



## The Daily Bulletin: 2019-06-25

### PUBLIC/HOUSE BILLS

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

House amendment to the 3rd edition makes the following changes.

Makes clarifying changes to GS 143B-135.56(b)(2). Changes the effective date of the changes to GS 143B-135.56(b)(2) from July 1, 2019, to January 1, 2020.

**Intro. by Ross, Adcock.**

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

[View summary](#)

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

H 757 (2019-2020) [PENDER COUNTY/BUTNER PROPERTY TRANSFERS. \(NEW\)](#) Filed Apr 15 2019, *AN ACT TO CONVEY CERTAIN STATE-OWNED LANDS TO PENDER COUNTY TO BE USED FOR A NEW JAIL AND LAW ENFORCEMENT CENTER AND TO CONVEY CERTAIN STATE-OWNED LANDS TO THE TOWN OF BUTNER*.

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

Concerning the conveyance of State land to the Pender County Board of Commissioners for so long as it is used as a jail and law enforcement center, establishes that Pender County has a right-of-way between the described property and the Penderlea Highway across the property, owned by the State. Authorizes Pender County to grant a deed of trust or similar instrument related to the property in connection with the financing or refinancing of construction, acquisition, and equipping of the intended facility or the financing or refinancing of improvements, additions, or repairs to the property.

Requires the State to convey for \$1 its rights, titles, and interests in the specified parcel of land, which is the former Umstead Correctional Center, to the Town of Butner.

Changes the effective date of the act to the date the act becomes law (was, effective July 1, 2019). Adds Part titles and makes conforming changes to the act's titles.

**Intro. by C. Smith.**

[UNCODIFIED](#), [Granville](#), [Pender](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Government, Public Safety and Emergency Management, State Government, State Property](#)

H 760 (2019-2020) [EXPAND LOSS PREVENTION INVESTIGATIONS](#). Filed Apr 15 2019, *AN ACT TO EXPAND THE INVESTIGATIVE AUTHORITY OF LOSS PREVENTION WORKERS AND TO CLARIFY REQUIREMENTS AND DEFENSES FOR PROSECUTION OF OBTAINING PROPERTY BY FALSE PRETENSES*.

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

Amends GS 14-100 (Obtaining property by false pretenses), clarifying that in any prosecution for violations of the statute, the State is not required to establish that all of the acts constituting the crime occurred in this state or within a single city, county, or local jurisdiction of this state (was, the State is not required to establish that some of the acts constituting the crime did not occur in this state or within one city, county, or local jurisdiction) and that it is no defense that not all of the acts (was, that some of the acts) constituting the crime occurred (was, did not occur) in this state or within a single city, county, or local jurisdiction of this state.

**Intro. by Reives, Stevens.**

GS 14, GS 74C

[View summary](#)

**Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Public Safety and Emergency Management**

H 966 (2019-2020) **2019 APPROPRIATIONS ACT**. Filed Apr 25 2019, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.*

Conference report makes various changes to the 6th edition. We will not be including a summary of the Appropriations Act. For the content of the bill, please follow the [View NCGA Bill Details](#) link. Further information on the budget, including the committee report, can be found on the “News” section of the General Assembly’s website at: <https://www.ncleg.gov/News>.

**Intro. by Johnson, Lambeth, Saine, McGrady.**

APPROP, STUDY, GS 7A, GS 7B, GS 14, GS 15A, GS 17C, GS 18C, GS 19A, GS 20, GS 28A, GS 55, GS 57D, GS 58, GS 63, GS 64, GS 66, GS 90, GS 96, GS 97, GS 105, GS 106, GS 108A, GS 111, GS 113A, GS 115B, GS 115C, GS 115D, GS 116, GS 116D, GS 120, GS 121, GS 122A, GS 124, GS 126, GS 128, GS 130A, GS 131D, GS 135, GS 136, GS 138A, GS 143, GS 143B, GS 143C, GS 144, GS 146, GS 147, GS 148, GS 150B, GS 153A, GS 159G, GS 160A, GS 162A, GS 163, GS 163A, GS 166A

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**Agriculture, Business and Commerce, Insurance, Courts/Judiciary, Civil, Civil Law, Juvenile Law, Delinquency, Motor Vehicle, Court System, Criminal Justice, Corrections (Sentencing/Probation), Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Education, Preschool, Elementary and Secondary Education, Higher Education, Employment and Retirement, Environment, Aquaculture and Fisheries, Energy, Environment/Natural Resources, Government, APA/Rule Making, Budget/Appropriations, Cultural Resources and Museums, Elections, Ethics and Lobbying, General Assembly, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Administration, Department of Agriculture and Consumer Services, Department of Commerce, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Insurance, Department of Justice, Department of Public Instruction, Department of Revenue, Department of State Treasurer, Department of Transportation, Office of State Budget and Management, Office of State Controller, Secretary of State, State Board of Education, State Board of Elections, State Government, Executive, State Personnel, State Property,**

**Tax, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance, Lottery and Gaming, Military and Veteran's Affairs, Public Enterprises and Utilities, Transportation**

H 1016 (2019-2020) **UNC BOARDS OF TRUSTEES APPOINTMENTS**. Filed May 28 2019, *AN ACT TO MAKE APPOINTMENTS TO THE BOARDS OF TRUSTEES FOR CONSTITUENT UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA AND THE BOARD OF TRUSTEES OF CLEVELAND COMMUNITY COLLEGE*.

AN ACT TO MAKE APPOINTMENTS TO THE BOARDS OF TRUSTEES FOR CONSTITUENT UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA AND THE BOARD OF TRUSTEES OF CLEVELAND COMMUNITY COLLEGE. SL 2019-45. Enacted June 25, 2019. Effective June 25, 2019.

**Intro. by Rules, Calendar, and Operations of the House.**

**UNCODIFIED**

[View summary](#)

**Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System**

H 1017 (2019-2020) **SPECIAL MASTER WAKE HOUSE PLAN**. Filed Jun 4 2019, *AN ACT TO REDISTRIBUTE WAKE COUNTY HOUSE OF REPRESENTATIVE DISTRICTS, AS ORDERED BY THE COURT IN NAACP V. LEWIS AND AS DRAWN BY THE SPECIAL MASTER IN COVINGTON V. NORTH CAROLINA*.

AN ACT TO REDISTRIBUTE WAKE COUNTY HOUSE OF REPRESENTATIVE DISTRICTS, AS ORDERED BY THE COURT IN NAACP V. LEWIS AND AS DRAWN BY THE SPECIAL MASTER IN COVINGTON V. NORTH CAROLINA. SL 2019-46. Enacted June 25, 2019. Effective June 25, 2019.

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

**Wake, GS 120**

[View summary](#)

**Government, Elections, General Assembly**

H 1019 (2019-2020) **CONFIRM FLOYD MCKISSICK/UTILITIES COMMISSION**. Filed Jun 25 2019, *A JOINT RESOLUTION PROVIDING FOR THE CONFIRMATION OF THE APPOINTMENT OF FLOYD B. MCKISSICK, JR., TO THE UTILITIES COMMISSION*.

As titles indicates; sets the term of appointment as July 1, 2019, until June 30, 2025.

