



The Daily Bulletin: 2019-07-30

PUBLIC/HOUSE BILLS

H 848 (2019-2020) [RV DEALER REGULATION](#). Filed Apr 16 2019, *AN ACT TO REMOVE RECREATIONAL VEHICLES FROM ARTICLE 12 OF CHAPTER 20 OF THE GENERAL STATUTES, WHICH PROVIDES FOR LICENSING AND REGULATION OF MOTOR VEHICLE DEALERS AND MANUFACTURERS; TO ENACT A NEW ARTICLE 19 IN CHAPTER 20 OF THE GENERAL STATUTES TO REGULATE RECREATIONAL VEHICLE DEALERS AND MANUFACTURERS; AND TO UPDATE DEFINITIONS AND CROSS REFERENCES.*

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

Modifies the proposed definition of *park model RV*, as the term is used to identify one of the basic types of recreational vehicles (RVs), set forth in GS 20-4.01. Now requires a vehicle to be certified by the manufacturer as complying with ANSI A119.5, among the other two required characteristics, to qualify as a park model RV. No longer requires the vehicle to not be permanently affixed to real property for use as a permanent dwelling to qualify as a park model RV.

Additionally, amends the definition of *recreational vehicle* under proposed Article 19, Regulation of Recreational Vehicle Dealers and Manufacturers, GS Chapter 20, to include a park model RV (no longer including certification by the manufacturer to meet ANSI 119.5 Standard for Park Model RVs as an alternative to certification to meet NFPA 1192 Standard on Recreational Vehicles).

Makes a technical change to the disciplinary action provisions under new Article 19.

Intro. by Torbett.

[GS 20](#)

[View summary](#)

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

PUBLIC/SENATE BILLS

S 199 (2019-2020) [CHILD SEX ABUSE/STRENGTHEN LAWS](#). Filed Mar 6 2019, *AN ACT TO PROTECT CHILDREN FROM SEXUAL ABUSE BY INCREASING PROSECUTORIAL OPTIONS FOR DELAYED REPORTS OF CHILD ABUSE, TO EXPAND THE DUTY TO REPORT CHILD ABUSE, TO PROTECT CHILDREN FROM ONLINE PREDATORS, TO EXTEND THE STATUTE OF LIMITATIONS FOR A CIVIL ACTION FOR CHILD SEXUAL ABUSE SO THAT A PLAINTIFF HAS UNTIL AGE THIRTY-EIGHT TO COMMENCE AN ACTION, AND TO REQUIRE TRAINING ON CHILD SEX ABUSE AND SEX TRAFFICKING FOR SCHOOL PERSONNEL.*

House amendments to the 6th edition make the following changes.

Amendment #1 eliminates the appropriation set forth for the Department of Public Instruction to assist entities in the implementation of the new child abuse and sex trafficking training program requirement.

Amendment #3 changes the duty established by new GS 14-318.6 regarding reporting certain crimes against juveniles, excepting the juvenile's parent or guardian from the reporting requirement.

Intro. by Britt, Harrington, Chaudhuri.

[GS 1, GS 14, GS 15, GS 115C, GS 116](#)

[View summary](#)

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

and Secondary Education

S 295 (2019-2020) **STANDARDS OF STUDENT CONDUCT. (NEW)** Filed Mar 19 2019, *AN ACT TO MAKE VARIOUS CHANGES TO LOCAL STANDARDS OF STUDENT CONDUCT.*

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

Amends GS 115C-390.2, regarding student conduct policies and procedures. Requires local boards of education to consult with teachers, school-based administrators, parents, and local law enforcement agencies when adopting the required policies to govern student conduct and disciplinary procedures for school officials to follow in disciplining students. Now requires local boards to review current federal guidance issued by the US Department of Education prior to adopting the policies. Establishes a new requirement for local boards to annually provide the Department of Public Instruction (DPI) with a copy of its current student discipline policies by September 1 of each year. No longer provides examples of conduct that would not be deemed serious violations (previously, examples included the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve weapons or injury). Authorizes local boards to require students and parents or guardians to sign an acknowledgment that they have received a copy of the board's required policies, administrative procedures, or school rules. Now requires school officials to inform the student's parent or guardian before using the range of responses encouraged to violations of disciplinary rules that do not remove the student from the classroom or school building. Clarifies that the statute and the Chapter do not regulate a local board's ability to devise, impose, and enforce personal appearance codes.

Applies beginning with the 2020-21 school year.

Makes conforming changes to the act's titles.

Intro. by Tillman.

