



## The Daily Bulletin: 2019-07-17

### PUBLIC/SENATE BILLS

S 5 (2019-2020) **SCHOOL SAFETY OMNIBUS. (NEW)** Filed Jan 30 2019, *AN ACT TO ESTABLISH THAT SCHOOL SAFETY REQUIREMENTS APPLY TO ALL PUBLIC SCHOOLS, CLARIFY THE POWERS AND DUTIES OF THE CENTER FOR SAFER SCHOOLS, REQUIRE REPORTING ON THE OPERATIONAL STATUS OF ALL PUBLIC SCHOOLS DURING STATES OF EMERGENCY, DEFINE THE TERM "SCHOOL RESOURCE OFFICER" AND REQUIRE TRAINING FOR SCHOOL RESOURCE OFFICERS, REQUIRE ANNUAL VULNERABILITY ASSESSMENTS FOR EACH PUBLIC SCHOOL BUILDING, REQUIRE THREAT ASSESSMENT TEAMS BE ESTABLISHED AT EACH PUBLIC SCHOOL AND CODIFY THE DUTIES OF THREAT ASSESSMENT TEAMS, REQUIRE LME/MCOS TO PROVIDE ASSISTANCE TO STUDENTS REFERRED BY THE SUPERINTENDENT, REQUIRE LOCAL BOARDS OF EDUCATION TO REQUIRE PEER-TO-PEER SUPPORT PROGRAMS AT ALL SCHOOLS WITH GRADES SIX AND HIGHER, AUTHORIZE THE TRANSFER OF UNENCUMBERED FUNDS PROVIDED FOR THE ANONYMOUS SAFETY TIP LINE APPLICATION FROM THE DEPARTMENT OF PUBLIC INSTRUCTION TO THE DEPARTMENT OF PUBLIC SAFETY FOR IMPLEMENTATION OF A DIGITAL PANIC ALARM APPLICATION, AND PROVIDE FOR TRAUMA KITS IN SCHOOLS.*

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

#### Part I. Requirements for School Safety For All Public Schools

Amends proposed GS 115C-551(b) and GS 115C-559(b) to strongly encourage (was, encourage) private schools and schools with religious charter, and qualified nonpublic schools, to adopt a School Risk Management Plan, conduct annual school safety exercises, and provide specified diagrams and safety information to local law enforcement and the Division of Emergency Management, as previously specified.

#### Part VI. Threat Assessment Teams.

Modifies proposed GS 115C-105.60, which requires public school units to adopt the policies for establishing threat assessment teams, changing the statute's terminology to more specifically concern a threat by a student, rather than an individual. Concerning the required makeup of the threat assessment team, allows for a psychologist or psychiatrist to be a member instead of a school psychologist if one is not available, if practicable.

#### Adds new Part VII. Funding For Digital Panic Alarm Application.

Requires the Department of Public Instruction (DPI) to transfer up to \$1.5 million of the unencumbered balance of the funds appropriated to DPI for the 2018-19 fiscal year for the anonymous safety tip line application to be used to continue implementation of a digital panic alarm application based on the May 2018 Division of Emergency Management report, as identified.

#### Adds new Part VIII. Trauma Kits in Schools.

Enacts GS 115C-105.52B, requiring the governing body of each public school unit to place at least one trauma kit at an appropriate and easily accessible location in each classroom of every school within the unit. Details permissible contents of trauma kits, subject to the principal or administrator's discretion. Requires trauma kit placement be coordinated with the superintendent or equivalent administrator, the principal or equivalent administrator, and local law enforcement and emergency management agencies within the jurisdiction. Requires biannual training on the appropriate use of a trauma kit for all school personnel who are reasonably expected to use the kit, as determined by the superintendent or equivalent administrator. Requires DPI and the Center for Safer Schools to consult with the Department of Public Safety to provide or contract for adequate training on the use of trauma kits, which must meet several specified qualifications. Requires annual inspection and replacement, as necessary, of the kits by the principal or equivalent administrator of each school within a public school unit. Directs DPI to create, no later than January 1, 2020, an online usage tool to permit principals or equivalent administrators to

provide specified information on the use and contents of all trauma kits in their schools. Requires DPI to annually report, beginning by August 1, 2021, the most recent information provided by the tool to the specified NCGA committee and division.