**Intro. by Rules, Calendar, and Operations of the House.**

**JOINT RES**

[View summary](#)

**Public Enterprises and Utilities**

## **PUBLIC/SENATE BILLS**

S 290 (2019-2020) **DISTILLER REGULATORY REFORM BILL**. Filed Mar 18 2019, *AN ACT TO ALLOW A DISTILLERY TO SELL MALT BEVERAGES AND UNFORTIFIED AND FORTIFIED WINE; TO ALLOW CERTAIN ORDERS OF ELIGIBLE DISTILLERY PRODUCTS; TO REVISE THE LAW GOVERNING THE SALE OF SPIRITUOUS LIQUOR BY A DISTILLERY TO VISITORS FOR*

*CONSUMPTION OFF THE PREMISES; TO ALLOW A DISTILLERY TO ISSUE PURCHASE-TRANSPORTATION PERMITS FOR SPIRITUOUS LIQUOR SOLD BY THE DISTILLERY; AND TO ALLOW SPIRITUOUS LIQUOR TASTINGS AT AN ABC STORE.*

Senate amendment to the 2nd edition makes the following changes.

Makes the changes to GS 18B-800 effective August 1, 2019, instead of July 1, 2019. Makes Section 4 of the act, concerning changes to the law to allow distillers to sell spirituous liquor distilled by the distiller for consumption off the premises (amending GS 18B-1105, GS 18B-804, and GS 18B-1116) effective August 1, 2019, instead of July 1, 2019.

Deletes the proposed changes to GS 18B-404(b), which allowed a mixed beverages permittee to obtain a mixed beverages purchase-transportation permit for spirituous liquor purchased from a distillery (was, that will be purchased from a distillery) pursuant to GS 18B-403(b)(5), as enacted.

Makes Section 5 of the act, allowing distilleries to issue purchase transportation permits for spirituous liquor sold by the distillery (amending GS 18B-403, GS 18B-901, and GS 18B-1007) effective August 1, 2019, instead of July 1, 2019.

Makes the act, unless otherwise indicated, effective August 1, 2019, instead of July 1, 2019.

**Intro. by Gunn, Blue, Harrington.**

[GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control](#)

S 343 (2019-2020) [VARIOUS EDUCATION LAW CHANGES. \(NEW\)](#) Filed Mar 21 2019, *AN ACT TO MAKE VARIOUS CHANGES TO LAWS RELATED TO EDUCATION.*

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

Makes organizational changes by moving the existing provisions into new Parts and adds the following.

Adds that notwithstanding new GS 115C-84.2(a2) and (a3), local boards of education must submit the required report on school start and end dates with the information for the 2019-20 school year to the Superintendent of Public Instruction and the State Board of Education by June 1, 2019, and requires the State Board to then report that information to the Joint Legislative Education Oversight Committee by July 1, 2019.

Amends GS 115C-64.15 by amending the membership of the Education Workforce Innovation Commission by allowing designees of the following to serve in their place: Secretary of Commerce, State Superintendent of Public Instruction, Chair of the State Board of Education, UNC President, and President of the North Carolina Community College System.

Amends GS 115C-268.1 to stagger the membership of the Professional Educator Preparation and Standards Commission by setting listed initial members' terms to expire August 31, 2019, and other listed members' terms to expire August 31, 2020. Makes additional conforming and clarifying changes. Applies to appointed members currently serving their terms on the Professional Educator Preparation and Standards Commission.

Amends GS 150B-1 to exempt from the contested case provisions of GS Chapter 150B the State Board of Education with respect to the disapproval, termination, or nonrenewal of charters under GS Chapter 115C Article 14A.

Amends the act's titles.

**Intro. by Ballard.**

[GS 115C, GS 115D, GS 116C, GS 116E, GS 126, GS 150B](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Government, APA/Rule Making](#)

S 354 (2019-2020) [SAM'S LAW. \(NEW\)](#) Filed Mar 25 2019, *AN ACT RELATING TO SEIZURE DISORDERS IN SCHOOLS.*

House committee substitute to the 2nd edition makes the following changes. Deletes the content of the previous edition and replaces it with the following.

Names the act either the Seizure Safe Schools Act of 2019, or Sam's Law.

Enacts new GS 115C-375.7 to allow the parent of any student to petition a school for the development of a seizure action plan if the student is diagnosed with a seizure disorder and is enrolled in the school. Defines school as a school within a public school unit or a school that meets the requirements of Part 1 (Private Church Schools and Schools of Religious Charter) or Part 2 (Qualified Nonpublic Schools) of Article 39. Public school unit is defined as a local school administrative unit, charter school, regional school, or a school providing elementary or secondary instruction operated by the State Board of Education or the University of North Carolina.

Requires the seizure action plan to be kept on file in the office of a school administrator or school nurse and requires that the plan be available to any school personnel and, with the parent's permission, any volunteer responsible for supervising the student. Makes the parent and school unit responsible for developing the plan in accordance with policies and procedures developed by the school unit's governing body and requires the plan to include three specified components. Requires at least one employee in each school in the school to be trained to administer or assist with administering seizure medication. Requires the governing body of each school to adopt (1) minimum training requirements, consistent with specified training guidelines, for employees and volunteers that may supervise students with seizure disorders if the volunteer elects to receive the training; (2) a policy outlining the requirements of an annual seizure education program for all school personnel having direct contact with students in K-12, which must meet specified requirements; and (3) a policy requiring all principals, guidance counselors, and teachers to complete at least one hour of self-study review of seizure disorder materials each school year. Requires displaying a seizure first aid poster in each school. Provides that no governing body of any school, nor its members, employees, designees, agents, or volunteers are liable in civil damages to any party for any act authorized by the statute or for any omission relating to that act, unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

Amends GS 115C-12 to require the State Board of Education to develop a rule on seizures in accordance with GS 115C-375.7.

Amends GS 115C-47 to require each local board of education to adopt a rule on seizures in accordance with GS 115C-375.7. Amends GS 115C-218.75, GS 115C-238.66, and GS 116-11 to require charter schools, regional schools, the UNC Board of Governors, private church schools or religious charter schools, and qualified nonpublic schools, respectively, to adopt a policy regarding seizures and the rule adopted by the State Board of Education. Enacts new GS 115C-548.5 and GS 115C-556.5 to require private church schools or schools of religious charter and qualified nonpublic schools to adopt a policy on seizures in accordance with GS 115C-375.7.

Amends GS 115C-564 making home schools exempt from new GS 115C-375.7.

Repeals GS 115C-375.7(a)(2) as enacted by this act, if House Bill 57, An Act to Create a Term for Public Schools that Includes the Various Types of Public Schools in the State and to Codify the North Carolina Virtual Public School Program, becomes law.

Applies beginning with the 2020-21 school year.

Amends the act's titles.

**Intro. by Ballard, Edwards, Harrington.**

GS 115C, GS 116

[View summary](#)

**Education, Elementary and Secondary Education, Government, State Agencies, UNC System, Department of Public Instruction, State Board of Education, Health and Human Services, Health**

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*.

House committee substitute to the 3rd edition makes the following changes.

## Part II

Makes changes to the definitions set forth in Part 3, Wireless Telecommunications Facilities, of Article 9 of new GS Chapter 160D. Amends the definition of the term *application* and adds the defined term *wireless services provider*. Makes clarifying changes to GS 160D-9-35 concerning the collocation of small wireless facilities. Makes changes to statutory cross-references throughout the Part.

Makes conforming changes to GS 136-18 and GS 136-18.3A, changing statutory cross-references.

Specifies the legislative intent of the telecommunications provisions set forth in Part II of the act is that there are no substantive policy changes from the statutes repealed.

**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 377 (2019-2020) [MILITARY BASE PROTECTION ACT](#). Filed Mar 27 2019, *AN ACT TO AMEND VARIOUS STATUTES GOVERNING THE PERMITTING OF WIND ENERGY FACILITIES*.

House committee substitute to the 2nd edition makes the following changes. Deletes the content of the previous edition and replaces it with the following.

