properly recorded lien if an action to recover unpaid wages has been filed, as specified. Extinguishes the lien upon a judgment in favor of the employer or dismissal of the action for unpaid wages. Specifies that the lien continues in force until all issues on appeal have been decided, if applicable. Extinguishes the lien created by the statute if an action to recover the wages is not brought within one year of the filing of the lien. Establishes priority of the lien over all other interests regardless of the date of origination or perfection, and provides that the lien is effective against the employer, the estate of the employer, or a subsequent bona fide purchaser of the property subject to the employee's lien. Entitles the employee, the Commissioner, or the employee's representative to court costs and reasonable attorneys' fees for filing a successful action to foreclose a lien under the act.

**Intro. by Mohammed, Robinson, Foushee.**

[GS 95](#)

[View summary](#)

[Employment and Retirement](#)

S 504 (2019-2020) [MUNICIPAL OMNIBUS BILL](#). Filed Apr 2 2019, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS AFFECTING MUNICIPALITIES*.

Amends GS 105-373 by allowing the governing body of a taxing unit to, in its discretion, relieve the tax collector of taxes owed that are ten or more years past due when it appears to the governing body that such taxes are uncollectable. Effective for taxable years beginning on or after January 1, 2019.

Amends GS 105-472 to require the board of county commissioners in each taxing county to adopt a resolution in November (was, April) of each year that determines which of the methods of tax distribution (per capita or ad valorem) will be in effect during the next succeeding fiscal year. Adds that if the method of distribution is changed from the prior fiscal year, then the change does not become effective unless written notice is provided to the affected municipalities before December 15 in the year of the adoption of the resolution and copies of the notice are submitted to the Secretary of Revenue. Applies to resolutions determining the method of distribution adopted on or after the date that the act becomes law.

Amends GS 75-41, concerning contracts with automatic renewal clauses, by adding that nothing in the statute creates liability for any public officer or employee of a political subdivision of the State for disbursement of public funds pursuant to a contract rendered void under (e), which provides that a violation of the statute renders the automatic renewal clause void and unenforceable.

Amends GS 143B-135.56 to amend the allocation of funds in the Parks and Recreation Trust Fund to require that 30% be used to provide matching funds to local governmental units or public authorities on a dollar-for-dollar basis for local park and recreation purposes, to local governmental units identified as a tier one area, or to a local governmental unit located within a tier one area (was, only to local governmental units or public authorities on a dollar-for-dollar basis for local park and recreation purposes). Applies to allocations on or after July 1, 2019.

Amends GS 157-3, which sets out the definitions for use in the Housing Authorities Law by amending the definition of *housing project* to include the specified types of property and facilities that are acquired or constructed pursuant to a single plan or undertaking (in addition to the other specified purposes) to provide safe and sanitary housing for persons of low income, or moderate income, or low and moderate income, through payment of either or both of rent subsidies and relocation assistance (was, to provide safe and sanitary housing for persons of low income through payment of rent subsidies) from any source. Makes additional clarifying changes.

Amends GS 160A-497, concerning city or county programs for senior citizen assistance by defining *senior citizen* to mean citizens who are at least 55 (was, 60) years old.

Amends GS 160A-31, concerning annexation by petition; GS 160A-58.1, concerning a petition for annexation; and GS 160A-58.7, concerning annexation of municipal property by adding that the city council may include in the annexation ordinance a description of the area to be annexed any state-maintained street, street right-of-way, or easement. Deletes the provisions stating that a municipality has no legal interest in a state-maintained street unless it owns the underlying fee and not just an easement.

Amends GS 160A-536 by providing that in addition to the requirements listed in (d) of the statute, if the city enters into a contract with any person or entity other than its own forces or another governmental agency (was, enter into a contract with a private agency) for a service district, then the city must comply with the five listed requirements. Makes conforming changes to those requirements by replacing references to a "private agency" with "person or entity other than its own forces or another governmental agency."

Amends GS 162A-211 by adding that revenue from system development fees calculated using the combined cost method may be expended for previously completed capital improvements for which capacity exists and for capital rehabilitation projects.

**Intro. by McKissick, T. Alexander.**

[GS 75, GS 105, GS 143B, GS 157, GS 160A, GS 162A](#)

[View summary](#)

[Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Tax, Local Government, Health and Human Services, Social Services, Adult Services](#)

S 505 (2019-2020) [RURAL JOB RETENTION ACT](#). Filed Apr 2 2019, *AN ACT TO EXPAND THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND TO INCLUDE HERITAGE MANUFACTURING PROJECTS*.

Amends GS 143B-437.012 regarding the Job Maintenance and Capital Development Fund (Fund). Expands the eligibility qualifications for a business to be considered for a grant under the statute to include a heritage manufacturing employer. Describes the requirements to be a heritage manufacturing employer, including: (1) the business is in manufacturing and has been operating in the State for over 100 years; (2) the Department of Commerce (Department) certifies that the business has invested or intends to invest at least \$325 million of private funds in improvements to real property and additions to tangible personal property in the project within a four-year period as specified; (3) the business employees at least 1,050 full-time employees or equivalent full-time contract employees in the State and agrees to maintain that amount for the term of the grant, and retrain and relocate to a development tier two area at least 400 of those employees or contract employees upon commencement of commercial production of its tier two area facility; and (4) the business is operating in a development tier three area at the time of application and is relocating to a development tier two area with an estimated population of less than 63,000, as specified. Maintains the requirement for qualifying businesses to have all newly hired employees be US citizens or have proper identification and documentation of their authorization to reside and work in the US. Requires each grant agreement for a major employer as specified to contain a provision requiring the business to maintain the employment level required under that subdivision at the project that is the subject of the grant. Now authorizes the Department to enter into seven rather than six agreements under the statute, with the total aggregate cost of all agreements not to exceed \$154 million, rather than \$139 million. Makes conforming changes.

Effective July 1, 2019.

**Intro. by McInnis, Rabon, Brown.**

[GS 143B](#)

[View summary](#)

[Development, Land Use and Housing, Community and Economic Development](#)

S 506 (2019-2020) [FUNDS/HIGH ROCK LAKE NAVIGATION AIDS](#). Filed Apr 2 2019, *AN ACT TO PROVIDE FUNDS FOR THE INSTALLATION OF SAFETY BUOYS AND DIRECTIONAL BEACONS IN HIGH ROCK LAKE*.

Appropriates \$500,000 in nonrecurring funds for 2019-20 from the General Fund to the Counties of Davidson and Rowan in equal amounts, to be used for the installation of safety buoys and directional beacons. Also appropriates \$50,000 in recurring funds from the General Fund for 2020-21 for maintenance and upkeep of safety buoys and directional beacons in High Rock Lake. Effective July 1, 2019.

**Intro. by Gallimore, Ford.**

[Davidson, Rowan](#)

[View summary](#)

[Government, Budget/Appropriations, Public Safety and Emergency Management](#)

S 507 (2019-2020) [PRIVATE PROCESS SERVERS- EVICTIONS](#). Filed Apr 2 2019, *AN ACT TO PROVIDE FOR AN ELECTION BY THE PLAINTIFF TO UTILIZE A PRIVATE PROCESS SERVER IN COUNTIES WITH POPULATIONS OF TWO HUNDRED FIFTY THOUSAND OR GREATER*.