Amends GS 115C-47 (concerning the duties of local boards of education), GS 115C-12 (concerning the duties of the State Board of Education), GS 115C-218.75 (concerning charter school operating requirements), GS 115C-238.66 (concerning the duties of boards of directors of regional schools), and GS 116-11 (concerning the duties of the UNC Board of Governors). Requires the placement of at least one trauma kit in each classroom of every school operated by or under the control of the authorities set out in the specified statutes.

Amends GS 115C-105.49, to require a presentation be made on the location and use of any trauma kits placed in the school by each school of a local unit, at least annually, along with the existing requirement for each school to hold a full school-wide tabletop exercise and drill based on the procedures in its School Risk Management Plan (SRMP).

Effective July 1, 2019, and applies beginning with the 2019-20 school year.

Makes conforming changes to the act's long title.

**Intro. by Brown, Harrington, Krawiec.**

[GS 17C, GS 17E, GS 115C, GS 116, GS 122C](#)

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[Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, State Agencies, Department of Public Instruction, Local Government, Health and Human Services, Mental Health](#)

S 315 (2019-2020) [NORTH CAROLINA FARM ACT OF 2019](#). Filed Mar 20 2019, *AN ACT TO MAKE VARIOUS CHANGES TO THE AGRICULTURAL LAWS OF THE STATE*.

House committee substitute to the 6th edition makes the following changes.

Amends the proposed definition of *smokable hemp* set forth in GS 106-568.51, applicable to Article 50E, as amended, the NC Hemp Commission. Now defines the term to mean harvested raw or dried hemp plant material, in a form intended to allow THC to be introduced into the human body by inhalation of smoke, including hemp buds or hemp flowers, hemp cigars, and hemp cigarettes (previously, a product that does not exceed the federally defined THC level for hemp in a form that allows THC to be introduced into the human body by inhalation of smoke, including hemp buds, hemp flowers, whole or ground raw hemp plant material, hemp cigars, and hemp cigarettes). Now excludes hemp extracts from *smokable hemp*.

Adds to the qualifications for licensed cultivators and handlers of hemp set out in GS 106-568.53A. Extends all rights and privileges granted to the licensee to the licensee's spouse so long as the spouse meets all other qualifications for licensure. Additionally, deems the license transferrable to a member of the licensee's immediate family upon the death or incapacity of the licensee, so long as the transferee meets all other qualification for licensure. Requires the NC Hemp Commission to modify the licensure to reflect the transfer to the transferee upon death of the licensee without the licensure applying for a new license. Requires the transferee to submit to and pay the NC Hemp Commission for an annual criminal background check if one is not currently on record. Makes identical additions to the licensure qualifications set forth in proposed GS 106-568.63, effective July 1, 2021, which mirrors those set forth in GS 106-568.53A.

Amends GS 106-568.57, making it a Class 2 misdemeanor to sell hemp, hemp products, or hemp extracts to a person under 18 years old. Changes the effective date of the proposed changes to GS 106-568.57, making the changes effective December 1, 2019, and applicable to offenses committed on or after that date (no longer the later of that date or 30 days after the effective date of specified federal regulations being adopted).

Amends GS 90-87 to modify the definition of *marijuana* under the Controlled Substances Act, Article 5, GS Chapter 90, now explicitly including smokable hemp in the defined term with no exceptions. Defines *smokable hemp* to mean harvested raw or dried hemp plant material, in a form intended to allow THC to be introduced into the human body by inhalation of smoke, including hemp buds or hemp flowers, hemp cigars, and hemp cigarettes; excludes hemp extracts. Now explicitly excludes from the term *marijuana* hemp held by a licensed hemp cultivator or handler, hemp products, or hemp extract (previously, excluded hemp products or hemp extracts, but included smokable hemp, except for hemp plants or parts of hemp plants grown

