



The Daily Bulletin: 2019-04-04

PUBLIC/HOUSE BILLS

H 263 (2019-2020) [FILL VACANCIES/MODIFY 2018 APPOINTMENTS](#). Filed Mar 4 2019, *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE MODIFICATIONS TO APPOINTMENTS MADE IN 2018.*

AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO MAKE MODIFICATIONS TO APPOINTMENTS MADE IN 2018. Enacted April 4, 2019. Effective April 4, 2019.

Intro. by Lewis.

UNCODIFIED

[View summary](#)

Government, General Assembly

H 570 (2019-2020) [WATER/WASTEWATER PUBLIC ENTERPRISE REFORM](#). Filed Apr 3 2019, *AN ACT TO IMPROVE VIABILITY OF THE WATER AND WASTEWATER SYSTEMS OF CERTAIN UNITS OF LOCAL GOVERNMENT BY REQUIRING LOCAL GOVERNMENT COMMISSION APPROVAL OF GRANT APPLICATIONS; TO REQUIRE CERTAIN WATER AND WASTEWATER SYSTEMS TO UNDERGO A REVIEW OF INFRASTRUCTURE MANAGEMENT, ORGANIZATIONAL MANAGEMENT, AND FINANCIAL MANAGEMENT; TO CREATE THE VIABLE UTILITY RESERVE TO PROVIDE GRANT MONEY FOR LOCAL GOVERNMENT UNITS; TO CREATE A MONTHLY SURCHARGE TO FUND THE VIABLE UTILITY RESERVE; TO PROVIDE A STATUTORY PROCESS FOR MERGER AND DISSOLUTION OF WATER AND WASTEWATER SYSTEMS ESTABLISHED UNDER CHAPTER 162A OF THE GENERAL STATUTES; TO PROMOTE THE IMPORTANCE OF INTERLOCAL AGREEMENTS TO THE OPERATION OF WATER AND WASTEWATER SYSTEMS; AND TO STUDY SUB-BASIN TRANSFERS AND HISTORICAL CHARTERS.*

Identical to [S 536](#), filed 4/2/19.

Section 1

Makes the following changes to GS Chapter 159G, Water Infrastructure.

Amends GS 159G-20 to define distressed unit and Viable Utility Reserve. Modifies the term local government unit to include a metropolitan water district, a metropolitan sewerage district, and a county water and sewer district. Makes organizational changes and updates GS Chapter 162A Article and GS Chapter 160A references.

Amends GS 159G-21 to establish that revenue received under GS 162A-221 (as enacted, establishes monthly surcharges for water and wastewater services) is governed by the Chapter to provide local government grants.

Amends GS 159G-22 to establish the Viability Utility Reserve (Reserve) account within the Water Infrastructure Fund to receive collections under GS 162A-221 and State appropriations. Specifies that credited revenue to the account is neither received from the federal government nor provided as a match for federal funds. Directs the Department of Environmental Quality (DEQ) to establish accounts within the Reserve to administer grants for public water systems or wastewater systems owned by local government units.

Amends GS 159G-30 to include the administration of grants made from the Reserve, through the Division of Water Infrastructure (Division), in DEQ's responsibilities. Makes clarifying and technical changes.

Amends GS 159G-31 to establish that a local government unit, as now defined, is eligible to apply for a grant from the Reserve.

Amends GS 159G-32 to specify five authorized uses for grants from the Reserve, including rehabilitating existing public water or wastewater infrastructure, decentralizing an existing public water or wastewater system, and funding a study of rates or merger and regionalization options.

Enacts GS 159G-34A, detailing three types of authorized Reserve grants: (1) an asset assessment and rate study grant; (2) a merger/regionalization feasibility grant; and (3) a project grant. Requires separate accounts in the Reserve for each type of grant. Describes budgeting for grants based upon estimates of collections remitted under GS 162A-222 (as enacted, provides for the transfer of water and wastewater services surcharge collections under GS 162A-221 to the Reserve) and gives priority to local government units in the subsequent year in which the actual remittance of collections is less than the estimate.

Amends GS 159G-35 to require the Local Government Commission and the State Water Infrastructure Authority (Authority) to jointly develop evaluation criteria to review grant applications and award grants from the Reserve as provided in GS 159G-39, as amended. Makes clarifying changes.

Amends GS 159G-36 to prohibit the amount of a Reserve grant from exceeding the construction costs of a project. Specifies that grant availability is limited to the extent that other funding sources are not reasonably available to the applicant. Caps grants from the Reserve to any single local government unit at \$15 million, and at \$30 million where two or more governmental units are merging into a single utility.

Expands the application provisions set forth in GS 159G-37 concerning loans and grants from other Reserves under the Chapter to include applications for grants from the Reserve.

Amends GS 159G-39 to require the Local Government Commission to approve the grant award and terms before a grant can be awarded. Authorizes DEQ and the Local Government Commission to impose specific performance measures or conditions on a Reserve grant, in their discretion.

Enacts GS 159G-45 to require the Authority and the Local Government Commission to develop criteria for assessment and review of local government units to identify distressed units, defined as a public water or wastewater system exhibiting signs of failure to identify or address those financial or operating needs necessary to enable that system to become or to remain a local government unit generating sufficient revenues to adequately fund management and operations, personnel, appropriate levels of maintenance, and reinvestment that facilitate the provision of reliable water or wastewater services. Details five components which the criteria should address, including whether the public water or wastewater system has an established, operational, and adequately funded program for its repair, maintenance and management. Requires distressed units to take certain actions, as described, including developing an action plan for short- and long-term infrastructure repair, maintenance and management, continuing education of the governing board and system operating staff, and long-term financial management. Also requires distressed units to conduct an asset assessment and rate study, and participate in a training and educational program. Provides that once the requirements are met, the local government unit is no longer identified as a distressed unit for the remainder of that assessment and review cycle. Requires the assessment and review cycle of local government units to be no less than every two years, with frequency to be established by the Authority and the Local Government Commission.

Effective October 1, 2019.

Section 2

Enacts Article 9, Water and Wastewater Surcharge, to GS Chapter 162A. Sets forth definitions for the Article. Imposes a monthly surcharge on each active account of a public water system or wastewater system, payable by the account holder, in the amount of \$1 per residential account and nonresidential account receiving water service or wastewater service from a local government unit, as specified. Makes local government units responsible for surcharge billing and collecting, and authorizes local government units to retain up to 2% of the amounts collected to cover administrative costs. Requires local government units to remit the amounts collected to the Reserve on a quarterly basis. Sunsets the Article June 30, 2029.

Amends specified statutes of GS Chapter 130A, GS Chapter 153A, GS Chapter 160A, and GS Chapter 162A to require sanitary district boards, cities, counties, and authorities and district boards created under GS Chapter 162A to collect any applicable monthly surcharges under new GS Chapter 162A-221.

Effective October 1, 2019.

Section 3

Enacts Article 10, Dissolution and Merger of Units, to GS Chapter 162A. Defines unit as the same entities created under GS Chapter 162A which are included in the term local government unit under GS Chapter 159G, as amended. Details information which must be provided to the Environmental Management Commission (Commission) prior to any action under the Article to merge or dissolve. Requires the Commission to provide a copy of the information submitted to DEQ and the Local Government Commission upon receipt of a request to dissolve or merge. Specifies notice requirements for district boards of affected units and any other governing boards affected upon confirmation of the time and place for a public hearing on dissolution or merger.

Authorizes a unit to merge with any other unit, county, city, consolidated city-county, sanitary district, or joint agency, as described, (1) if the merger is a condition of receiving a grant from the Reserve, or (2) upon approval of the Commission, in consultation with DEQ and the Local Government Commission. Provides for the the transfer of assets, liabilities, and obligations by resolution of the Commission, as specified, and details dissolving a unit upon satisfaction of certain criteria.

Authorizes a unit to be dissolved, (1) if the merger is a condition of receiving a grant from the Reserve, or (2) in order to merge with another unit, county, city, consolidated city-county, sanitary district, or joint agency, as described, and establish a new entity upon approval of the Commission, in consultation with DEQ and the Local Government Commission. Provides for the the transfer of assets, liabilities, and obligations by resolution of the Commission, as specified, and dissolving a unit.

Establishes the effective date for merger or dissolution upon the adoption of a resolution by the Commission to be fixed as of June 30 following the adoption or the second June 30 following the adoption of the resolution. Details the effect of a merger or dissolution upon adoption of a resolution by the Commission and authorizes all governing boards and district boards to take actions and execute the documents necessary to effectuate the described provisions.

Effective October 1, 2019.

Section 4

Enacts Article 5, Water and Wastewater Systems, to GS Chapter 160A. Sets forth defined terms. Authorizes interlocal cooperation between local government units for any purpose. Specifies that interlocal cooperation contracts for one or more undertakings under Part 5 are governed by the provisions of Part 1, Joint Exercise of Powers, Article 20, GS Chapter 160A.

Section 5

Directs DEQ to study the statutes and rules governing subbasin transfers. Details requirements of the study, including whether the costs of complying with specific statutory requirements are worth the benefits of the requirements. Requires DEQ to submit a report to the Commission by October 1, 2019.

Section 6

Directs the State Treasurer and Secretary of State to study the feasibility of authorizing historical charts for local government units that have become or may become defunct. Details requirements of the study, including the consequences of such charters. Requires the State Treasurer and the Secretary of State to report to the General Assembly by March 1, 2020.

Intro. by McGrady, Hanig.

[STUDY, GS 153A, GS 159G, GS 160A, GS 162](#)

[View summary](#)

[Government, State Agencies, Department of Environmental Quality \(formerly DENR\), Department of State Treasurer, Secretary of State, Local Government, Health and Human Services, Health, Public Enterprises and Utilities](#)

H 598 (2019-2020) [BOTTLENOSE DOLPHIN AS STATE MARINE MAMMAL](#). Filed Apr 4 2019, *AN ACT ADOPTING THE BOTTLENOSE DOLPHIN AS THE STATE MARINE MAMMAL*.

Enacts GS 145-52 as title indicates.

Intro. by Hanig, Grange.

[GS 145](#)

[View summary](#)[Animals, Government, Cultural Resources and Museums](#)

H 599 (2019-2020) [HOME SCHOOL EDUCATION TAX CREDIT](#). Filed Apr 4 2019, *AN ACT TO CREATE AN INCOME TAX CREDIT FOR CHILDREN WHO ARE HOME SCHOOLED*.

Enacts new GS 105-153.11 to allow a taxpayer a personal income tax credit of \$1,250 per semester for each eligible dependent child who is a state resident, and who for one or two semesters during the taxable year is enrolled in a home school (which must meet the requirements of GS 115C-564). Defines semesters and provides that an eligible dependent child is enrolled in a home school for a semester if the eligible dependent child is enrolled in that home school for more than 70 days during that semester. Sets out the following disqualifying events: (1) the child spent time enrolled in a public school, (2) the child spent time enrolled as a full-time student taking at least 12 hours of academic credit in a postsecondary educational institution, (3) the child was 22 years of age or older during the entire semester, or (4) the child graduated from high school prior to the end of the semester. Requires the taxpayer to provide specified information, when requested, in order to claim the tax credit. Allows any unused portion of the credit to be carried forward for the succeeding three years.

Requires the Department of Revenue to report to the Revenue Laws Study Committee and the Joint Legislative Education Oversight Committee on the administration of the new statute. Requires the report, which is due by October 1, 2021, to include three specified types of information.

Effective for taxable years beginning on or after January 1, 2019, and applying to semesters for which the credit is claimed beginning on or after July 1, 2019.

Intro. by Pittman.

[GS 105](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, State Agencies, Department of Revenue, Tax](#)

H 601 (2019-2020) [FUNDS FOR NAMI NORTH CAROLINA, INC.](#) Filed Apr 4 2019, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE SERVICES, TO EXPAND MENTAL HEALTH EDUCATION AND AWARENESS IN THIS STATE THROUGH YOUTH MENTAL HEALTH PROGRAMS PROVIDED BY NAMI NORTH CAROLINA, INC.*

Appropriates \$200,000 for 2019-20 from the General Fund to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to be allocated as a grant-in-aid to NAMI North Carolina, Inc., for the expansion of mental health education and awareness programs in the state. Sets out five purposes for which the funds may be used.

Requires NAMI North Carolina Inc. to report on the use of the funds, including three specified issues, by March 1, 2021.

Effective July 1, 2019.

Intro. by Insko, Hurley, Fisher.

[APPROP](#)

[View summary](#)

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

H 602 (2019-2020) [BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT](#). Filed Apr 4 2019, *AN ACT ESTABLISHING THE BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT*.

Identical to [S 359](#), filed 3/26/19.

Enacts Article 1L, Born-Alive Abortion Survivors Protection Act, to GS Chapter 90. Defines abortion and attempt to perform an abortion. Sets forth legislative findings. Establishes standards of care, now requiring any health care provider present at the time a child is born alive resulting from an abortion or attempt to perform an abortion to: (1) exercise the same degree of professional skill, care, and diligence to preserve the life and health of the child as a reasonably diligent and conscientious health care practitioner would render to any child born alive at the same gestational age and (2) ensure that the child born alive is immediately transported and admitted to a hospital. Defines born alive to mean, with respect to a member of the species homo sapiens, the complete expulsion or extraction from his or her mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion.

Requires a health care practitioner or any employee of a hospital, a physician's office, or an abortion clinic who has knowledge of noncompliance to immediately report the noncompliance to an appropriate State or federal law enforcement agency, or both. Bars prosecution of the mother of a child born alive for violation of, or attempt or conspiracy of GS 90-21.132 or GS 90-21.133, as enacted, involving the child who was born alive. Makes violations of GS 90-21.132 and GS 90-21.133 a Class D felony, punishable by a fine not to exceed \$250,000, unless the conduct is covered under some other law providing greater punishment. Makes any person who intentionally performs or attempts to perform an overt act that kills a child born alive punishable for murder under GS 14-17(c), a Class A felony. Provides for civil remedies for the woman upon whom the abortion was performed or attempted in which a child is born alive and there is a violation of the Article, including damages for objectively verifiable money damages for all injuries (psychological and physical), treble statutory damages for the cost of the abortion or attempted abortion, and punitive damages. Provides for reasonable attorneys' fees if judgment is rendered in favor of the plaintiff or if the judgement is rendered in favor of the defendant and the court finds the suit was frivolous or brought in bad faith. Makes conforming changes to GS 14-17(c).

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

Provides a savings clause for prosecutions for offenses committed before the effective date of the act.

Effective December 1, 2019.

Intro. by McElraft, Conrad, Stevens, Hurley.

[GS 14, GS 90](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health, Health Care Facilities and Providers](#)

H 604 (2019-2020) [SMALL BUSINESS RETIREMENT PROGRAM](#). Filed Apr 4 2019, *AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON SMALL BUSINESS RETIREMENT OPTIONS*.

Creates the 10-member Joint Legislative Study Committee on Small Business Retirement Options (Committee), to be made up of the specified membership and appointments. Requires that the Committee study four specified topics including ways the State can reduce the burden on small businesses that want to offer payroll deduction retirement savings options to employees, and optimal oversight for any proposed retirement program. Requires the Committee to report to the Speaker of the House, President Pro Tempore of the Senate, and Fiscal Research Division by March 31, 2020. Terminates the Committee upon the earlier of the report submission or March 31, 2020.

Intro. by Hanig, Hardister.

[STUDY](#)

[View summary](#)

[Business and Commerce, Employment and Retirement](#)

H 605 (2019-2020) [RECOVERY/RESILIENCY FUNDS FOR HOKE COUNTY](#). Filed Apr 4 2019, *AN ACT TO APPROPRIATE FUNDS TO CONTINUE DISASTER RECOVERY AND RESILIENCY EFFORTS IN HOKE COUNTY*.

Appropriates \$1,500,000 for 2019-20 from the General Fund to Hoke County to be used in the specified amounts for repairs and renovations to the Court Annex and the DMV License Plate Agency, for upgraded VIPER radios, emergency food distribution during disasters, and to purchase generators for five lift station sites. Effective July 1, 2019.

Intro. by Pierce.

[APPROP, Hoke](#)

[View summary](#)

[Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Public Safety](#)

H 607 (2019-2020) [MESSAGE BOARD MEMBERSHIP](#). Filed Apr 4 2019, *AN ACT TO EXPAND THE MESSAGE AND BODYWORK THERAPY BOARD TO INCLUDE AN ESTABLISHMENT OWNER*.

Identical to [S 311](#), filed 3/19/19.

Amends GS 90-625 by increasing the membership of the NC Board of Massage and Bodywork Therapy to include a member, appointed by the Governor, who is licensed to operate a massage and bodywork therapy establishment, or a current owner of a massage or bodywork therapy establishment if the Board has not begun to issue any licenses to operate a massage and bodywork therapy establishment. The term of office begins on July 1, 2019, and expires on June 30, 2022; subsequent appointees serve three-year terms.

Intro. by McNeill.

[GS 90](#)

[View summary](#)

[Health and Human Services, Health](#)

H 608 (2019-2020) [SBI EMERGENCY PEN REGISTER/TRAP AND TRACE](#). Filed Apr 4 2019, *AN ACT TO ALLOW THE SBI TO CONDUCT WARRANTLESS USE OF A PEN REGISTER OR TRAP AND TRACE DEVICE IN EMERGENCY SITUATIONS*.

Makes multiple amendments to GS Chapter 15A, Article 12 (Pen Registers; Trap and Trace Devices) by modifying existing sections GS 15A-260, 261, and 263 and adding new GS 15A-265 allowing the State Bureau of Investigation (SBI) to conduct warrantless use of a pen register or trap and trace device in emergency situations.

Reworks GS 15A-260 (definitions) by putting existing definitions into separate subdivisions and adding definitions for law enforcement officer and location data.

Amends GS 15A-261 (prohibition and exceptions) by allowing for any one of the listed exceptions to be sufficient for overcoming the general prohibition on the installation or use of a pen register or trap and trace device, and by adding a new exception in subdivision (b)(4) for emergency circumstances as provided in GS 15A-265.

Amends GS 15A-263 (issuance of order for pen register or trap and trace device) by reordering subsection (a) regarding what a judge must find before entering an ex parte order authorizing the installation and use of a pen register or trap and trace device. Changes the standard for situations involving the commission of a felony, Class A1 or Class 1 offense from reasonable suspicion to probable cause. Adds additional ground which consists of finding that there exists an emergency situation as provided in GS 15A-263(a)(1)a. and that the requested device will provide material aid in locating an individual at imminent risk of death or serious physical harm.