Amends GS 42-28, regarding summons for summary ejectment issued by the clerk of superior court. Provides for the plaintiff to elect to have the clerk return the summons to the plaintiff or forward the summons to the sheriff for service. Limits the election to counties with 250,000 or more residents as of the most recent decennial federal census. Authorizes the plaintiff to extend the action pursuant to GS 1A-1, Rule 4(d) if the magistrate severs the claim for monetary damages pursuant to GS 7A-223(b1) (concerning where personal service was not achieved for one or more defendants).

Amends GS 42-29 regarding service of summons for summary ejectment. Applicable only to service for summary ejectment proceedings in counties with 250,000 or more residents as of the most recent decennial federal census, authorizes a process server to effectuate proper service upon the defendant for summary ejectment by mailing a copy of the issued summons and signed complaint to the defendant no later than the end of the business day of the next business day after receipt of the summons and complaint, or as soon as practicable at the defendant's last known address in a stamped addressed envelope provided by the plaintiff. Also requires the process server to then deliver a copy of the summons and the complaint to the defendant by affixing the copies to some conspicuous part of the premises claimed and making due return showing compliance with the provisions in the form of an affidavit of service setting forth the time, place, and manner of service in compliance with the provision. Defines *process server* to mean any person over the age of 21 years who is not a party to the action, who is not related by blood or marriage to a party to the action or to a person who service is to be made, and who is hired by the plaintiff or the plaintiff's agent or attorney for the purpose of serving the summons and complaint for summary ejectment. Defines *officer* to mean the sheriff of the county where the subject premises is situated. Clarifies that the definitions given only apply to the article with respect to service for summary ejectment proceedings in counties with 250,000 or more residents as of the most recent decennial federal census.

Applies to actions for summary ejectment filed on or after October 1, 2019.

**Intro. by Bishop, Edwards, Nickel.**

[GS 42](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law](#)

S 508 (2019-2020) [CIVIL PROCEDURE/DEPONENT DECLARATION](#). Filed Apr 2 2019, *AN ACT AMENDING RULE 30 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE RELATING TO THE TAKING OF DEPOSITIONS*.

Amends GS 1A-1, Rule 30 of the Rules of Civil Procedure. Provides for a deposition to be taken in situations where a deponent lacks the government-issued photo identification necessary to be put on oath by the person before whom the deposition is taken, by allowing the deponent to sign a declaration stating that the deponent's testimony is given under penalty

of perjury. Requires the person authorized to administer the oath to certify that the deponent signed a declaration because the oath was not administered, in addition to certifying that the deposition is a true record of the testimony given by the deponent. Provides that a declaration signed by a deponent has the same effect as an affirmation under GS 14-209 (perjury), and a deponent's willful perjury is subject to the same punishment set forth by the Rule. Details information that must be included in a declaration, including information regarding the matter and parties to the action, the legal name and address of the deponent, the date of the deposition, a statement of declaration and lines for the deponent's signature and date and two witnesses' signatures. Requires the deponent's declaration to be attached to the deposition transcript as an exhibit and filed with the transcript. Specifies that a person's preparation of the declaration does not constitute the unauthorized practice of law. Makes conforming changes and makes language gender neutral. Applies to depositions taken on or after October 1, 2019.

**Intro. by Bishop.**

GS 1A

[View summary](#)

[Courts/Judiciary, Civil, Civil Procedure](#)

S 509 (2019-2020) [PROHIBIT HERD SHARES](#). Filed Apr 2 2019, *AN ACT TO PROHIBIT THE DISPENSING OF RAW MILK AND RAW MILK PRODUCTS TO INDEPENDENT OR PARTIAL OWNERS OF LACTATING ANIMALS FOR PERSONAL USE OR CONSUMPTION*.

Identical to [H 385](#), filed 3/19/19.

Repeals Section 15.2 of SL 2018-113 which allowed dispensing raw milk or raw milk products for personal use or consumption to, or the acquisition of raw milk or raw milk products for personal use or consumption by, an independent or partial owner of a cow, goat, or other lactating animal.

**Intro. by Sawyer.**

UNCODIFIED

[View summary](#)

[Agriculture](#)

S 512 (2019-2020) [ESTABLISH TAMIL PONGAL AS STATE HOLIDAY](#). Filed Apr 2 2019, *AN ACT TO ESTABLISH JANUARY FOURTEENTH OF EACH YEAR AS TAMIL PONGAL DAY IN NORTH CAROLINA*.

Enacts GS 103-15 as title indicates.

**Intro. by Nickel, Mohammed.**

GS 103

[View summary](#)

[Government, Cultural Resources and Museums](#)

S 514 (2019-2020) [AIRBORNE & SPECIAL OPERATIONS MUSEUM FUNDS](#). Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS FOR THE UNITED STATES ARMY AIRBORNE AND SPECIAL OPERATIONS MUSEUM*.

Includes whereas clauses.

Appropriates \$2,300,000 in nonrecurring funds for 2019-20 from the General Fund to the United States Army Airborne and Special Operations Museum Foundation to be used for necessary updates and additions to honor Airborne and Special Forces troops. Effective July 1, 2019.

**Intro. by Clark, deViere.**

APPROP

[View summary](#)

[Government, Budget/Appropriations, Cultural Resources and](#)

## Museums

S 520 (2019-2020) **SCHOOL ETHICS TRAINING & FINANCE OFFICERS**. Filed Apr 2 2019, *AN ACT TO REQUIRE ETHICS TRAINING FOR CERTAIN SCHOOL EMPLOYEES AND TO REQUIRE THE TERMS AND CONDITIONS OF SCHOOL FINANCE OFFICERS' EMPLOYMENT TO MIRROR THOSE OF ASSISTANT AND ASSOCIATE SUPERINTENDENTS*.

Identical to [H 430](#), filed 3/21/19.

Enacts GS 115C-335.15, creating a new requirement for all school employees involved in the making and administering of contracts to receive a minimum of two hours of ethics training once every odd-numbered year. Defines school employees involved in the making and administering of contracts to have the meaning given in GS 14-234(b) (appears to intend subsection (a1), which includes oversight of contract performance, authority over contract decisions or interpretation, participation in the development of specifications or terms or in the preparation or award of the contract, but not solely because of the performance of ministerial duties related to the contract). Requires initial training within 90 days of assuming responsibility of making and administering contracts; subsequent training to be conducted once every odd-numbered year; training to include position-specific education on conflicts of interest and ethical standards of conduct; and training provided by the NC Association of School Administrators, the NC School Boards Association, the UNC School of Government, or other qualified sources at the choice of the local board of education. Requires all school employees involved in the making or administering of contracts as of the effective date of the act to receive initial training within six months of the effective date of the act.

Amends GS 115C-435 to now require the terms and conditions of employment for school finance officers to mirror those for assistant superintendents and associate superintendents as outlined in GS 115C-278(b) and (c), as amended. Makes organizational changes to the existing language of GS 115C-278, placing the provisions setting out parameters for the terms of employment for assistant superintendents and associate superintendents into new subsections (b) and (c). Makes conforming deletion to GS 115C-435, which previously provided for the school finance officer to serve at the pleasure of the superintendent.

