



## The Daily Bulletin: 2019-05-01

### PUBLIC/HOUSE BILLS

H 41 (2019-2020) [ALLISON'S LAW/GPS TRACKING PILOT/DV/FUNDS](#). Filed Feb 7 2019, *AN ACT TO ESTABLISH A PILOT PROGRAM ALLOWING THE USE OF A GLOBAL POSITIONING SYSTEM TRACKING DEVICE ON A PERSON WHO HAS COMMITTED ACTS OF DOMESTIC VIOLENCE AS A CONDITION OF PRE-TRIAL RELEASE.*

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

Adds the North Carolina Coalition Against Domestic Violence to the entities that the Department of Public Safety (DPS) must consult with on the pilot program in Forsyth County for the use of global positioning system tracking devices on domestic violence offenders. Clarifies that the pilot is for the use of tracking on domestic violence offenders as a condition of pre-trial release (previously was not specified to be as a condition of pre-trial release). Amends the issues that are to be considered by deleting the consideration of whether the victim's location will be monitored or tracked as well as the offender's and what privacy or safety concerns such monitoring or tracking raises. Deletes the \$25,000 appropriation for the pilot and instead makes the funding for the bill contingent upon the appropriation of funds in H 966 (2019 Appropriations Act). Amends the act's long title.

**Intro. by Lambeth, Conrad.**

[APPROP, STUDY](#)

[Courts/Judiciary, Civil, Family Law, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure, Government, State Agencies, Department of Public Safety](#)

[View summary](#)

H 394 (2019-2020) [OFFICIAL STATE COOKIE & BATTLESHIP. \(NEW\)](#) Filed Mar 19 2019, *AN ACT ADOPTING THE MORAVIAN COOKIE AS THE OFFICIAL STATE COOKIE AND THE USS NORTH CAROLINA (BB-55) AS THE OFFICIAL STATE BATTLESHIP.*

House committee substitute to the 1st edition makes the following changes. Amends proposed GS 145-53 to adopt the USS North Carolina as the State's official warship (was, ship), also refers to the USS North Carolina as BB-55, and refers to it as Battleship USS North Carolina. Makes conforming changes to the whereas clauses and the act's titles.

**Intro. by Hardister, Grange, Lambeth, Clemmons.**

[GS 145](#)

[Government, Cultural Resources and Museums](#)

[View summary](#)

H 492 (2019-2020) [SIMPLIFY BUILDER INVENTORY EXCLUSION](#). Filed Mar 27 2019, *AN ACT TO SIMPLIFY THE PROPERTY TAX EXCLUSION FOR INCREASES IN VALUE OF PROPERTY HELD BY A BUILDER.*

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

Makes conforming change to GS 105-277.02 to require a builder to apply for the property tax exclusion as provided in GS 105-282.1, as amended, thereby requiring a single application unless subsequent changes necessitate a review of the benefit rather than requiring an annual application for the benefit.

**Intro. by Brody, Howard, B. Turner.**

[GS 105](#)

[View summary](#)**Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Tax**

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

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

Part I.

Makes additional changes to GS 18B-1303(b) to make the language gender neutral.

Part II.

Modifies and makes clarifying changes to the proposed changes to GS 18B-1104(a) concerning the authorization to receive and sell malt beverages produced inside or outside the State under contract with a contract brewery. Now provides that the contract brewery that manufactures the malt beverages is responsible for all aspects associated with manufacturing the product. Establishes that, subject to the rules of the ABC Commission (Commission) and the Department of Revenue (Department), the brewery, not the contract brewery, is responsible for registering the contracted product with the Commission, submitting the appropriate reports regarding the malt beverages, and remitting the appropriate taxes if required by rule (clarifying previously proposed language; was not previously subject Commission or Department rules).

Part VII.

Amends GS 130A-248 to exclude from the scope of the sanitation laws of Article 8 any ABC permitted establishment which prepares or serves food or drink to the public that meet the definition of *bar*. Adds *bar* to the defined terms set forth in GS 130A-247 and defines the term by referencing the definition set forth in GS Chapter 18B. Makes conforming changes to exempt bars from the provisions of Part 6, Regulation of Food and Lodging Facilities, of Article 8.

Part XI.

Eliminates the proposed changes to GS 18B-1005.1, regarding certain unlawful conduct or entertainment on a licensed premises.

Part XII.

Modifies proposed GS 18B-1010, which authorizes the sale and delivery by certain ABC permit holders, to no longer exclude from the authorization sales at a stadium, athletic facility, arena, or other establishment with a seating capacity of 3,000 or more.

Part XV.

Amends GS 18B-802, to now provide that the only authorized operating hours of an ABC store are between 9:00 a.m. and 9:00 p.m. on Monday through Saturday, and 12:00 p.m. and 5:00 p.m. on Sunday (previously provided 9:00 p.m. to 9:00 a.m. on Monday through Saturday and 12:00 p.m. to 5:00 p.m. on Sunday as prohibited hours).

Part XVI.

Further amends GS 18B-1114.7(b) to add that any consumer tasting conducted in an ABC store is the sole responsibility of the permit holder. Further, prohibits local ABC board employees from participating in or conducting a tasting in an ABC store.

Part XVII.

Amends proposed GS 18B-404, which allows for the electronic payment for spirituous liquor purchased by a mixed beverages permittee, by amending the definition of the term electronic payment to now mean payment by charge card, credit card, debit card, or by electronic funds transfer.

Changes the effective date of the statute from July 1, 2019, to October 1, 2019.

Part XVIII.

Amends proposed GS 18B-907, which allows for the electronic submission of payments and forms, by amending the definition of the term electronic payment to now mean payment by charge card, credit card, debit card, or by electronic funds transfer. No longer specifies that the fee that may be charged to cover costs of processing forms and accepting payment electronically is exempt as otherwise provided in GS 18B-404(e).

Part XX.

Amends proposed GS 18B-1001.4 by adding that a delivery service permittee must not deliver alcoholic beverages to a residence hall located on the premises of an institution of higher education, unless the governing body of that institution of higher education has given the permittee written authorization to do so. Make additional clarifying changes to the statute. Makes the statute and the changes to GS 18B-902, which added a \$400 delivery service permit fee, effective October 1, 2019.

Part XXI.

Adds a new Part to the act that amends GS 18B-1104 as follows. Allows a brewery permit holder to sell the malt beverages owned by the brewery at the brewery for on or off-premise consumption upon obtaining the appropriate permit, regardless of the results of any local malt beverage elections. Makes a conforming deletion by removing the provision that allowed, in an area where the sale of malt beverages has not been authorized, the permit holder that was a brewery producing agricultural products used by the brewery in the manufacture of malt beverages to sell the beverages when receiving specified approval for the city or county's governing board. Effective October 1, 2019. Makes conforming changes to the act by renumbering the existing parts.

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

[STUDY, GS 14, GS 18B, GS 130A, GS 153A, GS 160A](#)

[View summary](#)

[Alcoholic Beverage Control, Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Higher Education, Government, General Assembly, State Agencies, Department of Transportation, Local Government, Health and Human Services, Health, Public Health, Transportation](#)

H 561 (2019-2020) [STRENGTHEN DANGEROUS DOG LAWS](#). Filed Apr 2 2019, *AN ACT TO PROVIDE ADDITIONAL PROTECTIONS FOR VICTIMS OF DANGEROUS DOGS*.

House committee substitute to the 1st edition deletes the previous provisions and instead provides the following.

Recodifies GS 67-4.1(c), regarding procedures of potentially dangerous dog determinations, as its own statute, GS 67-4.1A. Makes the following changes to Article 1A, Dangerous Dogs, of GS Chapter 67.

Amends GS 67-4.1 to remove references to determinations by the designated person or board responsible for animal control from the definitions of *dangerous dog* and *potentially dangerous dog*. Modifies *severe injury* to include physical injury to domestic animals that results in broken bones, disfiguring lacerations, required cosmetic surgery, hospitalization, or an overnight stay at a veterinary facility. Makes technical and clarifying changes.

Amends GS 67-4.1A, as recodified, regarding procedures for determining potentially dangerous dogs. Expands the provisions to also require the county or municipal authority responsible for animal control to designate a person or board to be responsible for determining when a dog is a dangerous dog as well as a separate board for appeals. Specifies that the number of days provided regarding the appeal procedure are business days. Adds a new requirement for the designated person or board to impound a dog that has killed or inflicted serious injury to a person or domestic animal, and determine whether to impound other dogs after notice to the owner of a determination that the dog is dangerous or potentially dangerous. Provides for continued impoundment during pendency of any appeals and until the determination is overturned or the owner satisfies all restraint requirements and relevant local ordinances and has paid or has agreed to pay the impoundment costs. Requires the owner to pay impoundment fees unless the determination is overturned on appeal. If a determination is overturned on appeal, requires prompt return of the dog and releases the owner from liability for impoundment costs. During impoundment, deems the dog relinquished if the owner fails to pay or agree to pay impoundment costs within a reasonable amount of time upon final

determination or the owner fails to provide proper restraints as required by state and local law within a reasonable amount of time. Requires the county or responsibly municipal authority to provide notice to the owner regarding the time limitations for the provision of payment and proper restraints, and a second notice regarding the owner's rights and the effective date of relinquishment upon failure of the owner to meet the payment and restraint requirements, at least five business days subsequent to the notice. Permits an owner to voluntarily grant possessory rights upon written documentation. Makes a dangerous or potentially dangerous determination apply statewide.

Amends GS 67-4.2 to make the prohibitions provided regarding precautions against attacks by dangerous dogs and the notice requirements of the owner upon transfer of ownership of dangerous dogs now apply to dangerous dogs or potentially dangerous dogs when a final determination has been made as provided in GS 67-4.1A, as recodified and amended. Makes clarifying changes. Maintains that violations are a Class 3 misdemeanor.

Modifies GS 67-4.3 to make it a Class 1 misdemeanor when the owner of a dog determined to be a dangerous or potentially dangerous dog, upon final determination under GS 67-4.1A, attacks a person and causes physical injuries requiring medical treatment over \$100 or attacks and kills a domestic animal under the immediate control of a person (was, limited to dangerous dogs and did not require a final determination; did not include attack and death of a domestic animal).

Makes conforming changes to GS 67-4.4 regarding strict liability of owners.

Modifies GS 67-4.5 to specify that the Article does not affect local authority to impose additional requirements on the control of dangerous or potentially dangerous dogs by local ordinance (previously provided for adopting local programs for the control of dangerous dogs).

Applies to acts occurring on or after October 1, 2019.

**Intro. by Torbett.**

[GS 67](#)

[View summary](#)

[Animals](#)

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*.

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

Makes a technical change to the proposed definition of *location data* set out in GS 15A-260.

Modifies the proposed additional grounds under GS 15A-263 a judge may use to enter an ex parte order authorizing the installation and use of a pen register or trap and trace device. Now allows an order authorizing the installation and use of the devices upon the judge finding that there exists an emergency situation involving the disappearance of an individual, runaway child, or a missing person for which no criminal charge is readily apparent that involves an imminent risk of death or serious physical harm, and that the information gained from the use of the requested device will provide material aid in locating the described individual at imminent risk of death or serious physical harm (previously referred to the the results rather than the use of the devices aiding in the individual's location; did not specify that the individual which the devices are aiding in locating must be the one described in the emergency situation finding).

Modifies proposed GS 15A-265, which authorizes an SBI agent to install without a warrant on an emergency basis a pen register or trap and trace device, to require the agent to obtain permission of the agent's supervisor. Requires that any information gained from the use of pen registers or trap and trace devices under the statute that is not required to be retained for discovery purposes in a criminal prosecution be destroyed as soon as practicable upon the resolution of the emergency situation.

**Intro. by McNeill, Hurley.**

[GS 15A](#)

[View summary](#)

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

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.*

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

Amends GS 97-53 (30) regarding employment-related occupational diseases of *first responders*, as follows. Requires that the posttraumatic stress disorder arise out of employment as a first responder and arise out of injuries (was, be due to causes and conditions) that are characteristic of and peculiar to a trade, occupation, process or employment. Adds to the professionals who may make the required diagnoses to include licensed psychologist. Deletes provision that limited the time for filing notice of injury or death for compensation to 52 weeks after diagnosis.

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

GS 97

[View summary](#)

**Employment and Retirement, Government, Public Safety and  
Emergency Management**

H 678 (2019-2020) [AMEND COUNSELOR/SA/SOC. WORKER PROF. ACTS. \(NEW\)](#) Filed Apr 10 2019, *AN ACT TO AMEND THE LICENSED PROFESSIONAL COUNSELORS ACT; TO UPDATE AND REVISE THE SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT; AND TO AMEND THE SOCIAL WORKER CERTIFICATION AND LICENSURE ACT.*

House committee substitute to the 1st edition adds the following provisions to the act and makes conforming changes to the act's titles.

Part III.

Amends GS 90-113.31A to amend the definition of *independent study* and to define *traditional classroom-based study*. Effective October 1, 2019.

Part IV.

Amends GS 90-113.32 to make the North Carolina Addictions Specialist Professional Practice Board (Board), instead of the North Carolina Substance Abuse Professional Practice Board, the authority to credential substance use disorder professionals in North Carolina.