Amends GS 143-215.115 to add and define the term *commanding military officer's designee* as that term applies to Article 21C, Permitting of Wind Energy Facilities, of GS Chapter 143. Defines the term to mean an individual appointed by a commanding military officer, who may represent the interests of the military installation of the commanding military officer they represent. Requires the designee to provide information from the major military installation or the commanding military officer they represent to the Department of Environmental Quality. Specifies that the interests the designee represents may include the ongoing training and mission currently being conducted at the major military installation they represent.

Amends GS 143-215.119 to require the notice of receipt of a completed permit application for a proposed wind energy facility or proposed wind energy facility expansion that is provided to the commanding military officer of all major military installations, the commanding military officer of any military installation located outside the State that is within 50 nautical miles of the location of the proposed facility or expansion, and the board of commissioners for each county and the governing body of each municipality in which the facility or expansion is proposed to be located, to also include maps and narrative information identifying military air navigation routes, air traffic control areas, military training routes, special-use air space, radar or other military operations that may be affected (previously did not specify the inclusion of maps and narrative information to identify those routes and areas).

Makes conforming changes to the act's long title.

**Intro. by Brown, Newton, Sanderson.**

[GS 143](#)

[View summary](#)

[Environment](#), [Energy](#), [Government](#), [State Agencies](#), [Department of Environmental Quality \(formerly DENR\)](#), [Military and Veteran's Affairs](#), [Public Enterprises and Utilities](#)

S 384 (2019-2020) [CLARIFY MOTOR VEHICLE DEALER LAWS](#). Filed Mar 27 2019, *AN ACT TO CLARIFY VARIOUS MOTOR VEHICLE DEALER LAWS*.

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

Further amends GS 20-305 to limit the proposed exception to now provide that instead of purchasing or leasing any special tools that are required by a manufacturer, factory branch, distributor, or distributor branch, a franchised dealer that sells fewer than 250 new motor vehicles (was, 350 new motor vehicles) per year may request approval from the manufacturer to enter into a local tool loaner agreement with another dealer if the eight conditions are met. Among the conditions that must be satisfied for a local tool loaner agreement is that eligible special tools exceed \$2,000 (was, \$1,500) per special tool.

Adds to the proposed changes to GS 20-305, which (1) allows franchised new motor vehicle dealers who believe that it is unreasonable for a manufacturer, factory branch, distributor, or distributor branch with whom the dealer has entered into a franchise to include one or more portions of the dealer's existing area of responsibility previously assigned to that dealer to request the elimination of the contested territory from the dealer's area of responsibility by submitting a written request and (2) allows a dealer to file a petition within 60 days of receiving notice of the manufacturer's rejection of the dealer's request to eliminate the contested territory. No longer qualifies the petition right on the basis of a belief by the dealer *at any time* that area assignment is unreasonable. Specifies the method of submitting the written request for elimination of the contested territory. Adds information the request must contain, including that the dealer must describe the territory the dealer is seeking to remove from its area of responsibility and a factual explanation for the dealer's contention of the changed factors warranting modification of the dealer's area of responsibility. Now deems the dealer's request accepted if notice of objection of the request is not sent within 90 days of request (was, within 60 days). Adds a new provision allowing for either party to request mediation within 30 days of the dealer's receipt of notice of the manufacturer's rejection. Requires mediation to begin within 60 days after the request for mediation is made and conclude within 120 days after the manufacturer, factory branch, distributor or distributor branch objected to the dealer's proposed changes in its area of responsibility. Now allows a dealer to file a petition and have an evidentiary hearing within 60 days of the conclusion of mediation or within 60 days of receipt of the manufacturer's objection of the dealer's request for elimination of the contested territory. At the evidentiary hearing, places the burden of proof on the franchised new motor vehicle dealer that it would be unreasonable to continue to include the contested territory in the dealer's area of responsibility due to changes in specified relevant circumstances that are beyond the control of the dealer (previously, alternatively allowed for the dealer to show that the contested territory was arbitrarily assigned based on sales and registrations within the dealer's market, which is incorporated in the specified related circumstances to be considered).

Amends the provisions of GS 20-305 that make it illegal to establish, implement, or enforce criteria for measuring the sales or service performance of any of its franchised new motor vehicle dealers in this state for any of the three specified purposes that (1) are unfair, unreasonable, arbitrary, or inequitable; (2) do not consider available relevant and material local, State, and regional criteria, data, and facts; relevant and material criteria, data, or facts include those of motor vehicle dealerships of comparable size in comparable markets; and (3) if such performance measurement criteria are based on a survey, the survey must be based on a statistically significant and valid random sample (no longer requires that these actions be taken for the purpose of cancelling, terminating, or nonrenewal of a franchise agreement). Expands upon the types of decisions in which the performance criteria of the manufacture or distributor (which have been found to be faulty in one of the specified ways) may not be used as any part of the determination. Allows a manufacturer, factory branch, distributor, or distributor branch to present local criteria, data and facts in any petition or hearing before the Commissioner of Motor Vehicles (Commissioner) requested by the dealer in the event the dealer's current or past performance in sales or service constitutes any part of the basis of the decision as specified. Makes additional conforming and clarifying changes.

Amends GS 20-305.1 regarding automobile dealer warranty and recall obligations. Now includes in the definition of *audit conducted for cause* audits based on (1) the dealer's claim history; (2) a follow up to an earlier audit in which the dealer was notified of a claim documentation procedure violation that occurred within the prior 12-month period, as specified; or (3) reasonable evidence of malfeasance or fraud. Also amends the definition of *for cause* concerning audits of dealers relating to exporters or brokers to include reasonable evidence that the dealer knew or should have known that the customer intended to export or resell the motor vehicle.

Eliminates the proposed changes to 20-305.2 regarding unfair methods of competition and motor vehicle subscriptions.

Eliminates the proposed changes to GS 20-305.7 and instead provides the following. Amends GS 20-305.7 to make voidable at the option of the dealer any requirement that a new motor vehicle dealer provide its customer lists, customer information, consumer contact information, transaction data, or service files to the manufacturer, factory branch, distributor, or distributor branch, or to a third party as a condition to the dealer's participation in any incentive program or contest. Adds that in the