**Intro. by Ballard, Edwards, Britt.**

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, Ethics and Lobbying**

S 528 (2019-2020) **EASTERN TRIAD WORKFORCE DEV. FUNDS**. Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS FOR THE EASTERN TRIAD WORKFORCE SOLUTIONS COLLABORATIVE*.

Appropriates \$4.5 million for 2019-20 and \$4.5 million in nonrecurring funds for 2020-21 from the General Fund to Community Foundation of Greater Greensboro, Inc., for the Eastern Triad Workforce Solutions Collaborative to be used for a pilot apprenticeship program in targeted industries throughout the Eastern Triad region. Effective July 1, 2019.

**Intro. by Gunn, Tillman, Robinson.**

APPROP

[View summary](#)

**Employment and Retirement, Government,  
Budget/Appropriations**

S 529 (2019-2020) **FEES/RETURNED CHECKS/LOAN PROCESSING**. Filed Apr 2 2019, *AN ACT TO INCREASE THE MAXIMUM PROCESSING FEE FOR RETURNED CHECKS AND THE MAXIMUM LOAN PROCESSING FEE FOR LICENSEES UNDER THE CONSUMER FINANCE ACT*.

Identical to [H 327](#), filed 3/11/19.

Amends GS 25-3-506, increasing the maximum processing fee for returned checks accepted in payment for goods or services from \$25 to \$35. Makes language gender-neutral and makes further technical and clarifying changes. Applies to checks dated on or after October 1, 2019.

Amends GS 53-176, increasing the maximum loan processing fee a licensee under the North Carolina Consumer Finance Act can assess, from \$25 for loans up to \$2,500 and 1% of the cash advance for loans above \$2,500, not exceeding a total fee of \$40, to \$50 for loans up to \$5,000 and 1% of the cash advance for loans above \$5,000, with no maximum total fee amount specified. Applies to contracts entered into, renewed, or modified on or after October 1, 2019.

**Intro. by Gunn, D. Davis.**

[GS 25](#), [GS 53](#)

[View summary](#)

**Banking and Finance**

S 532 (2019-2020) [AMENDS PROBATE/TRUSTS/WILLS CHOICE OF LAW](#). Filed Apr 2 2019, *AN ACT (I) TO REQUIRE THAT, IN A LIVING PROBATE PROCEEDING, THE ORIGINAL WILL BE INTRODUCED AS EVIDENCE RATHER THAN BEING ATTACHED TO THE INITIAL PETITION, (II) TO PERMIT THE USE OF "MINOR" OR "18+" OR "ADULT" IN PLACE OF THE ACTUAL AGE OF AN HEIR OR DEVISEE IN AN APPLICATION FOR LETTERS OF ADMINISTRATION OR LETTERS TESTAMENTARY, (III) TO ADJUST THIS STATE'S STATUTES DEALING WITH OUT-OF-STATE WILLS RECOGNIZED IN THIS STATE ON THE BASIS OF COMPLIANCE WITH THE LAW OF THE STATE OF EXECUTION IN ORDER TO CONTINUE THE REQUIREMENT THAT THE TESTATOR HAVE BEEN PHYSICALLY PRESENT IN THAT STATE AT THE TIME OF THE WILL'S EXECUTION, (IV) TO PROVIDE FOR NOTICE THAT TENANCY BY THE ENTIRETIES PROPERTY TRANSFERRED TO A TENANCY BY THE ENTIRETIES TRUST REMAINS IMMUNE TO THE CLAIMS OF ONE SPOUSE'S INDIVIDUAL CREDITORS AND TO SPECIFY THAT A PERSON ENTERING INTO A TRANSACTION INVOLVING THE PROPERTY MAY OBTAIN CONFIRMATION FROM THE TRUSTEE THAT THE PROPERTY CONTINUES TO QUALIFY FOR THIS IMMUNITY, AND (V) TO MAKE TECHNICAL CORRECTIONS TO THE AFFECTED STATUTES, AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.*

Amends GS 28A-2B-1 to require that at a hearing taking place before death on the validity of a will or codicil, that the petitioner produce the original will or codicil. Makes conforming changes to GS 28A-2B-3 concerning the contents of a petition of will validity, requiring that the original will or codicil be tendered at the hearing, while attaching a copy with the petition.

Amends GS 28A-6-1 to provide that on an application for letters of administration or letters testamentary, it is sufficient to use the terms minor or adult instead of the actual age of an heir or devisee. Makes additional clarifying and technical changes.

Amends GS 31-11.6 to provide that any will recognized as under GS 31-46(1) or (2) (as amended) and shown to have been made self-proved under the jurisdiction in which the testator was physically present at the time of execution or the place where the testator was domiciled at the time of execution or at the time of death is to be considered as self-proved. Amends GS 31-46 to provide that a will is valid if it meets the requirements of the applicable provision of law in effect in this state at the time of its execution or at the time of the testator's death if (1) the will's execution complied with the law of the jurisdiction in which the testator was physically present at the time of execution (was, execution complies with the law of the place where it is executed at the time of execution); its execution complied with the law of the place where the testator was domiciled at the time of execution or at the time of death; or it is a military testamentary instrument executed in accordance with 10 USC Sec. 1044d.

Amends GS 39-13.7 by adding a provision providing for notice that real property held in trust has immunity from the claims of separate creditors may be given in a statement in the conveyance of the tenancy by the entireties real property to the trust that the real property is held under this statute and that the requirements for immunity from the claims of separate creditors are met as of the date of the conveyance. Allows a person entering into a transaction involving real property that is held in trust to require confirmation from the trustee whether the requirements for providing immunity from the claims of separate creditors are met at the time of the transaction. Makes additional technical and clarifying changes.

**Intro. by Edwards.**

[GS 28A](#), [GS 31](#), [GS 39](#)

[View summary](#)[Courts/Judiciary, Civil, Civil Law](#)

S 538 (2019-2020) [TEMP. FIN. ASST./SA FACILITIES](#). Filed Apr 2 2019, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES, TO PROVIDE TEMPORARY FINANCIAL ASSISTANCE FOR FACILITIES LICENSED TO ACCEPT STATE-COUNTY SPECIAL ASSISTANCE.*

Identical to [H 539](#), filed 4/2/19.

Appropriates \$19,872,000 in nonrecurring funds for each of the 2019-20 and 2020-21 fiscal years from the General Fund to the Department of Health and Human Services, Division of Social Services (DSS) to provide temporary assistance to facilities licensed to accept State-County Special Assistance payments (facility), as defined. Restricts use of the funds to the provisions of temporary financial assistance in the form of a monthly payment to the facilities on behalf of each resident who is a recipient of State-County Special Assistance, a program authorized by GS 108A-40. Requires counties to pay 50% of the cost of providing the monthly payments to the facilities. Details requirements and limitations for the monthly payments, including setting the payment amount at \$184 per month for each facility resident as of the first day of the month who is a recipient of State-County Special Assistance, and limiting the period of the prescribed monthly payments from July 1, 2019, to June 30, 2021. Terminates the monthly payments on the earlier of June 30, 2021, or upon depletion of the State and county funds allocations to DSS for each year of the 2019-21 fiscal year for that purpose.