Enacts new GS 15A-265 authorizing an SBI agent to install without a warrant on an emergency basis a pen register or trap and trace device, but requiring the agent to seek an order approving the installation or use within 48 hours; without the order, the installation or use must immediately terminate when the information is sought, the request for an order is denied, or 48 hours has passed, whichever occurs first. Requires the agent to determine either (1) there exists immediate danger of death or serious bodily injury to any person and there are grounds upon which an order could be entered pursuant to GS 15A-263(a)(1) to authorize the installation and use of a pen register or trap and trace device, or (2) an individual has disappeared, a child has run away, or a person is missing for which no criminal charge per GS 15A-263(a)(1)a. is readily apparent, but where there may be

an immediate danger of death or serious bodily injury based wholly or partly on the individual's age, physical condition, or circumstances surrounding his or her disappearance. Makes an agent who violates the provisions regarding seeking an order or termination of the use of a pen register or trap and trace device guilty of a Class 1 misdemeanor. Requires a person who provides assistance to be reasonably compensated for expenses incurred.

Effective December 1, 2019 and applies to installations occurring on or after that date, and any criminal penalties created by this act apply to offenses committed on or after that date.

Intro. by McNeill, Hurley.

GS 15A

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

H 609 (2019-2020) **RAISE THE AGE MODIFICATIONS**. Filed Apr 4 2019, *AN ACT TO MAKE CERTAIN MODIFICATIONS TO THE GENERAL STATUTES IN ORDER TO FACILITATE IMPLEMENTATION OF THE LEGISLATION KNOWN AS RAISE THE AGE*.

Amends the definition of delinquent juvenile set out in GS 7B-1501(7) (applicable to provisions governing undisciplined and delinquent juveniles) and GS 143B-805(6) (applicable to the general provisions governing the Division of Adult Correction and Juvenile Justice (Division) of the Department of Public Safety) to more specifically exclude from the term juveniles less than 18 but over 16 years of age who commit any violation of the motor vehicle laws under GS Chapter 20 (previously, excludes the described juveniles who commit any violations of motor vehicle laws). Recodifies GS 20-106 (receiving or transferring stolen vehicles) as GS 14-71.2.

Amends GS 7B-1604(b) concerning limitations on juvenile court jurisdiction. Now provides for a juvenile who has previously been convicted in either district court or superior court for a felony or misdemeanor, including an offense involving impaired driving, to be prosecuted as an adult for any criminal offense the juvenile commits after the district or superior court conviction. Excludes misdemeanor violations of motor vehicle laws.

Amends GS 7B-1901, establishing that any person who takes an individual who is 18 years or older into temporary custody for an offense committed when the individual was a juvenile must proceed under the provisions of GS Article 23, Police processing and duties upon arrest, Subchapter V, GS Chapter 15A.

Amends GS 7B-1903, now providing that when secure custody is ordered for any person 18 years or older who falls within the jurisdiction of the court, the order must designate that the person be temporarily detained in the jail of the county where the charges arose. Makes conforming changes to reflect this change in GS 7B-1905. Further amends GS 7B-1905, removing the requirement for juveniles being temporarily detained in an approved detention facility to be separate from any jail, lockup, prison, or other adult penal institution. Now specifies that it is unlawful for a sheriff (was county) or any governmental unit to operate a juvenile detention facility that does not meet the standards and rules adopted by the Department of Public Safety (DPS) and has been approved by the Juvenile Justice Section (Section) of the Division for operation as a juvenile detention facility (no approval previously required).

Amends GS 7B-1906 to require further hearings for secured custody to be held at intervals of no more than 30 calendar days for a juvenile who was 16 years old or older at the time the juvenile allegedly committed an offense that would be a Class A through G felony if committed by an adult. Permits further hearings to be waived with consent of the juvenile through the juvenile's counsel. Provides for further hearings to be held at intervals of 10 days upon request of the juvenile through the juvenile's attorney and for good cause as determined by the court. Makes conforming changes.

Amends GS 7B-2200.5, concerning transferring jurisdiction of a juvenile to superior court if the juvenile was 16 years old or older at the time the juvenile allegedly committed an offense that would be a Class A through G felony if committed by an adult. Current law requires either notice to the juvenile and a finding by a bill of indictment against the juvenile of such an offense, or notice and a probable cause hearing finding probable cause the juvenile committed such an offense in order to transfer jurisdiction. Establishes a time period within which the probable cause hearing must be held, requiring the hearing to be conducted within 90 days of the date of the juvenile's first appearance; however, allows the court to continue the probable cause hearing for good cause. Additionally, requires the court to remand a transferred case to district court and expunge the superior court record upon joint motion of the prosecutor and the juvenile's attorney. Makes conforming changes to GS 7B-

2202, which requires a probable cause hearing for felony juvenile cases to be conducted within 15 days of the date of the juvenile's first appearance.

Amends GS 7B-2204 to require that personnel of the Section or personnel approved by the Section transport juveniles from the detention facility to court pending release following transfer and from the holdover facility to court and back to the detention center during pretrial hearings. Requires the juvenile to be transported by personnel of the Section or personnel approved by the Section to the custody of the sheriff of the county where the charges arose in the event the juvenile reaches 18 while awaiting the completion of superior court proceedings. Provides that a juvenile can be held in a detention facility pending transfer to the Division upon receiving an active sentence if the facility is operated by the sheriff pursuant to GS 7B-1905(b), as amended. Makes organizational changes.

Amends GS 7B-2508 to specify that in order for the court to impose a disposition level one level higher than would otherwise be provided for the class of offense and delinquency history level of the juvenile, the court must find beyond a reasonable doubt that the adjudicated offense was committed as part of criminal gang activity (previously did not specify the burden).

Enacts GS 15A-145.8, detailing the procedure for superior courts to expunge records of charges remanded to district court under GS 7B-2200.5, as amended. Specifies the effects of such an expunction.

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

Intro. by McNeill, Faircloth, R. Turner, Richardson.

[GS 7B, GS 15A, GS 20, GS 143B](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure](#)

H 610 (2019-2020) [CIVIL PROCEDURE/DEPONENT DECLARATION](#). Filed Apr 4 2019, *AN ACT AMENDING RULE 30 OF THE NORTH CAROLINA RULES OF CIVIL PROCEDURE RELATING TO THE TAKING OF DEPOSITIONS*.

Identical to [S 508](#), filed 4/2/19.

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 Clark, Jackson, McGrady.

[GS 1A](#)

[View summary](#)

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

H 611 (2019-2020) [AMEND RULES OF EVID./BINDING ARBITRATION](#). Filed Apr 4 2019, *AN ACT TO AMEND THE RULES OF EVIDENCE REGARDING INSURANCE ADMISSIBILITY AND TO ALLOW FOR BINDING ARBITRATION IN CERTAIN CIVIL ACTIONS*.

Repeals GS 8C-1, Rule 414 of the Rules of Evidence, which limited evidence offered to prove past medical expenses to evidence of the amounts actually paid to satisfy the bills that have been satisfied and evidence of the amounts actually necessary to satisfy the bills that have been incurred but not yet satisfied.

Amends GS 8C-1, Rule 411, to provide that evidence that a person was or was not insured against liability is not admissible upon the issue of whether he acted negligently or wrongfully. Add that the rule is not to be construed to infer that the term insurance as it is used in the rule, or the introduction of evidence of other forms of insurance, is barred by the rule (with the exception of parties introducing evidence of any payments made by insurance under the collateral source rule).

Enacts new GS 7A-37.2 to allow any named party to an action to elect binding arbitration when (1) an admission of negligence by all named defendants is signed by all named parties; and (2) an express limitation by the named party with the burden of proof on damages association with the action that all alleged damages must not exceed the amount in controversy for district court. Specifies that binding arbitration extinguishes the rights of named plaintiffs to any recovery beyond the insurance coverage limits pertinent to the action.

Intro. by Stevens, Davis, Zachary.

[GS 7A, GS 8C](#)

[View summary](#)

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

H 612 (2019-2020) [DSS REVIEW OF PROCEDURES/RULE MAKING](#). Filed Apr 4 2019, *AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION OF THE DIVISION OF SOCIAL SERVICES TO REVIEW EXISTING PUBLICATIONS, POLICIES, AND PROCEDURES; SUBMIT A REPORT WITH ITS FINDINGS TO THE OFFICE OF ADMINISTRATIVE HEARINGS; AND SUBMIT FOR ADOPTION UNDER THE RULE-MAKING PROCESS THOSE PUBLICATIONS, POLICIES, AND PROCEDURES IDENTIFIED AS SATISFYING THE DEFINITION OF A RULE UNDER G.S. 150B-2(8A)*.

Requires the North Carolina Division of Social Services (Division), by and through the Social Services Commission (Commission), to prepare and submit for review to the Office of Administrative Hearings (OAH) a comprehensive report of its existing publications, policies, and procedures, by May 31, 2020. Specifies the types of publications, policies, and procedures to be included. Requires identifying any publications, policies, and procedures used by the Division that satisfies the definition of a rule and requires an explanation by the Commission for any publications, policies, and procedures it believes do not satisfy the definition of a rule and are not subject to the rule-making provisions in GS Chapter 150B.

Requires the Commission and OAH to jointly review the findings of its report to identify any publications, policies, and procedures which are rules and subject to the rule-making provisions; requires that if there is disagreement between the Commission and the OAH during the joint review, then OAH must refer the publication, policy, or procedure in disagreement to the Rules Review Commission (RRC) for a determination.

Deems any existing publications, policies, and procedures identified through joint review or determined by the RRC as satisfying the definition of a rule to be interim rules so long as they do not conflict with any provisions of the General Statutes. Such interim rules become null and void January 1, 2021, if the Commission has failed to publish a notice of text in the North Carolina Register to adopt the interim rule as a permanent rule. Any interim rule authorized by this section becomes null and void July 1, 2021, if the Commission has failed to adopt that interim rule as a permanent rule by that date.

Intro. by Stevens, Riddell, White.

[UNCODIFIED](#)

[View summary](#)

[Government, APA/Rule Making, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services](#)

H 613 (2019-2020) [ESSENTIAL SERVICES FOR HOMELESS YOUTH](#). Filed Apr 4 2019, *AN ACT ALLOWING UNACCOMPANIED HOMELESS MINORS TO CONSENT TO CERTAIN ESSENTIAL HEALTH SERVICES; ESTABLISHING RESPONSIBILITY, LIABILITY, AND IMMUNITY FOR HEALTH CARE PROVIDERS WHO RENDER CERTAIN ESSENTIAL HEALTH SERVICES TO CONSENTING*

UNACCOMPANIED HOMELESS MINORS; AND EXPANDING ACCESS TO CHILD CARE SERVICES FOR MINORS WITH CHILDREN.

Part I.

Enacts new GS 90-21.5A to allow unaccompanied homeless minors to give consent to the specified categories of health care providers for the specified health services, if the minor gives the provider acceptable documentation that he or she is an unaccompanied homeless minor. Extends the responsibilities, liability, and immunity under GS 90-21.4 (responsibility, liability and immunity of physicians) to qualified health professionals providing services to unaccompanied homeless minors. Specifies that the statute does not (1) authorize the admission of an unaccompanied homeless minor to a specified 24-hour facility (likely intends facilities for the Mentally Ill, the Developmentally Disabled, and Substance Abusers); (2) prohibit the admission of an unaccompanied homeless minor to a 24-hour facility upon the minor's own written application in an emergency situation; (3) enlarge the scope of practice of any qualified health professional.

Part II.

Amends GS 143B-153 to require the Social Services Commission to adopt rules facilitating access to child care for children experiencing homelessness, including but not limited to 5 listed rules, including limiting work requirements to 20 hours per week for the parents of children experiencing homelessness.

Part III.

Effective October 1, 2019.

Intro. by Fisher, Dobson.

GS 90, GS 143B

[View summary](#)

Health and Human Services, Health, Health Care Facilities and Providers, Social Services, Child Welfare

H 614 (2019-2020) **KELSEY SMITH ACT**. Filed Apr 4 2019, *AN ACT TO PROVIDE FOR WARRANTLESS ACCESS BY LAW ENFORCEMENT TO TELECOMMUNICATIONS DEVICE LOCATION INFORMATION UNDER CERTAIN CIRCUMSTANCES.*

Enacts new Article 16C, Provision of Wireless Call Location to Law Enforcement, in GS Chapter 15A. Requires a wireless services provider to give call location information for the device of a user to a requesting law enforcement agency or public safety answering point; only allows the request to be made in an emergency situation involving an imminent risk of death or serious physical harm and only if the amount of data is reasonably necessary to prevent the imminent death or harm. Provides that no civil action can be brought against the provider or specified persons for providing the call location data if the provider acted in good faith reliance upon the representations of the law enforcement agency or public safety answering point. Requires the State Bureau of Investigation to keep a database of emergency contact information for all wireless telecommunications carriers registered to do business in the state and make the information available when requested to all public safety answering points in the state.

Effective July 1, 2019.

Intro. by Hurley, McNeill, Carter, C. Smith.

GS 15A

[View summary](#)

Business and Commerce, Courts/Judiciary, Civil, Civil Law, Government, Public Safety and Emergency Management, State Government

H 616 (2019-2020) **FUNDS/CIVIL WAR & AMP RECONSTRUCTION HISTORY CTR**. Filed Apr 4 2019, *AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE NORTH CAROLINA CIVIL WAR & AMP RECONSTRUCTION HISTORY CENTER.*

Includes whereas clauses.

Appropriates \$10,000,000 for 2019-20 and \$45,000,000 for 2020-21 in nonrecurring funds from the General Fund to the North Carolina Civil War & Reconstruction History Center Foundation to be used to complete the North Carolina Civil War & Reconstruction History Center. Effective July 1, 2019.

Intro. by Szoka, Bell, Lewis, Lucas.

[APPROP](#)

[View summary](#)

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

H 617 (2019-2020) [ALLOW REPEAT REFERRAL TO TEEN COURT](#). Filed Apr 4 2019, *AN ACT TO ELIMINATE THE PROHIBITION ON REFERRING A JUVENILE TO A TEEN COURT PROGRAM IF THE JUVENILE HAS BEEN REFERRED TO A TEEN COURT PROGRAM PREVIOUSLY.*

Amends GS 7B-1706 as the title indicates.

Intro. by Ross, Murphy, Faircloth, Brockman.

[GS 7B](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Delinquency](#)

H 618 (2019-2020) [UNC HBCU FUNDING PARITY/NC A&T DOC. PROGRAMS](#). Filed Apr 4 2019, *AN ACT TO ALLOCATE ADDITIONAL FUNDS TO CONSTITUENT INSTITUTIONS DESIGNATED AS HISTORICALLY BLACK COLLEGES AND UNIVERSITIES TO ADDRESS UNDERFUNDING AT THOSE INSTITUTIONS AND TO ALLOCATE ADDITIONAL FUNDS TO NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY TO SUPPORT ITS DOCTORAL PROGRAMS.*

Identical to [S 661](#), filed 4/3/19.

Appropriates \$50,000,000 in additional recurring funds for 2019-20 from the General Fund to the Board of Governors to be allocated to constituent institutions of The University of North Carolina that are designated as Historically Black Colleges and Universities (HBCUs) to address funding disparities.

Appropriates \$7,500,000 in additional recurring funds for 2019-20 from the General Fund to the Board of Governors to be allocated to North Carolina Agricultural and Technical State University to support established doctoral programs.

Effective July 1, 2019.

Intro. by R. Smith, Majeed.

[APPROP](#)

[View summary](#)

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

H 619 (2019-2020) [RETHINKING GUARDIANSHIP](#). Filed Apr 4 2019, *AN ACT TO ESTABLISH A RETHINKING GUARDIANSHIP WORKGROUP TO STUDY AND RECOMMEND CHANGES TO CHAPTER 35A OF THE GENERAL STATUTES.*

Identical to [S 337](#), filed 3/21/19.

Establishes the 24-member Rethinking Guardianship Workgroup, to be convened by the Department of Health and Human Services, to study the laws governing guardianship in this state. Specifies nine issues that are to be considered in the study, including a review process and schedule for ongoing guardianship; the rights for those under a temporary, permanent, or limited guardianship; and a strategy to improve the quality, consistency, and availability of Multi-Disciplinary Evaluations. Requires the Workgroup to provide findings and recommendations to the specified NCGA Committee by January 1, 2020. Terminates the Workgroup on January 1, 2020, or upon the submission of its report, whichever occurs first.

Intro. by Farmer-Butterfield, Hardister, White, R. Turner.**STUDY**[View summary](#)**Government, State Agencies, Department of Health and Human Services, Health and Human Services, Mental Health, Social Services, Adult Services, Child Welfare**

H 620 (2019-2020) **SUBDIVISION STREETS/DOT ACCEPTANCE**. Filed Apr 4 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.*

Identical to [S 480](#), filed 4/2/19.

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 Szoka, Bumgardner, Hawkins, Iler.**GS 136, GS 153A**[View summary](#)**Government, State Agencies, Department of Transportation, Local Government, Transportation**

H 621 (2019-2020) **AIRBORNE & AMP SPECIAL OPERATIONS MUSEUM FUNDS**. Filed Apr 4 2019, *AN ACT TO APPROPRIATE FUNDS FOR THE UNITED STATES ARMY AIRBORNE AND SPECIAL OPERATIONS MUSEUM.*

Identical to [S 514](#), filed 4/2/19.

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 Grange, Pierce, Richardson, Dobson.**APPROP**

[View summary](#)**Government, Budget/Appropriations, Cultural Resources and Museums**

H 622 (2019-2020) **PROVIDE WC FOR PTSD IN FIRST RESPONDERS**. Filed Apr 4 2019, *AN ACT PROVIDING THAT LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND EMERGENCY MANAGEMENT SERVICES PERSONNEL ARE ENTITLED TO WORKERS' COMPENSATION BENEFITS FOR MENTAL OR NERVOUS INJURIES WHETHER OR NOT SUCH INJURIES ARE ACCOMPANIED BY PHYSICAL INJURIES UNDER SPECIFIED CIRCUMSTANCES.*

Amends GS 97-53 (occupational diseases enumerated; when due to exposure to chemicals) by adding new subdivision (30) regarding employment-related occupational diseases of first responders, which is defined to include law enforcement officers, firefighters, emergency medical technicians or paramedics employed by state or local government, and volunteer firefighters meeting the requirement of GS 58-84-5(3a). Includes as a compensable occupational disease posttraumatic stress disorder (PTSD), as described in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, provided the PTSD is due to causes and conditions characteristic of the profession and if it resulted from a first responder acting within his or her employment and the first responder has been diagnosed by a licensed psychiatrist who is reasonably medically certain that the PTSD is the result of employment activities. Requires the PTSD to be demonstrated by a preponderance of medical evidence by the licensed psychiatrist. Limits the time for filing notice of injury or death for compensation to 52 weeks after diagnosis. Requires employing agencies of first responders, including volunteers, to provide educational training related to mental health awareness, prevention, mitigation, and treatment.