Repeals GS 90-113.32(c), which set out the membership of the North Carolina Substance Abuse Professional Practice Board. Instead, adds new (c2), which sets out the membership of the new nine-member Board. Refers to the Board chair instead of the President, who may vote only in the case of a tie or when another member abstains on the question of whether the professional discipline the members represent must retain its deemed status. Repeals (d), which allowed for the appointment of five professionals from the field of substance abuse counseling and substance abuse prevention consulting to serve on the Nominating and Elections Committee. Sets Board member terms at three years. Sets out provisions creating staggered terms, and provides for the filling of vacancies. Sets out provisions governing member reimbursements, election of Board officers, officer terms, and chair terms.

Effective July 1, 2020.

Part V.

Amends GS 90-113.40 to raise the number of required hours of Board-approved education for certification as a certified substance-use disorder counselor (was, substance abuse counselor) or as a certified criminal justice addictions professional from 270 to 300 hours. Applies to applications for licenses submitted on or after October 1, 2019.

Part VI.

Enacts new GS 90-113.48 (program for impaired substance use disorder professionals). Creates the North Carolina Impaired Professionals Program (Program). Authorizes the Board to provide funds for the Program, which will operate independent of the Board to provide screening, referral, monitoring, educational, and support services for professionals credentialed pursuant to GS Chapter 90, Article 5C (North Carolina Substance Abuse Professionals Certification Act), for treatment and rehabilitation of an impairment attributed to physical or mental illness, substance use disorder, or professional sexual misconduct. Authorizes the Program to enter into an agreement with credentialed substance use disorder professionals for the purpose of identifying, reviewing, and evaluating referred or self-referred substance abuse professionals to function in their professional capacity and coordinate regimens for treatment and rehabilitation. Provides requirements for such an agreement. Directs the Program to immediately report to the Board information about credentialed substance-abuse professionals who meet any of four listed criteria, including constituting an immediate danger to patient care. Provides that materials in the possession of the Program or its staff, employees, legal counsel, and volunteers, related to a member's participation or prospective participation in the Program are not public records. Authorizes persons participating in good faith in the Program to withhold that fact in a civil action or proceeding. Provides that activities in good faith under an agreement authorized by this statute are not grounds for civil action. Provides for written assessments by the Program, and to the extent permitted by law any written assessment created by a treatment provider or facility at the recommendation of the Program to be provided to certified substance abuse professionals and their legal counsel at the request of the professional, and provides that the information is inadmissible as evidence in any civil action or proceeding. Directs the Board to adopt rules to apply to the operation of the Program, with eight listed requirements for the rules.

Effective October 1, 2019.

#### Part VII.

Amends Article 5C of Chapter 90 as follows. Changes the name of the Article to the North Carolina Substance Use Disorder Professional Practice Act. Makes changes throughout the Article to refer to substance use disorder instead of substance abuse. Changes the term "certified substance abuse counselor" to "certified alcohol and drug counselor," "substance abuse counselor intern" to "alcohol and drug counselor intern," and "substance abuse professional" to "substance use disorder professional."

Removes the provision allowing for the issuance of a Substance Abuse Residential Facility Director. Makes conforming deletions.

Makes additional conforming and technical changes.

Effective October 1, 2019.

#### Part VIII.

Discontinues the certified substance abuse residential facility director credential, and directs the North Carolina Substance Abuse Professional Practice Board (Board) to no longer issue or renew that credential to any person, effective July 1, 2019.

Repeals GS 90-113.31A(8) (defining *certified substance abuse residential facility director*). Makes conforming changes to GS 113.31A(26), GS 113.31B(5), GS 90-113.38(a), GS 90-113.42(d), and GS 90-113.43(a). Effective upon the expiration of the last certified substance abuse residential facility director credential issued prior to the effective date of this act. Directs the Board to notify the Revisor of Statutes when that occurs.

#### Part IX.

Amends GS 90B-3, which sets out the definitions for GS Chapter 90B, Social Worker Certification and Licensure Act, by adding and defining the terms *applicant* and *supervision*. Defines *social work continuing education* as training that, in accordance with the requirements established by the Board, (1) fosters the enhancement of generalized or specialized social work practice, values, skills, or knowledge and (2) includes an element addressing how the knowledge and skills may be applied to the practice of social work. Amends the definition of *social worker* to add a person who has earned a bachelors, masters, or doctoral degree in social work from a social work program accredited by or in candidacy for accreditation by the Council on Social Work Education.

Amends GS 90B-4 as follows. Adds that a person who resides and practices social work in this state while credentialed in another must clearly amend reference to his or her credential to identify the state or jurisdiction where the credential is held. Adds that a person who resides and practices clinical social work in this state for not more than five days in a calendar year

while credentialed in another must clearly amend reference to his or her credential to identify the state or jurisdiction where the credential is held.

Amends GS 90B-5 by amending the required qualifications for members of the North Carolina Social Work Certification and Licensure Board (Board).

Amends GS 90B-6 by amending the Board's powers to give the Board the power to adopt supervision standards. Extends the period of time that a licensed social worker is required to maintain records from three years to the longer of: (1) ten years from the date the social worker terminates service to the client and the client services record is closed or (2) the record retention period mandated by a third-party payee. Makes additional clarifying changes.

Amends GS 90B-7 by amending the qualifications for issuance of a certificate as a certified social worker, certified master social worker, or a certified social work manager, or a license as a licensed clinical social worker to require that the applicant have the specified type of degree in social work from a college or university social work program approved, accredited, or admitted to candidacy for accreditation by the Council on Social Work Education and that the applicant have passed the Board-approved qualifying exam (retains the additional work experience requirements for licensed clinical social workers and certified social work managers). Allows issuance of an associate license in clinical social work to a person with a masters or doctoral degree in social work from a college or university with a social work program approved, accredited, or in candidacy for accreditation by the Council on Social Work Education and who desires to be licensed as a licensed clinical social worker. Removes requirement for passing the exam within two years for renewal of the associate license. Allows associate licensees who do not satisfy all requirements for licensed clinical social worker licensure within six years from the date of licensure issuance to apply for a new associate license, but requires passing the qualifying exam before the license can be issued. Supervision and experience hours acquired under an associate license expire six years from the date of initial associate license issuance, and expired supervision and experience hours do not apply toward future licensure.

Amends GS 90B-8 to allow granting reciprocal certificate or licenses without exam or by special exam and adds to the conditions that must be met for such issuance to require that the person be in good standing. Requires persons granted a temporary clinical social worker license to fulfill all requirements for licensure before the temporary license expires. Allows for issuance of a temporary license to a military or military spouse applicant.

Amends GS 90B-9 to make all certificates and licenses, except temporary licenses, effective upon date of issuance and requires renewal on or before the expiration date (was, on or before the second June 30 thereafter). Amends the process for renewal of certificates and licenses. Requires verification of compliance with current requirements before the Board may reinstate a suspended certificate or license. Makes organizational changes by moving old subsection d into new GS 90B-9.1, Nonpracticing status. Adds that those on nonpracticing status are not subject to continuing education requirements and specifically prohibits those on nonpracticing status from referring to themselves as certified or licensed and prohibits engaging in social work practice that requires an active certificate or license. Requires proof that continuing education requirements are complete before reactivating a certificate or license.

Makes clarifying, conforming, and technical changes to GS 90B-10.

Amends GS 90B-11 to allow the Board to deny, suspend, or revoke an application, certificate, or license for conviction or entering of a plea of guilty or nolo contendere to any misdemeanor involving moral turpitude, misrepresentation or fraud in dealing with the public, conduct otherwise relevant to fitness to practice social work, or any misdemeanor reflecting inability to practice social work with due regard to the health and safety of clients or patients (was, conviction or the entering of a plea of guilty or nolo contendere to a misdemeanor under GS Chapter 90B). Allows the Board to require applicants to submit criminal history record checks, including fingerprints, and substance abuse assessments. Adds that the Board may assess costs of disciplinary action against an applicant, certificate holder, or licensee who is in violation of the provisions of GS Chapter 90B or Board rules.

Effective January 1, 2021. Qualification for the certificate of Certified Social Work Manager, as amended, applies only to applications received on or after January 1, 2021.

**Intro. by Potts, Dobson, Lambeth.**

[GS 8](#), [GS 48](#), [GS 55B](#), [GS 58](#), [GS 90](#), [GS 90B](#), [GS 122C](#), [GS 143B](#)

[View summary](#)

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



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

H 730 (2019-2020) [TRASH COLLECTION/MULTIFAMILY RESIDENTIAL](#). Filed Apr 11 2019, *AN ACT REQUIRING THAT DOORSTEP REFUSE AND RECYCLING COLLECTION CONTAINERS BE ALLOWED IN EXIT ACCESS CORRIDORS OF CERTAIN APARTMENT OCCUPANCIES UNDER CERTAIN CIRCUMSTANCES.*

House committee substitute to the 2nd edition adds to the conditions of doorstep refuse and recycling containers permitted under the act's implementation provisions. Limits the number of described containers to one refuse and one recycling collection container for a total of two containers per apartment occupancy for apartment occupancies with enclosed corridors and apartment occupancies with open-air corridors or balconies served by exterior exit stairs.

**Intro. by Szoka, Corbin, Howard, Richardson.**

[View summary](#)

**Development, Land Use and Housing, Building and  
Construction, Government, Public Safety and Emergency  
Management**

H 873 (2019-2020) [SYSTEM DEVELOPMENT FEE/CLARIFY TIME OF CHARGE](#). Filed Apr 16 2019, *AN ACT TO CLARIFY THE TIMING OF COLLECTION OF SYSTEM DEVELOPMENT FEES FOR EACH CATEGORY OF NEW DEVELOPMENT.*

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

Modifies the proposed changes to the definition of *new development* set forth in GS 162A-201(6). Now defines the term to mean any of the following three actions with respect to real property which increases the availability of service (was capacity) necessary to serve that development: (a) the subdivision of land; (b) initial construction on undeveloped property; and (c) any use or extension of use of land, including reconstruction, redevelopment, renovation, conversion, structural alteration, relocation, or enlargement of any structure on developed property which increases the number of service units (consolidating subdivision (c) and previously proposed subdivision (d)).

Makes further modifications to the proposed changes to GS 162A-213 regarding time for collection of system development fees based on the category of *new development*. Now requires the fee to be collected at the time of plat recordation for new development as defined in GS 162A-201(6)a., as amended (subdivision of land), no longer requiring collection at the later of plat recordation or when water or sewer service is committed by the respective local government unit. Now makes the proposed time of collection provisions previously specified for new development as defined in GS 162A-201(6)d. (now incorporated into GS 162A-201(6)c.) now applicable to all other new development as defined in GS 162A-201(6)b. and c, as amended (previously, provided for collection for new development as previously defined by GS 162A-201(6)b. and c. at the earlier of application for connection of the individual development unit to service or facilities or when water or sewer service is committed by the respective local government unit). Adds to the exceptions to prohibit charging or assessing a fee on new development as defined by GS 162A-201(6)b. or c. if a fee was paid upon recordation of the plat of subdivision in accordance with the act. Maintains the previously provided exceptions, making them applicable to the described new developments, as now defined by GS 162A-201(6)b. or c.

Specifies that the act applies to system development fees collected on or after July 1, 2019.

**Intro. by Arp, Boles, McNeill.**

[GS 162A](#)

[View summary](#)

**Development, Land Use and Housing, Government, Local  
Government, Public Enterprises and Utilities**



H 885 (2019-2020) [STUDY CRIMINAL JUSTICE DATA COLLECTION](#). Filed Apr 16 2019, *AN ACT TO STUDY CRIMINAL JUSTICE DATA COLLECTION*.

House committee substitute to the 1st edition removes the Department of Public Safety, Division of Adult Correction, from the entities that are to conduct the study identifying criminal justice data elements collected and maintained by jails, courts, and prisons. Also removes the requirement that the study examine the data elements currently being collected by the Department of Public Safety regarding individuals who have been convicted of one or more criminal offenses, and the current system of collecting, recording, maintaining, and searching these data elements.

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

[STUDY](#)

[View summary](#)

[Courts/Judiciary, Court System, Government, State Agencies, Department of Information Technology, Department of Public Safety](#)

H 934 (2019-2020) [RIGHT TO TRY ADULT STEM CELL TREATMENTS](#). Filed Apr 16 2019, *AN ACT EXPANDING THE RIGHT TO TRY ACT TO PROVIDE ACCESS TO INVESTIGATIONAL ADULT STEM CELL TREATMENTS FOR PATIENTS DIAGNOSED WITH A TERMINAL OR CHRONIC ILLNESS*.

House committee substitute to the 1st edition makes the following changes. Amends new GS 90-325.14, by correcting the punishment to a Class A1 misdemeanor for knowingly offer to buy or sell, sell, acquire, receive, or otherwise transfer any adult stem cells for valuation consideration for use in a treatment. Corrects an internal subsection reference.