Directs DSS to use an existing mechanism for administration of the funds in the least restrictive, timely, and accurate manner. Allows DSS to use up to \$250,000 in nonrecurring funds for each year of the 2019-21 fiscal biennium for administrative purposes in implementing the act.

Clarifies that nothing in the act obligates legislative appropriations or an entitlement to receive assistance under the act.

Effective July 1, 2019, and expires on June 30, 2021.

**Intro. by Hise, Krawiec, Bishop.**

[APPROP](#)

[View summary](#)

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

S 541 (2019-2020) [ACCESS TO SPORTS/EXTRACURR. FOR ALL STUDENTS](#). Filed Apr 2 2019, *AN ACT TO PERMIT STUDENTS WHO ATTEND A PUBLIC SCHOOL, PRIVATE SCHOOL, OR HOME SCHOOL WITHOUT AN INTERSCHOLASTIC ATHLETICS PROGRAM IN A GIVEN SPORT OR PARTICULAR EXTRACURRICULAR ACTIVITY TO PARTICIPATE IN THAT ACTIVITY AT A PUBLIC HIGH SCHOOL.*

Amends GS 115C-12 by creating a new subsection (23a) and amends GS 115C-47(4) to provide that the powers and duties of the State Board of Education and local boards of education include providing all students with the opportunity to participate in interscholastic athletics programs. Requires the State Board of Education and local boards of education to adopt rules that allow public high school students who attend schools that do not have interscholastic athletics programs in any given sport to participate in the sport at the public high school closest to the student's school which has a program in that sport, subject to the terms and conditions applicable to a regularly enrolled member of that school's student body. Also, that a private school or home-schooled student may likewise participate in sports programs at the base public high school for the student's home address. Authorizes the public school providing an opportunity for students who attend other schools to participate in interscholastic athletics programs to charge a reasonable fee for participation to the student who is not enrolled in that school as established by the local board of education under GS 115C-47(6).

Makes a conforming change to GS 115C-47(6) regarding the administration of the fee charged to participating students in sports and other extracurricular activities.

Effective when the act becomes law and applies beginning with 2019-20 school year.

**Intro. by Hise, Daniel, Sanderson.**

GS 115C

[View summary](#)**Education, Elementary and Secondary Education**

S 543 (2019-2020) **FUNDS/REACH OUT AND READ CAROLINAS**. Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS FOR REACH OUT AND READ CAROLINAS*.

Identical to [H 535](#), filed 2/2/19.

Appropriates \$1.5 million in recurring funds for each year of the 2019-21 biennium from the General or Fund to the Department of Health and Human Services, Division of Child Development and Early Education, to be allocated to Reach Out and Read Carolinas, to be used to promote language enrichment activities in families. Reach Out and Read Carolinas is to match these funds with \$1.5 million in private funds and in-kind contributions. Effective July 1, 2019.

**Intro. by Hise, Krawiec, D. Davis.**

APPROP

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

S 545 (2019-2020) **FAIR CHANCE HIRING**. Filed Apr 2 2019, *AN ACT DIRECTING STATE AGENCIES TO ADJUST EMPLOYMENT PRACTICES TO REDUCE BARRIERS TO EMPLOYMENT FOR INDIVIDUALS WITH A CRIMINAL HISTORY*.

Identical to [H 460](#), filed 3/26/19.

Enacts new GS 126-20 which provides as follows. Applies to all State agencies and positions in State government employment, except: (1) a position for which State or federal law specifically disqualifies an applicant with a record of conviction for one or more specified offenses and (2) a position the duties of which are related to the investigation, apprehension, detention, or post-release supervision of individuals suspected or convicted of committing criminal offenses, including law enforcement officers, correctional officers, and probation and parole officers. Prohibits asking an applicant to disclose information concerning the applicant's criminal record or history until the applicant has received a conditional offer of employment and has signed the waiver authorizing release. Requires that if a background check has been lawfully completed and a criminal history exists, that the state agency inform the applicant of a potential adverse employment decision based on the report and requires giving the applicant an opportunity to respond with information pertaining to the three specified factors before making a final decision, including the applicant's efforts toward rehabilitation. Sets out seven issues that must be considered by the agency before proffering or denying an offer of employment when a criminal history exists, including the nature and gravity of the offenses, age of the person at the time of conviction, and whether the position offers the opportunity for the same or similar offense to occur. Prohibits a record of arrest that did not result in conviction or a record that has been expunged from being used to disqualify a person from public employment. Allows an applicant to bring a grievance concerning an alleged violation of the statute. Requires agencies to keep records of certain related information and report the information annually to the Office of State Human Resources, which must then annually by April 1, compile the information and make it available to the public. Specifies that the statute does not require performing a background check when one is not otherwise required by law or policy. Encourages comparable hiring practices among local government and private employers.

Makes conforming changes to GS 126-34.02 and GS 126-5.

**Intro. by J. Davis.**

GS 126

[View summary](#)**Employment and Retirement, Government, State Agencies, State Government, State Personnel**

S 557 (2019-2020) [ALT. HWY USE TAX VEHICLE SUBSCRIPTIONS](#). Filed Apr 2 2019, *AN ACT TO REDUCE THE ALTERNATE HIGHWAY USE TAX ON VEHICLE SUBSCRIPTIONS*.

Identical to [H 537](#), filed 4/2/19.

Amends GS 105-187.1 which sets forth defined terms for Article 5A, NC Highway Use Tax. Adds the terms limited possession commitment, vehicle sharing service, and vehicle subscription. Amends long-term lease or rental to specify that the term applies to agreements concerning a single motor vehicle. Amends retailer to include a person engaged in the business of offering vehicle subscriptions for motor vehicles. Amends short-term lease or rental to mean a lease or rental of a motor vehicle or motor vehicles, including a vehicle sharing service, that is not a long-term lease or rental or a vehicle subscription.

Amends GS 105-187.5 to provide for a retailer to elect an alternate tax when applying for a certificate of title for a motor vehicle purchased for a limited possession commitments (was, for lease or rental), defined as long-term lease or rental, short-term lease or rental, and vehicle subscriptions. Defines vehicle subscription to mean a written agreement that grants a person the right to use and exchange motor vehicles owned by the person offering the agreement upon payment of a subscription fee, excluding a vehicle sharing service, which is defined as a service for which a person pays a membership fee for the right to use a motor vehicle(s) upon payment of an additional time-based or mileage-based fee. Makes conforming changes to the statute to refer to limited possession commitments rather than lease or rental. Sets tax rates for the gross receipts of vehicle subscriptions at 5% and maintains the current tax rates for short-term leases or rentals (8%) and long-term leases or rentals (3%).

Amends GS 105-187.9 to require \$10 million of the taxes collected at the rate of 5% and 8% under Article 5A (was only those collected at 8%) to be credited annually to the Highway Fund, with the remainder credited to the General Fund. Maintains the provision requiring taxes collected at the rate of 3% to be credited to the Highway Trust Fund.

Amends GS 105-550 (concerning Regional Transit Authority vehicle rental tax) and GS 153A-156 (concerning county gross receipts tax on short-term leases or rentals) to amend the definitions of short-term lease or rental in each statute to now refer to the definition in GS 105-187.1, as amended.