Effective July 1, 2019.

Intro. by Grange, Saine, R. Turner, Dobson.

[GS 97](#)

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

H 623 (2019-2020) **FUNDS FOR TEXFI REMEDIATION PILOT**. Filed Apr 4 2019, *AN ACT TO APPROPRIATE FUNDS FOR A PILOT TO TEST A REMEDIAL STRATEGY TO ADDRESS CONTAMINATION AT THE TEXFI SITE IN FAYETTEVILLE.*

Includes whereas clauses.

Appropriates \$420,000 for 2019-20 from the General Fund to the Department of Environmental Quality, Division of Waste Management, to provide a grant-in-aid to the Fayetteville Public Works Commission (Commission) as title indicates.

Provides that the Commission is to submit an interim report on activities conducted pursuant to the act to the specified NCGA commission, committee, and division by December 31, 2020, and a final report by December 31, 2021.

Intro. by Szoka, Brisson, Grange, Davis.

[APPROP, Cumberland](#)

[View summary](#)**Environment, Environment/Natural Resources, Government, Budget/Appropriations**

H 625 (2019-2020) **SURRY MEDICAL MINISTRIES FOUNDATION/FUNDS**. Filed Apr 4 2019, *AN ACT APPROPRIATING FUNDS TO SURRY MEDICAL MINISTRIES FOUNDATION, INC., FOR CAPITAL IMPROVEMENTS AND OPERATING EXPENSES TO SUPPORT THE PROVISION OF FREE MEDICAL CARE TO INDIVIDUALS WHO ARE UNINSURED.*

Appropriates \$250,000 in nonrecurring funds for 2019-20 from the General Fund to Surry Medical Ministries Foundation, Inc., to be used to support the organization's mission. Effective July 1, 2019.

Intro. by Stevens, K. Hall.

[APPROP](#)

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

PUBLIC/SENATE BILLS

S 199 (2019-2020) **CHILD SEX ABUSE/STRENGTHEN LAWS**. Filed Mar 6 2019, *AN ACT TO PROTECT CHILDREN FROM SEX ABUSE BY IMPROVING PROSECUTORIAL OPTIONS FOR DELAYED REPORTS OF CHILD ABUSE, TO EXPAND THE MANDATORY DUTY OF REPORTING CHILD ABUSE, AND TO PROTECT CHILDREN FROM ONLINE PREDATORS.*

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

Part II.

Modifies proposed GS 14-318.6 as follows. Adds and defines the term crime of abuse as any of the specified five misdemeanors and the attempt, solicitation, or conspiracy to commit those listed offenses that are committed against a victim who has not reached age 18. Requires a person or institution suspecting that a juvenile has been the victim of a felony or a crime of abuse (was, the victim of a crime) to immediately report the case to the appropriate local law enforcement agency in the county where the child resides or is found. Defines *crime of abuse*. Adds to the penalty provisions regarding failure to report or preventing another person to report under the statute, qualifying that the provision applies to any person or institution who knew or should have known that a juvenile was the victim of a felony or a crime of abuse; maintains Class 1 misdemeanor punishment. Adds that the identity of a person making a report under the statute must be protected and only revealed as provided in GS 132-1.4(c)(4) (which makes the contents of 911 and other emergency telephone calls received by or on behalf of public law enforcement agencies public record, except for such contents that reveal the natural voice, name, address, telephone number, or other information that may identify the caller, victim, or witness).

Part III.

Amends GS 15-1 by removing the proposed definition of crime of abuse and instead refers to the definition added to GS 14-318.6 (which includes a less extensive list of misdemeanor offenses than proposed under this statute).

Part IV.

Modifies the provisions of GS 14-202.5 to now make it unlawful for a high-risk sex offender to (1) communicate with a person that the offender believes is under 16 years old; (2) contact a person that the offender believes is under age 16; (3) pose falsely as under age 16; (4) use a website to gather information about a person that the offender believes is under age 16; or (5) use a commercial social networking website in violation of a policy posted in a manner reasonably likely to come to the attention of users, prohibiting convicted sex offenders from using the site. Amends the definition of high-risk sex offender by making clarifying changes and by deleting a person who was convicted of a violation of nine enumerated offenses.

Amends the liability provision to provide that a commercial social networking site that complies with GS 14-208.15A or makes other reasonable efforts to prevent a high-risk sex offender from using its website to endanger children (was, to violate the specified prohibition) will not be held civilly liable for damages arising out of the sex offender's communications on the site's system or network.

Amends GS 14-208.9 by adding that if a high-risk sex offender that is required to register an IP address obtains or is assigned a new IP address, the offender must report in person within three business days to the sheriff and provide notice of the new address. Requires the sheriff to immediately forward the information to the Department of Public Safety. Effective December 1, 2019.

Part V.

Amends GS 15A-622 by allowing an investigative grand jury to be convened if the petition alleges the commission of, attempt to commit or solicitation to commit, or a conspiracy to commit a violation of Article 13A of GS Chapter 14 (Gang Suppression Act), a felony sex offense against a person under age 18, or a crime of abuse as it is defined in GS 14-318.6 (previous edition only added crime of abuse as the term was defined in GS 15-1).

Part VI.

Amends GS 15A-623 by clarifying that the court may direct a witness to produce the designated items before the items are to be offered to the investigative grand jury (was, before trial or before the items are to be offered in evidence).

Eliminates Part VII of the previous edition, which amended GS 1-17, GS 1-52, and GS 1-56, to allow a plaintiff to file a civil action against a defendant for sexual abuse suffered while the plaintiff was under 18 until the plaintiff attains the age of 50.

Makes conforming organizational changes.

Intro. by Britt, Harrington, Chaudhuri.

[GS 14, GS 15, GS 15A](#)

[View summary](#)

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

S 510 (2019-2020) [PROMOTION OF ENERGY STORAGE INVESTMENTS](#). Filed Apr 2 2019, *AN ACT TO PROMOTE THE INSTALLATION AND UTILIZATION OF ENERGY STORAGE EQUIPMENT*.

Amends GS 62-3 to define energy storing equipment as a set of technologies capable of storing electronic energy and later releasing it. The type of energy stored must be capable of being released as electric power at a later time. The qualifying energies include, but are not limited to, the storage of potential, kinetic, chemical, or thermal energy. Amends GS 62-159.3 by adding a new provision to clarify that the addition of energy storing equipment to a renewable energy generating facility will not constitute a material modification of the facility if: (1) the equipment is connected to the DC side of the facility, (2) the AC rating is not modified, and (3) the total output does not exceed the established maximum export capacity. This provision applies to facilities that are operational, under construction, or have interconnection applications pending with a public utility.

Requires the North Carolina Utilities Commission (Commission), within 60 days after the effective date of the act, to initiate a proceeding to (1) modify the North Carolina Interconnection Procedures to expedite the interconnection of energy storage equipment to the grid and the addition of energy storage equipment to renewable energy generating facilities, and (2) determine whether new or modified public utility tariffs are needed to appropriately compensate operators of energy storage equipment, including small power producers, for the full range of services provided by energy storage equipment. Sets out five requirements for the proceeding, including, if in the public interest, adopting new or modified tariffs for small power producers that add energy storage equipment to operating renewable energy facilities. Requires the Commission to provide interested parties and opportunity to intervene, conduct discovery, and present testimony in the proceeding. Allows the Commission to employ third-party consultants and experts.

Revises GS 105-275(45) to add energy storage equipment to the eighty percent (80%) appraisal requirement. Clarifies that the term “solar energy electric system” includes equipment connected to the solar energy electric system. Provides that “energy storage equipment” has the same meaning as in GS 62-3.

Intro. by B. Jackson, Burgin, Sawyer.

[GS 63, GS 65](#)

[View summary](#)

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

S 519 (2019-2020) [LICENSING CERTAIN FIRE SAFETY EQUIP. WORK](#). Filed Apr 2 2019, *AN ACT TO REQUIRE LICENSING AND PERMITTING FOR INDIVIDUALS AND FIRMS THAT INSTALL AND SERVICE PORTABLE FIRE EXTINGUISHERS AND FIRE SUPPRESSION SYSTEMS*

Enacts Article 83B, Licensing and Permitting for the Installation and Servicing of Portable Fire Extinguishers and Fire Suppression Systems, to GS Chapter 58.

Sets forth 11 defined terms. Provides for the Commissioner of Insurance (Commissioner) to administer the Article through the Office of the State Fire Marshall. Requires the Commissioner to establish rules for proper installation, inspection, recharging, repairing, servicing, or testing of fire suppression systems or portable fire extinguishers; and required specifications as to the number, type, size, shape, color, and information and data contained on service tags to be attached to all portable fire extinguishers and fire suppression systems covered by the Article that are installed, inspected, recharged, repaired, serviced, or tested. Permits the Commissioner to adopt the applicable standards of the National Fire Protection Association or another nationally recognized organization. Authorizes the Commissioner to adopt rules to require an exam of license or permit applicants under the Article. Authorizes the Commissioner to apply for and receive grants for the Article's administration from interested parties.

Requires firms to be licensed and persons to be permitted to install, inspect, repair, service, or test portable fire extinguishers, pre-engineered kitchen fire suppression systems, pre-engineered industrial fire suppression systems, and engineered special hazard fire suppression systems. Makes it unlawful to take such action on any portable fire extinguisher or fire suppression system without attaching the required tag(s) completed in detail, as described. Excludes from the permitting provisions individuals employed by any firm or governmental entity that only engages in the installation and servicing of fire suppression systems or portable fire extinguishers on such items owned by the firm and installed on property under the control of the firm, subject to the rules and regulations adopted under the Article. Provides further exemptions, including fire chiefs, fire marshals, fire inspectors, and insurance company inspectors, as described, and any firm that engages only in the routine visual inspection of the systems and extinguishers owned by the firm and installed on property under the firm's control.

Sets the license fee at \$250 and the permit fee at \$100. Exempts government employees and members of a legal organized fire department acting in the member's official capacity.

Sets forth license and permit requirements, including proof of comprehensive liability insurance for prospective licensees.

Provides for keeping a permit on the permittee's person in the course of the work under the permit, and licensees and permittees producing a valid license or permit upon demand by the Commissioner, the Commissioner's representatives, or any local authority having jurisdiction, or any individual soliciting the services of the licensee or permittee.

Establishes reciprocity with individuals holding a comparable valid permit, license, or certification issued by another state which meets the minimum requirements under the Article and pays the applicable filing fees.

Details the form of licenses, permits and applications. Requires a licensee or permittee to notify the Commissioner within 30 days of any change to application information provided to the Commissioner. Requires the Commissioner give an applicant 60 days to correct any deficiencies discovered in the application.

Requires the licenses and permits to be issued for each license year, beginning January 1 and expiring the following December 31. Provides for restoration of an inoperative license by paying a penalty within 90 days of expiration. After 90 days of expiration, the former licensee or permittee must apply for a new license or permit.

Details license or permit sanctions and denial procedures. Allows for an applicant to request review of a denial in writing within 30 days after service of the notice of denial, and allows an applicant to request an administrative hearing on the outcome within 30 days after service of the notice of the outcome. Requires surrender of a license or surrender within 30 days of suspension, revocation or nonrenewal. Describes the effect of an order of suspension or revocation.

Authorizes the Commissioner to deny, suspend, place on probation, revoke, or refuse to renew any license or permit under the Article for any of the 21 specified reasons, including failure to meet requirements under the Article and conviction of a crime involving dishonesty.

Authorizes the Commissioner to issue cease and desist order for individuals or firms the Commissioner believes is or has been violating the Article. Requires the order to include a notice of opportunity for hearing upon request within 30 days of receipt of the order and notice. Provides for service of the order. Provides for noncompliance to result in the revocation of any and all permits and licenses issued by the Commissioner for a period of at least six months and no more than five years. Provides for effect of noncompliance on new permits or licenses held by the individual or firm. Establishes that violation of the Article can constitute grounds for license or permit refusal.

Establishes civil penalties for violations of the Article, rules adopted thereunder, or order of the Commissioner, as follows: a penalty not exceeding \$1000 for the first offense, no less than \$1000 and not exceeding \$2000 for the second offense, and no

less than \$2000 and not exceeding \$5000 for a third or subsequent offense. Requires prior notice of a violation and a reasonable waiting period before ordering a fine, as specified. Additionally authorizes the Commissioner to bring a civil action to enjoin a violation.

Makes willful or intentional violations of any provision of the Article, rules, or order of the Commissioner a Class 1 misdemeanor. Details other conduct that constitutes a Class 1 misdemeanor, including (1) obliterating serial numbers on tags for falsifying service records, (2) improper install or service, (3) allowing another to use a license or permit or use another's license or permit, (4) impersonating a representative of the Commissioner, State Fire Marshal, local fire chief, fire marshal, or other fire authority, (5) noncompliance with the Article, and (6) failure to comply with a cease and desist order issued by the Commissioner.

Clarifies that the Article does not limit certain State or local government powers. Prohibits local government from imposing any further requirements on licensees or permittees to prove competency.

Authorizes the Department of Insurance to adopt temporary rules for the Article's implementation.

Effective January 1, 2020.

Intro. by Burgin, Ford, Sawyer.

GS 58

[View summary](#)

Business and Commerce, Occupational Licensing, Government, Public Safety and Emergency Management, State Agencies, Department of Insurance

S 527 (2019-2020) **REFLEXOLOGY REGULATION ACT**. Filed Apr 2 2019, *AN ACT TO PROMOTE PUBLIC SAFETY THROUGH THE REGULATION OF REFLEXOLOGY*.

Enacts new Article 43, Reflexology, in GS Chapter 90 (Medicine and Allied Occupations). Defines relevant terms including reflexology, certification, and certifying entity in newly enacted GS 90-726. Enacts new GS 90-726.1 mandating that compensation for reflexology services may be received only by a certified reflexologist, unless the provider is a student in a nationally recognized reflexology education program or holds a certification of completion from such a program that he or she completed no more than six months prior to receiving compensation for reflexology services.

Enacts new GS 90-726.2 requiring a provider of reflexology services to prominently display his or her certificate at their main place of business or have it available on his or her person when providing services at a different location.

Enacts new GS 90-726.3 requiring advertising for the purpose of attracting clients for reflexology services to state that those services will be provided by a certified reflexologist as well as the name of the certifying entity.

Enacts new GS 90-726.4 exempting certain listed licensed professionals who in the course of their work may apply pressure to certain reflex areas on a person's body, if the application of pressure accounts for 25% or less of that person's work.

Enacts new GS 90-726.5 creating a civil penalty of no more than \$5,000 for each violation of this Article by an individual, and for violations by a place of business a civil penalty will be assessed no more than \$5,000 for each violation as well as a suspension of any license to operate for no more than 90 days. Directs that clear proceeds from assessed penalties must be remitted to the Civil Penalty and Forfeiture Fund in accordance with GS 115C-457.2.

Amends GS 90-624 (activities not requiring a license to practice) in Article 36 (massage and bodywork therapy practice) which states nothing in Article 36 may be used to prohibit or affect a list of specified activities, by adding new subdivision (9) listing a certified reflexologist engaged in the practice of reflexology as defined in GS 90-726.

Effective January 1, 2021.

Intro. by Gunn, Sanderson, Wells.

GS 90

[View summary](#)

Health and Human Services, Health

S 531 (2019-2020) [SMALL BUSINESS VENTURE FUND](#). Filed Apr 2 2019, *AN ACT TO PROMOTE INVESTMENT IN SMALL BUSINESS VENTURES*.

Amends GS 14-69.2 to allow, in addition to those investments otherwise authorized, up to \$100 million of assets of the Escheat Fund to be invested as authorized in GS 147-69.2A. Amends GS 147-69.2A as follows to account for these Escheat Fund assets. Requires that following a public procurement process designees for the specified governmental entities jointly and unanimously select third-party professional investment management firm, registered with the US Securities and Exchange Commission as an Investment Advisor and an exempt entity, to administer the Fund and select investment opportunities appropriate for receiving allocations from the Fund on the basis of the following limitations. Provides that assets of the Fund may be invested in those types of investments authorized for the North Carolina Retirement Systems notwithstanding the percentage limitations imposed on the investments. For these escheat assets also requires that (1) they be allocated to small business ventures with a North Carolina nexus of various sizes, growth potential, and industry classifications, and that they diversify investment risk and maximize the number of business ventures that may benefit from the Fund; (2) no more than 33% of the assets may be allocated to business ventures located in urban regions; (3) the maximum amount for total annual investments made in any calendar year is \$20 million; and (4) at least 20% of the assets must be invested in business ventures started and owned by a veteran of any branch of the US Armed Forces whose character of service at separation was honorable or under honorable conditions and who has not been convicted of a felony offense or who has been convicted of one or more felonies that have been expunged. Sets out additional provisions making documents held by specified entities related to escheat assets public records, requiring adopting of an investment policy statement, and an investment policy statement. Effective July 1, 2019.

Intro. by Gunn.

[GS 147](#)

[View summary](#)

[Business and Commerce, Government, State Agencies, Department of State Treasurer](#)

S 533 (2019-2020) [PATRIOTIC SOCIETY PRESENTATIONS IN SCHOOLS](#). Filed Apr 2 2019, *AN ACT TO REQUIRE PUBLIC SCHOOLS TO PERMIT PATRIOTIC SOCIETY PRESENTATIONS AT THE BEGINNING OF EACH SCHOOL YEAR FOR NO MORE THAN ONE HOUR*.

Requires schools to allow representatives of a patriotic society to speak to students at the beginning of each school year during instructional hours to provide information regarding how the society may further the students' educational interests and civic involvement. Defines patriotic society as a group or organization listed in Title 36 of the United States Code (Patriotic and National Observances, Ceremonies, and Organizations) that is a youth membership organization with an educational purpose. Requires representatives of a patriotic society to provide to the school oral or written notice of the desire to speak with students, upon which the school must provide oral or written approval of the specific day and time to last no longer than one hour.