instance a dealer elects to void the requirement, the dealer is automatically entitled to all benefits earned under the applicable incentive program or contest or any other contract or agreement. Amends one of the three conditions that must be met in order to avoid voiding the requirement to include that the dealer is either permitted to restrict the data fields that may be accessed in the dealer's dealer management computer system, or the dealer is allowed to provide the same data or information by furnishing the data in a widely accepted file format. Makes additional clarifying changes. Adds that it is unlawful for any manufacturer, factory branch, distributor, or distributor branch to fail or refuse to provide dealer notice, in a standalone written document, at least 30 days before making any changes in any of the dealer or customer data the dealer is required to share (as proposed in the previous edition). The changes in the data is void unless the applicable manufacturer, factory branch, distributor, or distributor branch complies with the notice requirements. Establishes that the dealer's data contained in or on a dealer management computer system owned, leased or licensed by a dealer located in the state is the property of the dealer. Defines *dealer data* and *dealer's data* to mean information or other data that has been entered or stored on the dealer's dealer management computer system, as specified, that relates to one of the 14 subjects; makes explicit exclusions, including proprietary software, intellectual property, data or information of a dealer management computer system. Makes it unlawful for any manufacturer, factory branch, distributor, distributor branch, dealer management computer system vendor, or any third party with access to a dealer management computer system to (1) unreasonably interfere with a dealer's ability to protect, store, copy, share, or use any dealer data downloaded from a dealer management computer system used by a new motor vehicle dealer located in the state; sets out an inclusive list of examples of such prohibited conduct; (2) access, use, store, or share any dealer data from a dealer management computer system in any manner other than by express written agreement; (3) fail to provide the dealer with the option and ability to securely obtain and push or otherwise distribute dealer data to third parties; (4) fail to provide access to any SOC 2 audit within seven days of receiving a dealer's written request; (5) fail to promptly provide a dealer a written listing of all entities with whom the dealer's data is shared currently and over the preceding 12 months upon request, including the dates the data was shared and the extent that information can be reasonably stored by the vendor; and (6) fail to promptly provide a copy of the dealer's data maintained on its dealer management computer system to the dealer in a secure, usable manner upon the dealer's written request to terminate any contract or agreement regarding the hardware or software related to the dealer's dealer management computer system. Specifies that the statute does not prevent charging a fee so long as fees are disclosed to and approved by the dealer prior to the time the dealer incurs the charges. Specifies that the statute does not prevent any dealer or third party from discharging legal obligations to protect and secure protected dealer data. Allows a dealer to condition a party's access to or integration with a dealer management computer system upon compliance with reasonable security standards or other operational protocols that the vendor specifies. Excludes from the term third party any manufacturer, factory branch, distributor, distributor branch, or subsidiary or affiliate thereof. Deems dealer rights under the statute not waivable or able to be modified. Effective October 1, 2020, and applies to all current and future franchises and other agreements in existence between any new motor vehicle dealer located in the state and a manufacturer, distributor, dealer management computer system vendor, or third party as of that date.

Modifies the proposed changes to GS 20-308.1(d) concerning standing for dealer associations. Now provides standing requirements for any association comprised of a minimum of 400 new motor vehicles, or a minimum of 10 motorcycle dealers or recreational vehicle dealers to intervene as a party in any civil or administrative proceeding in order to prevent injury or harm to all or a substantial number of its members or to prevent injury or harm to the franchise distribution system of new motor vehicles in the State, including the right to file a civil action (previously, did not include recreation vehicle dealer associations, and did not include the right to file a civil action). Modifies and adds to what constitutes a cognizable injury to the collective interest of association members; specifically excludes denial of a license renewal, license revocation, or other enforcement actions initiated by the DMV. Limits association intervention to seeking declaratory relief and/or injunctive relief. Expands the provisions regarding collateral estoppel to include the same distributor(s) as well. Clarifies that the collateral estoppel provisions comply with state law. Exempts from the dealer association provisions dealer motor vehicle licenses issued to a manufacturer pursuant to specified state law, as amended, so long as the exclusion from association standing is not applicable in the event the manufacturer applies for or is issued more than the maximum licenses permitted or upon the occurrence of any of the specified events.

Amends GS 20-305.1, concerning truck dealer cost reimbursement when a dealer sells a truck directly to converters and other nondealer retailers, to increase the cap from \$900 to \$1,500 on what a manufacturer, manufacturer branch, distributor, or distributor branch can be paid per vehicle registered in the State whose chassis has a gross vehicle weight rating of 16,000 pounds or more.

Amends GS 20-305.2 to makes the unfair competition provisions which prohibit manufacturers from having any ownership, operation or control of motor vehicle dealers in the state applicable to manufacturers also applicable to affiliates of



manufacturers. Expands the prohibitions to prohibit owning, operating or controlling any entity in the state that provide warranty service or repairs at retail, filing a dealer application, or being licensed. Eliminates the existing fourth exception from the prohibition following a determination by the Commissioner at a hearing that there is no independent dealer available in the relevant market area to own and operate the franchise as specified. Instead, creates an exception for the ownership, operation or control of up to five motor vehicle dealership location within the state prior to December 31, 2020, or up to six on or after January 1, 2021, by a manufacturer that manufactures and sells only plug-in electric vehicles, limited to only manufacturers that had at least one motor vehicle dealership licensed in the state as of December 1, 2019. Sets parameters for the DMV to deny licenses in excess of the limits provided, and revoke licenses upon the occurrence of any of the four specified events, including the manufacturer entering into a franchise with any dealer located in the state. Additionally, creates an exception for a manufacturer that manufactures and distributes low-speed vehicles that meets applicable NHTSA standards; limited to a manufacturer that had at least one motor vehicle dealership licensed in the state as of March 1, 2019.

Amends GS 20-288, adding new requirements for applications for new motor vehicle dealer licenses, including requiring the application to be accompanied by an application for a dealer license plate, and for the applicant to certify whether the applicant or any parent, subsidiary, affiliate, or any other entity related to the applicant is a manufacturer, factory branch, factory representative, distributor, distributor branch, distributor representative, or wholesaler. Prohibits license issuance unless the applicant states on the application the specific exception for which it contends to qualify or the Commissioner determines the applicant qualifies for an exception after an evidentiary hearing. Requires the DMV to publish at least 15 days' notice of initial license applications in the NC Register, as specified. Adds a similar certification requirement for applications for used motor vehicle dealer licenses, requiring the applicant to certify whether the applicant or any entity having common ownership or affiliation with the applicant is a motor vehicle manufacturer, factory branch, factory representative, distributor, distributor branch, distributor representative, or wholesaler, and if so, whether the applicant contends it qualifies for a motor vehicle dealer license under any exception to the prohibition on issuance of the license to any manufacturer and the like under GS 20-305.2(a).

**Intro. by B. Jackson.**

GS 20

[View summary](#)

**[Business and Commerce, Courts/Judiciary, Motor Vehicle](#)**

S 385 (2019-2020) [CLARIFY/AUTO DEALERS REGULATORY REQ.](#) Filed Mar 27 2019, *AN ACT TO CLARIFY MOTOR VEHICLE DEALER REGULATORY REQUIREMENTS.*

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

Further amends GS 20-287 to no longer exempt licensed manufacturers, factory branches, distributors or distributor branches from motor vehicle dealer licensing requirements and fees. Regarding the proposed authorization for sales representatives whose license is pending to engage in supervised activities, more specifically requires the applicant to be actively and directly supervised by a licensed motor vehicle dealer or a licensed sales representative designated by the dealer (previously, did not require a designated representative). Additionally requires the applicant to certify that the applicant has not been previously denied a sales representative license for any dealer or have a felony conviction. Establishes licenses issued to a motor vehicle dealer, manufacturer, factory branch, factory representative, distributor, distributor branch, distributor representative, or wholesaler is not transferable.

Enacts GS 20-219.5 to establish immunity for motor vehicle dealers and their owners, shareholders, officers, employees and agents who arrange to provide, provide, or make available to a vehicle purchaser, lessee, or other person any third party motor vehicle history report, so long as any error, omission or inaccuracy is not based on information provided directly to the preparer of the third party report by that dealer. Defines *third party motor vehicle history report* to mean any information prepared by a party other than the dealer relating to vehicle ownership or titling history, liens on the vehicle, vehicle service, maintenance and repair history, vehicle condition, or vehicle accident or collision history.

Modifies the proposed changes to GS 20-306 to expand the scope of the statute to include sales representative licensure applicants engaged in supervised activities while the application is pending pursuant to GS 20-287, as amended (previously, specified supervised sales representatives who had submitted license applications). Adds to the statute, now allowing a motor vehicle dealer to offer valuable consideration to a person not licensed under the Article for the referral of a customer to the

dealer. Limits consideration paid by the motor vehicle dealer to \$250 in value per referral and limits the person receiving the consideration to five referral payments from the motor vehicle dealer in the same calendar year.