**Intro. by Blackwell, Lambeth, Murphy, Reives.**

[GS 90](#)

[View summary](#)

[Health and Human Services, Health, Health Care Facilities and Providers](#)

## PUBLIC/SENATE BILLS

S 208 (2019-2020) [LIMIT LOCAL RESTRICTIONS/NONCOMMERCIAL SIGNS. \(NEW\)](#) Filed Mar 7 2019, *AN ACT TO PROHIBIT LOCAL REGULATION OF THE SIZE OR HEIGHT OF CERTAIN NONCOMMERCIAL SIGNS PLACED OUTSIDE OF THE RIGHT-OF-WAY ON PRIVATE PROPERTY WITH THE PERMISSION OF THE PROPERTY OWNER*.

Senate committee substitute to the 1st edition deletes the provisions provisions and now provides the following.

Enacts GS 153A-145.8 (modifying the general police powers of counties) and GS 153A-379 (modifying county authority with regard to planning and development) to prohibit counties from adopting or enforcing ordinances which prohibit or regulate the size of a noncommercial sign, including political signs, which do not exceed specified measurements and are placed on private property with the owner's permission and are outside of any right-of-way of a state highway. Enacts GS 160A-205.4 (modifying the general police powers of cities) and GS 160A-367 (modifying city authority with regard to planning and development) to create identical prohibitions applicable to cities, and signs as described that are placed on private property with the owner's permission and are outside of any right-of-way of a municipal street in addition to those placed outside of any right-of-way of any state highway. Makes conforming changes to the act's titles.

**Intro. by McInnis, Daniel, Hise.**

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

[View summary](#)

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

S 219 (2019-2020) [MODIFY TEACHER LICENSING REQUIREMENTS](#). Filed Mar 11 2019, *AN ACT TO MODIFY TEACHER LICENSURE REQUIREMENTS*.

Senate committee substitute to the 1st edition deletes the previous provisions and now provides the following.

Amends GS 115C-270.15 to require the State Board of Education (State Board) to permit an applicant to satisfy any exam requirement of the initial professional license (IPL) before or during the second year of the IPL so long as the applicant took the exam at least once during the first year of the license (previously referred to years of teaching rather than licensure and testing rather than exam requirements). Adds a new mandate for the State Board to direct the Department of Public Instruction (DPI) to monitor teachers' compliance with IPL requirements. Directs DPI to notify teachers found to not be in compliance with any of the requirements. Prohibits the State Board from converting an IPL to a continuing professional license until a teacher satisfies the exam requirements of the statute.

Amends GS 115C-270.20 to create a three-year nonrenewable limited license for certain teachers. Requires the license to be requested by the local board currently employing the individual and limits its use for continued employment of the individual at that local school administrative unit. Details the requirements of the license, including that the individual was issued an IPL but is not qualified for a CPL due to failure to satisfy the exam requirement, the local board submits a signed affidavit to the State Board stating that the teacher is effective and will be encouraged to continue to pursue a CPL, and the local unit is located in a development tier one or tier two area, or a development tier three area with a population of less than 100,000.

Extends the initial professional licenses of K-6 or special education general curriculum teachers that are set to expire on June 30, 2019, due to failure to fulfill the exam requirements, to June 30, 2020.

Requires the State Board to comply with the monitoring compliance in GS 115C-270.15 beginning with applicants for teacher licensure on or after July 1, 2019.

**Intro. by McInnis, Tillman, Johnson.**

[GS 115C](#)

[View summary](#)

**[Business and Commerce, Occupational Licensing, Education, Elementary and Secondary Education](#)**

S 332 (2019-2020) [CIVIL PROCEDURE/LIMITATIONS/LAND SURVEYORS](#). Filed Mar 21 2019, *AN ACT TO CLARIFY STATUTES OF LIMITATION AND REPOSE APPLICABLE TO ACTIONS BROUGHT AGAINST PROFESSIONAL LAND SURVEYORS*.

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

Modifies and adds to the proposed changes to GS 1-52, which now applies the three-year statute of limitations to actions against any professional land surveyor or any person acting under the surveyor's supervision or control for physical damage or economic or monetary loss due to negligence or a deficiency in the performance of surveying or platting. The proposed changes deem the cause of action to accrue at the time of the occurrence of the last act of the defendant in the performance of the surveying or platting giving rise to the cause of action and specifies that in no event can the cause of action commence more than 10 years from the specific last act giving rise to the cause of action. Modifies the accrual of a cause of action under the subsection. Now specifies that for causes of action for physical damages, accrual begins at the time of the occurrence of the physical damage giving rise to the cause of action. Establishes that all other causes of action under the subsection must commence within seven years from the specific last act of the professional land surveyor or any person under the surveyor's supervision and control giving rise to the cause of action.

Eliminates the clarification regarding pending actions.

Makes conforming changes to the act's whereas clauses.

**Intro. by Daniel.**

[GS 1](#)

[View summary](#)

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

S 355 (2019-2020) **LAND-USE REGULATORY CHANGES**. Filed Mar 26 2019, *AN ACT TO CLARIFY, CONSOLIDATE, AND REORGANIZE THE LAND-USE REGULATORY LAWS OF THE STATE*.

Senate committee substitute to the 1st edition makes the following changes. Amends the act's long title.

Places the previous provisions into new Part I and makes the following modifications.

Modifies the proposed changes to GS 160A-385 (concerning cities) to provide that amendments to land development regulations are not applicable or enforceable without the written consent of the owner with regard to subdivisions of land for which a development permit application authorizing the subdivision has been submitted and issued pursuant to GS 143-755, as amended.

Modifies the proposed changes to GS 160A-385 and GS 153A-344 (concerning counties) to provide that where multiple local development permits are required to complete a development permit, the statute and GS 143-755 authorize the development permit applicant to choose the version of each of the local land development regulations applicable to the project upon submittal of the application for the initial permit, excluding erosion or sedimentation control permits and sign permits. Regarding vested rights established under either statute, provides a general rule that the right expires for an uncompleted development project when development work is intentionally and voluntarily discontinued for a period of no less than 24 consecutive months. Also provides for expiration of the statutory vested right for a nonconforming use of property when the use is intentionally and voluntarily discontinued for a period of not less than 24 consecutive months. Adds that the rights vested by the statute run with the land except for the use of land for outdoor advertising governed by specified state law, whereby the rights run with the owner of a permit issued by the Department of Transportation. Adds the term *development permit* as defined in other state law. Makes conforming, clarifying, and technical changes.

Further modifies GS 160A-384 and GS 153A-343 regarding the method of procedure for changes to zoning map amendments. Now prohibits the initiation or enforcement of amendments to zoning regulations or a zoning map that down zones property without the written consent of all property owners whose property is subject of the down zoning amendment, unless the down zoning amendment is initiated by the city or county, as applicable (previously applied to zoning map amendments only). Defines *down zoning* to mean a zoning ordinance that affects an area of land that is used either (1) by decreasing the development density of the land to be less dense than was allowed under its previous usage or (2) by reducing the permitted uses of the land which are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.

Amends proposed GS 160A-393.2, now prohibiting a city or county from asserting an estoppel defense before any board of adjustment or in any civil action if the landowner or permit applicant is challenging conditions that were illegally imposed and not consented to in writing by a landowner or permit applicant (previously did not also require the conditions to have not been consented to).

Modifies the proposed changes to GS 160A-381 and GS 153A-340, explicitly restricting cities and counties from issuing special use permits or conditional use permits that impose unenforceable regulations or restrictions, now including without limitation taxes, impact fees, building design elements not voluntarily offered by the petitioner, driveway-related improvements in excess of those authorized, or other unauthorized limitations on the development or use of land, as specified (previously included street improvements in excess of those authorized).

Modifies GS 160A-382 and GS 153A-342 regarding the placement of property in special use districts, conditional use districts, or conditional districts. Modifies the statutes to now require specific conditions to be approved by the city or county and consented to by the petitioner in writing (previously provided for mutual approval by the city or county and the petitioner). Makes conforming changes to require written consent of the petitioner regarding unauthorized conditions. Makes changes to mirror the unauthorized limitations specified in GS 160A-381 and GS 153A-340, as amended.

Provides that Sections 1.4 (amending GS 160A-384), 1.5 (amending GS 153A-343), and 1.6 (amending GS 160A-388) apply to applications for down zoning amendments and for driveway improvements submitted on or after the date the act becomes law and to appeals from decisions related to such applications filed on or after that date.

Adds new Part II, incorporating the provisions of S 422, which provides as follows.

Includes NCGA findings.

Enacts new GS Chapter 160D, Local Planning and Development Regulation, which consolidates, reorganizes, and clarifies local planning and development regulations previously found in GS Chapter 153A, Article 18 (Planning and Regulation of Development for counties), and GS Chapter 160A, Article 19 (Planning and Regulation of Development for cities and towns), and recodifies and updates those statutes to by including changes made in 2015-2018 session laws. Consolidates city and county planning and development statutes, making the provisions applicable to local governments, while retaining necessary differences, and makes conforming changes. Additionally, makes the following changes.

#### Article 1, General Provisions

Establishes the scope of Article 1 as follows. Sets forth that the provisions of Article 1 apply to all development regulations and programs adopted pursuant to new GS Chapter 160D or applicable or related to local acts. Establishes that GS 160D-1-11 is applicable to the extent there are contrary provisions in local charters or acts, unless GS Chapter 160D expressly provides otherwise. Further establishes that Article 1 applies to any other local ordinance that substantially affects land use and development. Provides that Article 1 is supplemental to specific provisions included in other Articles in GS Chapter 160D, and establishes that the more specific provisions control if the two are in conflict. Permits local governments to apply any definitions and procedures authorized by GS Chapter 160D to any ordinance that does not substantially affect land use and development adopted under the general police power of cities and counties, Article 8 of GS Chapter 160A and Article 6 of GS Chapter 153A respectively, and permits local ordinances to employ any organizational structure, board, commission, or staffing arrangement authorized by GS Chapter 160D to any or all aspects of those ordinances. Clarifies that new GS Chapter 160D does not expand, diminish, or alter the scope of authority for planning and development regulation authorized by other GS Chapters.

Adds the defined terms administrative decision, administrative hearing, bona fide farm purposes, charter, conditional zoning, decision-making board, determination, development approval, development regulation, evidentiary hearing, governing board, legislative hearing, legislative decision, local government, planning and development regulation jurisdiction, site plan, special use permit, subdivision, subdivision regulation, zoning map amendment, and zoning regulation. Amends the definitions to comprehensive plan, developer, landowner, planning board, quasi-judicial decision, and vested right.

Adds to the authorization permitting a local government to combine any regulations authorized by GS Chapter 160D into a unified development ordinance, establishing that the inclusion of a regulation authorized by GS Chapter 160D or local act in a unified development ordinance does not expand, diminish, or alter the scope of authority set by those regulations.

Adds new GS 160D-1-4 establishing that all rights, privileges, benefits, burdens, and obligations created by development approvals pursuant to GS Chapter 160D are property rights that attach and run with the land unless otherwise provided by law. Defines development approval to mean an administrative or quasi-judicial approval made pursuant to GS Chapter 160D that is written and required prior to commencing development or undertaking a specific activity, project, or development proposal. Establishes that the term includes but is not limited to zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. It also includes all other regulatory approvals required by regulations adopted pursuant to the Chapter, including plat approvals, permits issued, development agreements entered into, and building permits issued.

Requires in GS 160D-1-5 that zoning district boundaries be drawn on a map adopted or incorporated within a duly adopted development regulation. Directs that adopted zoning district maps are to be maintained for public inspection in the office of the local government clerk or another office specified in the development regulation. Permits the zoning maps to be in paper or digital format. Authorizes development regulations to reference or incorporate by reference flood insurance rate maps, watershed boundary maps, or other maps officially adopted or promulgated by state and federal agencies. Allows the regulation text or zoning map to reference a specifically adopted map or incorporate by reference the most recent officially adopted version of the agency map. Further permits the development regulation to provide that the zoning district boundaries are automatically amended to remain consistent with the changes in the officially promulgated state and federal maps so long as a copy of the currently effective version is maintained for public inspection in the office of the local government clerk or other specified office. Authorizes copies of the zoning district map reproduced by any method of reproduction that provides legible and permanent copies to be admissible as evidence and carry the same force and effect as the original map if the copies are certified by the local government clerk in accordance with GS 160A-79 or GS 153A-50 (concerning maps as evidence in actions and proceedings before courts or administrative bodies).

Amends the provisions requiring the refund of illegal fees in GS 160D-1-6 to clarify that the local government is to refund the tax, fee, or monetary contributions plus 6% interest per annum to the person who made the payment or as directed by a court if the person making the payment is no longer in existence. Clarifies that a moratorium does not override the permit choice rule of GS 160D-1-8(b) when permit processing resumes.

Makes organizational, clarifying and technical changes to the provisions in GS 160D-1-7 pertaining to the adoption of temporary moratoria on development approvals, including adding subsection descriptors. Additionally, clarifies that the governing board must hold a legislative hearing (was, a public hearing) before adopting a development regulation that imposes a development moratorium with a duration of 60 days or less, except in cases of imminent and substantial threat to public health and safety. Defines legislative hearing to mean a hearing to solicit public comment on a proposed legislative decision. Amends the exceptions set forth to clarify that a development moratorium adopted pursuant to GS 160D-1-7 does not apply to any project for which a special use permit application has been accepted as complete (previously, for which a conditional use permit application or special use permit application has been accepted).