Applies the above to the following statutes, which are amended accordingly: (1) GS 115C-81.60 (elementary and secondary education) by adding new subsection (c); (2) GS 115C-218.75 (charter schools) by adding new subsection (g); (3) GS 115C-238.66 (regional schools) and (4) GS 116-239.8 (University of North Carolina laboratory schools) by adding new subdivision (17).

Applies beginning with the 2019-2020 school year.

Intro. by Edwards, Daniel, Ballard.

[GS 115C, GS 116](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 535 (2019-2020) [CONSERVATION CORPS CLARIFICATION](#). Filed Apr 2 2019, *AN ACT TO CLARIFY THE STATUTES DEALING WITH CONSERVATION CORPS OF NORTH CAROLINA*.

Amends GS 143-58.7 to clarify that State entities are authorized to contract with Conservation Corps of North Carolina (previously referred to the North Carolina Youth Conservation Corps) to perform certain conservation projects in State parks, State Forests, and other State-owned facilities so long as the projects provide direct public benefits and offer youth and young adults of the State a structured program connecting them to natural resources and teaching them specified skills and responsibilities.

Intro. by Edwards, Hise, J. Davis.

GS 143

[View summary](#)

Government, Cultural Resources and Museums, State Agencies

S 536 (2019-2020) [WATER/WASTEWATER PUBLIC ENTERPRISE REFORM](#). Filed Apr 2 2019, *AN ACT TO IMPROVE VIABILITY OF THE WATER AND WASTEWATER SYSTEMS OF CERTAIN UNITS OF LOCAL GOVERNMENT BY REQUIRING LOCAL GOVERNMENT COMMISSION APPROVAL OF GRANT APPLICATIONS; TO REQUIRE CERTAIN WATER AND WASTEWATER SYSTEMS TO UNDERGO A REVIEW OF INFRASTRUCTURE MANAGEMENT, ORGANIZATIONAL MANAGEMENT, AND FINANCIAL MANAGEMENT; TO CREATE THE VIABLE UTILITY RESERVE TO PROVIDE GRANT MONEY FOR LOCAL GOVERNMENT UNITS; TO CREATE A MONTHLY SURCHARGE TO FUND THE VIABLE UTILITY RESERVE; TO PROVIDE A STATUTORY PROCESS FOR MERGER AND DISSOLUTION OF WATER AND WASTEWATER SYSTEMS ESTABLISHED UNDER CHAPTER 162A OF THE GENERAL STATUTES; TO PROMOTE THE IMPORTANCE OF INTERLOCAL AGREEMENTS TO THE OPERATION OF WATER AND WASTEWATER SYSTEMS; AND TO STUDY SUB-BASIN TRANSFERS AND HISTORICAL CHARTERS*.

Section 1

Makes the following changes to GS Chapter 159G, Water Infrastructure.

Amends GS 159G-20 to define distressed unit and Viable Utility Reserve. Modifies the term *local government unit* to include a metropolitan water district, a metropolitan sewerage district, and a county water and sewer district. Makes organizational changes and updates GS Chapter 162A Article and GS Chapter 160A references.

Amends GS 159G-21 to establish that revenue received under GS 162A-221 (as enacted, establishes monthly surcharges for water and wastewater services) is governed by the Chapter to provide local government grants.

Amends GS 159G-22 to establish the Viability Utility Reserve (Reserve) account within the Water Infrastructure Fund to receive collections under GS 162A-221 and State appropriations. Specifies that credited revenue to the account is neither received from the federal government nor provided as a match for federal funds. Directs the Department of Environmental Quality (DEQ) to establish accounts within the Reserve to administer grants for public water systems or wastewater systems owned by local government units.

Amends GS 159G-30 to include the administration of grants made from the Reserve, through the Division of Water Infrastructure (Division), in DEQ's responsibilities. Makes clarifying and technical changes.

Amends GS 159G-31 to establish that a local government unit, as now defined, is eligible to apply for a grant from the Reserve.

Amends GS 159G-32 to specify five authorized uses for grants from the Reserve, including rehabilitating existing public water or wastewater infrastructure, decentralizing an existing public water or wastewater system, and funding a study of rates or merger and regionalization options.

Enacts GS 159G-34A, detailing three types of authorized Reserve grants: (1) an asset assessment and rate study grant; (2) a merger/regionalization feasibility grant; and (3) a project grant. Requires separate accounts in the Reserve for each type of grant. Describes budgeting for grants based upon estimates of collections remitted under GS 162A-222 (as enacted, provides for the transfer of water and wastewater services surcharge collections under GS 162A-221 to the Reserve) and gives priority to local government units in the subsequent year in which the actual remittance of collections is less than the estimate.

Amends GS 159G-35 to require the Local Government Commission and the State Water Infrastructure Authority (Authority) to jointly develop evaluation criteria to review grant applications and award grants from the Reserve as provided in GS 159G-39, as amended. Makes clarifying changes.

Amends GS 159G-36 to prohibit the amount of a Reserve grant from exceeding the construction costs of a project. Specifies that grant availability is limited to the extent that other funding sources are not reasonably available to the applicant. Caps grants from the Reserve to any single local government unit at \$15 million, and at \$30 million where two or more governmental units are merging into a single utility.

Expands the application provisions set forth in GS 159G-37 concerning loans and grants from other Reserves under the Chapter to include applications for grants from the Reserve.

Amends GS 159G-39 to require the Local Government Commission to approve the grant award and terms before a grant can be awarded. Authorizes DEQ and the Local Government Commission to impose specific performance measures or conditions on a Reserve grant, in their discretion.

Enacts GS 159G-45 to require the Authority and the Local Government Commission to develop criteria for assessment and review of local government units to identify distressed units, defined as a public water or wastewater system exhibiting signs of failure to identify or address those financial or operating needs necessary to enable that system to become or to remain a local government unit generating sufficient revenues to adequately fund management and operations, personnel, appropriate levels of maintenance, and reinvestment that facilitate the provision of reliable water or wastewater services. Details five components which the criteria should address, including whether the public water or wastewater system has an established, operational, and adequately funded program for its repair, maintenance and management. Requires distressed units to take certain actions, as described, including developing an action plan for short- and long-term infrastructure repair, maintenance and management, continuing education of the governing board and system operating staff, and long-term financial management. Also requires distressed units to conduct an asset assessment and rate study, and participate in a training and educational program. Provides that once the requirements are met, the local government unit is no longer identified as a distressed unit for the remainder of that assessment and review cycle. Requires the assessment and review cycle of local government units to be no less than every two years, with frequency to be established by the Authority and the Local Government Commission.

Effective October 1, 2019.

Section 2

Enacts Article 9, Water and Wastewater Surcharge, to GS Chapter 162A. Sets forth definitions for the Article. Imposes a monthly surcharge on each active account of a public water system or wastewater system, payable by the account holder, in the amount of \$1 per residential account and nonresidential account receiving water service or wastewater service from a local government unit, as specified. Makes local government units responsible for surcharge billing and collecting, and authorizes local government units to retain up to 2% of the amounts collected to cover administrative costs. Requires local government units to remit the amounts collected to the Reserve on a quarterly basis. Sunsets the Article June 30, 2029.

Amends specified statutes of GS Chapter 130A, GS Chapter 153A, GS Chapter 160A, and GS Chapter 162A to require sanitary district boards, cities, counties, and authorities and district boards created under GS Chapter 162A to collect any applicable monthly surcharges under new GS Chapter 162A-221.

Effective October 1, 2019.

Section 3

Enacts Article 10, Dissolution and Merger of Units, to GS Chapter 162A. Defines *unit* as the same entities created under GS Chapter 162A which are included in the term *local government unit* under GS Chapter 159G, as amended. Details information which must be provided to the Environmental Management Commission (Commission) prior to any action under the Article to merge or dissolve. Requires the Commission to provide a copy of the information submitted to DEQ and the Local Government Commission upon receipt of a request to dissolve or merge. Specifies notice requirements for district boards of affected units and any other governing boards affected upon confirmation of the time and place for a public hearing on dissolution or merger.

Authorizes a unit to merge with any other unit, county, city, consolidated city-county, sanitary district, or joint agency, as described, (1) if the merger is a condition of receiving a grant from the Reserve, or (2) upon approval of the Commission, in consultation with DEQ and the Local Government Commission. Provides for the the transfer of assets, liabilities, and obligations by resolution of the Commission, as specified, and details dissolving a unit upon satisfaction of certain criteria.

Authorizes a unit to be dissolved, (1) if the merger is a condition of receiving a grant from the Reserve, or (2) in order to merge with another unit, county, city, consolidated city-county, sanitary district, or joint agency, as described, and establish a new entity upon approval of the Commission, in consultation with DEQ and the Local Government Commission. Provides for the the transfer of assets, liabilities, and obligations by resolution of the Commission, as specified, and dissolving a unit.

Establishes the effective date for merger or dissolution upon the adoption of a resolution by the Commission to be fixed as of June 30 following the adoption or the second June 30 following the adoption of the resolution. Details the effect of a merger or dissolution upon adoption of a resolution by the Commission and authorizes all governing boards and district boards to take actions and execute the documents necessary to effectuate the described provisions.

Effective October 1, 2019.

Section 4

Enacts Article 5, Water and Wastewater Systems, to GS Chapter 160A. Sets forth defined terms. Authorizes interlocal cooperation between local government units for any purpose. Specifies that interlocal cooperation contracts for one or more undertakings under Part 5 are governed by the provisions of Part 1, Joint Exercise of Powers, Article 20, GS Chapter 160A.

Section 5

Directs DEQ to study the statutes and rules governing subbasin transfers. Details requirements of the study, including whether the costs of complying with specific statutory requirements are worth the benefits of the requirements. Requires DEQ to submit a report to the Commission by October 1, 2019.

Section 6

Directs the State Treasurer and Secretary of State to study the feasibility of authorizing historical charters for local government units that have become or may become defunct. Details requirements of the study, including the consequences of such charters. Requires the State Treasurer and the Secretary of State to report to the General Assembly by March 1, 2020.

Intro. by Newton.

[STUDY, GS 153A, GS 159G, GS 160A, GS 162A](#)

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[Government, State Agencies, Department of Environmental Quality \(formerly DENR\), Department of State Treasurer, Secretary of State, Local Government, Health and Human Services, Health, Public Enterprises and Utilities](#)

S 537 (2019-2020) [ESTABLISH NEW PAYMENT METHODOLOGY/ACHS](#). Filed Apr 2 2019, *AN ACT TO EXAMINE AND ESTABLISH A NEW PAYMENT METHODOLOGY FOR ADULT CARE HOMES PROVIDING CARE TO NORTH CAROLINA MEDICAID BENEFICIARIES THAT PROMOTES HEALTH AS WELL AS FAIR AND REASONABLE COMPENSATION FOR THE SERVICES PROVIDED.*

Includes whereas clauses.

Directs the Department of Health and Human Services (DHHS) to establish and convene a workgroup to evaluate reimbursement options under managed care for adult care homes that takes into account all funding streams and to develop a service definition or definitions under managed care to accomplish the General Assembly's intent to provide stable and reliable funding to adult care homes in order to ensure access, choice and quality of care. Requires the participation of representatives of the adult care home industry and other relevant stakeholders in the workgroup. Mandates the inclusion of the following components in the development of the service definition: (1) support for alternative payment models, including pay-for-performance initiatives, available under the State's 1115 Medicaid waiver and Medicaid transformation; (2) best practices for long-term services and supports; and (3) efficient payment methodologies.

Requires DHHS to submit a report no later than October 1, 2020, to the Joint Legislative Oversight Committees on Health and Human Services, and Medicaid and NC Health Choice, as well as the Fiscal Research Division regarding the new service definition. Directs DHHS after this submission to submit to the Centers for Medicare and Medicaid Services any amendments to the NC Medicaid State Plan necessary to implement the new definition.

Intro. by Hise, Krawiec, Bishop.

STUDY, UNCODIFIED

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Health and Human Services, Social Services, Adult Services, Public Assistance

S 539 (2019-2020) **REPEAL CON LAWS**. Filed Apr 2 2019, *AN ACT REPEALING NORTH CAROLINA'S CERTIFICATE OF NEED LAWS*.

Repeals GS Chapter 131E, Article 9 (Certificate of Need). Makes conforming changes to GS 6-19.1, GS 113A-12, GS 122C-23.1, GS 131E-13, GS 131E-136, GS 148-19.1, GS 130A-45.02, GS 143B-1292, GS 150B-2, and GS 150B-21.1. Makes further conforming changes to GS 58-50-61 (defining health service facility as it was defined in the repealed Article) and GS 58-55-35 (defining hospice and intermediate care facility for those with intellectual disabilities as they were defined in the repealed Article and updating language and making technical changes).

Effective January 1, 2020.

Intro. by Hise.

GS 6, GS 58, GS 113A, GS 122C, GS 131E, GS 148

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health

S 544 (2019-2020) **ESTABLISH NON-OPIOID TREATMENT ALTERNATIVES**. Filed Apr 2 2019, *AN ACT DIRECTING HEALTH CARE PROVIDERS TO INITIATE ACUTE OR CHRONIC PAIN MANAGEMENT CARE WITH NON-OPIOID TREATMENT ALTERNATIVES, WHENEVER POSSIBLE; DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP AND MAKE AVAILABLE ON ITS INTERNET WEB SITE A UNIFORM VOLUNTARY NON-OPIOID DIRECTIVE FORM; ESTABLISHING A PROCESS FOR PATIENTS TO VOLUNTARILY ELECT NON-OPIOID PAIN MANAGEMENT CARE; AND ESTABLISHING INSURANCE COVERAGE FOR NON-OPIOID PAIN MANAGEMENT CARE*.

Amends multiple statutes to advance non-opioid pain management as first option suggested by providers where appropriate to manage acute or chronic pain and to allow patients to opt for alternatives to opioids. Requires health insurance coverage of a variety of evidence-based non-opioid pain management therapies including for the State Health Plan for Teachers and State Employees.

Non-opioid directive for providers of pain management care. Amends GS 90-106 (prescriptions and labeling) as follows: expands subsection (a3) to apply to chronic as well as acute pain and directs practitioners to first provide referrals or prescriptions for non-opioid therapies and to use less addictive alternatives to targeted controlled substances when possible. Makes minor amendment to subsection (a4) by adding reference to subsection (a3).

Patient-initiated non-opioid directive for pain management care. Amends GS Chapter 90, Article 1B (Medical Malpractice Actions) by adding new GS 90-21.17A regarding voluntary non-opioid directives for patients. Provides definitions, directs the Department of Health and Human Services (DHHS) to develop an opt-out form for patients to choose non-opioid care, and allows patients or their duly authorized representatives to voluntarily choose non-opioid prescriptions by signing and dating an opt-out form in the presence of a medical provider. Provides a procedure for medical providers to accept the opt-out and authorizes the medical provider to first assess a patient's history of alcohol or drug abuse to determine risk of medication misuse or abuse before acceptance. Directs medical providers to honor the patient's wishes whenever possible unless and until the patient revokes the form in writing which revocation must be kept in the patient's file. Directs DHHS, in consultation with

other named agencies, to adopt rules establishing procedures regarding personnel authorized to accept a patient opt-out form, recordation of the form in patient records, revocation, overriding the form, compliance with federal and state confidentiality laws, exemptions for opioids when medically necessary, and continuing education requirements of not less than four hours annually for providers regarding nonpharmacological alternatives to opioids. Creates tailored immunities for: (1) pharmacists who unknowingly fill a prescription that contradicts a patient opt-out form; (2) health care providers who rely in good faith on the existence or absence of a patient opt-out form; and (3) patient representatives who act in good faith.

Directs DHHS, by October 1, 2019 and in consultation with the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services, the North Carolina Medical Board, and the North Carolina Board of Pharmacy, to develop and publish online a uniform opioid prescription and treatment opt-out form that complies with GS 90-21.17A, in a format that can be downloaded and copied. This directive is effective upon becoming law.

Insurance coverage for non-opioid pain management care. Amends GS Chapter 58, Article 51 (nature of insurance policies) to add new GS 58-51-56 mandating coverage for non-opioid pain management care in health benefit plans. Provides a non-exclusive list of evidence-based opioid alternatives, including acupuncture, chiropractic care, massage therapy, and physical therapy. Directs that this type of care be considered a rehabilitation and habilitation service under the Affordable Care Act, and that coverage is not to be subjected to annual or lifetime limits for the treatment of pain.

Amends GS 135-48.51 (state health plan coverage and operational mandates) by adding new subdivision (14) adding coverage for non-opioid pain management care pursuant to GS 58-51-56.

Effective date of insurance provisions is October 1, 2019 and applies to health benefit plan contracts issued, renewed, or amended on or after that date.

Effective date. Except as otherwise provided, effective January 1, 2020.

Intro. by Hise.

[GS 58, GS 90, GS 135](#)

[View summary](#)

[Health and Human Services, Health, Health Insurance, Public Health](#)

S 548 (2019-2020) [MEDICAID CHANGES FOR TRANSFORMATION](#). Filed Apr 2 2019, *AN ACT TO MODIFY THE LAWS PERTAINING TO MEDICAID AND NC HEALTH CHOICE AS NEEDED FOR THE IMPLEMENTATION OF MEDICAID TRANSFORMATION*.

Section 1

Makes the following changes to GS Chapter 108D. Retitles the Chapter as Medicaid and NC Health Choice Managed Care Programs (was, Medicaid Managed Care for Behavioral Health Services).

Adds to the defined terms: adverse benefit determination, adverse disenrollment determination, beneficiary, Behavioral Health and Individuals with Developmental Disabilities Tailored Plan (BH IDD Tailored Plan), enrollment broker, fee-for-service program, mail, managed care entity, Medicaid transformation demonstration waiver, prepaid health plan (PHP), provider, and standard plan. Modifies existing defined terms: applicant, contested case hearing, enrollee, Local Management Entity (LME), mental health, intellectual or developmental disabilities, and substance abuse services (MH/IDD/SA services), network provider, and notice of manager care action (now notice of adverse determination). Now defines *enrollee* to mean a Medicaid or NC Health Choice beneficiary who is currently enrolled with a local management entity/managed care organization or a prepaid health plan (previously more narrowly defined as a Medicaid beneficiary who is currently enrolled with a local management entity/managed care organization). Deletes the defined terms: managed care action, Managed Care Organization, notice of resolution, and Prepaid Inpatient Health Plan. Makes conforming changes throughout the Chapter.