Applies to vehicle subscription agreements entered into on or after October 1, 2019.

**Intro. by Krawiec, Rabon, Lowe.**

[GS 105, GS 153A](#)

[View summary](#)

[Government, Tax, Local Government, Transportation](#)

S 561 (2019-2020) [EDUCATION/JOB READINESS IN PRISONS & AMP JAILS](#). Filed Apr 2 2019, *AN ACT TO PROVIDE ACCESS TO EDUCATION AND JOB READINESS SKILLS FOR INDIVIDUALS INCARCERATED IN STATE PRISONS AND LOCAL JAILS*.

Identical to [H 463](#), filed 3/26/19.

Amends GS 115C-499.2, which sets out the eligibility requirements for scholarships for a community college or constituent institution of the UNC System, modifying the requirement that the student must meet all other eligibility requirements for the federal Pell Grant by excepting any eligibility requirements related to whether an individual is incarcerated in a State penal institution from the requirement.

Amends GS 115D-40.1, to now specify that an incarcerated individual who is not eligible for federal education assistance on the basis of the incarceration is not disqualified from receiving financial assistance under the Need-Based Assistance program or the Targeted Assistance program for community college students pursuant to the statute.

Amends GS 116-25.1, to now specify that an incarcerated individual who is not eligible for federal education assistance on the basis of the incarceration is not disqualified from receiving financial assistance under The University of North Carolina Need-Based Financial Aid Program if the individual otherwise meets the requirements of the program.

Amends GS 116-143.1, which sets out provisions for determining resident status for tuition purposes at community colleges and constituent institutions of the UNC System, to establish that an individual's incarceration in a State penal institution located in the State is prima facie evidence of the individual's legal residence in the State, and can be reinforced or rebutted by

other evidence of legal residence requested of the individual. Requires an individual qualifying as a legal resident under the subsection to (1) be permitted to enroll and receive State financial assistance as a resident without meeting the 12-month durational requirement and (2) be classified as a resident for purposes of receiving the in-State tuition rate. Clarifies that the new subsection does not confer legal residency for any other purpose.

Amends GS 116-281, which sets out the eligibility requirements for Need-Based Scholarships for students attending private institutions of higher education, modifying the requirement that the student must meet all other eligibility requirements for the federal Pell Grant by excepting any eligibility requirements related to whether an individual is incarcerated in a State penal institution from the requirement.

Applies to the award of financial assistance beginning with the 2020-21 academic year.

Amends Section 8.3 of SL 2010-31, removing the provision that prohibits using funds appropriated for community college courses for prison inmates for Associate of Arts, Associate of Science, or Associate of General Education degrees. Removes the provision prohibiting courses in local jails from earning regular budget full-time equivalents; maintains the provision prohibiting the same for courses in federal prisons. Makes conforming changes to GS 115D-5, modifying the statute to require all community college course offerings approved for prisoners in local jails to be tied to clearly identified job skills, transition needs, or both (as required by existing law for course offerings approved for State prison inmates). Applies current approval provisions concerning community college course offerings which apply to courses offered to State prison inmates to those offered to prisoners in local jails. Provides that beginning with the 2019-20 academic year, community college courses offered in local jails earn regular budget full-time equivalents.

Effective July 1, 2019.

**Intro. by Britt, Sanderson, Woodard.**

GS 115C, GS 115D, GS 116

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections  
(Sentencing/Probation), Education, Higher Education**

S 563 (2019-2020) **RIGHT TO REVOKE CONSENT**. Filed Apr 2 2019, *AN ACT TO PROVIDE THAT A PERSON WHO CONTINUES TO ENGAGE IN INTERCOURSE OR A SEXUAL ACT AFTER CONSENT IS WITHDRAWN IS DEEMED TO HAVE COMMITTED THE ACT OF INTERCOURSE OR SEXUAL ACT BY FORCE AND AGAINST THE WILL OF THE OTHER PERSON.*

Amends GS Chapter 14, Article 7B, adding new section GS 14-27.37, titled "Withdrawal of consent." Provides that a person who initially consents to vaginal intercourse or to a sexual act can withdraw that consent at any time during the course of that sexual act, and that a defendant who continues the vaginal intercourse or sexual act after consent is withdrawn is deemed to have committed that act by force and against the will of the other person. Requires that withdrawal of consent must be clearly communicated in a way that a person knows or should reasonably know consent was withdrawn. Effective December 1, 2019, and applies to offenses committed on or after that date.

**Intro. by J. Jackson, Britt.**

GS 14

[View summary](#)

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

## LOCAL/SENATE BILLS

S 486 (2019-2020) **NORTH CAROLINA EQUAL PAY ACT**. Filed Apr 2 2019, *AN ACT TO PROHIBIT DISCRIMINATION IN THE PAYMENT OF WAGES ON THE BASIS OF THE GENDER OF THE EMPLOYEE.*

Refers to the act as the "North Carolina Equal Pay Act."

Enacts new GS 95-25.6A (Discrimination in payment of wages on the basis of gender of employee prohibited).

Defines comparable work and working conditions.

Prohibits discrimination on the basis of gender in the payment of salary or wages, including benefits, or payment of salary or wage rates less than the rates paid to employees of a different gender for comparable work. Provides that variations in salary and wages are not prohibited if the variations are based on six listed things, including seniority, merit, and geographic location. Provides that an employer in violation of this statute may not reduce the pay of any employee to comply with this statute.

Prohibits employers from (1) requiring employees to refrain from inquiring about, discussing, or disclosing wages; (2) screening job applicants based on their wage histories; (3) seeking the salary history of prospective employees from current or former employers; or (4) discharging employees for opposing acts made unlawful by this statute, complaining or causing a proceeding under this statute, testifying or otherwise participating in an investigation or proceeding under this statute, or disclosing wage information.

Provides that employers violating this statute are liable to affected employees in the amount of the employees' unpaid salary or wages, including benefits and reasonable attorneys fees at the court's discretion. Provides a three-year statute of limitations for actions arising from a violation, and includes each separate wage payment in violation of this statute as a violation for purposes of the statute of limitations.

Requires employers to post notice in their workplaces of employees' rights under this statute.

Effective January 1, 2020.

**Intro. by McKissick, Marcus, deViere.**

GS 95

[View summary](#)

**Courts/Judiciary, Civil, Civil Law, Employment and Retirement**

S 530 (2019-2020) [AMEND TOWN OF ELON CHARTER/PARKING ORDINANCES](#). Filed Apr 2 2019, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF ELON TO AUTHORIZE THE TOWN TO ADOPT AND ENFORCE ORDINANCES RELATING TO PARKING*.

Identical to [H 187](#), filed 2/26/19.

Amends the Elon town charter, SL 1985-109, by adding new Article VI allowing the board of aldermen to provide by ordinance: (1) each hour a vehicle is illegally parked in an on-street parking space is a separate offense; (2) that any vehicle that has been towed for a parking violation is to be held until the towing fee and penalties related to all outstanding parking tickets and parking penalties owed to the Town are paid in full, or a bond is posted in the amount of the towing fee and all outstanding parking tickets and parking penalties; (3) for the use of wheel locks on and towing of a vehicle parked in a public vehicular area for which there is one or more outstanding, unpaid, and overdue parking tickets for a period of 45 days (sets out notice requirements as well as allowable fees).