or handled by a licensee for processing or manufacturing into a legal hemp product). Permits a licensed cultivator or licensed handler to possess raw hemp plant material for the purpose of selling the raw hemp plant material to a licensed handler or a person who may legally receive the raw hemp plant material in that person's jurisdiction, or processing the raw hemp plant material into a hemp product or hemp extract. Additionally, defines *hemp* and *hemp extract*. Defines *hemp product* to mean any product within a specified concentration of THC derived from or made by processing hemp plants or parts, including, but not limited to, cosmetics, personal care products, food intended for animal or human consumption as federally approved, cloth cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp-derived cannabinoids, such as cannabidiol; excludes smokable hemp.

Modifies the proposed changes to GS 90-94 to remove the proposed statutory cross-reference to the definitions of *hemp products* and *hemp extracts*.

Changes the effective date of Section 2 of the act (amending GS 90-87 and GS 90-94, and enacting GS 90-94.5), making the changes effective December 1, 2019, and applicable to offenses committed on or after that date (no longer the later of that date or 30 days after the effective date of specified federal regulations being adopted). No longer sunsets Section 2 on July 1, 2021. Makes conforming changes.

Amends the proposed definition of *smokable hemp* set forth in new GS 106-568.61, applicable to new Article 50F, NC Hemp Program. Now defines the term to mean a material, compound, mixture, or preparation (rather than a product) that allows THC to be introduced into the human body by inhalation of smoke. Adds that the term includes whole or ground raw hemp plant material, including hemp buds and hemp flowers.

Modifies the civil penalties provisions set forth in proposed GS 106-568.66 to no longer provide a civil penalty for knowingly or intentionally manufacturing, delivering, selling or possessing smokable hemp. Instead, amends proposed GS 106-568.67, adding to the Article's criminal penalties. Makes it a Class 2 misdemeanor to sell hemp, hemp products, or hemp extracts to a person less than 18 years old (identical to the proposed changes to the criminal penalty provisions of Article 50E, GS 106-568.57).

Eliminates proposed GS 106-568.56(a)(5), which permitted accessing a civil penalty for knowingly or intentionally manufacturing, delivering, selling, or possessing smokable hemp, effective December 1, 2019.

Further amends GS 153A-340 to require properties used for shooting sports to also comply with local zoning and development ordinances.

Amends proposed GS 139-8.2 to except from the confidentiality provisions complaints to a soil and water conservation district resulting in a determination that a violation of law has occurred.

Deletes the changes to GS 143-215.71 and GS 143B-135.238 concerning duplicate funding for projects under the Environmental Quality Incentives Program.

Eliminates the directive requiring the Department of Environmental Quality (DEQ) to develop performance management procedures for projects funded as part of the Western Stream Initiative. Makes conforming deletions of the reporting requirements, proposed GS 143-215.72(d)(3).

Eliminates the directive requiring the Office of the State Auditor to conduct an audit of the Western Stream Initiative funding for projects managed by Resource Institute.

Eliminates the directive requiring the Environmental Review Commission to study matters related to decommissioning of utility-scale solar projects.

**Intro. by B. Jackson, Sanderson, Johnson.**

STUDY, GS 20, GS 62, GS 89C, GS 90, GS 99E, GS 105, GS 106, GS 120, GS 136, GS 139, GS 153A, GS 160A

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**Agriculture, Business and Commerce, Consumer Protection, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Environment, Energy, Government, State Agencies, Department of Agriculture and Consumer Services,**

**Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Environmental Quality (formerly DENR), Office of State Auditor, Tax, Local Government, Health and Human Services, Health, Public Health, Public Enterprises and Utilities**

S 352 (2019-2020) **AMEND NC CONTROLLED SUBSTANCES ACT**. Filed Mar 25 2019, *AN ACT REVISING THE NORTH CAROLINA CONTROLLED SUBSTANCES ACT*.