Enacts GS 20-298.1 to establish that a motor vehicle dealer that does not market or extend to a covered borrower a loan or credit transaction covered by specified federal law is not in violation of GS 127-11 (which prohibits private discrimination against military personnel) or otherwise with respect to all transactions entered into on or after October 3, 2016, regardless of whether the motor vehicle dealer markets or extends the loan or credit transaction to other persons who are not covered borrowers. Defines *covered borrower* by cross-reference to federal law.

Amends GS 20-52.1 and GS 20-72, concerning motor vehicle title transfers, to also allow a manager of a dealership to sign the certification to the Division of Motor Vehicles (DMV) regarding the payment of perfected liens on the vehicle and that the motor vehicle dealer was unable to obtain the vehicle's original or certificate of title (previously, limited to the dealer principal, general manager, general sales manager, controller or owner). Amends GS 20-72.1 to eliminate the time periods specified for requesting duplicate titles for the sale of new and used vehicles. Regarding a purchaser's option to elect to receive liquidated damages due to a dealer's failure to deliver the manufacturer's statement of origin or certificate of title, clarifies that the provisions do not prohibit a motor vehicle dealer who pays liquidated damages or other consideration to a vehicle purchaser or lessee from obtaining a release from the purchaser or lessee for any other damages or liability arising out of or related to the sale or lease of the vehicle. Authorizes licensed motor vehicle dealers to sell or transfer a vehicle when the manufacturer's statement of origin or an existing certificate of title is unavailable and the sale or transfer is to a current lessee of the motor vehicle regardless of payment of any residual amount or payoff amount for the vehicle made to the lessor who holds legal title at the time of the sale or transfer. Makes the liquidated damages requirements and sworn certification requirements inapplicable to a motor vehicle sold or transferred to the current lessee of the motor vehicle.

Amends GS 20-79.1 to allow second 30-day temporary registration plates to be issued by a dealer upon showing the vehicle has been sold or leased and the dealer is unable to obtain the vehicle's statement of origin or certificate of title using due diligence to perfect the lien (previously, required a temporary lien to be filed, and did not provide for showing the vehicle has been leased).

Eliminates the proposed changes to GS 20-288, which added new requirements for applications for new motor vehicle dealer licenses.

Eliminates proposed GS 20-2, which established that any rule, change in law, or other action applicable to motor vehicles sold or leased by a motor vehicle dealer only applies to sales or leases made on or after the effective date of changes, regardless of the date of submission of a title and registration application for the motor vehicle to the DMV.

**Intro. by B. Jackson.**

GS 20

[View summary](#)

**Business and Commerce, Occupational Licensing,  
Courts/Judiciary, Motor Vehicle**

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

House committee substitute to the 3rd edition makes the following changes.

#### Part I. State and Local Government Regulation

Requires the Building Code Council (Council) and local governments enforcing the 2018 NC Fire Prevention Code (Code) to enforce the specified exit obstruction and waste accumulation provisions as follows. Requires code enforcement authorities with jurisdiction over apartment occupancies to permit doorstep refuse and recycling collection containers which stand upright on their own and do not leak liquids when standing upright in exit access corridors as described with respect to apartment occupancies with enclosed corridors, and in apartment occupancies with open-air corridors or balconies served by exterior exit stairs. Authorizes the code enforcement authority having jurisdiction to approve alternative containers and storage arrangements that are demonstrated to provide an equivalent level of safety as described. Provides apartment occupancies a phase in period until December 31, 2020, to comply with the implementation provisions. Requires the Council to revise the

exit obstruction and waste accumulation provisions of the Code and adopt substantively similar permanent rules. Effective July 1, 2019.

Enacts GS 113A-110(h) to prohibit county, city or lead regional organization coastal management land-use plans from being more stringent than the State guidelines for coastal areas adopted under GS 113A-107 with respect to piers, docks, and bulkheads. Enacts GS 153A-324(c) (concerning counties) and GS 160A-365 (concerning cities), establishing that counties and cities do not have authority to enforce an ordinance that is in violation of new GS 113A-110(h). Effective October 1, 2019.

Amends GS 143-215.107A, to exempt Onslow County from vehicle emissions testing. Directs the Department of Environmental Quality (DEQ) to prepare and submit to the US Environmental Protection Agency (EPA) for approval a proposed NC State Implementation Plan amendment based on the change to the motor vehicle emissions testing program provided by the act, no later than December 31, 2019. Provides that the changes to GS 143-215.107A are effective on the later of either (1) January 1, 2020, or (2) the first day of the month that is 60 days after the DEQ Secretary certifies that the US EPA has approved an amendment to the NC State Implementation Plan submitted pursuant to the act, whereby the DEQ Secretary must provide notice of the approval and the effective date of the act on its website and directly to certain affected parties, as specified.

Amends GS 90-624 to exempt individuals practicing reflexology from massage therapy licensing requirements. Enacts GS 90-622(5a) to define *reflexology*.

Authorizes the Commission of Public Health to adopt rules to incorporate all or part of the 2017 edition of the US FDA Food Code.

Enacts GS 160A-386.6 (concerning cities) and GS 153A-341.4 (concerning counties) to authorize a city or county to establish process to permit *temporary event venues*, defined as an existing publicly or privately owned building or structure suitable for use as a site for public or private events relating to entertainment, education, marketing, meetings, sales, trade shows, and any other activities or occasions authorized by city or county ordinance, and limited to 72 hours. Allows the temporary event venue to be considered as a permitted accessory use in any zoning district and not considered a zoning map amendment. Allows only one temporary event venue per lot or parcel of land, and limits permitted venues to 12 temporary event in a calendar year. Details requirements for ordinances authorizing temporary event venues, including prescribing the process for persons seeking a temporary event venue permit or a renewal. Specifies that issuance of a temporary event venue permit is not a quasi-judicial act. Allows cities and counties to charge up to \$100 for an initial permit and up to \$50 for a renewal. Before issuance or renewal, requires the city or county to hold a public hearing after giving 10 days' public notice and to inspect the venue for public health, safety and welfare conditions. Allows the city or county to require any concerns from the inspection to be addressed with reasonable measures and to require the use of temporary toilet facilities. Exempts permitted temporary event venues from requirements of the Building Code or any local variants. Requires compliance with federal laws, rules and regulations. Directs the Building Code Council to create an inspection checklist for cities and counties to use. Allows cities and counties to conduct inspections and issue permits prior to the Council's promulgation of the checklist. Provides parameters for instances in which permittees seeking rezoning of the parcel to a zoning district that would allow a permitted use of the venue for events of the type authorized by a temporary event permit. Makes conforming changes to GS 143-138 (concerning the State Building Code) and GS 160A-383.1 (concerning city zoning regulations for manufactured homes). Effective October 1, 2019.

## Part II. Agriculture, Energy, Environment, and Natural Resources Regulation

Eliminates the proposed changes to Section 13.2 of SL 2018-5, as amended, which required up to \$2 million of the funds credited to the Inactive Hazardous Sites Cleanup Fund to be used by the Division of Waste Management to provide a matching grant to Charlotte Motor Speedway, LLC for remediation activities at the Speedway, on a 1:1 rather than 1:2 match basis of State dollars to non-State dollars by the grant.

Eliminates the proposed changes to GS 143-215.54, which added aquaculture to the permitted uses of flood hazard areas without a permit so long as the use complies with local land-use ordinances and any other applicable laws or regulations.

Eliminates the proposed changes to GS 130A-335, which authorized local health departments to determine site suitability for a ground absorption sewage treatment and disposal system.

Establishes a schedule for Coastal Area Management Act Emergency General Permits authorized in response to Hurricanes Florence and Michael and activated by the DEQ Secretary in a September 20, 2018, statement, as amended. Requires that all

emergency general permits must be issued by October 12, 2019, and that all work authorized by the emergency general permits must be completed by October 12, 2020.

