

The Daily Bulletin: 2019-06-27

PUBLIC/HOUSE BILLS

H 106 (2019-2020) **INMATE HEALTH CARE & 340B PROGRAM. (NEW)** Filed Feb 19 2019, *AN ACT TO IMPROVE INMATE HEALTH CARE REIMBURSEMENT AND INTERNAL PROCESSES AND TO ESTABLISH A TELEMEDICINE PILOT PROGRAM; IN ADDITION TO DIRECTING THE DEPARTMENT OF PUBLIC SAFETY TO PARTNER WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE PURCHASE OF CERTAIN MEDICATIONS FOR INMATES, TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE REQUESTS FOR PROPOSALS FOR PARTNERSHIPS BETWEEN NORTH CAROLINA 340B PROGRAM ENTITIES AND THE FOUR NORTH CAROLINA PRISON REGIONS, TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO PARTNER WITH THE UNIVERSITY OF NORTH CAROLINA HEALTH SYSTEM TO SHIFT PRESCRIBING AUTHORITY ON CERTAIN MEDICATIONS, AND TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO SUBMIT VARIOUS REPORTS TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON JUSTICE AND PUBLIC SAFETY AND THE FISCAL RESEARCH DIVISION.*

Senate committee substitute to the 4th edition makes the following changes.

Removes the specified effective dates in GS 143B-707.5(b) and (c) of July 1, 2019, and October 1, 2019, and instead makes the entire statute (concerning Medicaid services for inmates) effective October 1, 2019.

Requires the report on the feasibility study of telehealth services to be made by August 1, 2019, instead of July 1, 2019.

Adds the following.

Requires the Department of Public Safety (DPS) to establish and implement a partnership with the Department of Health and Human Services (DHHS) in order for DPS to be eligible to operate as a 340B covered entity. Requires DPS to contract for consultant services in order to implement this section. Requires DPS to: (1) submit an application during the next registration period to enroll in the federal 340B Program to be able to access 340B Program pricing for medications used to treat the human immune deficiency virus, the hepatitis C virus, and eligible sexually transmitted diseases; (2) provide DHHS with data and necessary documentation as frequently as it is needed by DHHS; (3) ensure that DPS pharmacies are compliant dispensing pharmacies under the 340B Program; (4) coordinate with one or more vendors to purchase STD 340B Program medications that result in the greatest overall cost savings to the State; and (5) develop a separate inventory to track 340B Program medications. Requires DPS to report to the specified NCGA committee and division by October 1, 2019, on implementation of these requirements.

Requires DPS to develop a plan by December 1, 2019, to issue request for proposals (RFP) and sets out additional requirements of the RFP. Requires DPS to issue one RFP for each of the four prison regions. Requires the RFPs to seek partnerships between the prison regions and one or more 340B Program entities in the State and express a preference for bidding entities that would use DPS as a contract pharmacy for 340B Program medications. Requires each RFP to at least require that an entity's bid include: (1) an explanation of the bidding entity's ability to purchase the specified types of medications; (2) a commitment, as a 340B Program covered entity, to purchase medications under the 340B Program on behalf of DPS and to pass all related savings on to the State; (3) a description of the 340B Program correctional partnership model the bidding entity would use based on the seven correctional partnership models provided in the specified report; and (4) an explanation of the manner in which specialty care and 340B pharmacy services will be provided. Requires services to be provided in a manner that improves or maintains quality and continuity of patient care. Requires DPS to report to the specified NCGA committee and division by December 1, 2019, on the plan, and quarterly thereafter until RFPs for all prison regions are awarded.

Requires DPS to partner with UNC Health Care System (UNC) by October 1, 2019, to begin receiving all 340B Program savings from medications prescribed to inmates, but not administered, at a 340B Program-registered UNC-HCS site for non-HIV and non-HCV medications. Requires DPS to direct that the prescribing authority of DPS providers be transferred to UNC providers for identified inmates treated at a 340B Program-registered UNC site. Requires that by October 1, 2019, DPS and UNC: (1) identify the UNC inmate patients for whom shifting prescriptive authority to UNC is feasible and appropriate; (2)

establish a method for improving or maintaining quality and continuity of patient care once the prescriptive authority has shifted to UNC; (3) develop mechanisms to ensure that the communication between the UNC prescriber and the DPS physician maintains the quality and continuity of care that inmates currently receive; and (4) select the UNC-HCS pharmacy, the DPS Apex Central Pharmacy, or a combination of both, as the pharmacy through which medications will be dispensed. Requires DPS and UNC to establish a Memorandum of Agreement to require UNC to pass through all of the 340B Program savings for medications specified. Requires a report to the specified NCGA committee and division by October 1, 2019, and monthly thereafter until implementation, on the progress made toward implementation.

Enacts new GS 143B-707.5 requiring DPS to report to the specified NCGA committee and division annually beginning October 1, 2020, on: (1) savings achieved from its partnership with DHHS for the purchasing of certain medications for inmates under the federal 340B Program; and (2) savings achieved from its partnership with UNC for the provision of inmate medications and services under the federal 340B Program. Requires DPS to report to the specified NCGA committee and division by October 1, 2021, and annually thereafter, on savings achieved from the partnerships between the four prison regions and North Carolina 340B Program entities for the provision of inmate medications and services under the Federal 340B Program.

Changes the effective date of the act from July 1, 2019, to when the act becomes law.

Makes conforming changes to the act's titles.

Intro. by Horn, Farmer-Butterfield, Lucas, R. Turner.

GS 143B

Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Government, Public Safety and Emergency Management, State Agencies, UNC System, Department of Health and Human Services, Department of Public Safety, Office of State Human Resources (formerly Office of State Personnel), Health and Human Services, Health, Health Insurance, Social Services, Public Assistance

[View summary](#)

H 126 (2019-2020) **AMEND CERTIFICATE OF NEED LAWS. (NEW)** Filed Feb 20 2019, *AN ACT AMENDING CERTIFICATE OF NEED LAWS.*

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

Part I.

Amends GS 131E-176, which sets out defined terms applicable to Article 9, Certificate of Need. Amends *bed capacity* to specify space used exclusively for inpatient care at a health care facility. Changes the definition of *diagnostic center* to mean specified facilities in which the total cost of all the medical diagnostic equipment utilized by the facility which cost \$10,000 or more exceeds \$1.5 million (was, \$500,000). Modifies terms throughout to remove reference to "psychiatric facilities," "kidney disease treatment centers," "intermediate care facilities for the mentally retarded," "chemical dependency treatment facilities." Amends *health service facility* to exclude a licensable facility as defined in GS 122C-3(14)b. Modifies the term *major medical equipment* to mean a single unit or system of use to provide medical and other health services which costs more than \$2 million (was, \$750,000); provides that beginning September 30, 2022, and annually thereafter, the cost threshold set forth is to be adjusted using the Medical Care Index component of the CPI as specified. Changes the terminology to "intermediate care facility for individuals with intellectual disabilities" (was, mentally retarded). Modifies the term *new institutional health services* to include the obligation of any person of a capital expenditure exceeding \$4 million (was, \$2 million) to develop or expand a health service or a health service facility or which related to the provision of health service. Makes further technical, clarifying, and conforming changes.

Amends GS 131E-177 to prohibit the Department of Health and Human Services (DHHS) from including policies or need determinations that limit the number of operating rooms in gastrointestinal endoscopy rooms in developing a State Medical

Facilities Plan. Makes further technical and clarifying changes.

Makes conforming changes to GS 131E-183, GS 131E-184, and GS 131E-186 to eliminate requirements related to certificates of need and review for ambulatory surgical facilities, psychiatric facilities, and intermediate care facilities for the mentally retarded.

Further amends GS 131E-184 regarding exemptions from certificate of need review. Adds new subsection (i) to require DHHS to exempt from certificate of need review the development, acquisition, construction, expansion, or replacement of a health service facility or health service that obtained certificate of need approval prior to October 1, 2019, as: a kidney dialysis disease treatment, including freestanding hemodialysis units; a chemical dependency treatment facility; an intermediate care for individuals with intellectual disabilities; psychiatric facility; or any other licensable facility, as defined.

Adds new subsection (j) to require DHHS to exempt from certificate of need review the establishment of a home health agency by a licensed continuing care retirement community to provide home health care services to one or more residents of the retirement community who have entered into a contract with the retirement community to receive continuing care services with lodging. Requires the continuing care retirement community to obtain a certificate of need if developing or offering services to any individual not a resident of the retirement community under a contract to receive continuing care services with lodging. Explicitly does not exempt from the State's home health agency licensure and certification requirements a continuing care retirement community that has been exempted from certificate of need review for the provision of home health services to one or more residents pursuant to new subsection (j). Provides that new subsection (j) applies to continuing care retirement communities engaged in the direct provision of home health services on or after October 1, 2019.

Enacts GS 131E-189(d) deeming a certificate of need for the construction of a health service facility to expire if the holder fails to initiate construction of the project authorized within (1) four years for a project that costs over \$50 million, and (2) two years for a project that costs \$50 million or less.

Makes conforming repeals in GS 131E-175 (legislative findings).

Effective October 1, 2019.

Part II.

Enacts GS 131E-147 to require applications for an initial or renewal license for an ambulatory service center to state the number of procedure rooms on, and the number of procedures performed at, the premises names in the application.

Further amends GS 131E-176 to remove from the conversion of a specialty ambulatory surgical program to a multispecialty ambulatory surgical program, or the addition of a specialty to a specialty ambulatory surgical program, from the definition of *new institutional health services*.

Effective January 1, 2020.

Part III.

Provides a severability clause.

Makes conforming changes to the act's titles.

Intro. by Murphy, Dobson, Potts, Sasser.

GS 131E

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers

H 206 (2019-2020) [DOT LEGISLATIVE CHANGES.-AB](#) Filed Feb 26 2019, *AN ACT TO MAKE CHANGES TO LAWS RELATED TO TRANSPORTATION, AS RECOMMENDED BY THE DEPARTMENT OF TRANSPORTATION.*

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

Makes organizational changes.

Eliminates the proposed changes to GS 40A-3, concerning nonpublic schools' power of eminent domain for transportation improvements.

Amends GS 136-16 to require all funds and property collected by the Department of Transportation (DOT) to be paid or converted into the State Highway Fund, except as provided in the Chapter (was, except as otherwise provided). Makes organizational and clarifying changes.