GS 115C

[View summary](#)

Education, Higher Education

S 356 (2019-2020) **SURP. PROCEEDS; CERT. SEIZED VEH. SALES. (NEW)** Filed Mar 26 2019, *AN ACT TO DIRECT THAT A PORTION OF PROCEEDS FROM THE SALE OF CERTAIN STATE PROPERTY BE TRANSFERRED TO THE CLEAN WATER MANAGEMENT TRUST FUND AND THE PARKS AND RECREATION TRUST FUND AND TO MODIFY VARIOUS LAWS RELATING TO THE STATE SURPLUS PROPERTY AGENCY AND THE SALE OF SEIZED MOTOR VEHICLES.*

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

Amends GS 20-28.9 to authorize and require the State Surplus Property Agency (Agency) to enter into two contracts for regional services to tow, store, process, maintain, and sell motor vehicles seized under GS 20-28.3, which provides for seizure of a motor vehicle for impaired driving offenses under certain conditions (previously, the Agency was authorized to enter into a contract for a statewide service or contracts for regional services). Adds a new requirement for the Agency to select one separate vendor for each of the contracts let pursuant to the provision.

Amends GS 20-28.3(i), concerning the expedited sale of seized motor vehicles in certain cases, to allow the Agency, in addition to the county board of education, to sell a motor vehicle any time the outstanding towing and storage costs exceed 85% of the fair market value of the vehicle, or with the owner's consent.

Makes conforming changes to the act's titles.

Intro. by Wells, Brown.

GS 20, GS 146

[View summary](#)

Courts/Judiciary, Motor Vehicle, Environment, Government, State Government, State Property

S 458 (2019-2020) [PTS INJURY DAY/CARDIAC TASK FORCE/TITUS'S LAW. \(NEW\)](#) Filed Apr 1 2019, *AN ACT DESIGNATING POSTTRAUMATIC STRESS INJURY AWARENESS DAY IN NORTH CAROLINA, ESTABLISHING A JOINT LEGISLATIVE TASK FORCE ON SUDDEN CARDIAC ARREST (SCA) IN STUDENT ATHLETES, AND ADDRESSING PARENTAL CONSENT AND THE DISPOSITION OF FETAL REMAINS.*

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

Increases the membership of the proposed Joint Legislative Task Force on Sudden Cardiac Arrest in Student Athletes from seven to nine members, adding representatives of the NC High School Athletic Association and the NC Athletic Trainers' Association, appointed upon recommendation of the cochairs.

Enacts new GS 130A-421 to require the attending physician or individual in charge at the facility where an unintended fetal death occurs to obtain consent from the mother before disposing of expelled or extracted fetal remains when fetal death results from accidental injury, stillbirth, or miscarriage. Requires consent from the father if the mother is unable to give consent and the father is known and able to be contacted within seven days. Allows the fetal remains to be disposed of if neither parent is able or available to give consent. Restricts disposal upon parental consent, or without consent when parental consent is not available, to burial, cremation, or incineration in accordance with applicable laws and regulations. Further restricts disposal of fetal remains to burial or cremation only if disposing of fetal remains that have developed beyond completion of the second trimester of gestation. Applies to the disposition of remains on or after January 1, 2020.

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

Intro. by Brown, J. Jackson, Burgin.

[STUDY, GS 103, GS 130A](#)

[View summary](#)

[Government, Cultural Resources and Museums, Health and Human Services, Health, Health Care Facilities and Providers](#)

S 537 (2019-2020) [ACH PMT/COUNSELOR-SA-SW ACT AMEND/DHHS REV. \(NEW\)](#) Filed Apr 2 2019, *AN ACT TO EXAMINE AND ESTABLISH A NEW ADULT CARE HOME PAYMENT METHODOLOGY; TO AMEND THE LICENSED PROFESSIONAL COUNSELORS ACT, TO UPDATE AND REVISE THE SUBSTANCE ABUSE PROFESSIONAL PRACTICE ACT, AND TO AMEND THE SOCIAL WORKER CERTIFICATION AND LICENSURE ACT; AND TO AMEND DEPARTMENT OF HEALTH AND HUMAN SERVICES' STATUTES PERTAINING TO MEDICAID, SOCIAL SERVICES REFORM, CHILD SUPPORT, VOCATIONAL REHABILITATION, THE STATE CONSUMER AND FAMILY ADVISORY COMMITTEE, EMPLOYEE ASSISTANCE PROFESSIONALS, ADOPTIONS, CHILD ABUSE AND NEGLECT, JOINT SECURITY FORCES, SECURITY RECORDINGS, NC REACH PROGRAM, TRAUMATIC BRAIN INJURY, AND THE MEDICAL CARE COMMISSION MEMBERSHIP.*

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

Eliminates the act's whereas clauses and establishes organizational Parts.