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

Further amends GS 90-87 to modify the definition of *marijuana* under the Controlled Substances Act, Article 5, GS Chapter 90, now explicitly including smokable hemp in the defined term. Defines *smokable hemp* to mean harvested raw or dried hemp plant material, in a form intended to allow THC to be introduced into the human body by inhalation of smoke, including hemp buds or hemp flowers, hemp cigars, and hemp cigarettes; excludes hemp extracts. Now explicitly excludes from the term *marijuana* hemp held by a licensed hemp cultivator or handler, hemp products, or hemp extract (previously, excluded industrial hemp when produced and used in compliance with the rules of the Industrial Hemp Commission). Permits a licensed cultivator or licensed handler to possess raw hemp plant material for the purpose of selling the raw hemp plant material to a licensed handler or a person who may legally receive the raw hemp plant material in that person's jurisdiction, or processing the raw hemp plant material into a hemp product or hemp extract. Additionally, defines *hemp* and *hemp extract*. Defines *hemp product* to mean any product within a specified concentration of THC derived from or made by processing hemp plants or parts, including, but not limited to, cosmetics, personal care products, food intended for animal or human consumption as federally approved, cloth cordage, fiber, fuel, paint, paper, particleboard, plastics, and any product containing one or more hemp-derived cannabinoids, such as cannabidiol; excludes smokable hemp.

Amends GS 90-94 to exclude from schedule VI controlled substances tetrahydrocannabinols in hemp product and hemp extracts.

Maintains the act's effective date, making the changes applicable to offenses committed on or after December 1, 2019.

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

GS 90

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**Health and Human Services, Health, Public Health**

S 438 (2019-2020) **EXCELLENT PUBLIC SCHOOLS ACT OF 2019**. Filed Apr 1 2019, *AN ACT TO MODIFY THE IMPLEMENTATION OF THE NORTH CAROLINA READ TO ACHIEVE PROGRAM IN ORDER TO ATTAIN STATEWIDE READING PROFICIENCY BY THE THIRD GRADE*.

House amendment #2 to the 3rd edition makes the following changes.

Section 3

Amends the directives regarding the convening of a task force to develop a Comprehensive Plan to Improve Literacy Instruction (Plan) to add a requirement that the minimum number of credit hours in literacy instruction required to be considered by the task force include whether phonics instruction is adequately integrated into the course of study or if a separate course dedicated to phonics instruction is needed.

**Intro. by Berger.**

GS 115C

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**Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Department of Public Instruction, State Board of Education**

S 686 (2019-2020) [APPOINTMENTS BILL 2019](#). Filed Jul 9 2019, *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.*

AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. SL 2019-122. Enacted July 16, 2019. Effective July 16, 2019.

**Intro. by Rabon.**

UNCODIFIED

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**Business and Commerce, Occupational Licensing, Government, General Assembly, State Agencies, UNC System, State Government, Executive**

## LOCAL/SENATE BILLS

S 186 (2019-2020) [BEAUFORT-MOREHEAD CTY AIRPORT AUTHORITY/AMEND](#). Filed Mar 5 2019, *AN ACT RENAMING THE BEAUFORT-MOREHEAD CITY AIRPORT AUTHORITY AS THE CARTERET COUNTY-BEAUFORT AIRPORT AUTHORITY, INCREASING THE MEMBERSHIP OF THE AIRPORT AUTHORITY FROM FIVE TO SEVEN MEMBERS, AND CHANGING THE MANNER OF APPOINTMENT TO THE AIRPORT AUTHORITY.*

AN ACT RENAMING THE BEAUFORT-MOREHEAD CITY AIRPORT AUTHORITY AS THE CARTERET COUNTY-BEAUFORT AIRPORT AUTHORITY, INCREASING THE MEMBERSHIP OF THE AIRPORT AUTHORITY FROM FIVE TO SEVEN MEMBERS, AND CHANGING THE MANNER OF APPOINTMENT TO THE AIRPORT AUTHORITY. SL 2019-121. Enacted July 16, 2019. Effective July 16, 2019, except as otherwise provided.