Enacts GS 146-30(b4) to prohibit levying a service charge against the proceeds of any disposition by lease, rental, or easement of lands owned by the DOT; requires all net proceeds of these dispositions to be deposited in the State Highway Fund.

Amends GS 146-30 to require the net proceeds derived from the sale of land, facilities, products, or timber owned by DOT to be deposited into the State Highway Fund (previously, did not include DOT-owned products or timber).

Requires the Department of Environmental Quality (DEQ) and the Environmental Management Commission (Commission) to implement the Neuse River Basin Riparian Buffer Rule (Rule), as defined, by (1) exempting airport facilities, as defined, that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer and (2) not requiring compliance with the Determination of "No Practical Alternatives" provision of the Rule for airport facilities, as defined, that impact greater than 150 linear feet or one-third of an acre of riparian buffer. Directs the Commission to adopt rules to amend the Rule consistent with the implementation provisions of the act.

Grants DOT the authority to permit private use and encroachment of the airspace described in Pinehurst for the purpose of construction of a parking facility structure for Moore Regional Hospital, so long as DOT determines that the structure will not unreasonably interfere with or obstruct the public use of the right-of-way of the specified State road. Requires the Board of Transportation's approval of any agreement for an authorized encroachment. Subjects any authorized encroachment agreement to all state and federal laws, and any DOT imposed conditions. Requires access for the parking facility structure to be approved by DOT under a separate driveway permit. Deems Moore Regional Hospital responsible for all costs associated with DOT requirements in the approved encroachment agreement and driveway permit. Prohibits Moore Regional Hospital or any other organization or event from requiring a fee to use the parking structure within the described airspace.

Amends proposed GS 63-74 to make clarifying changes to the distribution formula of Airport Improvement Program funds. Makes further technical changes.

Eliminates the proposed changes to GS 136-28.4, which directed the Office of Civil Rights to increase outreach efforts to small professional service firms.

Repeals Section 35.18 of SL 2016-94, which authorized DOT to lease or convey the Murphy Branch Rail Line, as described.

Adds to the powers granted to DOT in GS 136-18 to allow DOT to enter into partnership agreements with private entities to finance the cost of acquiring, constructing, equipping, maintaining, and operating communications infrastructure supporting the State's transportation infrastructure, as well as to plan, design, develop, acquire, contract, equip, maintain, and operate the same supporting transportation infrastructure within the state. Defines *communications infrastructure supporting transportation infrastructure* to include broadband or data transmission facilities within the right-of-way of the interstate or primary highway system owned and utilized by DOT for traffic management, highway safety, vehicle technology integration, or other DOT functions. Requires DOT partnership agreements to receive concurrence of the Board of Transportation. Requires DOT to report to specified NCGA committee chairs at the same time it notifies the Board of Transportation of a proposed agreement. Requires approval of the Local Government Commission for certain agreements committing DOT to make nonretention payments for undisputed capital costs to be made later than 18 months after final acceptance by DOT. Requires the agreements to comply with the competitive bidding requirements. Details parameters agreements under the statute must comply with, including prohibiting any agreement from abrogating DOT's ownership and control of the right-of-way or communications infrastructure and its facilities within the right-of-way. Limits the term of any agreement under this provision to 50 years from the date the communications infrastructure becomes operational and used by DOT. Requires DOT to report to the specified NCGA committee 60 days prior to signing a concession agreement, detailing eight elements of the presumptive concessionaire. Makes conforming changes to GS 136-18, allowing DOT to act as a conduit issuer for private activity security bonds for financing agreements under the newly added provisions.

Directs DOT to develop standards for entering into comprehensive agreements with private entities under the DOT's newly granted authority and report the standards with legislative recommendations to the specified NCGA committee by March 1, 2020.

Requires the State agency (agency) for State surplus property to establish a pilot program by October 1, 2019, for disposing of Department of Transportation (DOT) surplus property by live public auction and via live simulcast or electronic means without requiring the movement of DOT surplus property. Requires the agency to prepare a request for proposal for three public auctions conducted by a private licensed auctioneer during the pilot program. Prohibits holding auctions after December 31, 2021, and terminates the pilot program upon submission of its required report. Requires the agency to issue a request for proposal for the sale of DOT surplus property by December 1, 2019. Requires the agency to group the various highway Divisions into three regions for determining the live public auction locations based on surplus property distribution and storage locations. Requires DOT to provide specified files and documents for each item or motor vehicle being auctioned prior to the auction. Requires the agency to consult with DOT to determine staffing requirements, documentation of property for auction, and arrangements for the public to access storage locations to inspect and view the property to be auctioned. Requires proceeds to be credited to the State Highway Fund. Sets out 10 additional auctioneer requirements that must be included in the request for proposal, including that the auctioneer accept payment by any commercially reasonable manner, allowing the auction company to charge credit card and platform fees of up to 3% of the highest and final bid, requiring posting a cash bond or equivalent guarantee in the amount of \$250,000, and requiring minimum coverage of \$2 million in commercial general liability insurance. Requires the agency to review proposals and enter into a contract by June 1, 2020, with the lowest responsible bidder who provides evidence that it meets the request for proposal requirements. Requires the agency to report by March 1, 2022, to the specified NCGA committee on the results, findings, and legislative recommendations based on the results of the auctions. Specifies items that must be included in the report.

Amends GS 20-7(i) to allow a restoration fee charged a person whose driver's license was revoked under GS Chapter 20 (other than GS 20-17(a)(2) concerning specified impaired driving offenses) to be waived if (1) the restoration fee remains unpaid for more than 10 years from the date of assessment and (2) the person responsible for paying the restoration fee has been issued a driver's license by the Division of Motor Vehicles after the effective date of the revocation for which the restoration fee is owed. Effective October 1, 2019.

Amends GS 20-37.6(d) concerning the designation of parking spaces for handicapped persons by adding that a parking space designated for handicapped persons includes clearly marked access aisles, and all provisions, restrictions, and penalties applicable to parking in spaces designated for handicapped persons also apply to clearly marked access aisles.

Enacts new Article 10, Peer-to-Peer Vehicle Sharing, in GS Chapter 20. Allows an airport operator to (1) charge vehicle sharing providers a reasonable fee for using the airport's facility, (2) require shared vehicles operating on airport property to display an identifying decal, (3) require the purchase and use of equipment or establish other ways to monitor and audit compliance, and (4) designate a location where shared vehicles may stage on the airport operator's facility. Defines terms used in the Article, including defining *peer-to-peer vehicle sharing program* as a business platform that connects shared vehicle owners with drivers to enable the sharing of vehicles for financial consideration. Effective October 1, 2019.

Intro. by Torbett.

STUDY, GS 20, GS 40A, GS 63, GS 136, GS 146

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Business and Commerce, Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Environmental Quality (formerly DENR), Department of Transportation, State Government, State Property, Transportation

H 220 (2019-2020) **INSURANCE TECHNICAL CHANGES.-AB** Filed Feb 27 2019, *AN ACT TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE INSURANCE LAWS, AS RECOMMENDED BY THE DEPARTMENT OF INSURANCE.*

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

Deletes Part XII, which amended GS 58-57-90 to require each writer of credit property insurance written in the State to submit the specified information to the Department of Insurance for each of the last five calendar years by April 1 of each year, and require the Department to publish the information in an aggregate form on its website by July 1 of each year.

Reinstates the following as it appeared in the 1st edition (previously removed in the 2nd edition).

Amends GS 58-50-56 by removing the provision allowing a person enrolled in a preferred provider benefit plan to obtain covered health care services from a provider who does not participate in the plan. Makes the preferred provider benefit plan coverage limitations subject to GS 58-3-190 (coverage required for emergency care).

Enacts new GS 58-50-56.1 providing that if (1) a contract between an insurer and a health care provider offering an exclusive provider benefit plan is terminated by the provider or by the insurer, or benefits or coverage provided by the insurer are terminated because of a change in the terms of provider participation in an insurer's exclusive provider benefit plan and (2) an insured is undergoing treatment from the provider for an ongoing special condition on the date of termination, then: (1) upon termination of the contract by the insurer or receipt by the insurer of written notification of termination by the provider, the insurer must notify the insured of the termination and of the right to continuation of coverage of treatment by the provider and (2) the insurer must allow an insured to elect to continue to be covered with respect to the treatment by the terminated provider for the ongoing special condition during a transitional period. Sets out transitional periods in general, for scheduled surgery, organ transplantation, or inpatient care; for pregnancy; and for terminal illness.

Requires each exclusive provider benefit plan offered by an insurer to provide transition coverage to individuals who (1) are newly covered under an exclusive provider benefit plan because the individual's employer has changed benefit plans and (2) are undergoing treatment from a provider for an ongoing special condition.

Allows an insurer to condition coverage of continued treatment on six specified terms and conditions. Requires insurers to include a description of an insured's rights in its evidence of coverage and summary plan description.

Allows the Department of Insurance to adopt temporary rules to implement the statute.

Intro. by Setzer, Bumgardner, Corbin.

GS 58, GS 97, GS 105

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Business and Commerce, Insurance, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Public Safety and Emergency Management, Tax, Health and Human Services, Health, Health Insurance, Social Services, Public Assistance

H 226 (2019-2020) [2019 AOC LEGISLATIVE CHANGES.-AB](#) Filed Feb 27 2019, *AN ACT TO MAKE VARIOUS CHANGES AND TECHNICAL CORRECTIONS TO THE LAWS GOVERNING THE ADMINISTRATION OF JUSTICE.*

Senate committee substitute makes the following changes to the 4th edition.

Part I

Makes the changes to GS 7A-38.2 effective October 1, 2019, instead of July 1, 2019.

Intro. by R. Turner.