Part I.

Modifies the directive for the Department of Health and Human Services (DHHS) to establish and convene a workgroup, now requiring the workgroup to evaluate reimbursement options for services provided by adult care homes that take into account all funding streams to develop a new service definition, or definitions, under Medicaid managed care for these services (was, to evaluate reimbursement options under managed care for adult care homes that takes into account all funding streams and to develop a service definition or definitions under managed care to accomplish the General Assembly's intent to provide stable and reliable funding to adult care homes in order to ensure access, choice, and quality of care). Extends the reporting deadline, now requiring DHHS to submit a report no later than December 1, 2020 (was, October 1, 2020) to the specified NCGA committee and division the new service definition developed by the workgroup. Now prohibits, rather than directs, DHHS from submitting to the Centers for Medicare and Medicaid Services any amendments to the NC Medicaid State Plan necessary to implement the new definition after submitting its report and requires NCGA approval before doing so. Makes further

conforming, technical, and clarifying changes. Adds that if HB 966 (2019 Appropriations Act) of the 2019 Regular Session becomes law, Section 9D.12B of that act, which contains identical provisions, is repealed.

Adds the following provisions.

Parts II-A and II-B.

Amends Article 24, GS Chapter 90 to change the terminology used to now reference "clinical mental health counselors" rather than "professional counselors" throughout the statute.

Renames the NC Board of Licensed Professional Counselors as the NC Board of Licensed Clinical Mental Health Counselors (Board). Amends GS 90-334 to require the Board to establish a program for licensees who may be experiencing substance use disorders, burnout, compassion fatigue, and other mental health concerns. Authorizes the Board to enter into agreements with existing professional health care programs, and to refer any licensee to the program as part of the disciplinary process. Further authorizes the Board to adopt rules to implement the program.

Amends GS 90-337 to authorize the Board to enter into reciprocity agreements with another state that has requirements for licensure as a clinical mental health counselor that are substantially similar to or that exceed requirements established by Article 24.

Makes conforming repeal of GS 90-338.

Makes further technical and conforming changes to specified statutes in GS Chapters 8, 48, 55B, 58, 90, 122C, and 143B.

Authorizes the Codifier of Rules to make any conforming rule changes necessary.

Effective January 1, 2020.

Part II-C.

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

Part II-D.

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

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

Effective July 1, 2020.

Part II-E.

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

Part II-F.

Enacts new GS 90-113.48 (program for impaired substance use disorder professionals). Creates the North Carolina Impaired Professionals Program (Program). Authorizes the Board to provide funds for the Program, which will operate independent of the Board to provide screening, referral, monitoring, educational, and support services for professionals credentialed pursuant to GS Chapter 90, Article 5C (North Carolina Substance Abuse Professionals Certification Act), for treatment and

rehabilitation of an impairment attributed to physical or mental illness, substance use disorder, or professional sexual misconduct. Authorizes the Program to enter into an agreement with credentialed substance use disorder professionals for the purpose of identifying, reviewing, and evaluating referred or self-referred substance abuse professionals to function in their professional capacity and coordinate regimens for treatment and rehabilitation. Provides requirements for such an agreement. Directs the Program to immediately report to the Board information about credentialed substance-abuse professionals who meet any of four listed criteria, including constituting an immediate danger to patient care. Provides that materials in the possession of the Program or its staff, employees, legal counsel, and volunteers, related to a member's participation or prospective participation in the Program are not public records. Authorizes persons participating in good faith in the Program to withhold that fact in a civil action or proceeding. Provides that activities in good faith under an agreement authorized by this statute are not grounds for civil action. Provides for written assessments by the Program, and to the extent permitted by law any written assessment created by a treatment provider or facility at the recommendation of the Program to be provided to certified substance abuse professionals and their legal counsel at the request of the professional, and provides that the information is inadmissible as evidence in any civil action or proceeding. Directs the Board to adopt rules to apply to the operation of the Program, with eight listed requirements for the rules.

Effective October 1, 2019.

Part II-G.

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

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

Makes additional conforming and technical changes.

Effective October 1, 2019.

Part II-H.

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

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

Part II-I.

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

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

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

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

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

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

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

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

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

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

Part III-A.