Amends GS 159G-23 to modify and add to the considerations the Division of Water Infrastructure (Division) is required to examine when evaluating applications for loans and grants from the Wastewater Reserve or the Drinking Water Reserve. Concerning priority for a project that improves designated impaired waters of the state, adds that greater priority is to be given to projects which improve designated impaired waters of the state that serve a public water supply for a large public water system, defined as serving more than 175,000 service connections. Adds that consideration for priority is to be given to projects improving regional coordination (previously, priority for local water supply plans that are better coordinated with respect to the State water supply plan). Lastly, adds that consideration for priority is to be given for wastewater system improvements made by a local government unit in order to protect or preserve the water supply of a neighboring local unit that has a lower poverty rate, lower utility bills, higher population growth, higher medium household incomes, and lower unemployment. Applies to applications for loans or grants from the Wastewater Reserve or the Drinking Water Reserve received by the Division on or after July 1, 2019.

Adds new Part III. Miscellaneous Regulatory Reform Provisions.

Amends GS 83A-13 to exempt from architectural license for the preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of construction under such, of an institutional or commercial building that does not have a total value exceeding \$175,000 (was, \$90,000) or the total building area does not exceed 3,000 (was, 2,500) square feet in gross floor area. Makes changes to exempt from the requirement for a professional architectural seal a commercial building project with a total value less than \$175,000 and a total project area less than 3,000 square feet.

Amends GS 20-183.4C to authorize a dealer to sell, without inspection, a used vehicle issued a salvage certificate of title in accordance with GS Chapter 20 if no repairs have been made to the vehicle after issuance of the salvage certificate of title, and the dealer discloses in writing that no inspection has been performed.

Directs the Revenue Laws Study Committee to study issues related to the property taxation of outdoor advertising signs, including the methods to determine their fair market value in NC and whether the Billboard Structures Valuation Guide published by the Department of Revenue provides an accurate base costs for outdoor advertising structures, as specified. Requires the Committee to report to the 2020 Regular Session of the 2019 General Assembly.

Amends GS 117-28.1(a), authorizing easements owned or used by electric membership corporations to be used to supply high-speed broadband in addition to electrification. Specifies that the subsection does not have any effect on any obligation of the corporation or its wholly owned subsidiary to comply with any applicable requirements related to notice, safety, or permitting when constructing or maintaining lines or broadband fiber on, over, under, or across property owned or operated by a railroad company.

Directs the Joint Legislative Program Evaluation Oversight Committee (Committee) to add a PED study on the standards applicable to interior designers to its 2019-20 work plan. Details the study's requirements, including whether or not interior designers should be certified, licensed, or registered to practice in the state. Directs PED to report to the Committee by March 15, 2020.

Enacts GS 160A-383.1(g) to authorize cities to require by ordinance that manufactured homes be installed in compliance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance, so long as the city does not require a masonry curtain wall or skirting for manufactured homes located on land leased to the homeowner. Effective October 1, 2019.

Adds *electronic standup scooter* to the defined terms in GS 20-4.01. Excludes electronic standup scooters from the defined terms *motor vehicle* and *moped (passenger vehicle)*, but deems an electronic standup scooter a vehicle for purposes of GS Chapter 20 that are applicable to a driver of a vehicle. Makes organizational changes. Amends GS 20-51, exempting electronic standup scooters from the requirement of registration and certificate of title. Renders conflicting ordinances in effect on or adopted after the effective date of the act null and void. Directs municipalities having adopted an ordinance or regulation affecting standup electronic scooters to review their ordinances and regulations for compliance upon the effective date of the act. Applies to offenses committed on or after the date the act becomes law.

Directs the Department of Transportation (DOT) to consult with specified entities and study the needs of law enforcement, emergency medical and emergency management personnel, and firefighters to improve access to or within the interstate system in the state for the benefit of public safety. Details six required steps of the study, including determining potential sites of

interest for construction or improvement and establishing criteria for prioritization. Requires DOT to report to the specified NCGA committees by March 1, 2022.

Moves the act's effective date provisions and severability clause to new Part IV.

**Intro. by Sanderson, Wells.**

STUDY, Onslow, GS 14, GS 20, GS 83A, GS 90, GS 93A, GS 113A, GS 130A, GS 143, GS 153A, GS 159G, GS 160A

**Agriculture, Business and Commerce, Occupational Licensing, Courts/Judiciary, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Land Use, Planning and Zoning, Property and Housing, Environment, Government, General Assembly, Public Safety and Emergency Management, State Agencies, Department of Environmental Quality (formerly DENR), Department of Transportation, Local Government, Health and Human Services, Health, Public Health, Public Enterprises and Utilities**

[View summary](#)

S 604 (2019-2020) [AMEND NC VETERINARY PRACTICE ACT](#). Filed Apr 3 2019, *AN ACT TO REGULATE IMPAIRMENT IN VETERINARY PRACTICE, ALLOW VETERINARY FACILITY PERMITTING, AND MAKE TECHNICAL CORRECTIONS.*

House committee substitute adds the following to the 3rd edition.

Further amends GS 90-186, adding to the powers of the NC Veterinary Medical Board (Board), to allow the Board to, pursuant to administrative rule, establish all provisions and requirements for the regulation of the practice of veterinary medicine through methods or modes of veterinary telehealth and its subcategories. Allows the Board to establish all provisions and requirements as to when and where veterinary telehealth and its subcategories can occur, who may provide the services, and the requirements for the client-patient relationship for the services. Makes conforming changes.

**Intro. by Rabon.**

GS 90

[View summary](#)

**Animals, Business and Commerce, Occupational Licensing**

S 621 (2019-2020) [TESTING REDUCTION ACT OF 2019](#). Filed Apr 3 2019, *AN ACT TO REDUCE TESTING ADMINISTERED TO STUDENTS IN PUBLIC SCHOOLS.*

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

Makes organizational changes to the act.

**Part I. Eliminate NC Final Exam**

Eliminates the proposed directive requiring the State Board of Education (State Board) and the Department of Public Instruction (DPI) to submit a plan to the NCGA by March 15, 2020, on how to use other means to accomplish the same purposes for which data is collected by the NC Final Exam.

**Part II. Replace EOGs with Through-Grade Assessment Model Similar to NC Check-Ins**

Requires the State Board to eliminate the use of End-of-Grade (EOG) tests for grades three through eight, and instead adopt a policy to require administration of a through-grade assessment model with three interim assessments similar to NC Check-Ins, as specified. Provides for the average of the combined scores for two of the through-grade assessments to constitute the annual assessment for grades three through eight, with all annual assessment provisions set forth in Subchapter IV of GS Chapter 115C applicable to this average score. Further requires the State Board to develop through-grade assessments for science for

grades five and eight, and for reading for grade three. Allows a third grade student who fails to demonstrate reading proficiency (demonstrated by the averaged score of relevant through-grade assessments for reading) to retake the third through-grade assessment for reading prior to the end of the school year, and to have the readministered score be used for purposes of demonstrating reading proficiency. Allows continued application and use of policies regarding participation in the NCEXTEND1 alternative assessment as prior to the enactment of the act. Directs the State Board to review and revise existing testing security policies to provide for as secure a testing environment as required by federal law or condition of a federal grant, and no more than required for federal compliance. Makes conforming changes to GS 115C-105.41 and GS 115C-276 to eliminate references to EOGs and End-of-Course (EOC) tests (also directed to be eliminated by the act).