**Intro. by Gunn.**

Alamance

[View summary](#)

**Courts/Judiciary, Motor Vehicle, Transportation**

## ACTIONS ON BILLS

## PUBLIC BILLS

**H 90: DPI/EC DIV. FEEDBACK/DIT STUDY/PED REPORT.**

*House: Reptd Fav*

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

**H 126: ORGAN & TISSUE DONATION/HEART HEROES.**

*House: Reptd Fav*

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

**H 147: CONFIRM RAYMOND GRACE/BANKING COMMISSIONER.**

*Senate: Reptd Fav*

**H 267: REQUIRE SAFETY HELMETS/UNDER 21.**

*House: Serial Referral To Rules, Calendar, and Operations of the House Stricken*

*House: Serial Referral To Health Added*

*House: Serial Referral To Rules, Calendar, and Operations of the House Added*

**H 298: RESTORE LOTTERY REVENUE DISTRIB. STRUCTURE.**

*House: Serial Referral To Rules, Calendar, and Operations of the House Stricken*

*House: Serial Referral To Appropriations Added*

*House: Serial Referral To Rules, Calendar, and Operations of the House Added*

**H 351: CATHERINE'S LAW.**

*House: Reptd Fav*

*House: Re-ref Com On Appropriations, Education*

**H 388: IMMUNIZING PHARMACISTS.**

*House: Reptd Fav*

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

**H 389: ABC/UNIV ATHLETIC FACILITY.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**H 431: FIBER NC ACT.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on State and Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House*

**H 437: EDUCATION ON THE HOLOCAUST AND GENOCIDE.**

*House: Reptd Fav*

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

**H 443: NEED-BASED SCHOLAR. FUNDS/MILITARY DEPENDENTS.**

*House: Reptd Fav*

*House: Re-ref Com On Appropriations, Education*

**H 531: PROTECT. TENANTS AT FORECLOSURE ACT RESTORED.**

*House: Passed 1st Reading*

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

**H 532: DNCR ADD NEW TRAILS & VARIOUS CHANGES.**

*House: Passed 1st Reading*

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

**H 533: RETAIL WORKERS' BILL OF RIGHTS.**

*House: Filed*

**H 534: NC PHARMACY BENEFITS MANAGER LICENSURE ACT.***House: Filed***H 535: FUNDS/REACH OUT AND READ CAROLINAS.***House: Filed***H 536: ABC OMNIBUS REGULATORY REFORM.***House: Filed***H 537: ALT. HWY USE TAX VEHICLE SUBSCRIPTIONS.***House: Filed***H 538: FACILITATE RESPONSE TO DISASTERS.***House: Filed***H 539: TEMP. FIN. ASST./SA FACILITIES.***House: Filed***H 540: DRUG TRAFFICKING/JUDICIAL DISCRETION & STUDY.***House: Filed***H 541: CHANGE EXCLUSION FOR SOLAR ENERGY SYSTEMS.***House: Filed***H 542: INCLUDE SOLAR PROPERTY AS NONSYSTEM PROPERTY.***House: Filed***H 543: UTILITIES/AMEND REPS REQUIREMENTS.***House: Filed***H 544: NCAMC/NCACC SPECIAL REGIS. PLATE.***House: Filed***H 545: PROTECT THE MILITARY/FISHERIES/TOURISM.***House: Filed***H 546: PROHIBIT COUNTERFEIT/NONFUNCTIONAL AIRBAGS.***House: Filed***H 547: OAK RIDGE PARK SECURITY SYSTEM FUNDS.***House: Filed***H 548: MODIFY PHYSICAL THERAPY DEFINITION.***House: Filed***H 549: MATCHING FUNDS FOR AFFORDABLE HOUSING.***House: Filed***H 550: URGE CONGRESSIONAL SUPPORT OF VA MISSION ACT.***House: Filed***H 551: REQUIRE PAID WORK BREAKS.***House: Filed***H 552: AFTER-SCHOOL ROBOTICS GRANTS/ATHLETICS.**

*House: Filed*

**H 553: LICENSING CERTAIN FIRE SAFETY EQUIP. WORK.**

*House: Filed*

**H 554: FUNERAL PRACTICE LICENSURE TECH. CORRECTIONS.**

*House: Filed*

**H 555: MODERNIZE MEDICAID TELEMEDICINE POLICIES.**

*House: Filed*

**H 556: FUNDS FOR FOOD BANKS.**

*House: Filed*

**H 557: MUNICIPAL OMNIBUS BILL.**

*House: Filed*

**H 558: AMEND STALKING OFFENSE.**

*House: Filed*

**H 559: THE POLLINATOR PROTECTION ACT.**

*House: Filed*

**H 560: BAN PFAS IN FIRE RETARDANT FOAM.**

*House: Filed*

**H 561: STRENGTHEN DANGEROUS DOG LAWS.**

*House: Filed*

**H 562: HEALTH CARE REIMBURSEMENT CONTRACTS/AOBS.**

*House: Filed*

**H 563: 30 MIN. DUTY-FREE LUNCH FOR TEACHERS.**

*House: Filed*

**H 564: CREATE HOUSE SELECT COMMITTEE ON HOMELESSNESS.**

*House: Filed*

**H 565: WASHINGTON CENTER INTERNSHIP PROGRAM/FUNDS.**

*House: Filed*

**H 566: POLLUTER PAYS.**

*House: Filed*

**H 567: COAL ASH/PROHIBIT COST RCVR./PROPER DISPOSAL.**

*House: Filed*

**H 568: ADD'L MEASURES FOR EMERGING CONTAMINANTS.**

*House: Filed*

**S 124: SMALL TOWN MIXED BEVERAGE ELECTION REQS.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 04/04/2019*

**S 191: OUT-OF-STATE LAW ENFORCEMENT/2020 REP CONVTN.**

*House: Passed 1st Reading*

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

**S 210: ORGAN & TISSUE DONATION/HEART HEROES.**

*Senate: Reptd Fav*

**S 220: REMOVAL OF POLITICAL SIGNS BY CITIZENS.**

*Senate: Amend Adopted AI*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

**S 225: REPEAL TUITION SURCHARGE.**

*House: Passed 1st Reading*

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

**S 230: EXCUSED ABSENCES FOR MILITARY CHILDREN.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 231: STUDY MILITARY ECONOMIC ZONES.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 239: CHILDREN OF WARTIME VETS/SCHOLARSHIPS.**

*House: Passed 1st Reading*

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

**S 297: CANCER RESEARCH ADVISORY PANEL.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 434: MERGER OF CERTAIN SEWERAGE DISTRICTS.**