Amends the provisions pertaining to vested rights and permit choice in GS 160D-1-8. Deletes portions of the previously stated findings of the General Assembly. Consistent with prior rules, permits an applicant to choose which version of a development regulation applies to the applicant's application when the application is made in accordance with local regulation and submitted for development approval required pursuant to GS Chapter 160D, and a development regulation changes between the time the permit application was submitted and a permit decision is made. Specifies that when a development permit applicant chooses the version of the rule or ordinance applicable at the time of the permit application, the applicant is not required to await the outcome of the amendment to the rule, map, or ordinance prior to acting on the development permit. Adds new provision allowing a person claiming a statutory or common law vested right to submit information to substantiate the claim to the zoning administrator or other officer designated by a development regulation who is to make the initial determination as to the existence of the claimed vested rights. Defines vested right to mean the right to undertake and complete the development and use of property under the terms and conditions of an approval secured as specified in GS 160D-1-8 or under common law. Sets out a right to appeal the zoning administrator or officer's determination pursuant to GS 160D-4-5, enacted below, to the board of adjustment and thereafter superior court. Requires the existence of a vested right to be reviewed de novo on appeal. Alternatively permits a person claiming a vested right to bring an original civil action as provided by GS 160D-4-5(c).

Establishes that amendments in local development regulations are not applicable or enforceable with regard to development that has been permitted or approved pursuant to the Chapter prior to the enactment of the regulation making the change(s) so long as one of the specified approvals remains valid and unexpired, subject to permit choice. Clarifies that the establishment of a vested right pursuant to the statute does not preclude the establishment of one or more other vested rights or vesting by common law principles. Details the types of vested rights and specifies their respective limitations, including (1) building permits, expiring six months after issuance unless otherwise provided; (2) all other local development approvals, expiring one year after issuance unless otherwise provided; (3) site specific vesting plans, expiring two to five years as specified; (4) multiphase developments, remaining vested for a period of seven years as provided; and (5) development agreements approved under Article 10 of GS Chapter 160D, remaining vested indefinitely. Deletes the provisions concerning phased development plans. Details the relation to building permits, specific requirements, and the process of approval and amendments of site-specific vesting plans. Clarifies that what constitutes a site-specific vesting plan is defined by the relevant development regulation, and the development approval that triggers vesting must be identified at the time of its approval. Provides that if a site specific vesting plan is based on approval required by a local development regulation, the local government must provide whatever notice and hearing is required for that underlying approval; and if the site vesting plan is not based on approval required by a local government regulation, a legislative hearing with notice as required by GS 160D-6-2 must be held. Establishes that if the duration of the underlying approval is less than two years, there is no effect on the duration of the site-specific vesting plan established pursuant to this provision. Explicitly allows for an approved site-specific vesting plan and its conditions to be amended with the approval of the owner and the local government if (1) any substantial modification is reviewed and approved in the same manner as the original approval and (2) minor modifications are approved by staff, if defined and authorized by local regulation. Establishes that following approval or conditional approval of a statutory vested right (previously, of a site-specific development plan or a phased development plan), a local government can make subsequent reviews and require approval by the local government to ensure compliance with the terms and conditions of the original approval, so long as the reviews and approvals are not inconsistent with the original approval. Makes conforming changes to the subsection pertaining to exceptions, to clarify that the specified exceptions to vested rights applies to all statutory vested rights created by the statute, meaning site-specific vesting plans and multiphase development. Amends the first exception to clarify that zoning action can be taken that would change, alter, impair, prevent, diminish, or otherwise delay the development

or use of the property as set forth in an approved vested right, if after notice and an evidentiary hearing (was, public hearing), it was found that (1) natural or man-made hazards on or in the immediate vicinity of the property would pose a serious threat to the public health, safety and welfare or (2) that the landowner or the landowner's representative intentionally supplied inaccurate information or made material misrepresentations that made a difference in the approval by the local government of the vested right. Further allows the local government to modify the affected provisions of a vested right upon finding that a change in State or federal law has a fundamental effect on the plan, after notice and an evidentiary hearing (previously did not specify evidentiary hearing). Defines evidentiary hearing to mean a hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation adopted under this Chapter. Eliminates a miscellaneous provision that is now substantively included in the new term site-specific vesting plan in GS 160D-1-2.

Amends the provisions pertaining to conflicts of interest in GS 160D-1-9. Provides that members of appointed boards cannot vote on any advisory or legislative decision regarding a development regulation adopted pursuant to GS Chapter 160D (previously, on any zoning map or text amendment) where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable impact on the member. Adds that a governing board member cannot vote on any zoning amendment if the landowner of the property subject to a rezoning petition or applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. Makes substantively identical changes to the conflict-of-interest provisions pertaining to members of appointing boards providing advice to the governing board. Similarly, prohibits any administrative staff member from making a final decision on an administrative decision required by GS Chapter 160D that would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. Further provides that if a staff member has a conflict of interest as described, the decision must be assigned to the supervisor of the staff person or other staff person as designated by the development regulation or ordinance. Defines close familial relationship as a spouse, parent, child, brother, sister, grandparent, or grandchild, and includes step, half, and in-law relationships.

Sets out provisions pertaining to statutory construction.

Expressly states that the enactment of GS Chapter 160D does not require the readoption of any local government ordinance enacted pursuant to laws that were in effect before the effective date of GS Chapter 160D, and are restated or revised herein. Nor does the new Chapter affect any act heretofore done, any liability incurred, any right accrued or vested, or any suit in prosecution begun or cause of action accrued as of the effective date of GS Chapter 160D. Provides that the enactment of GS Chapter 160D does not amend the geographic area within which local government development regulations adopted prior to January 1, 2019, are effective. Further provides that the savings provisions of GS 153A-3 and 160A-3 are applicable to this Chapter, and the Chapter does not repeal or amend a charter or local act in effect as of the effective date of the Chapter unless the Chapter or a subsequent enactment of the General Assembly clearly shows a legislative intent to repeal or supersede that charter or local act. Adds language to modify provisions in local ordinances referencing repealed or superseded provisions that are inconsistent with this act to be consistent with this act.

#### Article 2, Planning and Development Regulation Jurisdiction

Amends provisions pertaining to municipal extraterritorial jurisdiction in GS 160D-2-2. Provides that municipal extraterritorial areas cannot be extended from a city's primary, contiguous boundaries and cannot be applied to satellite areas. Permits a city to exercise in its extraterritorial area all power conferred by GS Chapter 160D that it is exercising within its corporate limits. Adds new provision permitting a county to elect to exercise the particular type of regulation in the extraterritorial area if a city fails to extend that particular type of development regulation to the extraterritorial area. Clarifies that the hearing to be held prior to the adoption of an ordinance extending the area of extraterritorial jurisdiction is legislative (previously, only specified public) and that the required notice of the hearing is to be mailed at least 30 days prior to the date of the hearing (previously, four weeks prior to the hearing). Adds to the provisions concerning boundaries that boundaries can follow parcel ownership boundaries. Provides that prior to the transfer of jurisdiction authorized in previous provisions, the city or county receiving jurisdiction can adopt and effect regulations concurrently upon assumption of jurisdiction. Makes organizational and technical changes.

Adds new GS 160D-2-3 to authorize multiple local governments sharing jurisdiction on a single parcel of land to agree to assign exclusive jurisdiction for the entire parcel to one unit of local government. Requires the mutual agreement to be

formally adopted by resolutions by each governing board and recorded with the register of deeds in the county where the property is located within 14 days of the adoption of the last required resolution.

Adds new GS 160D-2-4 to authorize a potential receiving jurisdiction to process applications and conduct hearings for proposed development where there is a pending shift in jurisdiction, so long as no final action can be taken prior to the actual transfer of jurisdiction.

#### Article 3, Boards and Organizational Arrangements

Consolidates existing provisions and updates references in the regulations concerning planning boards established or designated by local governments in GS 160D-3-1. Adds the express duty of a planning board to facilitate and coordinate citizen engagement and participation in the planning process, as well as the duty to provide a preliminary forum for review of quasi-judicial decisions provided that no part of the forum or recommendation can be used as a basis for the deciding board.

Adds to the provisions pertaining to boards of adjustment in GS 160D-3-2 to establish that if any board of adjustment is assigned decision-making authority for any quasi-judicial matter, that board must comply with all of the procedures and processes applicable to a board of adjustment in making quasi-judicial decisions.

Concerning historic preservation in GS 160D-3-3, recognizes that both counties and municipalities can establish historic preservation commissions. Makes conforming changes through GS 160D-3-3. Establishes that historic preservation commissions have the same duties specified in GS 160D-9-42.

Concerning appearance commissions, establishes in GS 160D-3-4 that appearance commissions have the duties specified in GS 160D-9-60. Makes technical changes.

Clarifies in GS 160D-3-5 that a local government can designate the board of adjustment as its housing appeals board instead of establishing a housing appeals board. Establishes that the housing appeals board has the duties specified in GS 160D-12-8.

Consistent with previous language, authorizes a local government in GS 160D-3-6 to establish additional advisory boards as deemed appropriate by ordinance. Requires the ordinance to specify the compositions and duties of an additional advisory board.

Clarifies in GS 160D-3-7 that the population estimates for the required proportional representation a city must satisfy in exercising extraterritorial powers must be updated no less frequently than after each decennial census. Adds the historic preservation commission to the boards and appearance commission that are required to have at least one resident of the entire extraterritorial planning and development regulation area if there are historic districts or designated landmarks in the extraterritorial area. Requires appointment of members of joint municipal-county planning agencies or boards of adjustment to be made by the county within 90 days (previously, 45 days) following the required hearing. Makes organizational and technical changes.

Establishes in GS 160D-3-8 that rules of procedure for any or all boards created by a governing board are binding, but in the absence of action by the governing board, each board created under Article 3 is expressly authorized to adopt its own rules of procedure consistent with GS Chapter 160D. Requires a copy of any adopted rules to be maintained by the local government clerk or other official designated by ordinance, and posted on the local government website if one exists. Directs each board to keep minutes of its proceedings.

Adds new GS 160D-3-9 to require all members appointed to boards under Article 3 to qualify by taking an oath of office as required by GS 153A-26 and GS 160A-61 before entering their duties.

Adds new GS 160-3-10 to clarify that unless otherwise specified by statute or local ordinance, all appointments to boards authorized by GS Chapter 160D must be made by the governing board of the local government. Permits the governing board to establish reasonable procedures to solicit, review, and make appointments.

#### Article 4, Administration, Enforcement, and Appeals

Establishes the scope of Article 4, consisting of the administration, enforcements, and appeals provisions, providing that Article 4 applies to all development regulations adopted pursuant to GS Chapter 160D. Permits local governments to apply any definitions and procedures authorized by Article 4 to any ordinance adopted under the general police power of cities and counties, Article 8 of GS Chapter 160A and Article 6 of GS Chapter 153A respectively, and employ any organizational structure, board, commission, or staffing arrangement authorized by Article 4 to any or all respects of those ordinances.



Specifies that the provisions of Article 4 also apply to any other local ordinance that substantially affects land use and development. Adds that the provisions of Article 4 are supplemental to specific provisions included in other Articles of GS Chapter 160D, and that the more specific provisions control if there is a conflict. Provides that Article 4 does not expand, diminish, or alter the scope of authority for development regulations authorized by GS Chapter 160D.

Expressly authorizes in GS 160D-4-2 local governments to appoint administrators, inspectors, enforcement officers, planners, technicians, and other staff to develop, administer and enforce development regulations authorized by GS Chapter 160D. Delineates the duties that local governments may include in the duties assigned to administrative staff, but does not limit local governments to those specified duties. Makes conforming change to permit a development regulation to require that designated staff members take an oath of office. Establishes that the administrative and enforcement provisions related to building permits set forth in Article 11, below, must be followed for those building permits. Concerning alternative staff arrangements, clarifies that a staff member that is designated from another city or county pursuant to GS 160D-4-2(c) must be considered an agent of the local government while exercising the duties of the position (previously, must be considered a municipal employee). Expressly authorizes local governments to fix reasonable fees for support, administration, and implementation of programs authorized by GS Chapter 160D, but limits the use of the fees to these purposes. Makes technical and clarifying changes.