GS 1, GS 7A, GS 11, GS 14, GS 15A, GS 20, GS 28A, GS 30, GS 42, GS 44A, GS 45, GS 48, GS 84, GS 105

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Courts/Judiciary, Civil, Civil Law, Civil Procedure, Family Law, Motor Vehicle, Court System, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing

H 411 (2019-2020) [MODIFY SCHOOL QUAL./STUDENT SUCCESS INDICATOR.](#) Filed Mar 20 2019, *AN ACT TO COMBINE THE CAREER AND COLLEGE READINESS INDICATORS USED FOR SCHOOL PERFORMANCE GRADES AND FOR THE PURPOSE OF COMPLIANCE WITH FEDERAL LAW FOR GRADES NINE THROUGH TWELVE, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO INCLUDE ADDITIONAL CAREER AND COLLEGE READINESS INFORMATION ON ANNUAL REPORT CARDS.*

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

Amends GS 18C-132 by adding that if requested by a the lottery prize winner, the identity of a winner of \$50 million or more is to be confidential until 90 days after the winner claims the prize.

Amends GS 132-1.2 by adding that nothing in GS Chapter 132 requires or authorizes a public agency or its subdivision to disclose any information that reveals the name, address, or other identifying information of any individual winning more than \$50 million in a lottery game who requests to remain anonymous.

Makes conforming changes.

Amends the act's title.

Intro. by Horn, Corbin, Elmore, Johnson.

[GS 18C, GS 115C, GS 132](#)

[View summary](#)

[Education, Elementary and Secondary Education,
Government, State Agencies, State Board of Education,
Lottery and Gaming](#)

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 2nd edition makes the following changes.

Eliminates all provisions of the following: Part V (amended GS 18B-1006 concerning the sale of alcoholic beverages at public college or university stadiums, athletic facilities, or arenas); Part VI (amended GS 18B-108 concerning sales of alcoholic beverages on trains and ferries); Part VII (amended GS 18B-1000 and GS 18B-1001, authorizing bars to obtain on-premises ABC permits, with related amendments to GS 130A-248); Part VIII (amended GS 18B-1105, allowing distilleries to sell spirituous liquor distilled by the distillery directly to out-of-state consumers); Part XV (amended GS 18B-802 and enacted GS 153A-145.9 and GS 160A-205.5 to provide local flexibility in ABC store hours and days of operation). Makes conforming organizational changes.

Part VIII.

Modifies proposed GS 18B-1010, changing the four-drink limit that an on-premises malt beverage, wine, or fortified wine permit holder can sell and deliver to a single patron for consumption on the premises to two alcoholic beverage drinks per single patron.

Part X.

Eliminates the proposed changes to GS 130A-250, which exempted licensed breweries not engaged in food preparation from food and lodging facility sanitation regulations.

Instead, amends GS 130A-247 to define *brewery* to mean an establishment licensed under GS 18B-1104 that is not engaged in the preparation of food (excluding beverages) on the premises, and amends GS 130A-248 to exempt ABC permitted establishments meeting the definition of a brewery, as defined, from compliance with sanitation laws under Article 8, as specified. Makes conforming changes to GS 130A-250 to explicitly exempt breweries, as defined, from the food and lodging facilities laws in Part 6 of Article 8.

Part XI.

Enacts GS 18B-700(c1) to prohibit the creation of any new local ABC boards in any county where a local board operates an ABC store unless the new board enters into an agreement to merge with an existing board. Specifies that the new provision does not prohibit local boards from serving multiple cities and/or counties.

Amends GS 18B-600 to allow a jurisdiction in a county where an ABC board is already in operation to hold an ABC store election if the jurisdiction has already negotiated a merger if approved, and the details of the planned merger have been made

available to all registered voters in the jurisdiction. Explicitly limits elections to cities in which at least one other city in the same county operates an ABC store.

Amends GS 18B-703 to restrict dissolution of a merger if a city or county is merging with a different local board or the city or county is ceasing operation of all ABC stores within the city or county.

Applies to elections held on or after July 1, 2019.

Part XII.

Modifies the proposed changes to GS 18B-1114.7 to make organizational changes and add to the limitations set forth for consumer tastings conducted in an ABC store. Now provides the following: (1) the spirituous liquor used in the tasting must be purchased by the permit holder from any ABC store at a price set by the ABC Commission, with the permittee responsible for removing remaining liquor from the event from the premises; (2) the local board must limit tasting to between 1:00 PM and 7:00 PM on any day the store is authorized to sell spirituous liquor, and for no more than three hours; (3) the local board must limit the tasting events per ABC store to three tastings per calendar year and two different permit holders per tasting event; (4) the total samples offered to or consumed by each customer cannot exceed one-half ounce in any calendar day; (5) permit holders conducting the event cannot conduct any sales of branded merchandise or apparel to consumers at the event; (6) prohibits local boards or permit holders from advertising or promoting the tasting event to the public except as specified; (7) requires the permit holder to provide at least 48 hours' written notice to the ABC Commission of the tasting event; (8) allows local boards to impose additional conditions, so long as they are written and noticed as specified; and (9) prohibits permit holders from providing consideration or any unlawful inducement to a local board, its board members, or its employees for any purposes related to the tasting event.

Part XIII.

Amends proposed GS 18B-404(e), to exclude payment by charge card or credit card from the term *electronic payment* (previously, included in the term).

Part XV.

Amends the proposed definition of *multi-tenant establishment* set forth in GS 18B-1000 to exclude a shopping mall with more than 50% of the shopping mall's square footage enclosed and air conditioned.

Amends the conditions for common area entertainment permits, established in proposed GS 18B-1001(21), to require alcoholic beverages sold for consumption in a designated common area to be dispensed only in a container that clearly identifies the licensed premises from which the beverage was purchased (previously, required dispensing in a paper or plastic cup bearing the name, logo, or name and logo of the licensed premises from which the beverage was purchased). Makes conforming changes.

Part XVI.

Amends proposed GS 18B-1001.4 to give the ABC Commission 15 business days to approve, deny, or request modifications to a delivery service permit holder's proposed training program. Specifies that the new statute does not require a technology services company to obtain a delivery service permit if the company does not employ or contract with delivery drivers, but instead provides software or an application that connects consumers and licensed retailers for the delivery of alcoholic beverages from the licensed retailer.

Directs the ABC Commission to begin accepting delivery service permit applications and approving training programs by September 1, 2019.

Part XVIII.

Amends GS 18B-1001 to allow sports and entertainment venues to obtain an on-premises fortified wine permit and a special occasion permit.

Part XIX.

Amends GS 18B-303 to allow a mixed beverage permittee or its employee to purchase and transport any amount of fortified wine or spirituous liquor for use by the mixed beverage permittee without obtaining a purchase-transportation permit. Allows a

local board employee to transport to a mixed beverage permittee any amount of fortified wine or spirituous liquor purchased by the permittee without obtaining a purchase-transportation permit. Deems independent contractors employed pursuant to GS 18B-701(a)(1), as amended, neither an employee of a mixed beverage permittee or a local board under these provisions. Makes conforming changes to GS 18B-403. Applies to fortified wine and spirituous liquor purchased on or after July 1, 2019.

Part XX.

Directs the ABC Commission to submit a quarterly report beginning October 15, 2019, to the specified NCGA committee detailing the progress made in bidding and selecting an independent contractor for the receipt, storage, and distribution of spirituous liquor at and from the State warehouse in accordance with GS 18B-204(a)(3). Sets out the parameters for the report. Terminates the reporting requirements upon the earlier date of the award of the contract for services described in GS 18B-204(a)(3) or January 1, 2022.

Part XXI.

Amends GS 18B-800, requiring ABC stores to allow the purchase of individual liquor bottles on the ABC Commission's approved list by special order through a process established by rule by the ABC Commission. Further, allows ABC stores to sell in stores any bottles it receives in excess of what was purchased by the customer requesting the special order. Applies to special orders placed on or after July 1, 2019.

Requires the ABC Commission to develop and implement an online system to facilitate the sale and purchase of spirituous liquor items and special order list items by and among local ABC boards.

Part XXII.

Amends GS 18B-701(a), authorizing a local ABC board to charge a fee for the provision of delivery, by its employees or an independent contractor, of liquor to a mixed beverages permittee. Explicitly authorizes a mixed beverages permittee to contract with an independent contractor for the provisions of spirituous liquor deliveries from an ABC board's store or warehouse to the permittee's premises. Makes technical and clarifying changes. Applies to deliveries made on or after July 1, 2019.

Directs the Commission to adopt rules to implement the statute, including parameters for the delivery fee and requirements for independent contractors making deliveries.

Intro. by McGrady, Boles, Fisher, Hardister.

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

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

H 554 (2019-2020) [FUNERAL PRACTICE LICENSURE TECH. CORRECTIONS](#). Filed Apr 2 2019, *AN ACT TO MODIFY FUNERAL SERVICE AND CREMATORY LICENSES AND PRACTICES*.

Senate committee substitute to the 4th edition makes the following changes.

Amends GS 90-210.25 by adding that to be licensed provisionally for the practice of funeral directing, an applicant has the burden of substantiating that the applicant (1) has completed a Board-approved application for a provisional license and paid the \$500 application fee; (2) is at least 18; (3) is of good moral character; (4) possesses an undergraduate degree or Associate of Applied Science degree in any field, or a diploma in funeral directing from a Board-approved curriculum at an accredited college of mortuary science; and (5) has a certified resident traineeship, is eligible for certification as a resident trainee, or has at least five years of professional experience under the supervision of a licensed funeral director. Sets a provisional license to expire on December 31 of each year and prohibits it from being renewed more than two times. Sets the renewal fee at \$250. Requires a provisional licensee to complete at least five hours of continuing education each year. Allows the Board to issue a provisional licensee a funeral director license if within three years of first obtaining a provisional license, the licensee substantiates to the Board's satisfaction that the licensee has obtained passing scores on the specified exams.

Intro. by Boles, Alexander, Hunter, Jones.