*Senate: Passed 1st Reading*

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

**S 435: NEED-BASED SCHOLARSHIPS/VIRTUAL INSTITUTION.**

*Senate: Passed 1st Reading*

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

**S 436: VARIOUS HIGHER EDUCATION CHANGES.-AB**

*Senate: Passed 1st Reading*

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

**S 437: NC COMPLETES COLLEGE/COMPETITIVE WORKFORCE.**

*Senate: Passed 1st Reading*

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

**S 438: EXCELLENT PUBLIC SCHOOLS ACT OF 2019.**

*Senate: Passed 1st Reading*

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

**S 439: PED STUDY - DPS/HEALTH SERVICES/FUNDS FOR FTE.**

*Senate: Passed 1st Reading*

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

**S 440: BODY ART REGULATION CHANGES.**

*Senate: Passed 1st Reading*

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

**S 441: JACKSON COUNTY/TROUT CAPITAL OF NC.**

*Senate: Passed 1st Reading*

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

**S 442: DRUG TRAFFICKING/JUDICIAL DISCRETION & STUDY.**

*Senate: Passed 1st Reading*

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

**S 443: WAIVER/PROHIBIT CERTAIN FOODS/SNAP.**

*Senate: Passed 1st Reading*

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

**S 444: ALLOW USE OF OYSTER SHELLS AS SERVING DISHES.**

*Senate: Passed 1st Reading*

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

**S 445: DOT JUST COMPENSATION INTEREST RATE.**

*Senate: Passed 1st Reading*

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

**S 446: ELECTRIC/HYBRID VEHICLE REGISTRATION FEES.**

*Senate: Passed 1st Reading*

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

**S 447: DISASTER RESILIENCY/EMERGENCY MANAGEMENT.**

*Senate: Passed 1st Reading*

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

**S 448: AMEND APPT FOR COMPACT ON EDUCATION/MILITARY.**

*Senate: Passed 1st Reading*

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

**S 449: SHRA/CERTAIN AGENCIES/FLEXIBILITY.**

*Senate: Passed 1st Reading*

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

**S 450: STUDY STATEWIDE YEAR-ROUND SCHOOL CALENDAR.**

*Senate: Passed 1st Reading*

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

**S 451: FUNDS FOR SOS TO OFFSET LEASE.**

*Senate: Passed 1st Reading*

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

**S 452: 2019 GOVERNOR'S BUDGET.**

*Senate: Passed 1st Reading*

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

**S 453: ELIGIBILITY REFORM/SNAP.**

*Senate: Passed 1st Reading*

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

**S 454: MILL MACHINERY EXISTING LAW CLARIFICATION.**

*Senate: Passed 1st Reading*

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

**S 455: EQUALITY FOR ALL.**

*Senate: Passed 1st Reading*

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

**S 456: MATCHING FUNDS FOR AFFORDABLE HOUSING.**

*Senate: Passed 1st Reading*

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

**S 457: FUNDS FOR NATIONAL GUARD.**

*Senate: Passed 1st Reading*

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

**S 458: ESTABLISH POSTTRAUMATIC STRESS INJURY DAY.**

*Senate: Passed 1st Reading*

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

**S 459: NC PROMISE TUITION MODIFICATIONS.**

*Senate: Passed 1st Reading*

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

**S 460: PERFORMANCE/PROFESSORS AS K-12 TEACHERS.**

*Senate: Passed 1st Reading*

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

**S 461: CERTIFICATION OF AUTO CTE/STATE BD. POLICY.**

*Senate: Passed 1st Reading*

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

**S 462: MODIFICATIONS TO NC APPRAISAL BOARD.**

*Senate: Passed 1st Reading*

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

**S 463: REGULATION OF RAILROAD CREWS.**

*Senate: Filed*

**S 464: FULL REPEAL OF HB2.**

*Senate: Filed*

**S 465: REDUCE SPEED IN RESIDENTIAL SUBDIVISIONS.**

*Senate: Filed*

**S 466: EDPNC MODIFICATIONS.**

*Senate: Filed*

**S 467: SUPPORT FOR USCMA.**

*Senate: Filed*

**S 468: INSURANCE COVERAGE/PUBLIC BUILDINGS.**

*Senate: Filed*

**S 469: FUNDS FOR SMITHVILLE COMMUNITY COALITION.**

*Senate: Filed*

**S 470: ANTI-POVERTY PROGRAM FUNDS.**

*Senate: Filed*

**S 471: REINSTATE MTN ISLAND LAKE MARINE COMMISSION.**

*Senate: Filed*

**S 472: STUDY/MPO VOTING POWER DISTRIBUTION.**

*Senate: Filed*

**S 473: VARIOUS OLB AND ADMINISTRATIVE LAW CHANGES.**

*Senate: Filed*

**S 474: CLEAN UP OBSOLETE BOARDS.**

*Senate: Filed*

**S 475: STUDY SCHOOL ACCOUNTABILITY MEASURES.**

*Senate: Filed*

**S 476: REAFFIRM LOCAL CONTROL OF DISCIPLINE POLICIES.**

*Senate: Filed*

**S 477: SCHOOL LEASE PAYMENTS-USE OF LOTTERY FUNDS.**

*Senate: Filed*

**S 478: REMOVAL POWER/MODIFY REPORTING.**

*Senate: Filed*

**S 479: NORTH CAROLINA CANCER REGISTRY IMPROVEMENT.**

*Senate: Filed*

**S 480: SUBDIVISION STREETS/DOT ACCEPTANCE.**

*Senate: Filed*

**S 481: ONLINE SALES & AUCTIONS FOR JUDICIAL SALES.**

*Senate: Filed*

**S 482: THE HAIDEN PREVATTE ACT.**

*Senate: Filed*

**S 483: VACATION RENTAL ACT CHANGES.**

*Senate: Filed*

**S 484: MODIFICATIONS TO NC INNOCENCE INQUIRY COMMISS.**

*Senate: Filed*

**S 485: DESTRUCTION OF CERTAIN FIREARMS/LOCAL OPTION.**

*Senate: Filed*

**S 487: STUDENT MEAL DEBT POLICY.**

*Senate: Filed*

**S 488: REALISTIC EVALUATION OF ACTUARIAL LIABILITIES.**

*Senate: Filed*

**S 489: CLARIFY WACCAMAW SIOUAN .***Senate: Filed***S 490: REVISE PARENTING COORDINATOR LAWS/FAMILY LAW.***Senate: Filed***S 491: REVISE EQUITABLE DISTRIBUTION LAWS.***Senate: Filed***S 492: ADOPTION LAW CHANGES.***Senate: Filed***S 493: DVPO TIME OF EXPIRATION.***Senate: Filed***S 494: REVOCATION OF LICENSE/PENALTY/COSTS.***Senate: Filed***S 495: AUTOMATIC & ONLINE VOTER REGISTRATION.***Senate: Filed***S 496: THE POLLINATOR PROTECTION ACT.***Senate: Filed***S 497: ANIMAL ABUSE REGISTRY.***Senate: Filed***S 498: FACILITATE RESPONSE TO DISASTERS.***Senate: Filed***S 499: HONOR FRANK BALLANCE, JR.***Senate: Filed***S 500: MODIFY ADVANCED MATH COURSE ENROLLMENT.***Senate: Filed***S 501: KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & REG.***Senate: Filed***S 502: "BAN THE BOX".***Senate: Filed***S 503: WAGE THEFT ACT.***Senate: Filed***S 504: MUNICIPAL OMNIBUS BILL.***Senate: Filed***S 505: RURAL JOB RETENTION ACT.***Senate: Filed***S 506: FUNDS/HIGH ROCK LAKE NAVIGATION AIDS.***Senate: Filed***S 507: PRIVATE PROCESS SERVERS- EVICTIONS.**