Clarifies that persons are prohibited from commencing or proceeding with development without first securing any required development approval from the local government with jurisdiction over the site of the development, to the extent consistent with the scope of regulatory authority granted by GS Chapter 160D. Permits a local government to issue development approvals under GS 160D-4-3 in print or electronic form, requiring any development approval issued exclusively in electronic form to be protected from further editing once issued. Clarifies that applications for development approvals may be made by the landowner, a lessee, or person holding an option or contract to purchase or lease land, or an authorized agent of the landowner. Permits an easement holder to apply for development approval for development as authorized by the easement. Provides that a development regulation enacted under the authority of GS Chapter 160D can designate the staff member(s) charged with making determinations under the development regulation. Clarifies the requirements for notice of a determination, to specifically require the written notice be delivered to the last address listed for the owner of the affected property on the county tax abstract and to the address provided in the application or request for a determination if the party seeking the determination is different from the owner. Establishes that absent a different period specified by GS Chapter 160D, other applicable law, quasi-judicial development approval, a development agreement, or local ordinance, a development approval issued pursuant to Article 4 expires one year (previously, six months) after the date of issuance if the work authorized by the development approval has not been substantially commenced. Makes conforming changes. Clarifies that the provisions regarding the duration of development approval do not limit any vested rights secured under GS 160D-1-8. Adds that local development regulations can provide for development approvals of shorter duration for temporary land uses, special events, temporary signs, and similar development. Establishes that the time periods set out in GS 160D-4-3(c) are tolled during the tendency of any appeal. Clarifies that the local government must follow the same development review and approval process required for issuance of the development approval in the review and approval of any major modification of that approval. Concerning inspections, requires the appropriate consent to have been obtained for inspection of areas not open to the public or that an appropriate inspection warrant secured. Concerning the revocation of development approvals, requires the local government to follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval. Clarifies that development approvals can be revoked for failure to comply with any State law delegated to local government for enforcement purposes in lieu of the State; makes conforming changes to enforcement provisions set forth in GS 160D-4-4. Sets out that if an appeal is filed regarding a development regulation adopted by a local government pursuant to GS Chapter 160D, the provisions of GS 160D-4-5(e) regarding stays is applicable. Expressly authorizes a regulation adopted pursuant to GS Chapter 160D to require notice and/or informational meetings as part of the administrative decision-making process. Makes technical changes.

Sets forth notice requirements for violations of the terms of a development approval in GS 160D-4-4. Requires the person providing the notice of violation to certify to the local government that the notice was provided, and establishes this certificate conclusive in the absence of fraud. Permits a notice of violations to be appealed to the board of adjustment pursuant to GS 160D-4-5 except as provided in GS 160D-11-23, GS 160D-12-6 (concerning building permits), or otherwise provided by law. Makes organizational, technical and clarifying changes to the provisions pertaining to stop work orders and remedies.

Concerning appeals of administrative decisions in GS 160D-4-5, makes generalized changes to establish uniform times and procedures for all administrative appeals, with necessary variations provided in more specific provisions in other Articles. Provides that any board making quasi-judicial decisions is subject to the same procedures and limitations applicable to boards

of adjustment making similar changes. Makes conforming changes throughout GS 160D-4-5 to refer to the "board" instead of "board of adjustment." Adds new provision to provide that a person with standing can bring a separate and original action to challenge the constitutionality of an ordinance or development regulation, or whether the ordinance or development regulation is ultra vires, preempted, or otherwise in excess of statutory authority, without filing an appeal as specified. Establishes that in the absence of evidence to the contrary, notice of determination made pursuant to GS 160D-4-3(b) given by first class mail is deemed to have been received on the third business day following deposit of the notice for mailing with the US Postal Service. Makes technical and clarifying changes.

Concerning quasi-judicial procedure, GS 160D-4-6 requires boards to follow quasi-judicial procedures in determining appeals of administrative decisions, special use permits, certificates of appropriateness, variances, or any other quasi-judicial decision. Clarifies that the required hearing under GS 160D-4-6 is evidentiary. Authorizes a board to continue an evidentiary hearing that has been convened without further advertisement. Establishes that if an evidentiary hearing is set for a given date and a quorum of the board is not present then, the hearing must be continued until the next regular board meeting without further advertisement. Explicitly provides that the application, staff, report, and other relevant administrative materials must be provided to the board for appeals. Allows, but does not require, materials to be submitted to the board prior to the hearing, but requires copies be provided to all parties at the same time the material is distributed to the board. Establishes that the applicant, the local government, and any person who would have standing to appeal the decision under GS 160D-14-2(d) has the right to participate as a party at the evidentiary hearing. Permits other witnesses to present competent, material, and substantial evidence that is not repetitive as allowed by the board. Provides that objections regarding jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board. Requires the board chair to rule on any objections and allows the chair's rulings to be appealed to the full board. Establishes that these rulings are also subject to judicial review pursuant to GS 160D-14-2. Further provides that objections based on jurisdictional issues may be raised for the first time on judicial review. Clarifies that not all staff members involved in staff review are required to attend the hearing, but instead only the official responsible for the decision is required to attend the hearing. Makes conforming, clarifying and technical changes.

#### Article 5, Planning

Enacts new GS 160D-5-1, requiring a local government to adopt and reasonably maintain a comprehensive plan as a condition of adopting and applying zoning regulations under GS Chapter 160D, to set forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the jurisdiction. Sets forth specifics that can be addressed in a comprehensive plan, as determined by the local government. Additionally, sets forth procedures and requirements for the adoption of a comprehensive plan, including a public hearing with published notice and planning board referral prior to the governing board's adoption of the plan. Additionally authorizes local governments to adopt other plans deemed appropriate, including land-use plans, small area plans, neighborhood plans, hazard mitigation plans, transportation plans, housing plans and recreation and open space plans. Requires such additional plans to be considered for review of proposed zoning amendments if adopted pursuant to the process set forth in GS 160D-5-1. Establishes that the plans adopted under the Chapter do not alter the scope of authority for development regulations adopted under the Chapter. Provides that plans adopted prior to the effective date of this act are not affected. Requires that if a plan is deemed amended under GS 160D-6-5 by virtue of adoption of a zoning amendment that is inconsistent with the comprehensive plan, that amendment must be noted in the plan. Establishes that if the plan is one that requires review and approval subject to GS 113A-110, the plan amendment is not effective until the review and approval is completed.

Explicitly authorizes in GS 160D-5-3 a local government to undertake any of the planning activities authorized by Article 5 in coordination with other local governments, state agencies, or regional agencies created under Article 19 of GS 153A or Article 20 of GS Chapter 160A. Clarifies in GS 160D-5-2 that the authority to make appropriations for compensation applies to planning board members (was, board members).

#### Article 6, Development Regulation

Establishes that a development regulation adopted under the Chapter must be adopted by ordinance. Clarifies the process for adoption of development regulations in GS 160D-6-1, providing that the required hearing is evidentiary in nature. Clarifies abutting for purposes of the notice requirement includes notice to properties immediately across a right-of-way even if properties do not touch because they are separated by a transportation right-of-way that is owned in fee rather than as an easement. Clarifies that the optional notice applies for large-scale zoning map amendments, as specified, which propose to change zoning designation. Provides that if the zoning map amendment is being proposed in conjunction with an expansion of

municipal extraterritorial planning and development regulation jurisdiction under GS 160D-2-2, a single hearing on the zoning map amendment and the boundary amendment may be held, and the initial notice of the zoning map amendment hearing may be combined with the boundary hearing notice and the combined hearing notice mailed at least 30 days prior to the hearing. Clarifies that the notice of a hearing for a zoning map amendment must be posted on the site proposed for the amendment or on an adjacent street or highway right-of-way within the same time period specified for mailed notices of the hearing. Adds that when a zoning amendment is proposed, a zoning regulation may require communication by the person proposing the map amendment to neighboring property owners and residents and may require the person proposing the zoning map amendment to report on any communication with neighboring property owners and residents. Makes organizational and technical changes.

Concerning citizen comments addressed in GS 160D-6-3, clarifies that the scope of the provisions include citizen comments on proposed text or map amendments. Provides further guidance for proposed changes which are the subject of a quasi-judicial proceeding under any statute.

Concerning the planning board's review and comment of a proposed zoning regulation, specifies in GS 160D-6-4 that public meetings as well as legislative hearings can be held by the planning board in the course of preparing the development regulation. Adds clarification that the review and comment required cannot be assigned to the governing board and must be performed by a separate board.

Concerning the required governing board statement in GS 160D-6-5, lists what can be included in the statement analyzing the reasonableness of the proposed rezoning, which must be approved by the governing board when adopting or rejecting any petition for a zoning map amendment. Clarifies that the statement of reasonableness and the plan consistency statement required by GS 160D-6-4 may be approved as a single statement.

#### Article 7, Zoning Regulation

Makes conforming changes to the Article's language concerning zoning regulation.

Clarifies in GS 160D-7-2 that the authorization for a local government to regulate development over estuarine waters and over lands covered by navigable waters owned by the State includes floating homes. Expressly authorizes a zoning regulation, where appropriate, to include requirements that performance guarantees be provided to the same extent and with the same limitations as provided in GS 160D-8-4. Makes organizational and technical changes.

Concerning the provisions pertaining to zoning districts, makes organizational, technical and clarifying changes to the types of zoning districts in GS 160D-7-3. Now provides that zoning districts can include but are not limited to: (1) conventional districts, in which a variety of uses are allowed as permitted uses or uses by right and that may also include uses permitted only with a special use permit; (2) conditional districts, in which site plans or individualized development conditions are imposed; (3) form-based districts, or development form controls, that address the physical form, mass, and density of structures, public spaces, and streetscapes; (4) overlay districts, in which different requirements are imposed on certain properties within one or more underlying conventional, conditional, or form-based districts; and (5) districts allowed by charter.

Concerning conditional districts, allows the zoning regulation to provide that defined minor modifications in conditional district standards that do not involve a change in uses permitted or the density of overall development permitted to be reviewed and approved administratively, while any other modifications of the conditions and standards in a conditional district are required to follow the same process for approval as are applicable to zoning map amendments. Establishes that if multiple parcels of land are subject to a conditional zoning, the owners of individual parcels can apply for modification of the conditions so long as the modification would not result in other properties failing to meet the terms of the conditions. Further provides that any modifications approved are only applicable to those properties whose owners petition for the modification.

Clarifies that a zoning regulation or unified development ordinance can also include development standards that apply uniformly jurisdiction-wide rather than being applicable only in particular zoning districts. Makes other organizational and technical changes.

Makes technical and clarifying changes to the incentives provisions in GS 160D-7-4.

Makes organizational and technical changes to the provisions concerning quasi-judicial zoning decisions in GS 160D-7-5. Establishes that the procedures of GS 160D-4-5 and 4-6 are applicable to appeals from administrative decisions regarding administration and enforcement of the zoning regulation or unified development ordinance, and appeals arising out of any ordinance that regulates land use or development, to be heard by the board of adjustment. Makes conforming changes.

Concerning special use permits, allows a regulation to provide that defined minor modifications to special use permits that do not involve a change in uses permitted or the density of overall development can be reviewed and approved administratively, but any other modification or revocation of a special use permit must follow the same process for approval as is applicable to the approval of a special use permit. Establishes that if multiple parcels of land are subject to a special use permit, the owners of individual parcels may apply for permit modification so long as the modification would not result in other properties failing to meet the terms of the special use permit or regulations. Provides that any modifications approved are only applicable to those properties whose owners apply for the modification. Allows the regulation to require that special use permits be recorded with the Register of Deeds.

Concerning authorized variances by the board of adjustment, permits a variance to be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

Makes conforming changes to GS 160D-7-6 concerning zoning conflicts with other development standards to refer to regulations adopted under Article 7 (rather than Part, transferred from existing law).

Makes organizational changes.

#### Article 8, Subdivision Regulation

The statutes currently define the term subdivision with regard to division of tracts or parcels of land. Amends GS 160D-8-2 to clarify that subdivision regulations, as authorized in GS 160D-8-1, apply to all such divisions. Makes conforming changes.

Further requires in GS 160D-8-3 that subdivision regulations must contain standards to be followed in granting or denying subdivision plats prior to registration. Requires a subdivision regulation to allow listed agencies to make recommendations concerning an individual plat before it is approved (currently required of cities in GS 153A-332, but not of counties in GS 160A-373). Provides for the assignment of the final decision on a subdivision plat, depending on whether the decision is administrative or quasi-judicial. Makes changes to simplify language.

Consolidates existing provisions regarding transportation and utilities in GS 160D-8-4. Clarifies that subdivision regulations are not required to provide for fees in lieu of dedication of land or construction of facilities, but that if such provisions are allowed by the ordinance and are elected for use in a particular plat review, they are binding on the local government and the owner. Provides that the funds are for the city, and not the county, as counties have no authority for a county streets or roads. Concerning the payment of funds to acquire or develop recreation areas serving residents of a development or subdivision, specifies that the funds received by municipalities must be used only for the acquisition or development of recreation, park, or open space sites; and restricts counties further, limiting their use of such funds to the acquisition of such sites. Deletes the provision requiring a local government to provide a range of options for performance guarantees, and provides that the type of performance guarantee is at the election of the person required to give the performance guarantee, rather than the developer, to reflect amendments made by SL 2015-187. Deletes redundant language. Makes technical and conforming changes.

GS 160D-8-5 further authorizes local governments to give notice to interested parties by other reasonable means, in addition to email, as currently authorized. Deletes the provision authorizing notice by facsimile. Makes technical and conforming changes.

Provides in GS 160D-8-8 for appeals of subdivision decisions in accordance with GS 160D-14-3.