Amends GS 115C-81.36, concerning advanced courses in mathematics, as follows. Requires, when advanced math courses are offered, any student scoring at a level that denotes superior command of knowledge and skill (rather than a specified level on the end-of-grade or end-of grade test) for math to be enrolled in the advanced course for the next math course in which the student is enrolled; makes the same changes for seventh grade students whose next level course will be at a high school level.

### Part III. Replace EOCs with the Act or Other Nationally Recognized Assessment of High School Achievement and College Readiness

Directs the State Board to eliminate use of End-of-Course (EOC) tests for grades nine through 12 and instead use the nationally recognized assessment of high school achievement and college readiness, or an alternate assessment, administered to all students in eleventh grade pursuant to specified law, as amended, as the State-mandated testing for grades nine through 12 required by specified state law. Allows continued application and use of policies regarding participation in the NCEXTEND1 alternative assessment as prior to the enactment of the act. Effective January 1, 2020, and applies beginning with testing administered for the 2020-21 school year.

Amends GS 115C-83.15 and GS 115C-83.16 to eliminate references to specific EOCs, and instead refer to specific subtests of a nationally recognized assessment of high school achievement and college readiness for the calculation of school achievement scores and school performance indicators for schools serving any students in grades nine through 12. Effective January 1, 2021, and applies beginning with school performance grades issued based on data from the 2020-21 school year.

Amends GS 115C-174.11 to require the State Board to adopt a nationally recognized assessment of high school achievement and college readiness to provide to local school administrative units, regional schools, and charter schools to administer to all students (previously, required, to the extent of available funds, the adoption of a nationally norm-referenced college admissions test to administer to eleventh grade students). Requires administration of an alternate test to students in accordance with federal law (previously, specified three criteria for qualification of alternate testing). Eliminates the provisions regarding parental notice of college admissions tests and precursor tests. Makes conforming and clarifying changes. Effective January 1, 2020, and applies beginning with testing administered for the 2020-21 school year.

Makes conforming changes to GS 116-11 regarding standardized high school transcripts. Effective July 1, 2020, and applies beginning with students entering their junior year in the 2020-21 school year.

### Part V. Prohibit Graduation Projects as a Condition of Graduation

Amends GS 115C-12 and GS 115C-47 to prohibit local boards of education from requiring students to complete a high school graduation project as a condition of high school graduation. Further specifies in GS 115C-47 that requirements for graduation must be connected only to the completion of required courses. Applies beginning with the 2019-20 school year.

Makes conforming changes.

**Intro. by Tillman, Ballard, Sawyer.**

[GS 115C, GS 116](#)

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, State Agencies, Department of Public  
Instruction, State Board of Education**

## LOCAL/HOUSE BILLS

H 383 (2019-2020) [TOPSAIL BEACH CHARTER/BOARD VACANCIES](#). Filed Mar 19 2019, *AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO PROVIDE FOR THE FILLING OF VACANCIES ON THE BOARD OF COMMISSIONERS AND TO CLARIFY THE TIMING OF THE ORGANIZATIONAL MEETING OF THE PENDER COUNTY BOARD OF EDUCATION.*

AN ACT AMENDING THE CHARTER OF THE TOWN OF TOPSAIL BEACH TO PROVIDE FOR THE FILLING OF VACANCIES ON THE BOARD OF COMMISSIONERS AND TO CLARIFY THE TIMING OF THE ORGANIZATIONAL MEETING OF THE PENDER COUNTY BOARD OF EDUCATION. SL 2019-44. Enacted June 25, 2019. Effective June 25, 2019.

**Intro. by C. Smith.**

[Pender](#)

[View summary](#)

## LOCAL/SENATE BILLS

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

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

Modifies the proposed restrictions on the use of the 1/4 cent sales tax proceeds in Buncombe County, which prioritize uses for community college needs as follows. Requires the County to appropriate to an eligible community college, with the highest priority, for each fiscal year the amount necessary to satisfy the debt service obligations existing as of March 12, 2019, for construction and improvements of real property owned by an eligible community college and to real property by the county if directly related to services and educational programs offered by the community college (was, an amount equal to the college's debt service obligations for that fiscal year). Concerning the \$2 million amount that must be appropriated to the reserve for the benefit of an eligible community college, establishes that those funds unexpended and unencumbered as of the expiration date of the act (June 30, 2027) are to be used for new construction of or repair and improvements to real property owned by the eligible community college or to retire any indebtedness incurred by the county for those purposes. Requires the remainder of the proceeds to be used for new construction of or repair and improvements to real property owned by an eligible community college or to retire any indebtedness incurred by the county for those purposes (was, to be used in conformity with Article 46, GS Chapter 105, subject to voter approval).

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

[Buncombe](#)

[View summary](#)

[Education, Higher Education, Government, Tax](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

### H 33: [ADJUST GSC MEMBERSHIP](#).

*Senate: Reptd Fav*

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

### H 67: [ROAD BARRIER PROHIBITION](#).

*Senate: Reptd Fav*

### H 108: [PED/SAFEKEEPER HEALTH CARE COST RECOV. PRACT.](#)

*Senate: Reptd Fav*

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

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

*Senate: Withdrawn From Com*

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

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

*Senate: Reptd Fav*

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

**H 243: STATE HUMAN RESOURCES ACT AMENDMENTS.-AB**

*Senate: Reptd Fav*

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

**H 257: MOTORCYCLES/FACE MASKS.**

*Senate: Reptd Fav*

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

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

*Senate: Reptd Fav*

**H 323: ASSESS COSTS OF LOCAL LEO CRIME LAB ANALYSIS.**

*Senate: Reptd Fav*

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

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

*Senate: Reptd Fav*

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

**H 343: AUTHORIZE LSC/CRIMINAL RECORD CHECKS.**

*House: Withdrawn From Cal*

*House: Placed On Cal For 06/26/2019*

**H 370: REQUIRE COOPERATION WITH ICE DETAINERS. (NEW)**

*Senate: Special Message Sent To House*

*House: Special Message Received For Concurrence in S Com Sub*

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

**H 402: UNC CAPITAL PROJECTS.**

*Senate: Reptd Fav*

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

**H 463: EDUCATION/JOB READINESS IN PRISONS & JAILS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**H 474: DEATH BY DISTRIBUTION.**

*Senate: Reptd Fav*

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

*Senate: Reptd Fav*

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



**H 495: NO MUNICIPAL REG/OFF-SITE WASTEWATER SYSTEMS. (NEW)**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Special Message Sent To House*

*House: Special Message Received For Concurrence in S Com Sub*

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 06/27/2019*

**H 529: UTILITIES/WATER AND WASTEWATER CONSUMPTION.**

*Senate: Reptd Fav*

**H 537: ALT. HWY USE TAX VEHICLE SUBSCRIPTIONS.**

*House: Ratified*

**H 557: MUNICIPAL OMNIBUS BILL.**

*House: Amend Adopted A1*

*House: Passed 2nd Reading*

**H 604: SMALL BUSINESS RETIREMENT PROGRAM.**

*Senate: Withdrawn From Com*

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

**H 629: LAW-ENFORCEMENT MUTUAL AID.**

*Senate: Reptd Fav*

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

**H 656: MEDICAID CHANGES FOR TRANSFORMATION.**

*House: Ratified*

**H 675: 2019 BUILDING CODE REGULATORY REFORM.**

*Senate: Reptd Fav*

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

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

*Senate: Reptd Fav*

**H 757: PENDER COUNTY/BUTNER PROPERTY TRANSFERS. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**H 760: EXPAND LOSS PREVENTION INVESTIGATIONS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**H 770: FREEDOM TO WORK/OLB REFORM. (NEW)**