Modifies the scope of the Chapter set out in GS 108D-2 to provide that the Chapter applies to every managed care entity, applicant, enrollee, providers of emergency services, and network provider of a managed care entity. Exempts from the Chapter's provisions Medicaid or NC Health Choice services delivered through the fee-for-service program. Clarifies that the Chapter does not grant a NC Health Choice beneficiary benefits in excess of what is required by GS 108A-70.21.

Amends GS 108D-3 to provide that federal law prevails if there is conflict between the Chapter and the Social Security Act or 42 CFR Parts 438 (Managed Care) and 457 (Allotments and Grants to States for Child Health Insurance Programs). Adds an exception for state law to prevail when the applicability of federal law or rules has been waived by agreement between the State and the US Department of Health and Human Services. Provides that the Chapter prevails over conflicting State law contrary to the principles of managed care that will ensure successful containment of costs for health care services (previously, specified behavioral health care services).

Enacts Article 1A, Disenrollment and Prepaid Health Plans (PHP). Sets forth general provisions regarding construction of the Article. Allows for enrollees or their authorized representative to submit an oral or written request for disenrollment from a PHP. Details distinct parameters for disenrollment requests by an enrollee without cause or with cause, as specified. Provides for expedited requests for disenrollment for urgent medical needs that require disenrollment from the PHP. Permits a PHP to request disenrollment of an enrollee from a PHP only if the enrollee's behavior seriously hinders the PHP's ability to care for the enrollee or other enrollees of the PHP, and the PHP has documented efforts to resolve the issues that form the basis of the request for disenrollment of the enrollee. Requires PHPs to comply with federal law in requesting disenrollment. Provides for written resolution of approval or denial of a request by the Department of Health and Human Services (DHHS) within the first day of the second month following the month of request or within three calendar days of receipt of an expedited request. Requires DHHS to include an appeal request form which meets specified criteria, including informing the enrollee that the appeal form must be filed within 30 days of the mailing date of the notice. Provides for situations where DHHS determines a request does not meet the criteria for an expedited request.

Provides for the appeal process for an adverse disenrollment determination to the Office of Administrative Hearings, to be conducted in accordance with Part 6A, Medicaid Recipient Appeals Process, Article 2 of GS Chapter 108A.

Makes changes throughout Article 2, Enrollee Grievances and Appeals, to refer to managed care entities rather than LME/MCOs. Now requires managed care entities to establish and maintain internal grievance and appeal procedures that comply with specified federal law and afford enrollees and their authorized representatives (was, and network providers authorized in writing to act on behalf of enrollees) constitutional rights to due process and a fair hearing. Makes conforming changes throughout the Article to refer to an enrollee's authorized representative. Authorizes an enrollee or the enrollee's authorized representative to file grievances and managed care entity level appeals orally or in writing (was, file request for grievances). Establishes that the Article 2 appeals process does not apply to instances in which the sole basis for the managed care entity's decision is a provision in the State Plan or in federal or state law requiring an automatic change adversely affecting some or all beneficiaries. Makes changes to refer to an adverse benefit determination rather than a managed care action, and a notice of grievance resolution rather than a notice of grievance disposition. Now requires the notice of grievance resolution to be mailed no later than 30 days (was, 90 days) after receipt of the grievance. Allows the managed care entity to extend the time frame to the extent permitted by the specified federal law, 42 CFR 438.408(c).

Concerning standard managed care entity level appeals, grants an enrollee or the enrollee's authorized representative the right to file a request for a managed care entity level appeal of a notice of adverse benefit determination within 60 days (was within 30 days) after the mailing date of the notice. Requires a managed care facility to continue or reinstate (was just continue) the benefits of a Medicaid enrollee during the pendency of a managed care entity level appeal to the same extent required under 42 CFR 438.420 and new subsection (c1) of GS 108D-13.

Specifies that NC Health Choice enrollees are not entitled to continuation or reinstatement of benefits. Requires the PHP to reinstate the benefits of a Medicaid enrollee if four requirements are satisfied, including timely filing of the appeal, timely filing for continuation of benefits, the appeal being one that involves termination, suspension, or reduction of a previously authorized service, and the service was ordered by an authorized provider. Now requires the managed care entity to resolve an appeal and notify the enrollee and all other affected parties within 30 days (was, 45 days) after receiving the request for appeal. Allows the managed care entity to extend the timeframe as permitted under federal law, 42 CFR 438.408. Now additionally permits an enrollee or the enrollee's authorized representative to file a request for a contested hearing case hearing under GS 108D-15 if the enrollee has been deemed under 42 CFR 438.408(c)(3) to have exhausted the managed care entity level appeals process (previously, only after extinguishing the appeals procedures under GS 108D-14 concerning expedited appeals).

Concerning expedited managed care entity level appeals, specifies that for expedited appeal requests made by a network provider as an enrollee's authorized representative, the managed care entity is to presume an expedited appeal is necessary. Now requires a managed care entity that denies a request for expedited appeal to make reasonable efforts to give the enrollee and all other affected parties oral notice of the denial and follow up with a written notice of denial by mail no later than 72

hours (was, two calendar days) after receiving the request. Requires a managed care facility to continue or reinstate (was, just continue) the benefits of a Medicaid enrollee during the pendency of an expedited managed care entity level appeal to the same extent required under 42 CFR 438.420 and new subsection (c1) of GS 108D-14, which requires PHP reinstatement in the same manner as during the pendency of standard appeal requests, in accordance with new GS 108D-13(c1). If granting the request for an expedited appeal, now requires the managed care entity to resolve the appeal and provide written notice to the enrollee and all other affected parties within 72 hours (was, three working days) after receiving the request. Allows the managed care entity to extend the timeframe for resolution as permitted under federal law, 42 CFR 438.408. Now additionally permits an enrollee or the enrollee's authorized representative to file a request for a contested hearing case hearing under GS 108D-15 if the enrollee has been deemed under 42 CFR 438.408(c)(3) to have exhausted the managed care entity level appeals process (previously, only after exhausting the appeals procedures under GS 108D-13 concerning standard appeals).

Makes conforming changes to GS 108D-15 concerning contested case hearings on disputed adverse benefit determinations. Now requires the appeals request form required to be included with the managed care entity's notice of resolution to inform the enrollee that the form must be mailed or faxed no later than 120 days (was, 30 days) after the mailing date of the notice, and for NC Health Choice enrollee's the NC Health Choice identification number (Medicaid enrollees are already required to include the enrollee's identification number). Requires the continuation or reinstate of a Medicaid enrollee's benefits during the pendency of an appeal in the same manner as appeals at the managed care entity level. Specifies that an administrative law judge cannot order a managed care entity to continue benefits in excess of what is required under federal law, except to the extent required by GS 108D-13(c1) and GS 108D-14(c1), as enacted. Makes conforming changes regarding conflict of Chapter provisions and federal law. Specifies that the rules, rights, and procedures for contested hearings concerning adverse benefit determinations cannot provide an enrollee with rights less than those provided under federal law (was, no lesser or greater rights than under federal law).

Enacts Article 3, Managed Care Entity Provider Networks.

Requires each LME/MCO operating the combined 1915(b) and (c) waivers to maintain and utilize a closed network of providers to furnish MH/IDD/SA services to its enrollees. Requires each PHP to develop and maintain a provider network that meets access to care requirements for its enrollees. Mandates PHPs to include providers designated as essential providers by DHHS, unless DHHS approves an alternate arrangement for securing the types of served offered by the essential providers. Details essential provider designation, minimally requiring providers that are federally qualified health centers, rural health centers, free clinics, local health departments, and State Veterans Homes to be identified as essential providers. Requires entities operating BH IDD Tailored Plans to utilize closed provider networks only for the provision of behavioral health, intellectual and developmental disability, and traumatic brain injury services.

Effective October 1, 2019, and applies to appeals arising from LME/MCO notices of adverse determination mailed on or after that date and grievances received by an LME/MCO on or after that date

Section 2

Amends GS 90-414.4 to require PHPs to submit encounter and claims data by the commencement date of a capitated contract with the Division of Health Benefits for the delivery of Medicaid and NC Health Choice services as specified in Article 4 of GS Chapter 108D (previously referenced SL 2015-245 to define PHP and set the timeline for their submission).

Sections 3 through 7

Makes changes to GS Chapter 108A, Social Services. Adds to the defined terms set forth in GS 108A-24: fee-for-service program and Prepaid Health Plan (PHP). Makes technical and organizational changes.

Amends GS 108A-56 to provide for waiver agreements between the State and the US Department of Health and Human Services concerning statutory construction. Adds further provisions to clarify construction pertaining to PHPs.

Amends GS 108A-70 regarding DHHS garnishing employment income and the Secretary of Revenue withholding tax refunds to recoup certain amount spent on medical care. Makes organizational and clarifying changes. Adds that such actions can be taken to the extent necessary to reimburse a PHP for expenditures for costs under Part 6, Medical Assistance Program. Also adds that only claims for current or past due child support take priority over those claims, or similar reimbursement claims by DHHS under the same provisions.

Expands Part 6A, Article 2 of GS Chapter 108A to also govern the process used by a Medicaid or NC Health Choice recipient to appeal an adverse disenrollment determination by DHHS. Defines adverse enrollment decision and contested Medicaid case, and modifies the definition of adverse determination. Makes conforming, clarifying and technical changes to the Part.

Regarding the review of eligibility and Program enrollment decisions under GS 108A-70.29, specifies that the provisions do not apply to requests for disenrollment under Article 1A, GS Chapter 108D. Specifies that the provisions regarding the review of health services decisions applies only to health service decisions for services being provided to NC Health Choice recipient through the fee-for-service program, and excludes adverse benefit determinations.

Section 8

Amends GS 122C-3, which sets forth the definitions related to the Mental Health, Developmental Disabilities, and Substance Abuse Act. Adds BH IDD Tailored Plan to the defined terms, and references the definition set out in GS 108D-1, as amended. Modifies LME/MCO to include entities under contract with DHHS to operate a BH IDD Tailored Plan.

Section 9 and 10

Amends GS 150B-1 to exempt from the contested case provisions DHHS with respect to disputes involving the performance, terms, or conditions of a contract between DHHS and a PHP. Makes conforming changes to reference NC Health Choice determinations under GS 108A-70.29(b), as amended.

Amends GS 150B-23 to incorporate NC Health Choice enrollee appeals. Specifies when PHPs are to be considered an agency under the provisions.

Section 11

Modifies Section 4 of SL 2015-245, as amended, concerning services covered by PHPs, to exclude Medicaid services covered by the LME/MCO under combined 1915(b) and (c) waivers unless covered under a BH IDD Tailored Plan. Excludes from PHP coverage for a time determined by DHHS, recipients who are enrolled in the foster care system, receiving Title IV-E adoption assistance, under the age of 26 and formerly were in the foster care system, or under the age of 26 and formerly received adoption assistance. Makes changes to statutory references regarding LME/MCO management upon the commencement of capitated contracts.

Section 12

Makes clarifying change to Section 5(6) of SL 2015-245, as amended.

Section 13 directs the Revisor of Statutes to codify specified portions of SL 2015-245 into a new Article 4, Prepaid Health Plans, GS Chapter 108D. Details the new Article's structure. Provides specified authorizations in codifying the specified portions.

Section 14 authorizes the Revisor to replace references to the Division of Medical Assistance with the Division of Health Benefits, except in GS 108A-54; GS 126-5(c)(34), GS 143B-138.1; and GS 143B-216.80. Provides for the changes to be effective July 1, 2019.

Section 15

Provides that the act is effective October 1, 2019, except as otherwise provided.

Intro. by Krawiec, Bishop.

[GS 108A, GS 108D, GS 122C](#)

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Government, APA/Rule Making, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Mental Health, Social Services, Public Assistance

S 551 (2019-2020) [CHILD SUPPORT COOPERATION ACT OF 2019](#). Filed Apr 2 2019, *AN ACT TO ESTABLISH THE CHILD SUPPORT COOPERATION ACT OF 2019*.

Adds new Article 11, entitled Child Support Cooperation Act, to GS Chapter 110. Provides that the Department of Health and Human Services must require applicants for electronic food and nutrition benefits to cooperate with the Child Support Enforcement Program as a condition of eligibility for food and nutrition benefits. Effective July 1, 2020.

Intro. by Krawiec, Hise, Bishop.

GS 110

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Health and Human Services, Social Services, Child Welfare, Public Assistance

S 553 (2019-2020) **REGULATORY REFORM ACT OF 2019**. Filed Apr 2 2019, *AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA*.

Amends 130A-294(a4) by adding the requirement of “substantial compliance” or “full compliance” (formerly “compliance”) with certain terms and distinguishes between nonfinancial and financial terms of a franchise agreement. Provides that a life-of-site permit will remain valid until its expiration date, and a sanitary landfill may continue to operate, if the owner or operator substantially complies with the terms of the local government approval or franchise agreement and remains in substantial compliance with nonfinancial terms of the franchise and full compliance with financial terms until the permit expires.

Deletes the language in GS 93A-40(a) that renders it unlawful for a person to act as a time share sales person without first obtaining a real estate broker license; it remains unlawful for a developer to see or offer to sell a time share without first obtaining the necessary certificate of registration as issued by the state.

Requires the Department of Environmental Quality to study and report on the need for additional positions and funding, and possible changes to laws, that would be necessary to expand the Department’s express permitting programs to encompass additional types of permits typically required for job creating, real estate development, and redevelopment activities. Requires a report to the specified NCGA committee and division by December 1, 2019.

Clarifies that the act as a whole will remain valid even if a provision of the act is declared unconstitutional.

Intro. by Sanderson, Wells.

STUDY, GS 93A, GS 130A

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Development, Land Use and Housing, Property and Housing, Environment, Government, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health

S 554 (2019-2020) **MARINE FISHERIES REFORMS**. Filed Apr 2 2019, *AN ACT TO REFORM THE MANAGEMENT OF MARINE FISHERIES IN NORTH CAROLINA*.

Repeals GS 113-182.1, which governed Fishery Management Plans, and replaces it with new GS 113-182.2, which provides as follows.

Requires the Division of Marine Fisheries (Division) to prepare Fishery Management Plans (Plans) and Fishery Management Plan Amendments (Amendments) for adoption by the Marine Fisheries Commission (Commission) in order to ensure a sustainable harvest for all significant species and for state marine and estuarine fisheries identified by the Division that are not included under a federal or interstate management plan. Requires the Plans and Amendments to be based on fishery management standards and best available scientific, technical, and economic data and requires that they are developed under a schedule adopted by the Division. Allows the Division to develop guidance criteria as to the content and development process.

Requires each Plan and Amendment to be designed to reflect that fishery's unique fishing practices. Requires each Plan or Amendment to address six specified topics, including recommending management actions to ensure a sustainable harvest, and

include a rebuilding schedule to achieve and maintain a sustainable harvest. Provides that once a Plan is adopted, management recommendations, strategies, and measures can be modified only through an Amendment.

Requires the Fisheries Director to provide the Chair of the Commission with a list of qualified candidates to assist in the development of each Plan and Amendment, and requires the Chair to appoint members from the list to each Fishery Management Plan Advisory Committee (Advisory Committee). Sets out qualification requirements for members of the Advisory Committee.

Requires the Division to consult with the regional advisory committees on the preparation of each Plan or Amendment and requires the Division to seek advice from those committees and review their comments and recommendations within the established time limits before submitting a Plan or Amendment for review by the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources. Also requires the Commission to consider comments or recommendations regarding the management measure that a regional advisory committee submits to the Commission.

Requires each Plan or Amendment to be reviewed every five years to ensure that the management measures meet the rebuilding schedule to achieve a sustainable harvest. Requires presentation of an annual update to the Commission. Sets out conditions under which a Plan or amendment may be retired. Allows the Division to revise the schedule for developing Plans and Amendments.

Requires the Secretary of Environmental Quality (Secretary) to monitor progress in the development and adoption of the Plans and Amendments and to report to the specified NCGA committee and division within 30 days of completion. Sets out timeline for the committee to provide comments.

Requires the Commission to adopt rules to implement the Plans.

Allows the Commission to include in a Plan a recommendation that the General Assembly limit the number of fishermen authorized to participate in the fishery; allows such recommendation only if the Commission determines that a sustainable harvest cannot otherwise be achieved. Sets out 8 factors to be considered in deciding whether to make such a recommendation.

Allows the Secretary, in consultation with the Director, to authorize development of a Fishery Management Plan Supplement to an existing Plan or Amendment if it is in the interest of maintaining a sustainable harvest. Provides that the Supplements are temporary and intended to address emergency conditions that cannot be practicably addressed through the Plan or Amendment process. Exempts the Supplement from specified procedural requirements and sets out additional provisions governing the adoption of a Supplement.

The above provisions become effective July 1, 2019. Allows Plans and Amendments that were under development before that date to continue under the process set out in repealed GS 113-182.1.

Amends GS 113-221.1 to require proclamations that suspend or implement particular rules of the Commission whose application may be affected by variable conditions to be consistent with management measures adopted under GS 113-182.2 or as otherwise provided by Commission rules. Amends the provision allowing the calling of an emergency Commission meeting to consider the issuance of a proclamation to exclude issuing a proclamation for management measures already adopted under GS 113-182.2.

Amends provisions related to the Commission as follows. Amends GS 143B-289.52 to require that rules adopted by the Commission and management measures in the rules be based on recognized fishery management standards and the best available scientific, technical, and economic data. Amends the Commission's duties to allow delegating to the Director the authority by proclamation to suspend or implement a particular rule of the Commission that may be affected by variable circumstances to a fishery resource or habitat. Makes conforming changes to the duty to adopt a Fishery Management Plan. Specifies that the Commission's power to establish standards and adopt rules to regulate the importation and exportation of fish and equipment that may be used in taking or processing fish includes non-native species. Allows the Commission to regulate participation in a fishery subject to a federal fishery management plan if it imposes a quota or allocation (was, quota only) on the State for the harvest or landing of fish in the fishery. Allows the Commission to use any additional criteria aside from holding coastal recreational fishing licenses.

Amends GS 143B-289.54 by amending the requirements for Commission membership by (1) removing provisions allowing the spouse of a commercial fisherman meeting the specified requirements to be appointed as a member; (2) requiring that one

member be engaged in or retired from commercial fishing demonstrated by deriving at least 50% of annual earned income from selling wild and aquaculture (was, income from taking and selling fishery) resources in coastal fishing waters of the state; (3) requiring that one person be engaged in the for-hire or sports fishing industries (was, sports fishing industry only); (4) requiring one person to be a recognized habitat, water quality, or ecosystems scientist with specified special training and expertise, and another person to be a recognized fisheries scientist with specified special training and expertise (these replace two individuals who were required to more broadly have general knowledge of and experience related to subjects and persons regulated by the Commission), and requires that the person not receive more than the specified amount of income from commercial or sports fishing industries; and (5) requiring that the already described appointee who is a fisheries scientist be recognized as such. Requires that the membership include at least one person who is a resident of the three named regions (was, more generally, a resident of each of the three coastal regions). Allows a person serving on the Commission at the time that the act becomes law to continue to serve for their remaining term even if they no longer meet the qualifications of amended GS 143B-289.54.