#### Article 9, Regulation of Particular Uses and Areas

##### Part 1, Particular Land Uses

Consolidates provisions regarding regulation of particular land uses into a single Part for ease of user access. Recognizes that regulation of some specific uses or areas can be accomplished as a general police power regulation as well as a development regulation, a unified development ordinance, or in separate development regulations adopted under this Article (which is commonly done in counties without zoning and in smaller cities). Allows use of either source of authority, but provides that the local regulation must be consistent with these provisions and limitations. Preserves the option of cities and counties to adopt regulations under either this Chapter (development regulations), Article 8 of Chapter 160A, or Article 6 of Chapter 153A (general police power), but specifies that the substantive limitations imposed by this Article apply regardless of the source of authority being used by the local government.

GS 160D-9-3 clarifies that county zoning exemptions for bona fide farming apply to city zoning within a city's extraterritorial jurisdiction, providing the same zoning and other development regulation treatment for farm land in a municipal extraterritorial

jurisdiction as would be provided if the property were in county jurisdiction. Replaces a reference to compliance with a specific federal regulation on floodplain regulation with compliance with state or federal law generally. Amends a provision to authorize municipalities to exempt accessory buildings of “bona fide farms” from the building code as they would have been exempted under county zoning (currently, only authorizes listed municipalities in Wake County). Simplifies language. Deletes redundant language. Makes technical and conforming changes.

Authorizes local governments to enact and enforce airport zoning regulations under this Chapter or under Chapter 63, Article 4, or GS 63A-18, as specified. Cross-references the 1941 Model Airport Zoning Act, and preserves the current jurisdictional relationship between local zoning and zoning by the Global Transpark Authority.

Provides for the zoning of family care homes as residential property. Provisions are identical to those in GS 168-20 through GS 168-22. Does not repeal identical statutes in GS Chapter 168.

Provides in GS 160D-9-9 that a local government cannot adopt or enforce zoning regulations or other provisions that exclude manufactured homes based on the age of the home.

Provides in GS 160D-9-10 that modular homes must comply with standards in GS 143-139.1. Defines modular homes to be as defines in GS 105-164.3(21b).

GS 160D-9-11 provides that local governments may require the removal of a nonconforming off-premises outdoor advertising sign (as currently provided in the police power Articles of GS Chapters 153A and 160A), cross-referencing the Outdoor Advertising Control Act. Establishes that the provisions regarding compensation for certain removal are to be construed subject to and without any reduction in the rights afforded to owners of outdoor advertising signs along interstate and federal-aid primary highways in the State under Article 13, GS Chapter 136. Provides that this statute does not apply to any ordinance in effect on July 1, 2004 (was, the effective date of the statute, which was July 17, 2004). Makes conforming changes.

Cross-references GS 160A-400.9(f) and new GS 160D-9-47, concerning public buildings in historic districts in GS 160D-9-12, to indicate exceptions in those statutes to the prohibition on including land owned by the State within overlay districts or conditional zoning districts without Council of State approval. Authorizes the Council of State to delegate its decision regarding overlay and conditional zoning districts. Makes conforming changes.

GS 160D-9-15 authorizes local governments to establish street setback and driveway connection regulations under GS 160A-306, GS 160A-307, or this Chapter. Provides that regulations under this chapter are also subject to GS 160A-306 and GS 160A-307.

## Part 2, Environmental Regulation

Authorizes local governments to exercise powers under GS Chapter 160A, Article 8, and GS Chapter 153A, Article 6 to adopt and enforce regulations under this Part to comply with State and federal law, and consistent with the interpretations and directions of State and federal agencies. Provides that local environmental regulations under this Part are not subject to GS 160D-7-5's variance provisions unless specifically authorized by the local ordinance.

Amends GS 160D-9-22 to further provide that regulations on erosion and sedimentation control are subject to this Chapter, to the extent not inconsistent with GS Chapter 113A, Article 4. Makes conforming changes.

GS 160A-9-23 provides that floodplain regulations are subject to this Chapter, to the extent not inconsistent with GS 143, Article 21, Part 6. Makes conforming changes.

GS 160D-9-24 provides that mountain ridge protections are subject to this Chapter, to the extent not inconsistent with GS Chapter 113A, Article 14, unless the local government has removed itself from that Article's coverage.

GS 160D-9-26 authorizes local governments to enact and enforce water supply watershed management and protection regulation pursuant to GS 143-214.5, provided not inconsistent with the Chapter.

## Part 3, Wireless Telecommunication Facilities

Makes clarifying and conforming changes.

## Part 4, Historic Preservation

Deletes the provision currently at GS 160A-400.2, authorizing counties and cities to engage in historical preservation, which is unnecessary given the merger of city and county provisions.

Directs local governments in GS 160D-9-41 to establish or designate a historic preservation commission before designating landmarks or historic districts, in accordance with new GS 160D-3-3, where the requirements for such a commission, currently at GS 160A-400.7, are recodified.

Amends GS 160D-9-44 to provide that historic districts established pursuant to this Part shall consist of areas deemed to be of special significance in terms of their history, prehistory, architecture, or (was, and/or) culture, and to possess integrity of design, setting, materials, feeling, and association.

GS 160D-9-46 makes the notice requirements for a hearing on the proposed landmark consistent with GS 160D-6-1, concerning procedure for adopting other zoning regulations. Deletes the provision clarifying that hearings on the proposed landmark are subject to open meetings laws. Requires owners and occupants of designated landmarks to be given notice within a reasonable time of the adoption of the regulation (currently, required insofar as reasonable diligence permits). Makes conforming changes.

GS 160D-9-47 retains requirement that certificates of appropriateness be issued prior to building permits, but deletes the provision requiring issuance of certificates of appropriateness prior to other permits. Clarifies that required standards (was, guidelines) adopted by the commission for new construction and so forth at the landmark or historic district are binding and not advisory. Applies the standard quasi-judicial decision process for all quasi-judicial decisions under this article, replacing the similar-but-different procedure for the issuance of certificates of appropriateness. Deletes the provision requiring compliance with open meetings laws. Provides procedure for appeal of administrative decisions, including an option for local regulation to allow certiorari appeal to the board of adjustment, and an appeal to superior court. Provides that appeals to superior court must be taken within the times prescribed in GS 160D-14-4, and deletes the provision making appeal to superior court a certiorari appeal. Deletes redundant language, and makes technical and conforming changes.

GS 160D-9-50, concerning demolition by neglect to contributing structures outside local historic districts, deletes the provision applying this statute only to local governments with a population of more than 100,000. Makes conforming changes.

#### Part 5, Community Appearance Commissions

Makes clarifying and conforming changes.

GS 160D-10-1 authorizes local governments to enter into development agreements with developers. Amends legislative findings to remove size and duration limits regarding development projects. Provides that local governments, and not agencies, may enter into development agreements. Makes simplifying and clarifying changes. Incorporates provisions from GS 160A-400.32 and GS 153A-349.1 providing that development agreements do not exempt property owners or developers from the State building code or State or local housing codes. Incorporates definitions currently in GS 160A-400.21 and GS 153A-349.2.

GS 160D-10-3 concerns approval of the governing board for development agreements. Provides that decisions on proposed development agreements are legislative decisions, and requires adherence to the notice, hearing, and planning board referral provisions in Article 6. Authorizes the concurrent processing and considering of rezoning and development agreements, and the coordinated exercise of related development approvals for a project subject to a development agreement. Provides for treatment of a development agreement in the event of a developer's bankruptcy.

GS 160D-10-5 requires public hearings on development agreements. Specifies that the hearing is a legislative hearing, and applies the notice requirements of GS 160D-6-2. Relocates the provision on the delivery date for public facilities to GS 160D-10-6.

GS 160D-10-6 concerns the content of a development agreement. Requires the agreement to include any provisions to protect environmentally sensitive property that exceed existing laws. Deletes the provision requiring the agreement to list all required state and local permits. Deletes superfluous language. Provides for the requirement of a development schedule, if required by local ordinance or the agreement itself. Authorizes utility authorities to be made a party to the development agreement. Provides that the applicant and local government can through negotiation agree to the provision and cost-sharing for public facilities and other amenities related to the development, so long as impact mitigation measures beyond those required by the local government are expressly enumerated, and does not include a prohibited tax or impact fee. Makes conforming changes.

GS 160D-10-8 concerns breach of the development agreement. Makes periodic review by the zoning administrator optional, instead of mandatory. Authorizes ordinances or development agreements to specify additional penalties for breach, in lieu of termination. Authorizes enforcement by any party to the agreement.

GS 160D-10-9 concerns amendment or termination of development agreements. Provides that amendment or termination is subject to GS 160D-10.6(e), and makes technical changes.

Recodifies GS 160A-400.29 and GS 153A-349.10, requiring a developer to record a development agreement with the register of deeds, as GS 160D-10-11. Prohibits development approval issuance until the agreement is recorded. Simplifies language.

#### Article 11, Building Code Enforcement

Amends GS 160D-11-2, building code administration, by deleting the provision that allowed an inspection department to be headed by a superintendent or director of inspections and outdated language.

Amends GS 160D-11-3, qualifications of inspectors, by no longer referring to a probationary certificate as being valid for only one year. Deletes obsolete provisions concerning electrical inspector qualifications.

Amends GS 160D-11-8, conflicts of interest, to specify that staff members, agents, or contractors responsible for building inspections must comply with GS 160D-1-9(c) (concerning conflicts of interest for administrative staff).

Makes clarifying changes to GS 160D-11-10, building permits.

Amends GS 160D-1-16, certificates of compliance, by adding that local governments may require the applicant for a temporary certificate of occupancy to post suitable security to ensure code compliance.

Amends GS 160D-11-17, periodic inspections, to require that dwelling inspections follow the provisions of GS 160D-12-7.

Amends GS 160D-11-19 to expand the scope of specified provisions which were previously applicable only to cities. Now allows an inspector to declare a nonresidential building or structure within a community development target area to be unsafe if: (1) it appears to the inspector to be vacant or abandoned and (2) it appears to the inspector to be in such dilapidated condition as to cause or contribute to blight, disease, vagrancy, or a fire or safety hazard; to be a danger to children; or to tend to attract persons intent on criminal activities or other activities that would constitute a public nuisance. Requires an inspection, upon declaring a nonresidential building or structure to be unsafe, to affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of the building. Defines the term community development target area for the purposes of the statute to mean an area that has characteristics of an urban progress zone under GS 143B-437.09, a nonresidential redevelopment area under GS 160A-503(10), or an area with similar characteristics designated by the governing board as being in special need of revitalization for the benefit and welfare of its citizens. Allows a local government to expand these provisions so that they apply to residential buildings by adopting an ordinance. Requires the local government to hold a legislative hearing, with published notice, before adopting such an ordinance.

Amends GS 160D-11-25, Enforcement, by expanding the scope of the following provisions so that they are now applicable to both counties and cities (was, cities only). Allows a local government, in the case of a building or structure declared unsafe to, in lieu of taking action under subsection (a) of the statute, cause the building or structure to be removed or demolished. Specifies that the amounts incurred by the local government in connection with the removal or demolition shall be a lien against the real property upon which the cost was incurred. Requires the local government to sell the usable building material and any personal property, fixtures, or appurtenances found in or attached to the building if the building is demolished; proceeds are to be credited against the cost of the removal or demolition, with any remaining balance deposited with the clerk of superior court of the county where the property is located to be disbursed to the person found to be entitled thereto by final order or decree of the court. Specifies that nothing in the statute impairs or limits the power of a local government to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

Amends GS 160D-11-29, regulation authorized as to repair, closing, and demolition of nonresidential buildings or structures; order of public officer, to require that a regulation relating to nonresidential buildings or structures that fail to meet minimum standards of maintenance, sanitation, and safety established by the governing board must be applicable within the local government's entire planning and development regulation jurisdiction or limited to one or more designated zoning districts or municipal service districts.



Requires complaints or orders issued by a public officer pursuant to an ordinance adopted under this statute to be served upon persons either personally or by certified mail (was, registered or certified mail) so long as the means used are reasonably designed to achieve actual notice.

#### Article 12, Minimum Housing Codes

Amends GS 160D-12-3, which, upon adoption of an ordinance finding that dwelling conditions of the character described in GS 160D-12-1 exist, allows a governing board to adopt and enforce ordinances relating to dwellings within the planning and development regulation jurisdiction that are unfit for human habitation. The statute requires that the ordinances, among other provisions, include that if the dwelling has been vacated and closed for a period of one year pursuant to an ordinance adopted under the statute or after a public officer issues an order or proceedings have commenced under the substandard housing regulations regarding a dwelling to be repaired or vacated and closed, then the governing board may find that the owner has abandoned the intent and purpose to repair, alter, or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, and welfare of the local government. Allows the governing board to, after the one-year period, enact an ordinance and serve such ordinance on the owner providing that: (1) if it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding 50% of the then current value of the dwelling, the ordinance must require that the owner either repair or demolish and remove the dwelling within 90 days or (2) if it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding 50% of the then current value of the dwelling, the ordinance must require the owner to demolish and remove the dwelling within 90 days. These provisions replace previous provisions that varied depending on size or location of the local government. Makes additional clarifying changes throughout the statute.

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Amends GS 160D-12-8 (Remedies) by specifying that an ordinance adopted pursuant to Article 12 (Minimum Housing Codes) may provide for a housing appeals board as provided by GS 160D-3-6. Makes additional clarifying and conforming changes.