[GS 90, GS 130A](#)

[View summary](#)

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

H 628 (2019-2020) [2019 BANKING & MORTGAGE CORRECTIONS & CHANGES](#). Filed Apr 8 2019, *AN ACT TO ELIMINATE AN OUTDATED REQUIREMENT FOR SAVINGS BANKS AND SAVINGS AND LOAN ASSOCIATIONS TO PUBLISH ABSTRACTS OF STATEMENTS OF FINANCIAL CONDITION; TO ALLOW COMMERCIAL BANKS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS TO OFFER SAVINGS PROMOTION RAFFLES; AND TO ADD TO THE NORTH CAROLINA BANKING COMMISSION A MEMBER WHO IS, OR IS EMPLOYED BY A PERSON THAT IS, LICENSED UNDER THE NORTH CAROLINA SECURE AND FAIR ENFORCEMENT (S.A.F.E.) MORTGAGE LICENSING ACT.*

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

Amends GS 53C-2-1(a) to maintain the membership of the Banking Commission at 15 members, with 12 appointed by the Governor and three appointed by the General Assembly. Now requires the Governor's appointees to consist of seven rather than eight public members, and one member licensed or employed by someone licensed under Article 19B of GS Chapter 53, The Secure and Fair Enforcement Mortgage Licensing Act (previously, increased membership to 16 members to accommodate a new member to be licensed or employed by someone licensed as provided). Changes the effective date of the proposed changes to March 31, 2021 (was, the date the act becomes law). Directs the Governor to make an appointment, as required, to replace one of the current public members whose term expires on March 31, 2021 (previously, provided for the initial term of the new member to begin on October 1, 2019).

Intro. by Grange, Hardister, Conrad, Hunter.

[GS 14, GS 53C, GS 54B, GS 54C](#)

[View summary](#)

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

H 681 (2019-2020) [U.S. ARMY SPECIAL FORCES REG PLATE/FEES](#). Filed Apr 10 2019, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE A UNITED STATES ARMY SPECIAL FORCES SPECIAL REGISTRATION PLATE AND TO ELIMINATE THE SPECIAL LICENSE PLATE FEE FOR DISTINGUISHED FLYING CROSS AND AIR MEDAL RECIPIENT SPECIAL REGISTRATION PLATES.*

Senate committee substitute to the 1st edition changes the effective date of the act from July 1, 2019, to January 1, 2020.

Intro. by Rogers.

[GS 20](#)

[View summary](#)

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

H 758 (2019-2020) [MSD EXPANSION AND GOVERNANCE/DACS STUDY. \(NEW\)](#) Filed Apr 15 2019, *AN ACT TO EXPAND THE MEMBERSHIP OF CERTAIN METROPOLITAN SEWERAGE DISTRICTS, AND TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO STUDY WILDLIFE ENHANCEMENT, INVASIVE SPECIES CONTROL, AND NATIVE HABITAT RESTORATION ON PROPERTIES MANAGED BY THE STATE.*

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

Directs the Department of Agriculture and Consumer Services (DACS), Plant Industry Division to study wildlife enhancement, invasive species control, and native habitat restoration on properties managed by the State. Details requirements of the report, including identification of existing federal sources for wildlife enhancement on State-managed properties and missed match

opportunities with State resources. Requires DACS to provide its report to the specified NCGA committee and division by April 1, 2020. Amends the act's titles.

Intro. by McGrady.

STUDY, GS 162A

[View summary](#)

Animals, Environment, Environment/Natural Resources, Government, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), State Government, State Property, Local Government, Public Enterprises and Utilities

H 922 (2019-2020) [ENHANCE INSURANCE COVERAGE/EDUC. BUILDINGS. \(NEW\)](#) Filed Apr 16 2019, *AN ACT TO REDUCE THE IMPACT TO TAXPAYERS OF NATURAL DISASTERS AND OTHER INSURABLE RISKS BY ENHANCING STATE INSURANCE COVERAGE FOR PUBLIC SCHOOL BUILDINGS AND COMMUNITY COLLEGES.*

Senate committee substitute eliminates the previous provisions of the 1st edition and instead provides the following.

Section 1

Enacts GS 115C-523.1 to require local boards of education to insure at least 80% of the current insurable value of each of its insurable buildings, as well as insure the equipment and contents of the building. Requires local taxing authorities to appropriate necessary funds for compliance. Authorizes local boards to purchase insurance from licensed and authorized insurance companies in the state or to obtain insurance through the State pursuant to Article 31A of GS Chapter 58, as enacted. Authorizes the Commissioner of Insurance (Commissioner) to order a civil penalty for each separate violation as specified under current law, with every 24 hours without insurance constituting a separate violation.

Enacts GS 115C-523.2 to require local boards to provide flood insurance of at least 80% of the current insurable value of each of its insurable buildings when the property is located or becomes located in an area identified on the latest Flood Insurance Rate Map as an area that will be inundated by the flood event having a 1% chance of being equaled or exceeded in any given year. Requires local taxing authorities to appropriate necessary funds for compliance. Provides identical provisions concerning local board's authority to obtain the required insurance and the Commissioner's enforcement authority as that provided in new GS 115C-523.1.

Enacts GS 115C-238.66(14) to require the regional school boards of directors to comply with the insurance requirements of new GS 115C-523.1 and GS 115C-523.2 for any regional school building owned by the board of directors.

Section 2

Amends GS 115C-58.11 to make the insurance requirements for community college buildings and contents mirror the requirements of new GS 115C-523.1, including allowing boards of trustees to obtain required insurance through the State pursuant to Article 31 of GS Chapter 58. Additionally, enacts GS 115D-58.11A to require community college boards of trustees to the same flood insurance requirements as those enacted for public schools in GS 115-523.2.

Section 3

Transfers all functions, powers, duties, obligations, resources, and appropriations vested in the State Board of Education, the Superintendent of Public Instruction, and the School Insurance Fund Section of the Department of Public Instruction (DPI) for management and operation of a system of insurance for public education property to the Department of Insurance (DOI) and the Commissioner of Insurance, as a Type I transfer. Authorizes the Commissioner, DOI and the Office of State Budget and Management to take necessary steps to consolidate the system into DOI. Further, directs the State Treasurer to transfer the balance of the Public School Insurance Fund to the State Public Education Property Insurance Fund (Fund), established in GS 58-31A-15, as enacted.

Enacts new Article 31A, State Insurance of Public Education Property, of GS Chapter 58, that provides the following. Sets forth defined terms, including defining *public education board* (board) to mean local boards of education, board of trustees of regional schools, and boards of trustees of community colleges. Places management and operation responsibilities of a system

of insurance for public education property with the Commissioner. Authorizes the Commissioner to offer a system of insurance to any approved charter school.

Requires flood insurance premiums for coverage of public education buildings to be paid by each board at rates fixed by the Commissioner. Allows the Commissioner to purchase insurance or reinsurance as necessary from admitted insurers to protect the Fund.

Authorizes and directs the Commissioner to establish a division to manage and operate the system, adopt necessary rules for implementation, and to employ necessary staff.

Establishes the Fund to provide a reserve against property loss of boards. Deems the State Treasurer the custodian of the Fund, with responsibilities to the Fund as provided. Details procedures for the adjustment of premiums relating the the sufficiency of funds in the Fund to maintain the Fund at 5% of the total insurance in force. Establishes that all boards must pay five annual premiums on a building or property insured unless the building or property ceases to be insurable under the Article within the five-year period.

Allows all boards to insure all public education property titled to that board against the direct loss or damage by insurable hazards in public education buildings and other public education properties in the Fund. Details requirements and procedures of election, including 90 days' notice of election prior to the insurance becoming effective, as specified. Requires the Commissioner to provide for periodic inspections of all properties insured under the provisions, as specified.

Sets forth parameters for the Commissioner to fix and adjust premium rates, with notification to boards of premium amounts required and amounts to be provided in the annual budget of the board. Requires the Commissioner to at least annually provide each board with a certificate showing the amount of insurance carried on each item of insurable property. Specifies that the insurance remains in effect until the board requests cancellation or the property becomes uninsurable. Requires premium payments within 30 days of the premium notice, with a 6% interest rate for delayed payments.

Details parameters for payment of loss or damage by the Fund, a procedure for when disagreement arises between the Commissioner and the board as to the extent of loss or damage, and the procedure for disbursement of Funds.

Authorizes the Commissioner to use up to 10% of annual premiums to maintain an inspection and engineering service to reduce fire hazards in public education buildings insured in the Fund. Authorizes the Commissioner to cancel any insurance on any public education property when he or she determines the property is no longer insurable because of dilapidation and depreciation of the property, requiring 30 days' notice to a board prior to cancellation. Provides an avenue for a board to demonstrate the property can be restored to insurable condition.

Directs the Commissioner to adopt rules providing for property insurance on property insured by the Fund against all risks of direct physical loss not otherwise insured against under the Article (as the Article's definition of insurable hazards includes an exclusive list of perils). Requires losses covered by the additional insurance to be paid out of the Fund in the same manner as fire and extended coverage losses. Requires the premiums to be paid as fixed by the Commissioner. Subjects the additional insurance to provisions and stipulations on policy forms approved by the Commissioner.

Repeals Article 38 of GS Chapter 115C, State Insurance of Public School Property. Makes conforming changes to GS 115C-12 and GS 147-69.2. Makes conforming repeal of Section 6.(d)(30) of SL 2018-32.

Section 4

Effective July 1, 2020.

Makes conforming changes to the act's titles.

Intro. by D. Hall, Lewis, Arp.

[GS 42A](#), [GS 58](#), [GS 115C](#), [GS 115D](#)

[View summary](#)

[Business and Commerce](#), [Insurance](#), [Education](#), [Elementary and Secondary Education](#), [Government](#), [State Agencies](#), [Department of Insurance](#), [State Government](#), [State Property](#), [Local Government](#)

PUBLIC/SENATE BILLS

S 86 (2019-2020) [SMALL BUSINESS HEALTHCARE ACT](#). Filed Feb 19 2019, *AN ACT TO ESTABLISH STANDARDS FOR ASSOCIATION HEALTH PLANS*.

House committee substitute to the 2nd edition deletes the provisions of the previous edition and replaces it with the following.

Enacts Article 50A, Association Health Plans, to GS Chapter 58. Requires all association health plans delivered or issued for delivery in the State to be in compliance with GS Chapter 58, regardless of the domicile of the sponsoring association receiving the policy. Defines associated health plan to mean a fully insured group health insurance policy sponsored by a sponsoring association and offered or sold to members of the sponsoring association, to provide health benefits, as permitted under the Employee Retirement Income Security Act of 1974, its implementing regulations, and GS Chapter 58.

Defines sponsoring association to mean an association comprised of one or more employer members that provides an association health plan to its employer members; provided that it meets the other requirements of Article 50A, a sponsoring association is treated as an employer of a single group health plan under the Employee Retirement Income Security Act of 1974, its implementing regulations, and GS Chapter 58. Defines employer member to mean a sole proprietorship, or an individual or entity employing at least one person, which is a member of a sponsoring association.