Specifies that other than routine communications sent from Division staff to all Commission members, any electronic, oral, or other communications (was, only electronic communications) among a majority of the Commission is considered an official meeting.

Adds the requirement that the Commission establish and publish a written agenda for the its quarterly meetings. Prohibits a member from moving to deliberate or vote on any business or issue not previously noticed on the meeting agenda once a meeting is convened. Allows members to move at the meeting to deliberate or vote on new business or issues for future meetings.

Amends GS 143B-289.57 by amending requirements for the Marine Fisheries Commission Advisory Committees, as follows. Decreases the number of standing advisory committees from four to three and the number of regional advisory committees from four to two. Requires that the designation of chairs be based on recommendations by the Division. Makes provisions governing standing advisory committees also applicable to regional advisory committees and makes conforming changes. Adds that if the Commission rejects a conclusion or recommendation from an advisory committee, the Commission must provide its reasons for doing so, in writing.

Amends GS 113-136, concerning the enforcement authority of inspectors and protectors, as follows. Separates out provisions related to an inspector's request to exhibit any item required to be carried by law so that they are separate from the same provisions related to protectors. Makes it unlawful to refuse to allow inspectors or other law enforcement officers to inspect equipment and fish that the officer reasonably believes to be possessed incident to an activity regulated by any law or rule as to which inspectors have enforcement jurisdiction (previously allowed for a broader list that also applied to protectors); makes conforming changes.

Amends GS 113-129 to define *non-native species*.

Amends GS 113-132 by providing that the Commission's jurisdiction includes the regulation of aquaculture facilities that cultivate or rear marine and estuarine resources, marine aquatic species, or non-native species (was, estuarine resources only). Specifies that the jurisdiction of the Commission or the Wildlife Resources Commission does not include matters in the jurisdiction of the specified entities, including policy matters; adds to those named entities the Department of Environmental Quality (Department).

Amends GS 113-170 to allow Commission rules to include regulating, licensing, prohibiting, or restricting holding or maintaining in marine aquaculture operations in the state, as well as exportation of non-native species.

Amends GS 113-170.3 to include within those records that are not public records and that are to be treated as confidential (1) specified records received by the Department and (2) confidential federal fishery data and records concerning species significant to the State that are maintained by and received from the National Oceanic and Atmospheric Administration.

Repeals GS 113-181, which made it the Department's duty to administer and enforce the provisions of this Subchapter pertaining to the conservation of marine and estuarine resources, replacing it with GS 113-181.1, which expands upon that duty to also include the management of those resources and the development and implementation of Fishery Management Plans and Amendments and Coastal Habitat Protection Plans.

Amends GS 113-215 to include within the definition of *marine aquaculture* the propagation and rearing of non-native species.

Amends GS 113-228 to provide that to the extent the Department is granted authority over subject matter as to which there is concurrent federal or interstate jurisdiction, the Commission may by reference in its rules adopt relevant provisions of federal or interstate laws, regulations, and management measures as State rules.

Includes a severability clause.

Intro. by Sanderson, Brown, Tillman.

[GS 113, GS 143B](#)

[View summary](#)

[Environment, Aquaculture and Fisheries, Government, State Agencies, Department of Environmental Quality \(formerly DENR\)](#)

S 559 (2019-2020) [STORM SECURITIZATION/ALT. RATES](#). Filed Apr 2 2019, *AN ACT TO PERMIT FINANCING FOR CERTAIN STORM RECOVERY COSTS AND TO AUTHORIZE THE UTILITIES COMMISSION TO FIX RATES FOR ELECTRIC PUBLIC UTILITIES USING "MULTIYEAR RATE PLAN" AND "BANDING OF AUTHORIZED RETURN" MECHANISMS.*

Part I

Enacts GS 62-172, Financing for certain storm recovery costs. Sets forth 15 defined terms. Authorizes a public utility to petition the Utilities Commission (Commission) for a financing order, defined as an order that authorizes the issuance of storm recovery bonds; the imposition, collection, and periodic adjustments of a storm recovery charge; the creation of storm recovery property; and the sale, assignment, or transfer of storm recovery property to an assignee. Sets forth eight requirements for the petition, including: a description of storm recovery activities taken or proposed, or settlement agreement, if applicable; storm recovery costs and estimates; a proposed reserve level to establish or replenish through storm recovery bonds; and an indication of whether the public utility proposes to finance all or part of the storm recovery costs using storm recovery bonds. Provides further requirements and Commission approval concerning a public utility subject to a settlement agreement that governs the type and amount of principal costs that could be included in storm recovery costs.

Requires petition proceedings to be disposed of in accordance with the Chapter and rules and regulations of the Commission, except as follows. Requires the Commission to publish a case schedule within 14 days of filing of the petition and requires the Commission place the matter on an agenda that permits a decision no later than 120 days from the date the petition is filed. Requires the Commission to issue a financing order or an order rejecting the petition no later than 120 days after the petition is filed. Provides for a party to petition the Commission for reconsideration of the order within five days of issuance. Allows the Commission to issue a financing order authorizing the financing of reasonable and prudently incurred storm recovery costs and financing costs if it finds that the issuance of the storm recovery bonds and the imposition of storm recovery charges authorized by the financing order is reasonably expected to result in lower overall costs or would avoid or mitigate rate impacts to customers as compared with the traditional method of financing and recovering storm recovery costs.

Details 11 required elements of a financing order issued by the Commission to a public utility, including the amount of storm recovery costs to be financed using storm recovery bonds, a mechanism for periodic adjustments in storm recovery charges to customers, and storm recovery charge allocation among customer classes. Allows the financing order to condition the sale or transfer of storm recovery property to an assignee. Requires annual filing of a petition or letter concerning adjustment of storm recovery charges pursuant to the financing order, and requires the Commission to review and either approve the request or inform the public utility of any errors, which the public utility can correct and refile the request. Provides that financing orders are irrevocable after the transfer of storm recovery property to an assignee or the issuance of authorized storm recovery bonds. After issuance, the public utility retains sole discretion regarding whether to assign, sell, or otherwise transfer storm recovery property to cause storm recovery bonds to be issued.

Provides for instances in which subsequent financing orders may be issued.

Allows an adverse party to petition for judicial review by the Supreme Court within 30 days after the Commission issues a financing order or a decision denying a request for reconsideration, or within 30 days after the commission issues its decision on reconsideration. Sets forth parameters for judicial review.

Establishes that a financing order remains in effect and storm recovery property under the order continues to exist until storm recovery bonds issued pursuant to the order have been paid in full and all Commission-approved financing costs of the bonds have been recovered in full. Further specifies that a financing order issued to a public utility remains in effect and unabated regardless of reorganization, bankruptcy or other insolvency proceedings, merger, or sale of the public utility or its successors or assignees.

Details exceptions to the jurisdiction of the Commission. Establishes duties of a public utility that has obtained a financing order and causes storm recovery bonds to be issued concerning customer billing and explanation of charges related to storm recovery costs.

Sets forth provisions applicable to storm recovery property, including parameters regarding security interests in storm recovery property, and the sale, assignment, or transfer of storm recovery property.

Requires the description of storm recovery property being transferred to any assignee or pledgee in any transfer agreement or security document, or indication in any financing statement, to refer to the financing order that created the storm recovery property and state that the agreement or financing statement covers all or part of the property described in the financing order. Specifies that the requirement applies to all purported transfers of, purported grants or liens or security interests in, storm recovery property, regardless of whether filed.

Subjects all financing statements under the statute to Part 5, Filing, Article 9 of the Uniform Commercial Code (UCC), except as to continuation statements.

Designates NC in the choice of law provision.

Specifies that storm recovery bonds authorizing in financing orders are not public debt, and requires all storm recovery bonds to contain a statement to that effect, as provided.

Lists entities which may legally invest any sinking funds, moneys, or other funds in storm recovery bonds, including State and local governments and officers, except for members of the Commission, banking and credit institutions, personal representatives, guardians, trustees, and other fiduciaries, and all other persons authorized to invest in bonds or other obligations of a similar nature.

Details actions which the State and its agencies are prohibited from taking which would alter the Article's provisions, impair the value of storm recovery property or the security for the storm recovery bonds or revises storm recovery costs, impair the rights and remedies of bondholders, assignees, and other financing parties; or reduce, alter, or impair storm recovery charges imposed for the benefit of bondholders, assignees, or other financing parties until all principal, interest, premium, costs and fees, expenses, or charges incurred, and any contracts to be performed, have been paid and performed in full. Allows for the provided limitation language to be included in storm recovery bonds issued and related documentation.

Clarifies that an assignee or financing party is not a public utility or person providing electric service by virtue of engaging in a transaction under the statute.

Provides for the statute to govern over any conflicting law.

Authorizes the Commission and/or public staff to engage an outside consultant or counsel in making a determination under the section.

Provides a severability clause.

Amends GS 25-9-109 to exempt from the provisions of Article 9 of the Chapter (Security Interests under the UCC) the creation, perfection, priority or enforcement of any sale, assignment of, pledge of, security interest in, or other transfer of, any interest or right or portion of any interest or right in any storm recovery property as defined in new GS 62-172.

Part II

Enacts GS 62-133A to authorize the Commission to approve multiyear rate plans, banding of authorized returns, or a combination of both, in a general rate case proceeding initiated pursuant to GS 62-133. Defines banding of authorized returns and multiyear rate plan. Details the process for approval of rate-making mechanisms, plans or settlements proposed by electric public utility, requiring an application, and notice and an opportunity for interested parties to be heard. Allows the Commission to issue an order approve the rate-making mechanism, plans, or settlement upon finding that it will establish rates that are just

and reasonable, and which are in the public interest. Details considerations the Commission must address in reviewing an application under the statute. Provides that rate-making mechanisms, plans, or settlements approved under the statute remain in effect for a period of up to five years. Requires electric public utilities to make an annual filing providing for the earned return on equity for the prior 12-month period for purposes of measuring the utility's earnings under any mechanism, plan, or settlement approved. Provides parameters for the statute's construction. Specifies that all approved mechanisms, plans, or settlements under the statute operate independently and separately from other cost recovery mechanisms allowed by law.

Intro. by Rabon, Hise, Blue.

[GS 25, GS 62](#)

[View summary](#)

**Government, Public Safety and Emergency Management,
Public Enterprises and Utilities**

S 568 (2019-2020) [RECYCLING AND RESTORATION/RENEWABLE ENERGY](#). Filed Apr 3 2019, *AN ACT TO REQUIRE (I) RESPONSIBLE DECOMMISSIONING OF UTILITY-SCALE SOLAR FACILITIES AND WIND ENERGY FACILITIES UPON CESSATION OF ACTIVITIES AT A FACILITY AND (II) RECYCLING OF ALL END-OF-LIFE SOLAR ENERGY EQUIPMENT LOCATED WITHIN THE STATE.*

Enacts new GS 62-352 to make the owner or operator of a utility-scale solar project responsible for proper decommissioning of the project upon cessation of activities and reclamation of the property to its condition before the commencement of activities on the site no later than one year following completion of the operations. Defines utility-scale solar project as a ground-mounted photovoltaic (PV), concentrating photovoltaic (CPV), or concentrating solar power (CSP or solar thermal) project capable of generating one megawatt (MW) or more directly connected to the electrical grid for sale to wholesale customers. Requires the following, at a minimum, in decommissioning a project: (1) disconnect the solar project from the power grid; and (2) remove all equipment from the solar project and collect and ship them to another project for reuse, or recycle all of the components, or properly dispose of components that will not be reused and can't be recycled. Requires the owner or operator to establish financial assurance in an amount acceptable to the Department of Environmental Quality (DEQ) that will ensure that sufficient funds are available for decommissioning of the facility and reclamation of the property to its condition before commencement of activities on the site. Requires DEQ to adopt rules containing criteria for setting the required amount of financial assurance and sets out additional requirements for these rules. The financial assurance requirements become effective January 1, 2020. In addition to requirements for recycling utility-scale solar project components, requires owners or operators to recycle each solar panel at the end of the panel's useful life. Requires conducting and documenting due diligence assessments of the recyclers that the owner or operator contracts with. Requires notifying DEQ within 30 days of cessation of activities, which must include a description of the steps to be taken to decommission the project and reclaim the site. Requires the Utilities Commission to annual provide DEQ with a list of all utility-scale solar projects operating within the state.

Amends GS 143-215.121 by adding a requirement that the owner or operator of a wind energy facility be responsible for decommissioning the facility upon cessation of activities and reclamation of the property to its condition before the commencement of activities on the site, no later than one year following completion of the operations. Requires the following, at a minimum, in decommissioning a project: (1) disconnect the facility from the power grid; and (2) remove all equipment necessary for the facility's operation and collect and ship them to another project for reuse, or recycle all of the components, or properly dispose of components that will not be reused and can't be recycled. Maintains the financial assurance provisions that are currently in the statute. Also requires recycling equipment that is necessary for the operation of the facility at the end of the equipment's useful life. Requires conducting and documenting due diligence assessments of the recyclers that the owner or operator contracts with. Requires notifying DEQ within 30 days of cessation of activities, which must include a description of the steps to be taken to decommission the project and reclaim the site.

Adds new Part 2J, Management of Solar Energy Equipment, in Article 9 of GS Chapter 130A, which provides as follows. Sets out legislative findings concerning solar energy equipment and sets out and defines terms that are used in the new statute. Requires DEQ to develop guidance for a photovoltaic module stewardship and takeback program for manufacturers in preparing and implementing a self-directed program for the takeback and recycling of photovoltaic modules and their components and materials. Requires DEQ to establish a process to develop guidance for photovoltaic module stewardship plans by January 1, 2020, and requires that the process be fully implemented and guidance completed by July 1, 2020. Allows a manufacturer to designate a stewardship organization to act as an agent on its behalf in operating and implementing the

stewardship program. Sets out notification requirements applicable to designated organizations. Requires manufactures to submit a stewardship plan to DEQ by the later of January 1, 2021, or within 30 days of its first sale of a photovoltaic module in or into the state. Sets out five required components of the stewardship plan, including describing how the program will minimize the release of hazardous substances into the environment and maximize the recovery of other components, and provide for takeback of photovoltaic modules at locations that are within the region of the State in which the photovoltaic modules were used and are as convenient as reasonably practicable. Allows the stewardship plan to be amended periodically; sets out related requirements. Requires DEQ to approve, approve with modifications, or deny a stewardship plan no later than six months after receiving the plan. Allows an annual report to include recommendations to DEQ or the legislature on modifications to the program and requires that the report be posted on the manufacturer or stewardship organization's public website. Prohibits a manufacturer from selling or offering for sale a photovoltaic module in or into the state unless the manufacturer has an approved stewardship plan, beginning July 1, 2021. Allows DEQ to send out notices of violation and assess penalties of up to \$10,000 per sale. Requires manufacturers to pay a \$2,500 registration fee that is valid through the last day of the fiscal year, and sets the renewal registration fee at the same amount. Registration fees are credited to the new Photovoltaic Module Management Fund to be used by DEQ to implement the program.

Effective when the act becomes law, requires DEQ to adopt temporary rules implementing the act's requirements by September 1, 2019. Requires DEQ to report to the specified NCGA commissions by September 1, 2019, on the status of the rulemaking and an estimate of money needed in order to implement a program to oversee the act's recycling requirements.

Includes a severability clause.

Unless otherwise indicated, effective September 1, 2019.

Intro. by Newton, Rabon, Hise.

[GS 62, GS 130A, GS 143](#)

[View summary](#)

Environment, Energy, Government, State Agencies, Department of Environmental Quality (formerly DENR), Health and Human Services, Health, Public Health, Public Enterprises and Utilities

S 569 (2019-2020) [CONTRACTOR/DESIGNER FAIR CONTRACTING](#). Filed Apr 3 2019, *AN ACT TO PROTECT THE INTEREST OF CONTRACTORS AND DESIGNERS, AND PARTICULARLY SMALL AND WMBE ENTITIES, FROM UNFAIR CONTRACTING AND DUTY TO DEFEND REQUIREMENTS.*

Amends GS 22B-1 (construction indemnity agreements invalid) by sorting the text into new subsections (a) through (d). Modifies text now located in subsection (a) by expanding list of those purporting to be held harmless under an indemnity promise or agreement to any other person or entity beyond existing list, and expanding list of damages to economic damages or losses or expenses of any type. Makes clear in the text designated for subsection (b) that any agreement in subsection (a) may only require indemnity against liability for damages, adds a list specifying the type of damages includes bodily injury to persons, damage to property, economic damages or losses or expenses of any type which includes attorneys' fees, and modifies existing language to state that the damages must be proximately caused by or result from negligence, either in whole or in part. Adds entirely new language in subsection (c) that agreements described in (a) or (b) cannot include an obligation to defend the promisee or other listed entities, and prohibits the addition of such an obligation. Deletes from text designated for subsection (d) language pertaining to public utilities, railroad corporations, and contracts entered into by the Department of Transportation.

Effective October 1, 2019 and applies to contracts entered into, amended, or renewed on or after that date.

Intro. by Newton.

[GS 22B](#)

[View summary](#)

Development, Land Use and Housing, Building and Construction

S 570 (2019-2020) [DENTAL SERVICES/MEDICAID TRANSFORMATION](#). Filed Apr 3 2019, *AN ACT TO ENHANCE MEDICAID TRANSFORMATION BY PROVIDING FOR CAPITATED CONTRACTS FOR THE PROVISION OF DENTAL SERVICES TO MEDICAID AND NC HEALTH CHOICE RECIPIENTS*.

Directs the Department of Health and Human Services (DHHS) to enter into capitated contracts with at least two prepaid dental plans for the provision of dental services to Medicaid and NC Health Choice recipients consistent with the goals of Medicaid transformation outlined in SL 2015-245 (Medicaid Transformation and Reorganization) as amended. Requires DHHS to consult with the Joint Legislative Oversight Committee on Medicaid and NC Health Choice on the terms and conditions of the requests for proposals (RFPs) for the solicitation of bids for statewide capitated contracts for the provision of services, in accordance with GS 12-3(15). Requires contracts to be the result of the submission of competitive bids by prepaid dental plans resulting from the RFPs, and details the minimum provisions the contracts must include. Directs DHHS to oversee, monitor, and enforce capitated dental services contract performance.