#### Article 13, Additional Authority

Makes clarifying and conforming changes throughout the Article.

#### Article 14, Judicial Review

Enacts new GS 160D-14-1, allowing challenges of legislative decisions of governing boards, including the validity or constitutionality of development regulations adopted pursuant to this Chapter, and actions authorized by GS 160D-1-8(c) or (g) and GS 160D-4-5(c) to be brought pursuant to Article 26 of Chapter 1 of the General Statutes. Requires the governmental unit making the challenged decision to be named a party to the action.

Also allows upon the filing of a petition for writ of certiorari a party to request a stay of the execution or enforcement of the decision of the quasi-judicial board pending superior court review. Allows the court to grant a stay in its discretion, and on such conditions which properly provide for the security of the adverse party. A stay granted in favor of a city or county does not require a bond or other security.

Provides that if a development approval is appealed, the applicant has the right to commence work while the appeal is pending. However, if the development approval is reversed by a final decision of any court of competent jurisdiction, the applicant must not be deemed to have gained any vested rights on the basis of actions taken prior to or during the pendency of the appeal and must proceed as if no development approval had been granted. If work is commenced prior to or during the pendency of an appeal, the time periods for the duration of the development approval are not tolled during the pendency of the appeal.

Allows a declaratory judgment brought under GS 160D-14-1 or other civil action relating to the decision at issue to be joined with the petition for writ of certiorari and decided in the same proceeding.

Specifies in GS 160D-14-4 that except as expressly stated, this Article does not limit the availability of civil actions otherwise authorized by law or alter the times in which they may be brought.

Amends GS 160D-14-5 to specify that a cause of action as to the validity of any regulation adopting or amending a zoning map adopted under this Chapter or other applicable law or a development agreement adopted under Article 10 of this Chapter accrues upon adoption of such ordinance and must be brought within sixty days (was, two months) as provided in GS 1-54.1. Clarifies that except as provided by the statute, the statutes of limitations are as provided in Subchapter II of GS Chapter 1.

Makes additional clarifying changes.

Additional changes

Amends GS 1-54 to make conforming changes and to delete surplus language.

Amends GS 1-54.1 by deleting surplus language, making conforming changes, and clarifying that, as used in the statute, two months is calculated as sixty days.

Amends GS 63-31(a), GS 63-32, and GS 62-33 to make conforming and clarifying changes.

Amends GS 63-34 by deleting the content of the statute and providing instead that GS 160D-14-1 is applicable to judicial review of administrative and quasi-judicial decisions made under the Article.

Deletes the provisions of GS 63-35 and instead provides that GS 160D-4-4 is applicable to ordinances adopted under the Article.

Amends GS 143-215.57(b) to require that the jurisdiction for those ordinances be as specified in Article 2 of GS Chapter 160D and makes Article 4 of the Chapter applicable to the administration, enforcement, and appeal of those ordinances. Deletes (c) concerning the adoption of rules on the form, time, and manner of submission of applications for permits under Part 6, Floodway Regulation, of Article 21, Water and Air Resources.

Amends GS 143-215.58, GS 130A-55, GS 143-214.5(d), GS 113A-208, GS 113A-211, and GS 160A-75 by making conforming changes.

Further amends GS 160A-75 by excepting an ordinance on which a public hearing must be held before the ordinance may be adopted from the prohibition on finally adopting an ordinance or an action that the effect of an ordinance on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council.

Makes conforming repeals of the following statutes, which have been incorporated into new GS Chapter 160D: GS 153A-102.1, GS 160A-4.1, GS 160A-181.1, GS 153A-143, GS 160A-199, GS 153A-144, GS 160A-201, GS 153A-452, GS 153A-455, and Article 3 of GS Chapter 168.

Relocates language from GS 153A-325 into new GS 153A-458, submission of statement concerning improvements. Relocates language from GS 153A-349.60 into new GS 153A-459, authorization to provide grants.

Includes a severability clause.

Provides that any otherwise valid permit or development approval made prior to January 1, 2021, shall not be invalid based on inconsistency with the provisions of this act. The validity of any plan adopted prior to January 1, 2021, is not affected by a failure to comply the procedural requirements of GS 160D-5-1(b).

Deems any special use district or conditional use district zoning district that is valid and in effect as of January 1, 2021, as a conditional zoning district consistent with the terms of this act, and the special or conditional use permits issued concurrently with establishment of those districts shall be valid as specified in Section 8.1 of this act. Any valid "conditional use permit" issued prior to January 1, 2021, is be deemed a "special use permit" consistent with the provisions of this act.

Requires any local government that has adopted zoning regulations but that has not adopted a comprehensive plan to adopt such a plan no later than July 1, 2022 in order to retain the authority to adopt and apply zoning regulations.

Provides that if this act becomes law in 2019, it is the NCGA's intent that legislation in other acts enacted in the 2019 Regular Session of the General Assembly that affects statutes repealed and replaced by similar provisions in GS Chapter 160D, as enacted by this act, also be incorporated into GS Chapter 160D. Requires the North Carolina General Statutes Commission to study the need for legislation to accomplish this intent and report its findings and recommendations, including any legislative proposals, to the 2020 Regular Session of the 2019 General Assembly upon its convening.

Makes Section 10 of this act (effective date provision) effective when it becomes law. The remainder of this act becomes effective January 1, 2021, and applies to local government development regulation decisions made on or after that date. This act clarifies and restates the intent of existing law and applies to ordinances adopted before, on, and after the effective date.

**Intro. by Bishop, Newton, Searcy.**

[GS 1, GS 6, GS 63, GS 113A, GS 130A, GS 143, GS 153A, GS 160A, GS 160D](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Civil Procedure, Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Local Government](#)

S 366 (2019-2020) [9TH/10TH GRADE/COLLEGE TRANSFER PATHWAYS](#). Filed Mar 26 2019, *AN ACT TO PERMIT CERTAIN FRESHMAN AND SOPHOMORE HIGH SCHOOL STUDENTS TO BE ELIGIBLE TO ENROLL IN COLLEGE COURSES AS PART OF AN ACADEMIC TRANSITION PATHWAY OR COLLEGE TRANSFER CERTIFICATE.*

Senate committee substitute to the 1st edition makes the following changes. Deletes the proposed changes to GS 115D-20(4)a., and instead amends that same provision to also allow local community colleges, subject to approval of the State Board of Community Colleges, to collaborate with local school administrative units to offer courses through (1) academic transition pathways for qualified junior and senior high school students that lead to a career technical education certificate, diploma, or State- or industry-recognized credential and academic transition pathways for qualified freshmen and sophomore high school students that lead to a career technical education certificate or diploma in construction and (2) college transfer certificates requiring the successful completion of 30 semester credit hours of transfer courses, including English and math, for qualified freshman and sophomore high school students determined to be academically gifted, who have demonstrated a readiness for the course material, and have the maturity to justify admission to the community college.

**Intro. by McInnis, B. Jackson.**

[GS 115D](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office](#)

S 408 (2019-2020) [PENSIONS BENEFITS REVISION](#). Filed Mar 28 2019, *AN ACT TO IMPROVE THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM'S AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM'S ABILITIES TO COLLECT REIMBURSEMENTS FOR OVERPAYMENTS MADE TO REEMPLOYED BENEFICIARIES, TO EXTEND THE LEGISLATIVE ENACTMENT IMPLEMENTATION ARRANGEMENT UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TO ALLOW THE STATE TREASURER TO PERFORM CRIMINAL BACKGROUND CHECKS, AND TO MAKE CHANGES RELATED TO THE NORTH CAROLINA STATE HEALTH PLAN.*

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

Eliminates the proposed changes set out in previous Section 6 of the act, amending GS 135-48.37, GS 44-49 and GS 44-50 (regarding subrogation of the State Health Plan to all Plan member rights of recovery and the Plan's lien priority to all nongovernmental medial liens and rights). Makes conforming organizational changes.

Modifies the proposed changes to the definition of *claims payment data* set out in GS 135-48.1 to include the rate negotiated with or agreed to by the provider reflected in a Claims Data Feed only if the State Health Plan is the sole provider, if applicable. Also includes data fields within a Claims Data Feed from which can be derived (previously only that reflect) the provider and the amount billed for services to the Plan member, the allowed amount applied to the claim by processor, the amount paid by the Plan on the claim, and the negotiated rate as added.

Deletes the proposed changes to GS 135-48.32 regarding contracts to provide benefits. Instead exempts from specified use and disclosure parameters set forth in the statute any claim payment data that reflects or is based on rates, fee schedules, or reimbursement methodologies that are supplied to a claims processor by the Plan or used by a claims processor exclusively for claims submitted under the NC State Health Plan Network Contract.

**Intro. by Krawiec, Hise, Wells.**

[GS 128](#), [GS 135](#), [GS 147](#), [GS 150B](#)

[View summary](#)

**Education, Elementary and Secondary Education, Employment and Retirement, Government, APA/Rule Making, State Agencies, Department of State Treasurer, State Government, State Personnel, Local Government, Health and Human Services, Health, Health Insurance**

S 433 (2019-2020) [DNCR OMNIBUS.-AB](#) Filed Mar 28 2019, *AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, AS RECOMMENDED BY THE DEPARTMENT.*

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

Makes the changes to GS 143B-135.16, making certain Class 3 misdemeanors infractions at state parks, effective December 1, 2019.

Amends GS 14-417.2 to return to the current language in the statute to require only permanent enclosures (was, enclosures in general in the previous edition) to be escape-proof and have a fence sufficient to prevent contact between an observer and the crocodilian and have an operable lock.

Adds a section to the act as follows. Amends GS 143-260.10 by removing specified tracts from the following, which are components of the State Nature and Historic Preserve: (1) William B. Umstead State Park, (2) Hanging Rock State Park, and (3) Chimney Rock State Park.

Amends the act's long title.

**Intro. by Burgin, Ballard, Woodard.**

[GS 14](#), [GS 113A](#), [GS 140](#), [GS 143](#), [GS 143B](#)

[View summary](#)

**Animals, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Environment, Environment/Natural Resources, Government, Cultural Resources and Museums, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)**

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

Senate committee substitute to the 1st edition does not appear to make any changes to the act.

**Intro. by B. Jackson.**

[JOINT RES](#)

[View summary](#)

[Business and Commerce](#)

S 490 (2019-2020) [REVISE PARENTING COORDINATOR LAWS/FAMILY LAW](#). Filed Apr 2 2019, *AN ACT TO AMEND THE LAWS PERTAINING TO PARENTING COORDINATORS, REVISE THE LAWS PERTAINING TO EQUITABLE DISTRIBUTION, AND TO MAKE VARIOUS CHANGES UNDER THE LAWS PERTAINING TO ADOPTIONS.*

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

Changes the act's long title. Places the previous provisions into Part I. Adds new Parts II and III as follows.

Part II.

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

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

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

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

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

spouse. Provides for a similar distribution where a pension, retirement, or deferred compensation plan, program, system, or fund, or applicable statute, limits or restricts the amount of the benefit subject to equitable distribution.

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

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

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

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

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

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

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

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

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

### Part III.

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

Amends GS 48-2-205, concerning the recognition of adoption decrees from other jurisdictions. Provides that two persons (was, a man and a woman) who adopted a minor child in a foreign country while married to one another must readopt jointly,

regardless of whether they have been since divorced. Adds that if two person have adopted a minor child in a foreign county while married to one another and one of them has died, the survivor can petition for readoption and the court must issue a decree of adoption in the names of both the persons who adopted the minor child in a foreign country. Makes conforming changes to GS 48-2-301(c), concerning who can file adoption petitions.

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

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

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

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

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

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

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

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

Effective October 1, 2019.

**Intro. by Britt.**

[GS 1, GS 7B, GS 48, GS 50, GS 150B](#)

[View summary](#)

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



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

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

Amends GS 115C-81.36 by removing the addition of charter schools to those who can to offer advanced courses in math in grades three and higher when practicable. Makes conforming deletions.

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

[GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 595 (2019-2020) [CHANGES TO REAL PROPERTY STATUTES](#). Filed Apr 3 2019, *AN ACT TO MAKE CHANGES AND TECHNICAL CORRECTIONS TO THE GENERAL STATUTES CONCERNING REAL PROPERTY LAW, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION.*

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

Part I.

Modifies the proposed changes to GS 41-56(a) (previously codified as GS 39-13.6(b)) to maintain existing language for conveyances to a named wife, named husband, or named spouse (in addition to that proposed) by providing that unless a contrary intention is expressed in the conveyance, a conveyance of any interest of real property to spouses vests title in them as tenants by the entirety when the conveyance is to a named man and wife or a named woman and husband. Makes organizational changes.

Makes technical and clarifying changes to Parts I, II, and IV.