Specifies that nothing in new Article 50A, Association Health Plans, regulates or prohibits any group health insurance policy that is not an association health plan. Prohibits any insurer from delivering or issuing for delivery an association health plan (plan) to a sponsoring association unless the sponsoring association meets five specified requirements, including (1) having at least one substantial business purpose unrelated to the offering and providing of health insurance or other employee benefits to its employer members and their employees, (2) having registered as a multiple employer welfare arrangement (MEWA) with the Insurance Commissioner, and (3) having a commonality of interest shared among the employer members based on either the establishment by employer members in the same trade/industry/business/profession, or by employer members as a statewide association in an area that does not exceed State boundaries.

Sets out employer membership requirements to obtain coverage under a plan, requiring the employer member to be a member of the sponsoring association and either be domiciled or have a principal headquarters or administrative office in the State, or be licensed by the State agency for the employer member's industry, trade, or profession. Limits the provision of coverage to eligible employees and individuals paid on an IRS Form 1099, as specified. Allows providing coverage to the spouse or dependent children of any eligible individual. Requires employer members to commit to remaining members of the sponsoring association and receiving and paying for benefits under the plan for a period of at least two years.

Sets five criteria a plan must meet, including that the plan can neither be offered nor advertised to the public generally, and the plan must provide a level of coverage that is at least 60% of the actuarial value of allowed costs for covered benefits.

Requires a sponsoring association to meet five specified solvency requirements before it can be delivered or issued for delivery of a plan.

Prohibits a plan or sponsoring association from conditioning eligibility for coverage on any health-status factor, including claims experience, evidence of insurability, and disability, among others. Permits a plan or sponsoring association to make rating distinctions among its employer members on factors other than health-status factors, so long as the rating distinction is not directed at individual beneficiaries or based on a health factor specifically identified by the statute. Prohibits plans from imposing limitations based on preexisting conditions. Clarifies that the statute does not require a plan to provide particular benefits other than those provided in the plan's terms, or otherwise required by law, nor prevents the plan from establishing limitations or restrictions on the amount, level, extent, or nature of the benefits or coverage for similarly situated individuals enrolled in the plan.

Prohibits a plan or sponsoring association from requiring any individual, as a condition of initial or continued enrollment in the plan, to pay a premium or contribution greater than the premium or contribution for a similarly situated individual enrolled in the plan on the basis of any health-status factor in relation to the individual or to an individual enrolled in the plan as a dependent of the individual. Clarifies that the statute does not restrict the amount an insurer can charge for coverage under a plan, or prevent an insurer from establishing premium discounts or modifying otherwise applicable co-payments or deductibles for an association health plan in return for adherence to programs of health promotion and disease prevention.

Specifies that Article 50A does not preclude a sponsoring association from engaging a broker or agent licensed to sell insurance in the State for purposes of reviewing and considering any plan.

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

Amends the act's long title.

Intro. by Bishop, Krawiec, Edwards.

GS 58

[View summary](#)

**Business and Commerce, Health and Human Services, Health,
Health Insurance**

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

House committee substitute makes the following changes to the 4th edition.

Part II.

Amends new GS 14-318.6 as follows. Eliminates the defined term *crime of abuse*. Instead, defines *serious bodily injury*, *serious physical injury*, *sexually violent offense*, and *violent offense*. Adds to the defined term *juvenile*, specifying that the age of the juvenile at the time of the abuse or offense governs for purposes of the statute. Now requires any person 18 years or older who knows or should have reasonably known that a juvenile has been or is the victim of a violent offense, sexual offense, or misdemeanor child abuse, to immediately report the case to the appropriate law enforcement agency in the county where the juvenile resides or is found (previously, required a person or institution who suspects a juvenile has been the victim of a felony or a crime of abuse to immediately report as provided). Amends the information required of the report to include, if known, the name, address, and age of the person who committed the offense, the location of the offense, and the nature and extent of any injury or condition resulting from the offense or abuse (was, abuse). Modifies the penalty provisions to now make it a Class 1 misdemeanor for any person 18 years or older who knows or should have reasonably known that a juvenile was the victim of a violent offense, a sexual offense, or misdemeanor child abuse and knowingly or willfully fails to make the required report or prevent another from making the required report (mirroring the modified duty provisions). Grants civil and criminal immunity to anyone who makes a report in good faith, cooperates with law enforcement, or testifies resulting from a law enforcement report or investigation.

Adds a new duty for any law enforcement officer who finds, as a result of a report, evidence that a juvenile may be abused, neglected, or dependent, to make an oral report as soon as practicable and make a subsequent written report to the director of the department of social services within 48 hours after discovery of the evidence. Requires the director to make a prompt and thorough assessment to determine whether protective services should be provided or the complaint filed as a petition.

Clarifies that the statute does not affect statutory privileges, as specified.

Part III.

Amends GS 15-4 to identify five misdemeanor crimes which must be charged within 10 years of the commission of the crime (under current law, the statute of limitations for misdemeanor is two years; previously, amended to extend the statute of limitations to 10 years for crimes of abuse). The identified misdemeanors include: failure to report abuse, neglect, dependency, or death due to maltreatment; sexual battery; indecent liberties between children; misdemeanor child abuse; and failure to report crimes against juveniles.

Part IV.

Modifies the proposed changes to GS 14-202.5, making it a Class H felony for a high-risk sex offender to pose falsely as a person under 16 years old online with the intent to commit an unlawful sex act with a person the offender believes is under 16 years old (previously, did not include mens rea). Modifies the qualifications for a high-risk sex offender, now including that the registered sex offender is a recidivist, with one offense against a person under 18 years old (previously, required recidivist status to be based on an offense against a person under 18 years old).

Eliminates the proposed changes to GS 14-208.7, which required sex offender registration forms for high risk sex offenders to include IP addresses under the registrant's control or custody. Makes conforming deletions to proposed GS 14-208.11(a)(11) and GS 14-208.9(g).

Makes organizational and technical changes. Amends the act's long title.

Intro. by Britt, Harrington, Chaudhuri.

GS 14, GS 15

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 212 (2019-2020) [NC FAST/EARLY CHILD/TRANSFORMATION/ACH ACCESS. \(NEW\)](#) Filed Mar 11 2019, *AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO POSTPONE DEPLOYMENT OF THE NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY (NC FAST) SYSTEM AS RELATED TO CASE-MANAGEMENT FUNCTIONALITY FOR THE CHILD WELFARE SYSTEM AND AGING AND ADULT SERVICES' PROGRAMS, ENHANCING THE EARLY CHILDHOOD WORKFORCE, POTENTIAL DELAY FOR MEDICAID AND NC HEALTH CHOICE TRANSFORMATION, AUTHORIZING ADULT CARE HOMES TO USE SERVICE PLANS COMPLETED AS THE RESULT OF A MEDICAID PERSONAL CARE SERVICES ASSESSMENT TO FULFILL THE ACTIVITIES OF DAILY LIVING PORTION OF THE REQUIRED SERVICE PLANS OR CARE PLANS FOR ADULT CARE HOME RESIDENTS, AND AMENDING ASSISTED LIVING ADMINISTRATOR CERTIFICATION QUALIFICATIONS.*

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

Reorganizes the existing provisions under Part I and adds the following provisions.

Part I.

Now prohibits the Department of Health and Human Services (DHHS) from deploying the child welfare case-management component of the NC FAST system statewide prior to May 1, 2020 (was, October 1, 2019).

Directs the Joint Legislative Program Evaluation Oversight Committee to revise the 2019-20 work plan for PED to include a study of the case management functionality of the child welfare component of NC FAST. Directs PED to submit its evaluation to the specified NCGA committees by May 1, 2020.

Part II.

Amends GS 110-91(8) (mandatory standards for staff in child care facilities) by increasing the requirements for lead teachers in and operators of child care centers. Lead teachers must obtain at minimum a North Carolina Infant-Toddler Certificate or Preschool Certificate or its equivalent, replacing the previous minimum of an Early Childhood Credential, which teachers must also have; provides a timeline for when these requirements must be met depending on the teacher's hiring date. Changes requirements for operators from a minimum of a high school diploma to a new minimum of an Early Childhood Credential before receiving a license and mandates the attainment of an Infant-Toddler or Preschool Certificate within 18 months of receiving a license, effective January 1, 2020. Provides that operators of a family child care home licensed prior to January 1, 2020, have until July 1, 2021, to obtain the necessary certificate.

Requires the Division of Child Development and Early Education (Division) to define the knowledge requirements for early childhood educators by establishing expected competencies for lead teachers. Requires that the competencies be based on findings from the specified report and competencies. Requires competencies to be graduated and tied to the certificates and degrees offered within North Carolina's community colleges and colleges and universities, specifically the specified certificates and degrees. Requires the Division to collaborate with the North Carolina Community College System Office to develop, or revise a standardized process for early childhood educators to demonstrate their ability to meet the competencies found in all courses included in either the Infant-Toddler or Preschool Certificate. Requires that the process be available to support early childhood educators who choose not to attend or return to college to earn the required certificate or degrees for lead teachers.

Directs the Division, on or after July 1, 2020, to develop and implement a program to encourage higher levels of teacher education by raising salaries and education requirements, and tying salaries to the type of degree attained. Directs the Division to submit a progress report by March 1, 2020, to the Joint Legislative Oversight Committee on Health and Human Services.

Directs the Division to conduct a feasibility and cost study for development of a pilot program modeled after the North Carolina prekindergarten (NC Pre-K) program for classrooms for children birth through 3 years of age. Requires the model to focus on, at a minimum, several criteria, such as teachers with degrees, use of curriculum assessments, improved student-teacher ratios, payment rates, training, recruitment, and monitoring, and an ongoing evaluation program to measure educational outcomes.

Directs the Division to submit a report on the study to the 2020 Regular Session of the 2019 General Assembly by April 1, 2020.

Requires the Division to report on the status of the early childhood workforce every three years and requires the report to include information on the educational status and compensation of all lead teachers and other teaching staff enrolled in licensed child care programs in the state. Requires the report to be submitted to the specified NCGA committee by January 1, 2021, and every three years thereafter.

Part III.