Clarifies that the intent of the General Assembly is that the transition to the provision of dental services under capitated contracts will coincide with Medicaid transformation provided for in SL 2015-245, as amended. Directs DHHS to ensure the act's implementation is in line with the implementation of Medicaid transformation. Requires DHHS to submit to the Centers for Medicare and Medicaid Services (CMS) any necessary waiver applications and State Plan amendments to accomplish the act's requirements no later than January 1, 2020.

Intro. by Perry, Krawiec.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Social Services, Public Assistance

S 571 (2019-2020) [LOCAL GOVERNMENTS/UNSAFE BUILDINGS](#). Filed Apr 3 2019, *AN ACT CLARIFYING THE TIME PERIOD IN WHICH CORRECTIVE ACTION SHALL BE TAKEN TO REMEDY DEFECTS AND UNSAFE CONDITIONS IN BUILDINGS AND STRUCTURES AND CLARIFYING THE PROCESS OF GIVING NOTICE TO PROPERTY OWNERS*.

Amends GS 160A-425 (defects in building to be corrected) to give new time frame of 60 days, rather than immediately, for owners or occupants to correct building defects or dangerous conditions upon notification by the local inspector. Authorizes the local inspector to grant a 60-day extension if material progress has been made within the initial 60 days. Defines owner as the person listed on the property record card in the local tax assessor's office.

Amends GS 160A-428 (action in event of failure to take corrective action) by dividing existing text into new subsections (a) and (b). Adds to subsection (a) a 60-day time frame for owners of a condemned building to take corrective action after a notice is posted on the building pursuant to GS 160A-426, and deletes from the list of conditions the local inspector must give written notice of that a building or structure is likely to cause or contribute to blight, disease, vagrancy, or danger to children or that it has a tendency to attract criminal activity or public nuisances. Corrects language in subdivision (2) to say that a hearing will be held no sooner than 10 days after the date of notice. Adds to subsection (b) that the provision of notice regarding a condemned building may run concurrently with the written notice provided under (a).

Effective July 1, 2019.

Intro. by Perry.

GS 160A

[View summary](#)

Development, Land Use and Housing, Property and Housing, Government, Local Government

S 572 (2019-2020) [S CORP PRO SE REPRESENTATION IN COURT](#). Filed Apr 3 2019, *AN ACT TO ALLOW AN S CORPORATION TO REPRESENT ITSELF IN ANY COURT IN THIS STATE AND IN OTHER LEGAL FORUMS*.

Amends GS 84-5 (prohibition as to practice of law by corporation) by adding new subsection (c) exempting S Corporations, as defined in GS 105-131, from the prohibition against allowing corporations to practice law or appear as an attorney in any court or judicial proceeding in this state.

Intro. by Perry.

[GS 84](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships, Courts/Judiciary, Civil, Civil Law](#)

S 575 (2019-2020) [RESTORE BARGAINING RIGHTS](#). Filed Apr 3 2019, *AN ACT REPEALING THE PROHIBITION ON PUBLIC EMPLOYEE COLLECTIVE BARGAINING*.

Repeals GS 95-98, as the title indicates.

Intro. by Nickel, Van Duyn, Waddell.

[GS 95](#)

[View summary](#)

[Employment and Retirement](#)

S 576 (2019-2020) [CONSUMER PROTECTION/ROOFING CONTRACTORS](#). Filed Apr 3 2019, *AN ACT TO PROVIDE CONSUMER PROTECTIONS RELATED TO ROOFING REPAIR CONTRACTORS*.

Enacts new Article 9, Roofing Repair Contractors in GS Chapter 75, which provides as follows. The Article applies only to roofing repairs with an estimated cost of more than \$1,000; allows this threshold to be increased by the Commissioner of Insurance no more than once every three years based on market conditions or inflation and the amount of a single increase may not exceed \$100.

Provides that the Article is to be in addition to, not in lieu of, a required licensure.

Requires written contracts for roofing repairs and specifies items to be included in those contracts. Defines roofing repairs as repairs to an existing roofing system including a total replacement of the existing roofing system. Sets out additional required provisions for contracts for roofing repairs for which the consumer anticipates using insurance proceeds to pay for the performance of the contract and the roofing repair contractor is aware of the source of funds. The additional requirements include the inclusion of a specified notice of cancellation.

Allows a consumer who has entered into a written contract for roofing repair with a roofing repair contractor to provide materials, labor, or services to be paid from insurance proceeds to cancel the contract at any time before midnight of the third business day after the consumer has received written notice that the insurer will not be paying a claim for the repair. Sets out the procedure for cancellation. Requires the roofing repair contractor to return any payments or deposits and cancel any indebtedness within 10 days after a contract has been cancelled. Specifies that if the roofing repair contractor has performed any emergency services, acknowledged by the consumer in writing to be necessary to prevent further damage to the premises, the roofing repair contractor is entitled to the reasonable value of the emergency services. Any provision in a written contract for roofing repairs that in the event of cancellation requires the payment of any fee for anything except emergency services is a violation of GS 75-1.1 and is not enforceable against any consumer who has cancelled a contract under this statute.

Prohibits a roofing repair contractor from: (1) advertising or otherwise promising or offering to pay, or paying, all or any portion of any insurance deductible as an inducement to the sale of any materials, labor, and or services; (2) offering, or providing, any upgraded work, material, or product, granting any allowance or offering any discount against the fees to be charged or paying the consumer any form of compensation, gift, prize, bonus, coupon, credit, referral fee, trade-in or trade-in payment, advertising, or other fee or payment as an inducement to the sale of any materials, labor, or services; (3) offering, or providing, anything of value in exchange for permitting the roofing repair contractor to display a sign or any other type of

advertisement at the consumer's premises; or (4) with respect to any insurance claim in connection with the repair or replacement of roof systems, or the performance of any other exterior repair, replacement, construction, or reconstruction work, obtaining a power of attorney from or on behalf of a consumer, offering to report or adjust a claim on behalf of a consumer, representing or negotiating or obtaining or attempting to obtain, an assignment of claims, rights, benefits, or proceeds from or on behalf of a consumer, or offering or advertising to represent or negotiate, obtain, or attempt to obtain an assignment of claims, rights, benefits, or proceeds.

Prohibits an adjuster or a public adjuster from acting as a roofing repair contractor.

Violations of the Article are an unfair and deceptive trade practice.

Applies to contracts for roofing repair entered into on or after October 1, 2019.

Intro. by Sawyer, Gallimore, Johnson.

[GS 75](#)

[View summary](#)

[Business and Commerce, Consumer Protection, Development, Land Use and Housing, Property and Housing](#)

S 578 (2019-2020) [EXEMPT FARM EQUIPMENT FROM PROPERTY TAX](#). Filed Apr 3 2019, *AN ACT TO PROVIDE A PROPERTY TAX EXEMPTION FOR FARM EQUIPMENT*.

Amends GS 105-275 to exclude from property tax 80% of the appraised value of tangible personal property that is owned by a qualifying farmer and was exempt from sales tax. Effective for taxable imposed for taxable years beginning on or after July 1, 2019.

Intro. by Sawyer.

[GS 105](#)

[View summary](#)

[Agriculture, Government, Tax](#)

S 580 (2019-2020) [CLASSROOM SUPPLIES TO TEACHERS](#). Filed Apr 3 2019, *AN ACT TO PROVIDE THAT FUNDS IN THE CLASSROOM MATERIALS, INSTRUCTIONAL SUPPLIES, AND EQUIPMENT ALLOTMENT FOR THE PUBLIC SCHOOLS SHALL BE USED FOR THE NORTH CAROLINA CLASSROOM SUPPLY PROGRAM TO PERMIT TEACHERS TO PURCHASE CLASSROOM SUPPLIES THROUGH AN ELECTRONIC ACCOUNT*.

Establishes the North Carolina Classroom Supply Program (Program) to provide \$400 to each eligible classroom teacher, as defined, to purchase classroom supplies, out of funds appropriated to the Department of Public Instruction's (DPI) classroom materials allotment. Defines eligible classroom teacher and public school unit.

Directs each local school administrative unit to transfer from the specified fund \$400 per eligible teacher to teacher electronic accounts, beginning with the 2019-2020 school year. Allows public school units, other than local administrative units, to opt in to the Program by August 1 of the fiscal year. Exempts local school administrative units operating a renewal school system plan pursuant to Section 6 of SL 2018-32 from participation but allows those units to opt in.

Requires DPI to use the same administrative system to manage funds as the North Carolina State Education Assistance Authority (Authority) for the Personal Education Savings Account. Requires DPI to model its contract to meet the act's requirements, including capabilities to (1) restrict purchases, (2) automate the capture of purchase receipts, and (3) allow teachers to crowd-fund for certain products.

If the vendor currently used by the Authority is unable to meet the act's requirements, DPI must contract with a vendor that provides a virtual e-wallet platform and an e-commerce marketplace.

Mandates the funds be used to supplement the materials and supplies otherwise available to classroom teachers. Excludes from use the purchase of electronic devices or software or for administrative purposes. Classifies supplies purchased by these

funds as school property. Directs unused supplies to be made available for the following school year or for other eligible classroom teachers. Directs unexpended funds to revert to the General Fund at the end of each fiscal year.

Effective July 1, 2019 and applies beginning with the 2019-2020 school year.

Intro. by Wells, Ballard, Tillman.

UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education

S 581 (2019-2020) **ADD'L ROBESON JUDGE AND COLUMBUS MAGISTRATE**. Filed Apr 3 2019, *AN ACT TO ADD ONE DISTRICT COURT JUDGE TO DISTRICT 16B IN ROBESON COUNTY AND TO ADD ONE MAGISTRATE TO COLUMBUS COUNTY AND TO APPROPRIATE FUNDS*.

Amends GS 7A-133 by increasing the number of district court judges in District 16B (Robeson County) from five to six.

Amends GS 7A-133 further by increasing the number of magistrates in Columbus County from five to six.

The above changes are effective January 1, 2021.

Appropriates \$ 67,603 for 2019-20 and \$173,789 for 2020-21 from the General Fund to the Administrative Office of the Courts. Effective July 1, 2019.

Intro. by Britt, Rabon.

APPROP, GS 7A

[View summary](#)

Courts/Judiciary

S 586 (2019-2020) **MODIFY FILM GRANT INCENTIVE**. Filed Apr 3 2019, *AN ACT TO MODIFY THE FILM AND ENTERTAINMENT GRANT FUND*.

Amends GS 143B-437.02A (The Film and Entertainment Grant Fund) by removing the distinction between feature-length films for theatrical viewing and those for television. Reduces the funds reserved for feature-length films from \$3,000,000 or \$1,000,000 to \$500,000. Reduces the funds reserved for a television series from \$1,000,000 to \$500,000 per episode.

Modifies a restriction on how funds may be used as follows: (1) caps the funds at 30% (previously 25%) of the qualifying expenses for the production and (2) adds new language that the restriction of 30% is in place if the majority of the production is filmed in a development tier one or two area, as defined in GS 143B-437.08 (tier one is a county whose annual ranking according to the Secretary of Commerce based on a number of economic factors is one of the 40 highest in the state; tier two is a county whose annual ranking is one of the next 40 highest in the state), but provides an amount more than 25% of the qualifying expenses for any other production. These changes are effective upon becoming law and apply to grants made on or after that date.

Appropriates an additional \$19,000,000 in recurring funds from the General Fund to the Film and Entertainment Grant Fund for the 2019-2020 and 2020-2021 fiscal years for purposes consistent with the Fund. Effective July 1, 2019.

Intro. by Lowe, Foushee, Woodard.

APPROP, GS 143B

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations

S 588 (2019-2020) **FAST-TRACK NONDISCHARGE PERMITTING**. Filed Apr 3 2019, *AN ACT TO ESTABLISH FAST-TRACK PERMITTING FOR NONDISCHARGE PERMITS*.

Enacts new GS 143-215.1B requiring the North Carolina Environmental Management Commission (EMC) to adopt rules to establish a fast-track permitting process for the issuance of nondischarge permit without a technical review when the applicant submits a permit application prepared by a qualified professional. Requires that the rules for the process provide four specified items, including a process and timeline for permit application, review and determination, and requiring that permits issued under the fast-track process comply with state water quality standards. Limits the amount that may be charged for a fast-track permit to no more than twice the application fee that would otherwise be charged. Requires the EMC to adopt rules no later than July 1, 2021.

Intro. by Gunn, McInnis.

GS 143

[View summary](#)

Environment, Government, State Agencies, Department of Environmental Quality (formerly DENR)

S 617 (2019-2020) **TAX RETURNS UNIFORMLY MADE PUBLIC ACT.** Filed Apr 3 2019, *AN ACT REQUIRING A CANDIDATE FOR PRESIDENT OR VICE PRESIDENT OF THE UNITED STATES TO FILE THE CANDIDATE'S FEDERAL INCOME TAX RETURN BEFORE THE CANDIDATE'S NAME APPEARS ON THE GENERAL ELECTION BALLOT.*

Amends GS 163A-1226, pertaining to the names of presidential electors printed on ballots, by enacting new subsection (a1) establishing that the name of a candidate for President or Vice President can appear on the general election ballot only if the candidate has filed with the State Board of Elections (Board), no later than 70 days before the date of the general election, (1) a copy of the candidate's federal income tax returns for the five years preceding the year of the general election and (2) written consent, in form prescribed by the Board, for the public disclosure of the candidate's federal income tax returns required by new subsection (a1). Directs the Board to make the federal income tax returns submitted under new subsection (a1) publicly available on the State Board of Elections website within seven days after filing. Requires the Board, in consultation with the Secretary of the Department of Revenue or the Secretary's designee, to redact any personal information or other information the Secretary or the designee determines must be kept confidential by law. Expressly prohibits a candidate's name from being printed on the official general election ballot if the candidate for President or Vice President fails to timely file the federal income tax returns and written consent with the Board as required under new subsection (a1). Makes conforming changes to GS 163A-1112(a)(3).

Intro. by Chaudhuri, Nickel.

GS 163A

[View summary](#)

Government, Elections

S 669 (2019-2020) **STUDY INNOVATIVE SCHOOL DISTRICT MODIFICATION.** Filed Apr 3 2019, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF PUBLIC INSTRUCTION TO STUDY THE ORGANIZATION AND IMPLEMENTATION OF THE INNOVATIVE SCHOOL DISTRICT.*

Requires the The State Board of Education and the Department of Public Instruction (Commission) to study the organization and implementation of the Innovative School District (ISD). Requires the Commission to report its findings and recommendations to the Joint Legislative Education Oversight Committee no later than December 15, 2019.

Intro. by Ballard.

STUDY

[View summary](#)

Education, Government, State Agencies, Department of Public Instruction, State Board of Education

S 672 (2019-2020) **MILITARY LIAISON COUNSELORS/FUNDS.** Filed Apr 3 2019, *AN ACT TO APPROPRIATE FUNDS FOR AT LEAST ONE MILITARY LIAISON COUNSELOR-COORDINATOR AT THE DEPARTMENT OF PUBLIC INSTRUCTION AND AT*

LEAST ONE ADDITIONAL MILITARY LIAISON COUNSELOR IN EACH OF THREE CERTAIN SCHOOL DISTRICTS.

Appropriates \$450,000 in recurring funds for 2019-20 from the General Fund to the Department of Public Instruction to provide at least one military liaison counselor-coordinator for Cumberland County Schools, Harnett County Schools and Onslow County Schools. Effective July 1, 2019.

Intro. by Burgin, Brown.

APPROP, Cumberland, Harnett, Onslow

[View summary](#)

Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction

ACTIONS ON BILLS

PUBLIC BILLS

H 43: ESTABLISH STANDARDS FOR SURGICAL TECHNOLOGY.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 50: ALLOW HYPERBARIC OXYGEN THERAPY FOR TBI/PTSD.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 62: IN-STATE TUITION/MEMBERS SERVED ON USS NC.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 77: ELECTRIC STANDUP SCOOTERS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 107: PED OVERSIGHT/EPP CHANGES.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 119: FEES TO CERTIFY AS A COMPANY POLICE AGENCY.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 131: REPEAL MAP ACT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 147: CONFIRM RAYMOND GRACE/BANKING COMMISSIONER.

House: Ratified

House: Ch. Res 2019-6

H 184: STUDY STATE HEALTH PLAN DESIGN.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 211: VARIOUS DMV CHANGES.-AB

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 220: INSURANCE TECHNICAL CHANGES.-AB

House: Withdrawn From Com

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

H 253: CONFIRM JAMES GILLEN/INDUSTRIAL COMMISSION.

Senate: Withdrawn From Com

Senate: Ref To Com On Select Committee on Nominations

H 262: DESIGNATE TRANSYLVANIA CTY LAND OF WATERFALLS. (NEW)

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 263: FILL VACANCIES/MODIFY 2018 APPOINTMENTS.

House: Ratified

House: Ch. SL 2019-11

H 308: EXPAND AGRICULTURAL OUTDOOR ADVERTISING.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 315: INSTRUCTIONAL MATERIAL SELECTION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 329: EXEMPT EV STATIONS/PUBLIC UTILITIES REGS.

House: Regular Message Sent To Senate

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

H 330: EFFICIENT GOVERNMENT BUILDINGS & SAVINGS ACT.

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

H 331: SMALL HYDRO AMENDS.

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

H 370: REQUIRE SHERIFF COOPERATION WITH ICE.

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

H 376: CJIN CHANGES.

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

H 377: REDUCE TESTING.

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

H 406: FUNDS/KIDSENSES CHILDREN'S MUSEUM.

House: Withdrawn From Com
House: Ref to the Com on Appropriations, if favorable, Rules, Calendar, and Operations of the House

H 412: ADOPT STATE POULTRY FESTIVAL.

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

H 419: SAVE NC CALL CENTER JOBS ACT.

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

H 559: THE POLLINATOR PROTECTION ACT.

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

H 560: BAN PFAS IN FIRE RETARDANT FOAM.

House: Passed 1st Reading
House: Ref to the Com on Environment, if favorable, Judiciary, if favorable, Rules, Calendar, and Operations of the House

H 561: STRENGTHEN DANGEROUS DOG LAWS.

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 562: HEALTH CARE REIMBURSEMENT CONTRACTS/AOBS.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

H 564: CREATE HOUSE SELECT COMMITTEE ON HOMELESSNESS.