*Senate: Filed*

**S 508: CIVIL PROCEDURE/DEPONENT DECLARATION.**

*Senate: Filed*

**S 509: PROHIBIT HERD SHARES.**

*Senate: Filed*

**S 510: PROMOTION OF ENERGY STORAGE INVESTMENTS.**

*Senate: Filed*

**S 511: EV CHARGING STATION/PARKING.**

*Senate: Filed*

**S 512: ESTABLISH TAMIL PONGAL AS STATE HOLIDAY.**

*Senate: Filed*

**S 513: STATE CLEAN ENERGY GOAL FOR 2050.**

*Senate: Filed*

**S 514: AIRBORNE & SPECIAL OPERATIONS MUSEUM FUNDS.**

*Senate: Filed*

**S 515: ADJUST DRUG EDUCATION SCHOOL ENROLLMENT FEE.**

*Senate: Filed*

**S 516: DIRECT ERC TO STUDY DRY LITTER POULTRY WASTE.**

*Senate: Filed*

**S 517: PROTECT THE MILITARY/FISHERIES/TOURISM.**

*Senate: Filed*

**S 518: ESTABLISH PFAS TASK FORCE/ADD'L MEASURES.**

*Senate: Filed*

**S 519: LICENSING CERTAIN FIRE SAFETY EQUIP. WORK.**

*Senate: Filed*

**S 520: SCHOOL ETHICS TRAINING & FINANCE OFFICERS.**

*Senate: Filed*

**S 521: CHANGES/TRANSFORM. PRINCIPAL PREP. PROGRAM.**

*Senate: Filed*

**S 522: VARIOUS CHANGES TO CHARTER SCHOOL LAWS.**

*Senate: Filed*

**S 523: REV. LAWS CLARIFYING & ADMINISTRATIVE CHANGES.**

*Senate: Filed*

**S 524: TUITION GRANTS FOR NCSSM GRADUATES.**

*Senate: Filed*

**S 525: FEASIBILITY OF TEXTILE HISTORIC SITE.**

*Senate: Filed*

**S 526: AGRICULTURAL MANUFACTURING TAX INCENTIVE.***Senate: Filed***S 527: REFLEXOLOGY REGULATION ACT.***Senate: Filed***S 528: EASTERN TRIAD WORKFORCE DEV. FUNDS.***Senate: Filed***S 529: FEES/RETURNED CHECKS/LOAN PROCESSING.***Senate: Filed***S 531: SMALL BUSINESS VENTURE FUND.***Senate: Filed***S 532: AMENDS PROBATE/TRUSTS/WILLS CHOICE OF LAW.***Senate: Filed***S 533: PATRIOTIC SOCIETY PRESENTATIONS IN SCHOOLS.***Senate: Filed***S 534: REVISIONS TO OUTDOOR ADVERTISING LAWS.***Senate: Filed***S 535: CONSERVATION CORPS CLARIFICATION.***Senate: Filed***S 536: WATER/WASTEWATER PUBLIC ENTERPRISE REFORM.***Senate: Filed***S 537: ESTABLISH NEW PAYMENT METHODOLOGY/ACHS.***Senate: Filed***S 538: TEMP. FIN. ASST./SA FACILITIES.***Senate: Filed***S 539: REPEAL CON LAWS.***Senate: Filed***S 540: TUITION GRANTS FOR NCSSM GRADUATES.***Senate: Filed***S 541: ACCESS TO SPORTS/EXTRACURR. FOR ALL STUDENTS.***Senate: Filed***S 542: CYBERSECURITY REGIONAL TRAINING CENTER.***Senate: Filed***S 543: FUNDS/REACH OUT AND READ CAROLINAS.***Senate: Filed***S 544: ESTABLISH NON-OPIOID TREATMENT ALTERNATIVES.***Senate: Filed***S 545: FAIR CHANCE HIRING.**

*Senate: Filed*

**S 546: OPIOID EPIDEMIC RESPONSE ACT.**

*Senate: Filed*

**S 547: PAIN CAPABLE UNBORN CHILD PROTECTION ACT.**

*Senate: Filed*

**S 548: MEDICAID CHANGES FOR TRANSFORMATION.**

*Senate: Filed*

**S 549: CHILD WELFARE/BEHAVIORAL HEALTH PILOT/FUNDS.**

*Senate: Filed*

**S 550: SUPPLEMENTAL ASSISTANCE FOR GROUP HOMES/FUNDS.**

*Senate: Filed*

**S 551: CHILD SUPPORT COOPERATION ACT OF 2019.**

*Senate: Filed*

**S 552: MODIFY 1/4 CENT SALES TAX BALLOT QUESTION.**

*Senate: Filed*

**S 553: REGULATORY REFORM ACT OF 2019.**

*Senate: Filed*

**S 554: MARINE FISHERIES REFORMS.**

*Senate: Filed*

**S 555: MODIFY JUVENILE CRIME PREVENTION COUNCILS.**

*Senate: Filed*

**S 556: GSC PEOPLE FIRST LANGUAGE 2019.**

*Senate: Filed*

**S 557: ALT. HWY USE TAX VEHICLE SUBSCRIPTIONS.**

*Senate: Filed*

**S 558: ENACT NC HEALTHY PREGNANCY ACT.**

*Senate: Filed*

**S 559: STORM SECURITIZATION/ALT. RATES.**

*Senate: Filed*

**S 560: DISCIPLINING JUDGES - STATE BAR.**

*Senate: Filed*

**S 561: EDUCATION/JOB READINESS IN PRISONS & JAILS.**

*Senate: Filed*

**S 562: THE SECOND CHANCE ACT.**

*Senate: Filed*

**S 563: RIGHT TO REVOKE CONSENT.**

*Senate: Filed*

**S 564: PROTECT PUBLIC FROM DANGEROUS WILD ANIMALS.**

*Senate: Filed*

**S 565: EXTREME RISK PROTECTION ORDERS.**

*Senate: Filed*

**S 566: NC CONSUMER FIREWORKS SAFETY ACT.**

*Senate: Filed*

**S 567: FUNDS./LITTLE ALAMANCE CREEK CONS. EASEMENT.**

*Senate: Filed*

**LOCAL BILLS****H 464: SMALL BUSINESS HEALTH CARE ACT.**

*House: Serial Referral To Rules, Calendar, and Operations of the House Stricken*

*House: Serial Referral To Health Added*

*House: Serial Referral To Rules, Calendar, and Operations of the House Added*

**S 186: BEAUFORT-MOREHEAD CTY AIRPORT AUTHORITY/AMEND.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 235: FRANKLIN/NASH MUNICIPALITIES/UNFIT DWELLINGS. (NEW)**

*House: Passed 1st Reading*

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

**S 242: RECREATIONAL LAND FEE CHANGES.**

*House: Passed 1st Reading*

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

**S 486: NORTH CAROLINA EQUAL PAY ACT.**

*Senate: Filed*

**S 530: AMEND TOWN OF ELON CHARTER/PARKING ORDINANCES.**

*Senate: Filed*

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