Provide that if House Bill 966 (2019 Appropriations Act) does not become law by July 15, 2019, then the Department of Health and Human Services (DHHS) must delay until March 1, 2020, the implementation of the Medicaid and NC Health Choice transformation required by SL 2015-245, as amended, and by the 1115 demonstration waiver.

Part IV.

Amends GS 131D-2.15 to remove the requirement of DHHS to ensure that adult care home facilities conduct and complete a resident assessment annually subsequent to within 72 hours after admission. Now requires the facility to use an assessment instrument approved pursuant to rules adopted by the Medical Care Commission rather than approved by the Secretary upon the advice of the Director of the Division of Aging and Adult Services. Now requires the facility to conduct an assessment to develop appropriate and comprehensive service plans and care plans within 30 days of admission (was, to use the resident assessment to develop the plans, with no distinct time frame). Now permits a facility to use a service plan that was completed within 35 days of the resident's admission to the facility and represents the results of an assessment to determine the resident's eligibility for personal care services under the Medicaid State Plan to fulfill the activities of daily living portion of any service plan or care plan required under the statute, as amended, or any rules adopted under Article 1, Adult Care Homes; exempts such a facility from conducting an assessment of the resident's ability to perform activities of daily living within 30 days of resident admission. Makes organizational and clarifying changes to the statute.

Amends GS 90-288.14 by amending the requirements for certification as an assisted living administrator by (1) requiring that an individual not have a substantiated finding of neglect, abuse, misappropriation of property, diversion of drugs, or fraud listed on the Health Care Personnel Registry; (2) requiring the individual to have a high school diploma or its equivalent and successfully completed the equivalent of two years of coursework at an accredited college or university or has a minimum of 60 months of supervisory experience, or has a combination of education and experience (was successfully completes the equivalent of two years of coursework at an accredited college or university or has a combination of education and experience). Defines supervisory experience.

Makes conforming changes to the act's titles.

Intro. by Krawiec, Hise.

STUDY, UNCODIFIED, GS 90, GS 110, GS 131D

[View summary](#)

Education, Preschool, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Insurance, Social Services, Adult Services, Child Welfare, Public Assistance

S 218 (2019-2020) [CLARIFY STATE RECOGNITION - LUMBEE INDIANS](#). Filed Mar 11 2019, *AN ACT AMENDING THE STATE RECOGNITION OF THE LUMBEE TRIBE OF NORTH CAROLINA AND TO MAKE CHANGES REGARDING THE CONVEYANCE OF THE LUMBEE TRIBE CULTURAL CENTER*.

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

Adds to the definition of *Indian Cultural Center site* in Section 1, SL 2013-186, to further describe the property by identifying the conveyance to the Lumbee Tribe recorded in the Robeson County Registry.

Amends Section 4, SL 2013-186, regarding the sale of Parcel 1, as defined by Section 1, SL 2013-186. Current law requires the Department of Administration to first offer Parcel 1 to the Lumbee Tribal Administration for purchase, subject to four specified covenants that would run with the land, with the land reverting to the State upon a violation of the covenants. Removes the fourth covenant, which prohibited the sale or lease of the parcel's natural resources.

Requires any funds from the sale or lease of natural resources from the property described as Parcel 1 to be deposited in an escrow account and used only for payment of property taxes, reforestation of the property, and improvements to the property. Directs the Lumbee Tribal Administration to report to the Department of Administration (Department) the sale or lease amount received and deposited into the escrow account within 30 days of the sale or lease of natural resources. Further, requires the Lumbee Tribal Administration to provide detailed annual accounting of the expenditures to the Department.

Makes conforming changes to the act's long title.

Intro. by Britt, Bishop, McInnis.

[GS 71A](#)

[View summary](#)

[Government, Cultural Resources and Museums, State Government](#)

S 227 (2019-2020) [TP3/PRINCIPAL FELLOWS CONSOLIDATION. \(NEW\)](#) Filed Mar 12 2019, *AN ACT TO MAINTAIN ADMINISTRATION FOR CURRENT GRANT RECIPIENTS OF THE EXISTING TRANSFORMING PRINCIPAL PREP PROGRAM AND PHASE IN ADMINISTRATION BY THE NEW PRINCIPAL FELLOWS AND TP3 COMMISSION*.

AN ACT TO MAINTAIN ADMINISTRATION FOR CURRENT GRANT RECIPIENTS OF THE EXISTING TRANSFORMING PRINCIPAL PREP PROGRAM AND PHASE IN ADMINISTRATION BY THE NEW PRINCIPAL FELLOWS AND TP3 COMMISSION. SL 2019-60. Enacted June 27, 2019. Effective June 27, 2019, except as otherwise provided.

Intro. by Tillman.

[GS 116, GS 120](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, State Agencies, UNC System](#)

S 250 (2019-2020) [RECORDS OF EXCUSALS FOR JURY DUTY](#). Filed Mar 13 2019, *AN ACT TO ALLOW A CLERK OF COURT TO HEAR JURY EXCUSES IF DESIGNATED TO BY THE CHIEF DISTRICT COURT JUDGE, AND TO PROVIDE THAT THE NAMES AND ADDRESSES OF PERSONS REQUESTING TO BE EXCUSED FROM JURY DUTY BASED ON DISQUALIFICATION SHALL BE RETAINED BY THE CLERK OF SUPERIOR COURT FOR THE REMAINDER OF THE BIENNIUM AND IN SOME CASES SHARED WITH THE BOARD OF ELECTIONS*.

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

Maintains existing law in GS 9-6(b), which requires chief district court judges to promulgate rules for the chief, or any district court judge designated by the chief (previously, any district court judge), to receive, hear, and pass on applications for excuses from jury duty.

Further amends GS 9-6.1 to make a technical change.

Makes clarifying changes to proposed GS 9-6.2 and the proposed changes to GS 163A-877, to specify that the referenced disqualification due to citizenship, residency, or criminal history are as described in existing law, GS 9-3.

Intro. by Krawiec, Sanderson, Burgin.

[GS 9, GS 163A](#)

[View summary](#)

**Courts/Judiciary, Court System, Government, Elections,
Public Records and Open Meetings, State Agencies,
Department of Justice, Local Government**

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.*

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

Part V.

Further amends GS 18B-403 to allow any ABC store employee to issue a purchase-transportation permit if he or she is authorized to issue permits by the local board chairman (was, the ABC store manager or assistant manager if so authorized).

Part VI.

Further amends GS 18B-1114.7(b) to deem any consumer tasting conducted in an ABC store the sole responsibility of the permit holder. Adds an explicit prohibition against local board employees participating in or conducting a consumer tasting in an ABC store.

Intro. by Gunn, Blue, Harrington.

[GS 18B](#)

[View summary](#)

Alcoholic Beverage Control

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, AND TO MAKE CHANGES AND TECHNICAL CORRECTIONS TO THE GENERAL STATUTES CONCERNING REAL PROPERTY LAW.*

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

Makes technical changes to the proposed changes to GS 1-52(18).

Adds new Section 2.1, providing the following.

Enacts GS Chapter 47I, Notice of Settlement Act, to create an additional, nonexclusive procedure for registering a property interest in real property through the use of a notice of settlement, and establishing priority in a grantee of a conveyance or lease from the time of filing of the notice settlement. Sets forth 14 defined terms applicable to the Chapter. Allows notice agent to register an instrument, upon contract between the current owner of record and a grantee, designated a Notice of Settlement (Notice) in the county register of deeds in which real property is situated with reference to the settlement that the notice agent in good faith reasonably believes will occur within 60 days of the registration. Provides for the registration and indexing of the Notice and a registration fee. Details the required form and contents of the Notice.

Provides that the registration of the Notice is constructive notice of the anticipated settlement and interest of the grantee or mortgagee affecting the real property identified in the Notice. Provides that registration of the Notice establishes priority of title of the grantee or mortgage, as described, except over four specified types of interests or claims. Allows a closing attorney or settlement agent to pay any potential liens upon the real property that is the subject of the Notice or any known liabilities of

the current owner of record that can affect the title. Clarifies that the owner of record is not relieved from any personal liability under the statute. Provides for name changes between the registered Notice to the registered settlement instrument. Allows for an attorney to sign a statement to register that provides that the attorney has updated the title on applicable online registries and identified any conveyances, liens, or encumbrances found online after registration of the Notice. Details duration, priority, and nonrenewability of the Notice. Allows for an Additional Notice of Settlement. Provides a form for early termination of a Notice.

Provides a severability clause for the Chapter.

Makes conforming changes to GS 47-18, GS 47-20, and GS 161-14.1, concerning priority and subsequent recordings.

Applies to notices of settlement registered on or after January 1, 2020.

Adds Section 2.2, providing the following.

Makes clarifying changes to Section 4.1 of SL 2018-80 regarding the effective dates of the act.

Amends GS 46-17.1 to require the first page of all deeds or deeds of trust to be registered to show the name of the drafter (rather than the person or law firm who drafted the instrument). Clarifies that the register of deeds is not required to verify or make inquiry concerning the capacity or authority of the person or entity shown as the drafter. Makes conforming and technical deletions.

Adds Section 3, providing a severability clause.

Amends the act's long title.

Intro. by Daniel.

[GS 1, GS 47, GS 47I](#)

[View summary](#)

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

S 344 (2019-2020) [ALLOW COMMON AREA ENTERTAINMENT ABC PERMIT](#). Filed Mar 21 2019, *AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE COMMON AREA ENTERTAINMENT PERMITS TO ALLOW A CUSTOMER OF AN ABC LICENSED PREMISES LOCATED IN A SHOPPING MALL TO CONSUME AN ALCOHOLIC BEVERAGE PURCHASED FROM THE LICENSED PREMISES WITHIN A DESIGNATED INDOOR OR OUTDOOR COMMON AREA ON THE SHOPPING MALL PROPERTY.*

Senate committee substitute to the 1st edition makes the following changes. Changes the effective date of the act from July 1, 2019, to September 1, 2019.

Intro. by Woodard, Gunn.