Amends GS 108A-57, concerning subrogation rights and withholding of information, as follows. Defines *beneficiary*, as it is used in the statute, to mean (1) the beneficiary of medical assistance, including a minor beneficiary; (2) the medical assistance beneficiary's parent, legal guardian, or personal representative; (3) the medical assistance beneficiary's heirs; and (4) the administrator or executor of the medical assistance beneficiary's estate. Makes conforming changes. Requires that any claim (was, a personal injury or wrongful death) brought by a medical assistance beneficiary against a third party include a claim for all medical assistance payments for health care items or services furnished to the medical assistance beneficiary as a result of the injury or action. Adds that if the beneficiary has claims against more than one third party related to the same injury, then any amount received in payment of the Medicaid claim related to that injury reduces the total balance of the Medicaid claim

applicable to subsequent recoveries related to that injury. Requires the court to hold an evidentiary hearing no sooner than 60 (was, 30) days when a beneficiary disputes the presumptions in the statute. Makes additional clarifying changes.

Part III-B.

Amends Section 3.2 of SL 2017-41, making the changes to GS 108A-74, which require local social services departments to enter into annual written agreements for all social services programs other than medical assistance, effective July 1, 2020, rather than March 1, 2020. Similarly, amends Section 40 of SL 2017-102, which expands the requirements of GS 108A-74 to include regional social services departments, making the changes effective July 1, 2020, rather than March 1, 2020. Makes further conforming and technical changes to Section 40 of SL 2017-102.

Amends GS 108A-74, as amended, expanding the statute to now authorize the DHHS Secretary (Secretary) to take action pursuant to the statute to ensure the delivery of social services programs other than medical assistance (rather than the delivery of child welfare services only) in accordance with State laws and applicable rules. Modifies the definition of *board of social services* to include a county social services board. Amends the definition of *child welfare services or program* to specifically include child protective services, rather than generally protective services. Modifies and adds to when a corrective action plan can be triggered to now include failure to comply with mandated performance measures in addition to noncompliance with the terms of the written agreement or other applicable law. Specifies that noncompliance mandates corrective action plans after noncompliance for three consecutive months or for five months within any consecutive 12-month period for those terms or mandated performance measures that are measured less than annually, or for two consecutive 12-month periods for those terms or mandated performance measures that are measured on an annual basis. Adds a new requirement for the board of social services and the county manager to be notified of any joint corrective action plan. Modifies the duration parameters of corrective action plans to include determining measurable progress at the half-way point of plans less than 12 months (previously, only provided for showing measurable progress within six months). Now requires corrective action plans to include a schedule and plan for providing updates to the board of social services and county manager (was, only the social services board). Changes the procedure for DHHS's temporary assumption of a department of social services which fails to successfully complete a corrective action plan, now requiring the Secretary to direct the Division of Social Services, rather than the appropriate regional office, to temporarily assume all or party of the local department's administration within 30 days after providing the required notice. Changes the requirements which must be met during the period DHHS assumes administration of a social service program to now prohibit the county, rather than the department of social services, from withdrawing funds previously obligated or appropriated for program administration and services, and continue to pay the county's or region's nonfederal share for the program services and administration. Also directs the Secretary to work with the county, in addition to the local department, to develop a plan for the department to resume program administration. Establishes new procedures for the Secretary to withhold funding and assume service delivery if the Secretary determines that a county department is not providing child protective, foster care, or adoption services in accordance with State law and applicable rules adopted by the Social Services Commission, or fails to demonstrate reasonable efforts to do so, and the failure to provide the services poses a substantial threat to the safety and welfare of children in the county who receive or are eligible to receive the services. Sets forth notice and hearing requirements. Allows for DHHS's assumption of service delivery through contracts with public or private agencies or by direct operation by DHHS. Details procedures and requirements following the assumption of service delivery by the Secretary, including the temporary transfer of powers and duties of the county director of social services to the Director of the Division of Social Services or a contractor, the development and implementation of a corrective action plan, open communications of concerns or problems with service delivery, and the return of service delivery to the county. Requires the county to continue funding the services in question during the Secretary's assumption of service delivery and continue funding the nonfederal share of any additional cost incurred to operate the services in question at the level necessary to fully comply with State law and Social Services Commission rules. Effective July 1, 2020.

Part III-C.

Amends GS 110-139 to add electronic communications or internet service providers to those entities who must provide the Department of Health and Human Services (DHHS) with specified information when it is needed to locate a parent for the purpose of collecting child support or to establish or enforce an order for child support. Makes conforming changes.

Part III-D.

Amends GS 143-548 to change the Vocational Rehabilitation Council to the Vocational State Rehabilitation Council and provides that it is in support of the Division of Vocational Rehabilitation Services instead of housing it therein.

Part III-E.