**Intro. by Daniel.**

[GS 31A](#), [GS 39](#), [GS 41](#), [GS 47](#), [GS 161](#)

[View summary](#)

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

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 29: STANDING UP FOR RAPE VICTIMS ACT OF 2019.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

#### **H 74: 2019 SCHOOL SAFETY GRANTS PROGRAM.**

*House: Serial Referral To Appropriations Stricken*

*House: Withdrawn From Com*

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

**H 108: PED/SAFEKEEPER HEALTH CARE COST RECOV. PRACT.**

*House: Regular Message Sent To Senate*

**H 130: ALLOW GAME NIGHTS.**

*House: Pres. To Gov. 5/1/2019*

**H 169: LOGGERHEAD TURTLE/STATE SALTWATER REPTILE.**

*House: Regular Message Sent To Senate*

**H 217: DIT CHANGES.-AB**

*House: Regular Message Sent To Senate*

**H 220: INSURANCE TECHNICAL CHANGES.-AB**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 222: MODIFY CRIM PENALTIES/NAIC FRAUD ACT-AB. (NEW)**

*House: Regular Message Sent To Senate*

**H 233: STATE AUDITOR/VARIOUS AMENDMENTS.-AB**

*House: Regular Message Sent To Senate*

**H 274: CHILD ABUSE & NEGLECT/MILITARY AFFILIATION.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 296: RESPECT FOR FAMILIES- LEOS/FIREFIGHTERS/EMS. (NEW)**

*House: Regular Message Sent To Senate*

**H 300: EXTEND FUNDS DEADLINE FOR AUCTIONEERS.**

*House: Regular Message Sent To Senate*

**H 337: CHANGE SALVAGE VEHICLE TRANSFER REQUIREMENTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 374: SEX OFFENDER/EXPAND RESIDENTIAL RESTRICTION.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 394: OFFICIAL STATE COOKIE & BATTLESHIP. (NEW)**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 400: OMNIBUS LABOR LAW CHANGES.**

*House: Withdrawn From Com*

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

**H 455: CLARIFY MOTOR VEHICLE DEALER LAWS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 479: STUDY SOLAR FACILITY DECOMMISSIONING RQMTS.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 492: SIMPLIFY BUILDER INVENTORY EXCLUSION.**

*House: Reptd Fav Com Sub 2*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 507: ANIMAL FIGHTS/CRIMINALIZE ATTENDANCE OF MINOR.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 520: FIREFIGHTERS FIGHTING CANCER ACT.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 536: ABC OMNIBUS REGULATORY REFORM.**

*House: Reptd Fav Com Substitute*  
*House: Re-ref Com On Finance*

**H 548: MODIFY PHYSICAL THERAPY DEFINITION.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 550: URGE CONGRESSIONAL SUPPORT OF VA MISSION ACT.**

*House: Reptd Fav For Adoption*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

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

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 577: LIMIT OWNERSHIP OF CERTAIN ANIMALS.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 590: AMEND ADMINISTRATIVE PROCEDURE LAWS.**

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

**H 608: SBI EMERGENCY PEN REGISTER/TRAP AND TRACE.**

*House: Reptd Fav Com Substitute*  
*House: Cal Pursuant Rule 36(b)*  
*House: Placed On Cal For 05/02/2019*

**H 612: DSS REVIEW OF PROCEDURES/RULE MAKING.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 622: PROVIDE WC FOR PTSD IN FIRST RESPONDERS.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 630: PRIVATE PROTECTIVE SERVICES CHANGES.**

*House: Withdrawn From Com*

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

**H 633: STRENGTHEN CRIMINAL GANG LAWS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 635: PURCHASE & CONTRACTS BENCHMARKS/PROPERTY.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 645: REVISIONS TO OUTDOOR ADVERTISING LAWS.**

*House: Withdrawn From Com*

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

**H 665: NC COMPLETES COLLEGE/COMPETITIVE WORKFORCE.**

*House: Regular Message Sent To Senate*

**H 668: VARIOUS HIGHER EDUCATION CHANGES.**

*House: Regular Message Sent To Senate*

**H 678: AMEND COUNSELOR/SA/SOC. WORKER PROF. ACTS. (NEW)**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 679: EXPAND EMERGENCY JUDGE ASSIGNMENTS.**

*House: Regular Message Sent To Senate*

**H 687: ENCOURAGE ATTY CLE EXEMPT FOR NCGA EMPLOYEES. (NEW)**

*House: Regular Message Sent To Senate*

**H 702: MODIFY JUVENILE CRIME PREVENTION COUNCILS.**

*House: Regular Message Sent To Senate*

**H 704: DENTAL BILL OF RIGHTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 715: SHRA/STRONGER WHISTLEBLOWER PROTECTION.**

*House: Regular Message Sent To Senate*

**H 718: FED. INSURED DEPOSITORY INST./INTEREST RATES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 730: TRASH COLLECTION/MULTIFAMILY RESIDENTIAL.**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 735: ADOPT RULES INCORPORATING 2017 FOOD CODE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 747: NC MISSING PERSON INFORMATION SHARING.**

*House: Regular Message Sent To Senate*

**H 757: PENDER COUNTY PROPERTY TRANSFER.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 761: CLARIFY WASTEWATER PERMITTING LIABILITY.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 770: FREEDOM TO WORK.**

*House: Withdrawn From Com*

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

**H 795: HMMWV/UPFITTER.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 802: PROHIBIT TOWING OUT-OF-STATE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 806: HOA/CONDO CRIME & FIDELITY INSURANCE POLICIES.**

*House: Regular Message Sent To Senate*

**H 808: COMMUNITY CATS/ANIMAL SHELTER DISPOSITION.**

*House: Withdrawn From Com*

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

**H 812: NUTRIENT OFFSET AMENDMENTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 813: HOWARD HUNTER, JR., EASTERN CRIME LAB.**

*House: Withdrawn From Com*

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

**H 816: STUDY BIOMANUFACTURING/NUTRIENT ALLOCATION.**

*House: Withdrawn From Com*

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

**H 824: WASTEWATER GRANT AMENDMENTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 847: STUDY TITLE/REGIS/BRANDING SALVAGE VEHICLES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 856: THAT DOGGIE IN THE WINDOW IS NOT FOR LEASE.**

*House: Withdrawn From Com*

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

**H 866: CLARIFY PRIORITY STATUS OF CERTAIN LIENS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 867: KNIGHT-LECOUNT ADVOCACY FOR MARROW ED. & REG.**

*House: Regular Message Sent To Senate*

**H 869: DESIGN-BUILD CLARIFICATIONS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 873: SYSTEM DEVELOPMENT FEE/CLARIFY TIME OF CHARGE.**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 885: STUDY CRIMINAL JUSTICE DATA COLLECTION.**

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 895: OPPORTUNITY GAP TASK FORCE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 902: MILITARY-TRAINED/SPOUSE LICENSURE PRACTICES.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 917: EMERGENCY DECLARATION/CLARIFY RD CLOSURE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 933: STUDY CAREER/COLLEGE READINESS. (NEW)**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 934: RIGHT TO TRY ADULT STEM CELL TREATMENTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**H 961: FUNDS FOR WORKFORCE DEVELOPMENT/HOSPITALITY.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

**S 88: ELECTRICIAN REQUIREMENTS FOR CERTAIN ORGS.**

*House: Passed 1st Reading*

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

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

*Senate: Reptd Fav*

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

**S 123: PORTABILITY OF LEAVE/CHARTER SCHOOLS.**

*Senate: Reptd Fav*

*Senate: Re-ref Com On Education/Higher Education*

**S 208: LIMIT LOCAL RESTRICTIONS/NONCOMMERCIAL SIGNS. (NEW)**

*Senate: Reptd Fav*

**S 212: SUSPEND CHILD WELFARE/AGING COMPONENT/NC FAST.**

*Senate: Reptd Fav*

**S 219: MODIFY TEACHER LICENSING REQUIREMENTS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 226: LIMIT WHO MAY ADVERTISE/ADOPTION LAWS.**

*Senate: Reptd Fav*

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

**S 295: NC HS GRADUATION AS EVIDENCE OF RESIDENCY.**

*House: Passed 1st Reading*

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

**S 302: UPDATE SVC & CARE PLAN REQ'S/ACH RESIDENTS.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 310: ELECTRIC CO-OP RURAL BROADBAND SERVICES.**

*Senate: Reptd Fav*

**S 312: TRANSFER ON DEATH DEEDS.**

*Senate: Reptd Fav*

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

**S 313: PERF. GUAR. TO STREAMLINE AFFORD. HOUSING.**

*Senate: Reptd Fav*

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

**S 316: AFFORDABLE HOUSING.**

*Senate: Reptd Fav*

**S 321: MOTORCYCLES/FACE MASKS.**

*Senate: Reptd Fav*

**S 327: TIMBER LARCENY/STRENGTHEN LAWS.**

*Senate: Reptd Fav*

**S 332: CIVIL PROCEDURE/LIMITATIONS/LAND SURVEYORS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 352: AMEND NC CONTROLLED SUBSTANCES ACT.**

*Senate: Reptd Fav*

**S 353: EXPAND CARTWAY PATH LAW.**

*House: Passed 1st Reading*

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

**S 355: LAND-USE REGULATORY CHANGES.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 362: ANNUAL REPORT STANDARDIZATION.**

*Senate: Reptd Fav*

*Senate: Re-ref Com On Finance*

**S 364: NC RECEIVERSHIP ACT REVISIONS.**

*Senate: Reptd Fav*

**S 366: 9TH/10TH GRADE/COLLEGE TRANSFER PATHWAYS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 374: REPEAL RISKY RETIREMENT PAYMENTS.**

*Senate: Reptd Fav*

**S 375: DEATH BY DISTRIBUTION.**

*Senate: Reptd Fav*

**S 379: RETIREE AMENDMENTS.**



*Senate: Reptd Fav*

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

**S 380: DNCR ADD NEW TRAILS & VARIOUS CHANGES.**

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 394: CHANGES TO ESTATES & AMP TRUSTS STATUTES.**

*Senate: Reptd Fav*

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

**S 395: GOOD-CAUSE CONTINUANCES. (NEW)**

*House: Passed 1st Reading*

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

**S 404: NORTH CAROLINA FIRST STEP ACT.**

*Senate: Reptd Fav*

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

**S 408: PENSIONS BENEFITS REVISION.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 413: RAISE THE AGE MODIFICATIONS.**

*Senate: Reptd Fav*

**S 420: NC SERVICEMEMBERS CIVIL RELIEF ACT.**

*Senate: Reptd Fav*

**S 425: CLARIFY DNA RESULT WOULD HAVE CHANGED VERDICT.**

*Senate: Reptd Fav*

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

**S 429: UTILITIES/WATER AND WASTEWATER CONSUMPTION.**

*House: Passed 1st Reading*

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

**S 433: DNCR OMNIBUS.-AB**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Judiciary*

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

*Senate: Reptd Fav*

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

*Senate: Reptd Fav*

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

*Senate: Reptd Fav*

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

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

*Senate: Reptd Fav*

**S 466: EDPNC MODIFICATIONS.**

*Senate: Reptd Fav*

**S 467: SUPPORT FOR USCMA.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

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

*Senate: Reptd Fav*

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

*Senate: Regular Message Sent To House*

*House: Regular Message Received From Senate*

**S 490: REVISE PARENTING COORDINATOR LAWS/FAMILY LAW.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 500: MODIFY ADVANCED MATH COURSE ENROLLMENT.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 505: RURAL JOB RETENTION ACT.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

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

*Senate: Reptd Fav*

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

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

*Senate: Withdrawn From Com*

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

**S 529: FEES/RETURNED CHECKS/LOAN PROCESSING.**

*Senate: Withdrawn From Com*

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

**S 537: ESTABLISH NEW PAYMENT METHODOLOGY/ACHS.**

*House: Passed 1st Reading*

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

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

*Senate: Reptd Fav*

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

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

*Senate: Reptd Fav*

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

*Senate: Reptd Fav*

**S 569: FAIR CONTRACTS. (NEW)**

*Senate: Reptd Fav*

**S 574: MODIFY PHYSICAL THERAPY DEFINITION.**

*Senate: Reptd Fav*

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

**S 584: CRIMINAL LAW REFORM.**

*Senate: Reptd Fav*

**S 594: REGISTER OF DEEDS UPDATES.**

*House: Passed 1st Reading*

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

**S 595: CHANGES TO REAL PROPERTY STATUTES.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 605: HIGHWAY STORM RECOVERY ACT (NEW)**

*House: Passed 1st Reading*

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

**S 621: TESTING REDUCTION ACT OF 2019.**

*House: Passed 1st Reading*

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

**LOCAL BILLS****H 31: ALLOW DURHAM PUB. SCHOOLS TO PROVIDE HOUSING.**

*House: Regular Message Sent To Senate*

**H 55: ALEXANDER COUNTY/SHERIFF VACANCIES.**

*House: Regular Message Sent To Senate*

**H 240: ALBEMARLE/CITY LABOR FOR BUSINESS CTR.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

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

*House: Withdrawn From Com*

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

**H 375: AUTHORIZE TEACHER-GOV'T EMP'EE HOUSING/BERTIE.**

*House: Regular Message Sent To Senate*

**H 383: TOPSAIL BEACH CHARTER/BOARD VACANCIES.**

*House: Regular Message Sent To Senate*

**H 459: LEE COUNTY DEER HUNTING.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 05/02/2019*

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