**Intro. by Sanderson.**

Carteret

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**Transportation**

S 194 (2019-2020) [WEST JEFFERSON/SALUDA/YANCEYVILLE ANNEX. \(NEW\)](#) Filed Mar 6 2019, *AN ACT TO REMOVE THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF WEST JEFFERSON AND THE CITY OF SALUDA AND TO ANNEX CERTAIN DESCRIBED PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF YANCEYVILLE.*

Conference report adds the following provisions to the 2nd edition.

Directs that the described property be added to the corporate limits of the Town of Yanceyville, effective June 30, 2020.

Subjects the described territory as of January 1, 2020, to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2020.

Makes conforming changes to the act's titles and effective date provisions.

**Intro. by Ballard.**

Ashe, Caswell, Polk

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## ACTIONS ON BILLS

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

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 264: GSC TECHNICAL CORRECTIONS 2019.**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

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

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**S 5: SCHOOL SAFETY OMNIBUS. (NEW)**

*House: Reptd Fav Com Sub 3*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 07/22/2019*

**S 9: FEMALE GENITAL MUTILATION/CLARIFY PROHIBITION.**

*House: Regular Message Sent To Senate*

**S 144: ALLOW IN-STATE TUITION/ATHLETIC SCHOLARSHIPS. (NEW)**

*House: Withdrawn From Cal*

*House: Re-ref Com On Appropriations*

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

*Senate: Pres. To Gov. 7/17/2019*

**S 217: CHANGE SUPERIOR CT AND DISTRICT CT NUMBERS. (NEW)**

*House: Regular Message Sent To Senate*

**S 218: CLARIFY STATE RECOGNITION - LUMBEE INDIANS.**

*Senate: Pres. To Gov. 7/17/2019*

**S 315: NORTH CAROLINA FARM ACT OF 2019.**

*House: Reptd Fav Com Sub 2*

*House: Re-ref Com On Judiciary*

**S 320: REGIONAL WATER SYSTEMS AND STATE GRANTS.**

*House: Regular Message Sent To Senate*

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

*Senate: Pres. To Gov. 7/17/2019*

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

*Senate: Pres. To Gov. 7/17/2019*

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

*House: Reptd Fav Com Substitute*

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

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

*House: Conf Report Adopted*

**S 391: EXPAND YOUTH INTERNSHIP OPPORTUNITIES.***Senate: Pres. To Gov. 7/17/2019***S 413: RAISE THE AGE MODIFICATIONS.***House: Regular Message Sent To Senate***S 420: NC SERVICEMEMBERS CIVIL RELIEF ACT.***Senate: Pres. To Gov. 7/17/2019***S 438: EXCELLENT PUBLIC SCHOOLS ACT OF 2019.***House: Amend Failed A1**House: Amend Adopted A2**House: Passed 2nd Reading***S 478: MODIFY APPOINTMENT REPORTING. (NEW)***Senate: Pres. To Gov. 7/17/2019***S 493: DVPO ABUSER TREATMENT/TIME OF EXPIRATION. (NEW)***Senate: Pres. To Gov. 7/17/2019***S 498: FACILITATE RESPONSE TO DISASTERS.***House: Placed On Cal For 07/22/2019***S 523: REV. LAWS CLARIFYING & ADMINISTRATIVE CHANGES.***Senate: Pres. To Gov. 7/17/2019***S 604: AMEND NC VETERINARY PRACTICE ACT.***Senate: Pres. To Gov. 7/17/2019***S 621: TESTING REDUCTION ACT OF 2019.***House: Conf Com Appointed***LOCAL BILLS****H 481: VOTER INITIATIVE FOR BEAUFORT COUNTY.***House: Passed 2nd Reading**House: Passed 3rd Reading***S 190: EXPAND SPECIAL ASSESSMENTS FOR DAM REPAIR.***House: Placed On Cal For 07/22/2019***S 194: WEST JEFFERSON/SALUDA/YANCEYVILLE ANNEX. (NEW)***House: Conf Com Reported**House: Cal Pursuant Rule 44(d)**House: Placed On Cal For 07/22/2019***© 2019 School of Government The University of North Carolina at Chapel Hill**

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