*Senate: Reptd Fav*

**H 777: VARIOUS RETIREMENT CHNGS/WASTEWATER REFORM. (NEW)**

*Senate: Reptd Fav*

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

**H 812: NUTRIENT OFFSET AMENDMENTS.**

*Senate: Reptd Fav*

**H 871: FAIR CONTRACTS. (NEW)**

*Senate: Reptd Fav*

**H 872: UNDERGROUND UTILITY SAFETY ACT/CHANGES.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**H 886: STUDY PARTICIPATION OF OPERATORS IN NC PRE-K.**

*Senate: Reptd Fav*

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

*Senate: Reptd Fav*

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

*House: Ratified*

**H 966: 2019 APPROPRIATIONS ACT.**

*Senate: Conf Com Reported*

*Senate: Ruled Material*

*Senate: Placed On Cal For 06/27/2019*

*House: Conf Com Reported*

*House: Ruled Material*

*House: Rules Suspended*

*House: Placed On Cal For 06/26/2019*

**H 1016: UNC BOARDS OF TRUSTEES APPOINTMENTS.**

*House: Ratified*

*House: Ch. SL 2019-45*

**H 1017: SPECIAL MASTER WAKE HOUSE PLAN.**

*House: Ratified*

*House: Ch. SL 2019-46*

**S 55: CONTINUING EDUCATION FOR GENERAL CONTRACTORS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 61: GUARDIAN/PARENT AUTHORIZED PLATE.**

*House: Reptd Fav*

*House: Re-ref Com On Finance*

**S 68: RELOCATION OF WATER/SEWER LINE COSTS.**

*House: Reptd Fav*

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

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

**S 95: VETERANS MEMORIAL FUNDS/DO NOT REVERT.**

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

**S 105: FEDERAL MOTOR CARRIER SAFETY/PRISM.**

*House: Reptd Fav*

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

**S 113: DMV/EMERGENCY CONTACT INFORMATION.**

*House: Reptd Fav*

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

**S 127: PROTECT GOVERNMENTAL ACCOUNTABILITY.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

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

*House: Withdrawn From Com*

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

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

*House: Withdrawn From Cal*

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

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

*House: Reptd Fav*

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

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

*Senate: Ratified*

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 225: REPEAL TUITION SURCHARGE.**

*Senate: Ratified*

**S 227: TP3/PRINCIPAL FELLOWS CONSOLIDATION. (NEW)**

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

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

*House: Reptd Fav*

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

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

*House: Reptd Fav*

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

**S 290: DISTILLER REGULATORY REFORM BILL.**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

*Senate: Special Message Sent To House*

*House: Special Message Received From Senate*

*House: Passed 1st Reading*

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

**S 311: MESSAGE BOARD MEMBERSHIP.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 343: VARIOUS EDUCATION LAW CHANGES. (NEW)**

*House: Reptd Fav Com Substitute*

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

**S 344: ALLOW COMMON AREA ENTERTAINMENT ABC PERMIT.**

*Senate: Withdrawn From Com*

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

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

*House: Reptd Fav*

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

**S 354: SAM'S LAW. (NEW)**

*House: Reptd Fav Com Substitute*

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

**S 361: HEALTH CARE EXPANSION ACT OF 2019.**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 06/26/2019*

**S 362: ANNUAL REPORT STANDARDIZATION.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Special Message Sent To House*

*House: Special Message Received From Senate*

*House: Passed 1st Reading*

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

**S 366: 10TH GRADE/COLLEGE TRANSFER PATHWAYS. (NEW)**

*Senate: Failed Concur In H Com Sub*

**S 377: MILITARY BASE PROTECTION ACT.**

*House: Reptd Fav Com Substitute*

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

**S 384: CLARIFY MOTOR VEHICLE DEALER LAWS.**

*House: Reptd Fav Com Substitute*

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

**S 385: CLARIFY/AUTO DEALERS REGULATORY REQ.**

*House: Reptd Fav Com Substitute*

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

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 399: REHIRE HIGH-NEED TEACHERS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 423: NORTH CAROLINA ANIMAL ABUSER REGISTRY ACT.**

*Senate: Withdrawn From Com*

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

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

*House: Withdrawn From Com*

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

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

*House: Reptd Fav*

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

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

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

*House: Withdrawn From Com*

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

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

*House: Reptd Fav Com Substitute*

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

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

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

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

*House: Reptd Fav*

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

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

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 604: AMEND NC VETERINARY PRACTICE ACT.**

*House: Reptd Fav Com Substitute*

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

**S 606: PRIORITIZE NATIVE NC PLANTS ON HIGHWAY ROW.**

*House: Reptd Fav*

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

**S 610: AUTHORIZE NORTHERN PEAKS TRAIL.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Ordered Enrolled*

**S 620: ELECTRIC STANDUP SCOOTERS.**

*Senate: Withdrawn From Com*

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

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

*House: Reptd Fav Com Substitute*

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

**S 681: RURAL HEALTH CARE STABILIZATION ACT.**

*Senate: Withdrawn From Com*

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

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

*Senate: Reptd Fav*

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

**H 6: BURLINGTON AIRPORT/LEASE/CONTRACT AUTHORITY.**

*Senate: Reptd Fav*

**H 15: LEXINGTON/DISSOLVE UTILITIES COMMISSION.**

*Senate: Reptd Fav*

**H 98: MACON/CLAY/NO RIGHT-OF-WAY SPOTLIGHTING.**

*Senate: Reptd Fav*

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

**H 170: VARIOUS SATELLITE ANNEXATIONS. (NEW)**

*Senate: Reptd Fav*

**H 187: AMEND TOWN OF ELON CHARTER/PARKING ORDINANCES.**

*Senate: Reptd Fav*

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

**H 204: TOWN OF BEAUFORT/ANNEXATION. (NEW)**

*Senate: Reptd Fav*

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

**H 237: BRUNSWICK COUNTY ZONING PROCEDURE CHANGES.**

*Senate: Reptd Fav*

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

**H 239: PITT COUNTY ANIMAL CONTROL RECORDS.**

*Senate: Reptd Fav*

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

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

*Senate: Reptd Fav*

**H 285: CITY OF SANFORD/TOWN OF BEAUFORT VOL ANNEX. (NEW)**

*Senate: Reptd Fav*

**H 299: HENDERSON CTY/BUILD COMMUNITY COLLEGE BLDGS.**

*Senate: Reptd Fav*

**H 349: WILKES COUNTY FIRE TAX-PROCEDURE.**

*Senate: Reptd Fav*

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

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

*House: Ratified*

*House: Ch. SL 2019-44*

**H 429: NAVIGABLE WATERS/MANTEO/HYDE (NEW)**

*House: Passed 2nd Reading*

**H 489: LINCOLNTON-LINCOLN COUNTY AIRPORT AUTHORITY.**

*Senate: Reptd Fav*

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

**S 80: CHINA GROVE SATELLITE ANNEXATION. (NEW)**

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

**S 190: EXPAND SPECIAL ASSESSMENTS FOR DAM REPAIR.**

*Senate: Passed 2nd Reading*

**S 201: TOWN OF BOLTON/DEANNEXATION.**

*Senate: Passed 2nd Reading*

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

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

**S 262: UNION/PROHIBIT CERTAIN HUNTING ACTS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

*Senate: Special Message Received For Concurrence in H Com Sub*

**S 267: BUNCOMBE 1/4 CENT SALES TAX USE RESTRICTION.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 674: SURRY CO./MT. AIRY/ELKIN CITY/BD. ED PARTISAN.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

*Senate: Special Message Received For Concurrence in H Com Sub*

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