House: Passed 1st Reading

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

H 565: WASHINGTON CENTER INTERNSHIP PROGRAM/FUNDS.

House: Passed 1st Reading

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

H 566: POLLUTER PAYS.

House: Passed 1st Reading

House: Ref to the Com on Energy and Public Utilities, if favorable, Environment, if favorable, Appropriations, Agriculture and Natural and Economic Resources, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

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

House: Passed 1st Reading

House: Ref to the Com on Energy and Public Utilities, if favorable, Environment, if favorable, Appropriations, Agriculture and Natural and Economic Resources, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 568: ADD'L MEASURES FOR EMERGING CONTAMINANTS.

House: Passed 1st Reading

House: Ref to the Com on Environment, if favorable, Appropriations, Agriculture and Natural and Economic Resources, if favorable, Rules, Calendar, and Operations of the House

H 569: ONE NC FUNDING FOR SMALL BUSINESSES.

House: Passed 1st Reading

House: Ref to the Com on Commerce, if favorable, Appropriations, Agriculture and Natural and Economic Resources, if favorable, Rules, Calendar, and Operations of the House

H 570: WATER/WASTEWATER PUBLIC ENTERPRISE REFORM.

House: Passed 1st Reading

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

H 571: CHANGES TO ADVANCED TEACHING ROLES PROGRAM.

House: Passed 1st Reading

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

H 572: REQ PROP. DISPOSAL/CERTAIN COAL ASH IMPDMTS.

House: Passed 1st Reading

House: Ref to the Com on Energy and Public Utilities, if favorable, Environment, if favorable, Rules, Calendar, and Operations of the House

H 573: GIVE WC FOR PTSD IN FIRST RESPONDERS.

House: Passed 1st Reading

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

H 574: FIX OUR DEMOCRACY.

House: Passed 1st Reading

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

H 575: ESTABLISH BIRTH CENTER LICENSURE ACT.

House: Passed 1st Reading

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

H 576: COUNTY EUGENICS COMPENSATION.

House: Passed 1st Reading

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

H 577: LIMIT OWNERSHIP OF CERTAIN ANIMALS.

House: Passed 1st Reading

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

H 578: MODIFY LEGITIMATIONS PROVISIONS.

House: Passed 1st Reading

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

H 579: LOCAL COMMUNICABLE DISEASE PROGRAMS/FUNDS.

House: Passed 1st Reading

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

H 580: INCREASE FOSTER CARE RATES/FUNDS.

House: Passed 1st Reading

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

H 581: FUNDS FOR SCOTLAND CO. LITERACY COUNCIL.

House: Passed 1st Reading

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

H 582: FUNDS FOR HOKE CO. LITERACY COUNCIL.

House: Passed 1st Reading

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

H 583: FUNDS FOR WAGRAM RECREATION CTR.

House: Passed 1st Reading

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

H 584: FUNDS FOR PARTNERS IN MINISTRY.

House: Passed 1st Reading

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

H 585: HOKE COURTHOUSE REHABILITATION FUNDS.

House: Passed 1st Reading

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

H 586: FUNDS FOR SENIOR TAR HEEL LEGISLATURE.

House: Passed 1st Reading

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

H 587: REPEAL DEATH PENALTY.

House: Passed 1st Reading

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

H 588: 2019 GOVERNOR'S BUDGET.

House: Passed 1st Reading

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

H 589: LET NC VOTE ACT.

House: Passed 1st Reading

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

H 590: AMEND ADMINISTRATIVE PROCEDURE LAWS.

House: Passed 1st Reading

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

H 598: BOTTLENOSE DOLPHIN AS STATE MARINE MAMMAL.

House: Filed

H 599: HOME SCHOOL EDUCATION TAX CREDIT.

House: Filed

H 600: REV. LAWS CLARIFYING & AMP ADMINISTRATIVE CHANGES.

House: Filed

H 601: FUNDS FOR NAMI NORTH CAROLINA, INC.

House: Filed

H 602: BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT.

House: Filed

H 603: PAIN CAPABLE UNBORN CHILD PROTECTION ACT.

House: Filed

H 604: SMALL BUSINESS RETIREMENT PROGRAM.

House: Filed

H 605: RECOVERY/RESILIENCY FUNDS FOR HOKE COUNTY.

House: Filed

H 606: ARSON LAW REVISIONS.

House: Filed

H 607: MASSAGE BOARD MEMBERSHIP.

House: Filed

H 608: SBI EMERGENCY PEN REGISTER/TRAP AND TRACE.*House: Filed***H 609: RAISE THE AGE MODIFICATIONS.***House: Filed***H 610: CIVIL PROCEDURE/DEPONENT DECLARATION.***House: Filed***H 611: AMEND RULES OF EVID./BINDING ARBITRATION.***House: Filed***H 612: DSS REVIEW OF PROCEDURES/RULE MAKING.***House: Filed***H 613: ESSENTIAL SERVICES FOR HOMELESS YOUTH.***House: Filed***H 614: KELSEY SMITH ACT.***House: Filed***H 615: NC CONSUMER FIREWORKS SAFETY ACT.***House: Filed***H 616: FUNDS/CIVIL WAR & AMP RECONSTRUCTION HISTORY CTR.***House: Filed***H 617: ALLOW REPEAT REFERRAL TO TEEN COURT.***House: Filed***H 618: UNC HBCU FUNDING PARITY/NC A&T DOC. PROGRAMS.***House: Filed***H 619: RETHINKING GUARDIANSHIP.***House: Filed***H 620: SUBDIVISION STREETS/DOT ACCEPTANCE.***House: Filed***H 621: AIRBORNE & AMP SPECIAL OPERATIONS MUSEUM FUNDS.***House: Filed***H 622: PROVIDE WC FOR PTSD IN FIRST RESPONDERS.***House: Filed***H 623: FUNDS FOR TEXFI REMEDIATION PILOT.***House: Filed***H 624: STORM SECURITIZATION/ALT. RATES.***House: Filed***H 625: SURRY MEDICAL MINISTRIES FOUNDATION/FUNDS.***House: Filed***H 626: REALISTIC EVALUATION OF ACTUARIAL LIABILITIES.**

House: Filed

S 118: PED/SAFEKEEPER HEALTH CARE COST RECOV. PRACT.

Senate: Withdrawn From Com

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

S 124: SMALL TOWN MIXED BEVERAGE ELECTION REQS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 154: AUTHORIZE SPORTS/HORSE RACE WAGERING TRIBAL LANDS. (NEW)

Senate: Reptd Fav

Senate: Placed On Cal For 04/09/2019

S 199: CHILD SEX ABUSE/STRENGTHEN LAWS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 210: ORGAN & TISSUE DONATION/HEART HEROES.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 219: MODIFY TEACHER LICENSING REQUIREMENTS.

Senate: Withdrawn From Com

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

S 220: REMOVAL OF POLITICAL SIGNS BY CITIZENS.

House: Passed 1st Reading

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

S 227: BROADEN CHARTER SCHOOL SIBLING PRIORITY.

Senate: Reptd Fav

Senate: Placed On Cal For 04/09/2019

S 297: CANCER RESEARCH ADVISORY PANEL.

House: Passed 1st Reading

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

S 301: REGIONAL SCHOOL TRANSPORTATION.

Senate: Reptd Fav

S 343: CHANGES TO EDUCATION REPORTS.

Senate: Reptd Fav

S 417: NC NATIONAL GUARD/COURTS-MARTIAL.

Senate: Withdrawn From Com

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

S 420: NC SERVICEMEMBERS CIVIL RELIEF ACT.

Senate: Withdrawn From Com

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

S 520: SCHOOL ETHICS TRAINING & FINANCE OFFICERS.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

S 535: CONSERVATION CORPS CLARIFICATION.

Senate: Withdrawn From Com

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

S 537: ESTABLISH NEW PAYMENT METHODOLOGY/ACHS.

Senate: Withdrawn From Com

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

S 554: MARINE FISHERIES REFORMS.

Senate: Withdrawn From Com

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

S 556: GSC PEOPLE FIRST LANGUAGE 2019.

Senate: Withdrawn From Com

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

S 568: RECYCLING AND RESTORATION/RENEWABLE ENERGY.

Senate: Passed 1st Reading

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

S 569: CONTRACTOR/DESIGNER FAIR CONTRACTING.

Senate: Passed 1st Reading

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

S 570: DENTAL SERVICES/MEDICAID TRANSFORMATION.

Senate: Passed 1st Reading

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

S 571: LOCAL GOVERNMENTS/UNSAFE BUILDINGS.

Senate: Passed 1st Reading

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

S 572: S CORP PRO SE REPRESENTATION IN COURT.

Senate: Passed 1st Reading

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

S 573: ENACT NATUROPATHIC DOCTORS LICENSURE ACT.

Senate: Passed 1st Reading

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

S 574: MODIFY PHYSICAL THERAPY DEFINITION.

Senate: Passed 1st Reading

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

S 575: RESTORE BARGAINING RIGHTS.

Senate: Passed 1st Reading

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

S 576: CONSUMER PROTECTION/ROOFING CONTRACTORS.

Senate: Passed 1st Reading

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

S 577: FUNDS FOR STATESVILLE REGIONAL AIRPORT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 578: EXEMPT FARM EQUIPMENT FROM PROPERTY TAX.

Senate: Passed 1st Reading

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

S 579: PRISON REFORM ACT OF 2019.

Senate: Passed 1st Reading

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

S 580: CLASSROOM SUPPLIES TO TEACHERS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 581: ADD'L ROBESON JUDGE AND COLUMBUS MAGISTRATE.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 582: NC COMPREHENSIVE SCHOOL ACCOUNTABILITY.

Senate: Passed 1st Reading

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

S 583: REDUCE OPP. SCHOL. FUNDS/PUBLIC SCHOOLS FUNDS.

Senate: Passed 1st Reading

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

S 584: CRIMINAL LAW REFORM.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 585: JUSTICE/JUDGE MAY CONTINUE TERM PAST AGE 72.

Senate: Passed 1st Reading

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

S 586: MODIFY FILM GRANT INCENTIVE.

Senate: Passed 1st Reading

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

S 587: CONSUMER CREDIT/FINANCE CHARGE RATES.

Senate: Passed 1st Reading

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

S 588: FAST-TRACK NONDISCHARGE PERMITTING.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 589: PROHIBIT COUNTERFEIT/NONFUNCTIONAL AIR BAGS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 590: MODIFY CONTINUING ED FOR REAL ESTATE BROKERS.

Senate: Passed 1st Reading

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

S 591: ONE NC FUNDING FOR SMALL BUSINESSES.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 592: ABC OMNIBUS REGULATORY REFORM.

Senate: Passed 1st Reading

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

S 593: INCREASE PODIATRY AND PASTORAL COUNSELOR FEES.

Senate: Passed 1st Reading

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

S 594: REGISTER OF DEEDS UPDATES.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 595: CHANGES TO REAL PROPERTY STATUTES.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 596: DISORDERLY CONDUCT/UNREASONABLE NOISE.

Senate: Passed 1st Reading

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

S 597: CREATE AN ADDITIONAL 5 TIER SYSTEM.

Senate: Passed 1st Reading

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

S 598: CLARIFY STATE FIRE PROTECTION GRANT FUND.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 599: STATE AND LOCAL DISABILITY BENEFIT REFORM.

Senate: Passed 1st Reading

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

S 600: VETS CHILDREN/SHORT-TERM WORKFORCE TRAINING.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 601: SCHOOL-BASED MENTAL HEALTH.

Senate: Passed 1st Reading

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

S 602: NC HOPE TUITION PROGRAM.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 603: STUDY OF LOCALITIES ON UNIT ASSISTANCE LISTS.

Senate: Passed 1st Reading

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

S 604: AMEND NC VETERINARY PRACTICE ACT.

Senate: Passed 1st Reading

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

S 605: DOT CASH FLOW/DISASTER RECOVERY.

Senate: Passed 1st Reading

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

S 606: PRIORITIZE NATIVE NC PLANTS ON HIGHWAY ROW.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 607: PREVENT HIGHWAY TO GENERAL FUND TRANSFERS.

Senate: Passed 1st Reading

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

S 608: SAVINGS RESERVE/USE FUNDS FOR DISASTER RELIEF.

Senate: Passed 1st Reading

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

S 609: K-12 SCHOLARSHIP CHANGES.

Senate: Passed 1st Reading

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

S 610: AUTHORIZE NORTHERN PEAKS TRAIL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 611: CTP PROGRAMS/SCHOLARSHIP ELIGIBILITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 612: HS CREDIT/DUAL ENROLLMENT WORKFORCE TRAINING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 613: SCHOOL CALENDAR ACCOMMODATION/STATEWIDE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 614: EXPUNCTIONS RELATED TO RAISE THE AGE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 615: DACA RECIPIENTS/IN-STATE TUITION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 616: REQUIRE PAID WORK BREAKS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 617: TAX RETURNS UNIFORMLY MADE PUBLIC ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 618: BLUE LIGHTS FOR MEMBERS OF CONGRESS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 619: LAW ENFORCEMENT AGENCY RECORDINGS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 620: ELECTRIC STANDUP SCOOTERS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 621: TESTING REDUCTION ACT OF 2019.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 622: TAX REDUCTION ACT OF 2019.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 623: CLEARING VEHICLE REGISTRATION STOPS.

Senate: Passed 1st Reading

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

S 624: GUILFORD COUNTY MENTAL HEALTH FACILITY/FUNDS.

Senate: Passed 1st Reading

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

S 625: ADJUST LPA PAY RATES/DMV ADVERTISING.

Senate: Passed 1st Reading

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

S 626: ASSISTANCE/VERIFICATION/ABSENTEE BALLOTS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 627: EXPAND GREAT GRANT PROGRAM.

Senate: Passed 1st Reading

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

S 628: DAY LABORER PROTECTION ACT.

Senate: Passed 1st Reading

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

S 629: FUNDING FOR HOUSING TRUST FUND.

Senate: Passed 1st Reading

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

S 630: UP SHP PAY & AMP LEO BENEFITS/DEATH PENALTY.

Senate: Passed 1st Reading

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

S 631: ARSON LAW REVISIONS.

Senate: Passed 1st Reading

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

S 632: NC PHARMACY BENEFITS MANAGER LICENSURE ACT.

Senate: Passed 1st Reading

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

S 633: ESTABLISH BIRTH CENTER LICENSURE ACT.

Senate: Passed 1st Reading

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

S 634: EARLY CHILDHOOD RECOMMENDATIONS/DHHS.-AB

Senate: Passed 1st Reading

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

S 635: B-3 INTERAGENCY COUNCIL CHANGES.-AB

Senate: Passed 1st Reading

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

S 636: INCREASE FOSTER CARE RATES/FUNDS.

Senate: Passed 1st Reading

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

S 637: 48 HOUR HOLD FOR CERTAIN CRIMINAL DETAINEES.

Senate: Passed 1st Reading

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

S 638: DOA/DOI AUTH. CLAR. FOR STATE-OWNED BUILD.

Senate: Passed 1st Reading

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

S 639: EDUCATION FUNDING TRANSPARENCY.

Senate: Passed 1st Reading

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

S 640: NC A&T STATE UNIVERSITY/AG. FUNDS.

Senate: Passed 1st Reading

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

S 641: FIX OUR DEMOCRACY.

Senate: Passed 1st Reading

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

S 642: SUPERSEDING DOMESTIC ORDERS.

Senate: Passed 1st Reading

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

S 643: REMOVE DRIVERS LIC. REVOCATION/FEE/PENALTIES.

Senate: Passed 1st Reading

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

S 644: RICHMOND CC/MULTICAMPUS FUNDS.

Senate: Passed 1st Reading

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

S 645: LOCAL GOV'TS/BROADBAND SERVICE INFRASTRUCTURE.

Senate: Passed 1st Reading

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

S 646: AMEND CERTIFICATE OF NEED LAWS.

Senate: Passed 1st Reading

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

S 647: NONPROFIT MERGERS/INCR.CHARIT.SOLIC.EXEMPTS.

Senate: Passed 1st Reading

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

S 648: SUPPORT SHELLFISH AQUACULTURE.

Senate: Passed 1st Reading

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

S 649: SAVE OUR BENEFITS ACT.

Senate: Passed 1st Reading

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

S 650: SIMPLIFYING NC LOCAL SALES TAX DISTRIBUTION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 651: POLLUTER PAYS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 652: SMALL BUSINESS CAPITAL IMPROVEMENT ACCOUNT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 653: ADD'L MEASURES FOR EMERGING CONTAMINANTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 654: CHARTER SCHOOLS PROVIDE TRANSP. & AMP FOOD.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 655: BAN PFAS IN FIRE RETARDANT FOAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 656: CONST. AMENDMENT/REPEAL LITERACY TEST.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 657: EXPAND PROPERTY TAX HOMESTEAD EXCLUSION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 658: PRESCRIPTION DRUG PRICING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 659: REGIONAL SCHOOL ENROLLMENT REQUIREMENTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 660: GEN. ASSEMBLY/PREVENT WORKPLACE HARASSMENT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 661: UNC HBCU FUNDING PARITY/NC A&T DOC. PROGRAMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 662: PILOTS TO ESTABLISH "NO MONEY" BAIL BONDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 663: AGRICULTURAL RELIEF ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 664: FUNDS FOR PLYMOUTH HEALTH CARE FACILITY.*Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 665: OMNIBUS RURAL INVESTMENT ACT.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 666: CYBERSECURITY AND ROBOTICS FUNDS.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 667: UNC HBCU FUNDING PARITY/NC A&T DOC. PROGRAMS.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 668: CAPITAL PROCEDURE/SEVERE DISABILITY.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 669: STUDY INNOVATIVE SCHOOL DISTRICT MODIFICATION.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 670: CHANGES TO ADVANCED TEACHING ROLES PROGRAM.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 671: NATURAL GAS TRANSPORTATION COST RECOVERY.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***S 672: MILITARY LIAISON COUNSELORS/FUNDS.***Senate: Passed 1st Reading**Senate: Ref To Com On Rules and Operations of the Senate***LOCAL BILLS****H 170: ASHEBORO SATELLITE ANNEXATIONS.***House: Passed 3rd Reading***H 171: CHINA GROVE SATELLITE ANNEXATIONS.***House: Passed 3rd Reading***H 285: CITY OF SANFORD/VOLUNTARY ANNEXATIONS.***House: Passed 3rd Reading***© 2019 School of Government The University of North Carolina at Chapel Hill**

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