[GS 18B](#)

[View summary](#)

[Alcoholic Beverage Control, Business and Commerce](#)

S 420 (2019-2020) [NC SERVICEMEMBERS CIVIL RELIEF ACT](#). Filed Mar 28 2019, *AN ACT TO ENACT THE NORTH CAROLINA SERVICEMEMBERS CIVIL RELIEF ACT AND TO CLARIFY THAT NO MEMBER OF THE NORTH CAROLINA NATIONAL GUARD SHALL BE FORCED TO USE ANY VACATION OR OTHER LEAVE FROM HIS OR HER CIVILIAN EMPLOYMENT FOR A PERIOD OF ACTIVE SERVICE.*

House committee substitute to the 2nd edition makes the following changes to proposed Article 4, North Carolina Servicemembers Civil Relief Act, of GS Chapter 127B.

Concerning the rights provided to servicemembers to extend residential lease agreements which expire while the servicemember is engaged in State active duty or service under an order of the governor of another state that is similar, clarifies

that the provisions apply to servicemembers who are members of the NC National Guard, or who are members of the National Guard of another state and reside in this state. Makes further technical and clarifying changes.

Makes conforming deletions to GS 42-45 regarding early termination of rental agreements by certain military personnel, surviving members, or lawful representatives, which is now covered under proposed Article 4 of GS Chapter 127B, thereby limiting the scope of GS 42-45 to military technicians.

Intro. by Britt, Daniel.

[GS 42, GS 127A, GS 127B](#)

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Employment and Retirement, Government, State Agencies, Military and Veteran's Affairs

S 462 (2019-2020) [MODIFICATIONS TO NC APPRAISAL BOARD](#). Filed Apr 1 2019, *AN ACT TO REPLACE NORTH CAROLINA EDUCATION REQUIREMENTS TO BECOME A LICENSED OR CERTIFIED APPRAISER WITH THE REQUIREMENTS OF THE APPRAISAL FOUNDATION APPRAISER QUALIFICATIONS BOARD AND TO ALLOW THE NORTH CAROLINA APPRAISAL BOARD TO COLLECT NEW FEES AND TO MAKE OTHER MODIFICATIONS THAT WOULD ALLOW NORTH CAROLINA APPRAISAL MANAGEMENT COMPANIES TO BE PLACED ON THE APPRAISAL MANAGEMENT COMPANY NATIONAL REGISTRY.*

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

Further modifies the proposed changes to GS 93E-1-6, concerning the qualifications for licensure and certification as a real estate appraiser. Adds a high school diploma or its equivalent to the requirements of applicants for registration, licensure, or certification. Makes further conforming and technical changes.

Further amends GS 93E-1-9, concerning nonresident licensure and certification, to remove the qualification for out of state applicants to be of a state which offers real estate appraiser licensing or certification privileges to NC residents. Makes additional conforming changes.

Modifies the proposed changes to GS 93E-2-6 to require the NC Appraisal Board (Board) to collect from registrants any additional fees required pursuant to 12 USC 3338 (Roster of State certified or licensed appraisers; authority to collect and transmit fees) to render NC registered appraisal management companies and federally regulated appraisal management companies eligible to perform services in connection with federally related transactions (previously, did not include rendering federally regulated appraisal management companies eligible).

Amends GS 93E-2-2(a)(1), defining *appraisal management company*. Under current law, the term excludes six entities and persons. Modifies the exclusions, now providing for their exemption from registration with the Board (rather than for their exclusion from the term). Adds to the exemptions an appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency pursuant to specified federal law.

Intro. by Burgin, McInnis, Wells.

[GS 93E](#)

[View summary](#)

Business and Commerce, Occupational Licensing

S 493 [DVPO ABUSER TREATMENT/TIME OF EXPIRATION. \(NEW\)](#) Filed Apr 2 2019, *AN ACT TO ADD PROCEDURAL EFFICIENCIES WHEN A DEFENDANT IS ORDERED TO ATTEND AN ABUSER TREATMENT PROGRAM, TO CLARIFY THE SPECIFIC TIME THAT A DOMESTIC VIOLENCE PROTECTION ORDER EXPIRES ON THE LAST DAY THAT THE ORDER IS VALID, AND TO PROVIDE THAT SUBSEQUENT COURT ORDERS SUPERSEDE SIMILAR PROVISIONS IN ORDERS ISSUED UNDER THE DOMESTIC VIOLENCE LAWS.*

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

Makes organizational changes to the proposed changes to GS 50B-3, which specify the expiration of domestic violence protective orders. Further amends GS 50B-3 as follows. Requires a defendant ordered to attend an abuser treatment program

pursuant to subdivision (a)(12) to begin regular attendance of the program within 60 days of the entry of the order. Requires the court to specify the date and time for a review hearing with the court to assess whether the defendant has complied as soon as practicable after 60 days from the entry of the original order. Requires that date and time to be set when entering the original order, and requires the clerk to issue a Notice of Hearing for the compliance review to be given to or served, as appropriate, upon the defendant and filed with the court on the same day as entry of the original order. Permits the plaintiff to attend the review hearing. Provides for the defendant to give the clerk a written statement showing compliance with the order prior to the review hearing, at which time the clerk must remove the hearing from the court docket and notify the plaintiff of the defendant's compliance and that no review hearing will occur.

Makes conforming changes to the act's titles.

Intro. by Britt.

GS 50B

[View summary](#)

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

S 590 (2019-2020) [MODIFY CONTINUING ED FOR REAL ESTATE BROKERS](#). Filed Apr 3 2019, *AN ACT TO MODIFY CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND TO MODIFY REAL ESTATE LICENSING REQUIREMENTS FOR TIME SHARE SALESPEOPLE*.

Senate committee substitute to the 2nd edition makes the following changes. Corrects a statutory cross reference in GS 93A-32.

Intro. by Gunn.

GS 93A

[View summary](#)

**Business and Commerce, Occupational Licensing,
Development, Land Use and Housing, Property and Housing**

LOCAL/HOUSE BILLS

H 15 (2019-2020) [LEXINGTON/DISSOLVE UTILITIES COMMISSION](#). Filed Jan 30 2019, *AN ACT AMENDING THE CHARTER OF THE CITY OF LEXINGTON TO DISSOLVE THE CITY'S UTILITIES COMMISSION*.

AN ACT AMENDING THE CHARTER OF THE CITY OF LEXINGTON TO DISSOLVE THE CITY'S UTILITIES COMMISSION. SL 2019-64. Enacted June 27, 2019. Effective June 27, 2019.

Intro. by Potts.

Davidson

[View summary](#)

Public Enterprises and Utilities

H 240 (2019-2020) [ALBEMARLE/CITY LABOR FOR BUSINESS CTR](#). Filed Feb 28 2019, *AN ACT TO ALLOW THE CITY OF ALBEMARLE TO USE CITY LABOR FOR CERTAIN WORK RELATED TO THE CONSTRUCTION OF A BUSINESS CENTER WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR*.

AN ACT TO ALLOW THE CITY OF ALBEMARLE TO USE CITY LABOR FOR CERTAIN WORK RELATED TO THE CONSTRUCTION OF A BUSINESS CENTER WITHOUT REGARD TO THE DOLLAR VALUE OF THE LABOR. SL 2019-65. Enacted June 27, 2019. Effective June 27, 2019.

Intro. by Sasser, Goodman.

Stanly

[View summary](#)

Development, Land Use and Housing, Building and Construction, Employment and Retirement

H 299 (2019-2020) [HENDERSON CTY/BUILD COMMUNITY COLLEGE BLDGS](#). Filed Mar 6 2019, *AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE HENDERSON COUNTY CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE TO BE USED FOR ARTS, SCIENCES, AND GENERAL STUDIES AND POLICE PHYSICAL ABILITIES TEST TRAINING AND TO AUTHORIZE THE COUNTY TO MAKE SUBSTANTIAL RENOVATIONS TO EXISTING CAMPUS BUILDINGS.*

AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT COMMUNITY COLLEGE BUILDINGS ON THE HENDERSON COUNTY CAMPUS OF BLUE RIDGE COMMUNITY COLLEGE TO BE USED FOR ARTS, SCIENCES, AND GENERAL STUDIES AND POLICE PHYSICAL ABILITIES TEST TRAINING AND TO AUTHORIZE THE COUNTY TO MAKE SUBSTANTIAL RENOVATIONS TO EXISTING CAMPUS BUILDINGS. SL 2019-66. Enacted June 27, 2019. Effective June 27, 2019.

Intro. by McGrady, Henson.

[Henderson](#)

[View summary](#)

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

LOCAL/SENATE BILLS

S 84 (2019-2020) [WALKERTOWN ZONING AUTHORIZATIONS](#). Filed Feb 19 2019, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF WALKERTOWN TO ALLOW THE TOWN TO ENACT CERTAIN PROCEDURES RELATED TO ZONING AND SPECIAL USE PERMITTING.*

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WALKERTOWN TO ALLOW THE TOWN TO ENACT CERTAIN PROCEDURES RELATED TO ZONING AND SPECIAL USE PERMITTING. SL 2019-61. Enacted June 27, 2019. Effective June 27, 2019.

Intro. by Krawiec.

[Forsyth](#)

[View summary](#)

Development, Land Use and Housing, Land Use, Planning and Zoning

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

AN ACT TO PROHIBIT HUNTING AND FISHING ON PRIVATE PROPERTY WITHOUT WRITTEN PERMISSION FROM THE LANDOWNER OR LESSEE AND TO PROHIBIT HUNTING ON PRIVATE PROPERTY WHILE UNDER THE INFLUENCE OF AN IMPAIRING SUBSTANCE IN UNION COUNTY. SL 2019-62. Enacted June 27, 2019. Effective October 1, 2019.

Intro. by Johnson.

[Union](#)

[View summary](#)

Animals

S 674 (2019-2020) [SURRY CO./MT. AIRY/ELKIN CITY/BD. ED PARTISAN](#). Filed May 20 2019, *AN ACT TO CHANGE THE METHOD OF ELECTION OF THE BOARD OF EDUCATION OF SURRY COUNTY, THE BOARD OF EDUCATION OF THE MOUNT AIRY CITY SCHOOLS ADMINISTRATIVE UNIT, AND THE BOARD OF EDUCATION OF THE ELKIN CITY ADMINISTRATIVE UNIT FROM NONPARTISAN TO PARTISAN.*

AN ACT TO CHANGE THE METHOD OF ELECTION OF THE BOARD OF EDUCATION OF SURRY COUNTY, THE BOARD OF EDUCATION OF THE MOUNT AIRY CITY SCHOOLS ADMINISTRATIVE UNIT, AND THE BOARD OF EDUCATION OF THE ELKIN CITY ADMINISTRATIVE UNIT FROM NONPARTISAN TO PARTISAN. SL 2019-63.
Enacted June 27, 2019. Effective June 27, 2019.

Intro. by Berger, Ballard.

UNCODIFIED, Surry

[View summary](#)

[Education, Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 67: ROAD BARRIER PROHIBITION.

House: Ratified

H 106: INMATE HEALTH CARE & 340B PROGRAM. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 126: AMEND CERTIFICATE OF NEED LAWS. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 206: DOT LEGISLATIVE CHANGES.-AB

Senate: Withdrawn From Com

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

H 220: INSURANCE TECHNICAL CHANGES.-AB

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 226: 2019 AOC LEGISLATIVE CHANGES.-AB

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

H 228: MODERNIZE LAWS PERTAINING TO NC MEDICAL BOARD.-AB

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

H 243: STATE HUMAN RESOURCES ACT AMENDMENTS.-AB

Senate: Withdrawn From Cal
Senate: Placed On Cal For 07/01/2019

H 257: MOTORCYCLES/FACE MASKS.

Senate: Passed 2nd Reading
Senate: Passed 3rd Reading
Senate: Ordered Enrolled

H 268: AMEND ON-SITE WASTEWATER LAWS. (NEW)

Senate: Withdrawn From Cal
Senate: Placed On Cal For 07/01/2019

H 283: CONNER'S LAW.

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

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

House: Ratified

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

Senate: Withdrawn From Cal
Senate: Placed On Cal For 07/01/2019

H 325: OPIOID EPIDEMIC RESPONSE ACT. (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 07/09/2019

H 329: RENEWABLE ENERGY AMENDS. (NEW)

Senate: Withdrawn From Cal
Senate: Placed On Cal For 07/01/2019

H 391: PASSENGER PROTECTION ACT. (NEW)

House: Passed 2nd Reading
House: Passed 3rd Reading
House: Special Message Sent To Senate
Senate: Special Message Received From House
Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

H 402: UNC CAPITAL PROJECTS.

Senate: Passed 2nd Reading
Senate: Placed On Cal For 07/01/2019

H 411: MODIFY SCHOOL QUAL./STUDENT SUCCESS INDICATOR.

Senate: Amend Adopted AI

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

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 07/09/2019

H 469: VARIOUS FAMILY LAW CHANGES. (NEW)

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 471: REDUCE ADMIN. DUPLICATION MH/DD/SAS PROVIDERS.

Senate: Withdrawn From Com

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

H 474: DEATH BY DISTRIBUTION.

House: Concurred In S Com Sub

House: Ordered Enrolled

H 492: SIMPLIFY BUILDER INVENTORY EXCLUSION.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

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

House: Failed Concur In S Com Sub

H 529: UTILITIES/WATER AND WASTEWATER CONSUMPTION.

House: Concurred In S Com Sub

House: Ordered Enrolled

H 536: ABC OMNIBUS REGULATORY REFORM.

House: Reptd Fav Com Sub 2

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

H 554: FUNERAL PRACTICE LICENSURE TECH. CORRECTIONS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Judiciary

H 590: AMEND ADMINISTRATIVE PROCEDURE LAWS.

Senate: Reptd Fav

Senate: Re-ref Com On Finance

Senate: Withdrawn From Com

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

H 628: 2019 BANKING & MORTGAGE CORRECTIONS & CHANGES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 629: LAW-ENFORCEMENT MUTUAL AID.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 645: REVISIONS TO OUTDOOR ADVERTISING LAWS.

Senate: Reptd Fav

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

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

Senate: Withdrawn From Com

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

H 681: U.S. ARMY SPECIAL FORCES REG PLATE/FEES.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 724: TRUTH IN CALLER ID ACT.

Senate: Reptd Fav

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

H 747: NC MISSING PERSON INFORMATION SHARING.

House: Concurred In S Com Sub

House: Ordered Enrolled

H 757: PENDER COUNTY/BUTNER PROPERTY TRANSFERS. (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 07/09/2019

H 758: MSD EXPANSION AND GOVERNANCE/DACS STUDY. (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: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 761: CLARIFY WASTEWATER PERMITTING LIABILITY.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

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

House: Concurred In S Com Sub

House: Ordered Enrolled

H 812: NUTRIENT OFFSET AMENDMENTS.

House: Ratified

H 871: FAIR CONTRACTS. (NEW)

House: Concurred In S Amend SA1

House: Ordered Enrolled

H 872: UNDERGROUND UTILITY SAFETY ACT/CHANGES.

Senate: Withdrawn From Com

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

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

House: Ratified

H 917: EMERGENCY DECLARATION/CLARIFY RD CLOSURE.

House: Ratified

H 922: ENHANCE INSURANCE COVERAGE/EDUC. BUILDINGS. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 924: TEACHER CONTRACT CHANGES.

House: Concurred In S Com Sub

House: Ordered Enrolled

H 966: 2019 APPROPRIATIONS ACT.

Senate: Conf Report Adopted 3rd

House: Conf Report Adopted 3rd

House: Ordered Enrolled

House: Ratified

House: Pres. To Gov. 6/27/2019

S 86: SMALL BUSINESS HEALTHCARE ACT.

House: Reptd Fav Com Substitute

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

S 88: ELECTRICIAN REQUIREMENTS FOR CERTAIN ORGS.

Senate: Ratified

Senate: Pres. To Gov. 6/27/2019

S 95: VETERANS MEMORIAL FUNDS/DO NOT REVERT.

Senate: Pres. To Gov. 6/27/2019

S 124: SMALL TOWN MIXED BEVERAGE ELECTION REQS.

House: Withdrawn From Com

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

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

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 199: CHILD SEX ABUSE/STRENGTHEN LAWS.

House: Reptd Fav Com Substitute

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

S 210: ORGAN & TISSUE DONATION/HEART HEROES.

House: Reptd Fav

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

S 212: NC FAST/EARLY CHILD/TRANSFORMATION/ACH ACCESS. (NEW)

House: Reptd Fav Com Substitute

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

S 218: CLARIFY STATE RECOGNITION - LUMBEE INDIANS.

House: Reptd Fav Com Substitute

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

S 220: REMOVAL OF POLITICAL SIGNS BY CITIZENS.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

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

Senate: Pres. To Gov. 6/27/2019

Senate: Signed by Gov. 6/27/2019

Senate: Ch. SL 2019-60

S 250: RECORDS OF EXCUSALS FOR JURY DUTY.

House: Reptd Fav Com Substitute

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

S 290: DISTILLER REGULATORY REFORM BILL.

House: Reptd Fav Com Substitute

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

S 297: CANCER RESEARCH ADVISORY PANEL.

House: Reptd Fav

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

S 311: MESSAGE BOARD MEMBERSHIP.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

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

Senate: Ratified

Senate: Pres. To Gov. 6/27/2019

S 332: CIVIL PROCEDURE/LIMITATIONS/LAND SURVEYORS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Withdrawn From Cal

House: Placed On Cal For 07/09/2019

S 344: ALLOW COMMON AREA ENTERTAINMENT ABC PERMIT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 355: LAND-USE REGULATORY CHANGES.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 378: LOCAL ECONOMIC DEVELOPMENT MODIFICATIONS.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 384: CLARIFY MOTOR VEHICLE DEALER LAWS.

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Special Message Sent To Senate

S 394: CHANGES TO ESTATES & TRUSTS STATUTES.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 399: REHIRE HIGH-NEED TEACHERS.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 420: NC SERVICEMEMBERS CIVIL RELIEF ACT.

House: Reptd Fav Com Substitute

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

S 462: MODIFICATIONS TO NC APPRAISAL BOARD.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

S 493: DVPO ABUSER TREATMENT/TIME OF EXPIRATION. (NEW)

House: Reptd Fav Com Substitute

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

S 500: MODIFY ADVANCED MATH COURSE ENROLLMENT.

Senate: Conf Report Adopted

House: Conf Report Adopted

S 508: CIVIL PROCEDURE/DEPONENT DECLARATION.

House: Reptd Fav

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

S 525: TEXTILE HIST. SITE/OPERATE SE NC MUSEUM (NEW).

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 556: GSC PEOPLE FIRST LANGUAGE 2019.

Senate: Pres. To Gov. 6/27/2019

S 590: MODIFY CONTINUING ED FOR REAL ESTATE BROKERS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 594: REGISTER OF DEEDS UPDATES.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 682: IMPLEMENT CRIME VICTIM RIGHTS AMENDMENT.

Senate: Filed

LOCAL BILLS

H 4: CLAREMONT DEANNEXATION.

Senate: Passed 2nd Reading

Senate: Placed On Cal For 07/01/2019

H 6: BURLINGTON AIRPORT/LEASE/CONTRACT AUTHORITY.

House: Concurred In S Com Sub

House: Ordered Enrolled

H 15: LEXINGTON/DISSOLVE UTILITIES COMMISSION.

House: Ratified

House: Ch. SL 2019-64

H 52: WRIGHTSVILLE BEACH LOCAL ACT AMENDMENT.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 170: VARIOUS SATELLITE ANNEXATIONS. (NEW)

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

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

Senate: Passed 2nd Reading

Senate: Placed On Cal For 07/01/2019

H 237: BRUNSWICK COUNTY ZONING PROCEDURE CHANGES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 239: PITT COUNTY ANIMAL CONTROL RECORDS.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 240: ALBEMARLE/CITY LABOR FOR BUSINESS CTR.

House: Ratified

House: Ch. SL 2019-65

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

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 299: HENDERSON CTY/BUILD COMMUNITY COLLEGE BLDGS.

House: Ratified

House: Ch. SL 2019-66

H 349: WILKES COUNTY FIRE TAX-PROCEDURE.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

H 368: BERMUDA RUN/SPEED RESTRICTIONS.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 07/01/2019

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

Senate: Withdrawn From Com

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

S 84: WALKERTOWN ZONING AUTHORIZATIONS.

Senate: Ratified

Senate: Ch. SL 2019-61

S 262: UNION/PROHIBIT CERTAIN HUNTING ACTS.

Senate: Ratified

Senate: Ch. SL 2019-62

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

Senate: Ratified

Senate: Ch. SL 2019-63

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