Amends GS 122C-71, increasing the membership of the State Consumer and Family Advisory Committee (State CFAC) from 21 to 27 members, adding adult consumers of traumatic brain injury services. Adds three new members appointed by the DHHS Secretary to reflect the new disability group. Increases the appointments of the President Pro Tempore of the Senate and the Speaker of the House of Representatives from three to five each, selected from the State regions as specified, totaling four from the Eastern Region, three from the Central Region, and three from the Western Region. No longer includes three members appointed by the Council of Community Programs. Increases the appointments by the NC Association of County Commissioners from three to five members, with one from the Eastern Region, two from the Central Region, and two from the Western Region. Directs that members appointed by the Council of Community Programs must serve out their terms. Provides for the appointment of new members pursuant to state law.

Part III-F.

Repeals GS Chapter 90 Article 32, which concerns Employee Assistance Professionals.

Part III-G.

Amends GS 48-3-303 to make organizational changes to the preplacement assessment report of a prospective adoptive parent prior to the placement of a minor, moving an individual's date of birth to be included with the individual's physical and mental health rather than with the individual's nationality, race, ethnicity and religious preference. Removes nationality, race, ethnicity, and religious preference from the information in the preplacement assessment report the agency must review and evaluate to determine the individuals's strengths and needs (was, strengths and weaknesses) to be an adoptive parent.

Part III-H.

Amends GS 7B-309, adding persons providing information or assistance to those granted immunity for reporting and cooperating in a protective services assessment. Specifies that providing information or assistance includes medical evaluations or consultation in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect. Makes clarifying and technical changes.

Part III-I.

Amends GS 122C-183, authorizing the DHHS Secretary or a designee to assign special police officers to other State operated facilities on a temporary basis to carry out the powers allowed under the statute, including all powers of city police officers, and as otherwise provided by laws relating to the specific joint security force to which they are assigned. Specifies that following the oath, the police officer has the right to arrest without warrant individuals committing violations of state law or facility rules or ordinances in their presence and to bring the offenders before a magistrate (previously, did not qualify the right with an oath requirement).

Amends Part 2 of Article 6 of GS Chapter 122C, expanding the provisions regarding the joint security force of the Black Mountain Center to also include the Julian F. Keith Alcohol and Drug Abuse Treatment Center in Buncombe County (previously, included the Alcohol Rehabilitation Center and the Juvenile Evaluation Center in Buncombe County). Amends GS 122C-421 to no longer explicitly includes the power to take a juvenile into custody without a court order outside the territory embraced by the named centers but within the county. Instead, provides that upon assignment to any State operated facility under GS 122C-183, as amended, special police officers are authorized to exercise the same power enumerated in Part 2 within the territory of the named facility and within the county in which the facility is located. Makes technical changes.

Amends GS 122C-430, removing the territory of the NC School of the Deaf at Morganton from the Broughton Hospital joint security force. Similarly, enacts identical provisions as those enacted to GS 122C-421, providing that upon assignment to any State operated facility under GS 122C-183, as amended, special police officers are authorized to exercise the same power enumerated in Part 2 within the territory of the named facility and within the county in which the facility is located.

Amends Part 2B of Article 6 of GS Chapter 122C, expanding the provisions regarding the joint security task force of Cherry Hospital to include the territory of the O'Berry Neuro-Medical Treatment Center. Similarly, enacts identical provisions as those enacted to GS 122C-421, providing that upon assignment to any State operated facility under GS 122C-183, as amended, special police officers are authorized to exercise the same power enumerated in Part 2 within the territory of the named facility and within the county in which the facility is located.

Repeals Part C of Article 6 of GS Chapter 122C, which authorizes the Secretary to designate special officers to the Dorothea Dix Hospital Joint Security Task Force.

Amends Part D of Article 6 of GS Chapter 122C, restricting the special officers of the Long-Leaf Neuro-Medical Treatment Center and Eastern NC School for the Deaf joint security force from exercising any and all enumerated powers upon the property of, or in pursuit from, the Eastern NC School for the Deaf without agreement of the Department of Public Instruction and DHHS. Similarly, enacts identical provisions as those enacted to GS 122C-421, providing that upon assignment to any State operated facility under GS 122C-183, as amended, special police officers are authorized to exercise the same power enumerated in Part 2 within the territory of the named facility and within the county in which the facility is located.

Part III-J.

Enacts GS 122C-56.1, establishing security recordings to be confidential and not public records. Amends GS 122C-3 to define *security recordings* to mean any films, videos, or electronic or other media recordings of a common area in a State facility that are produced for the purpose of maintaining or enhancing the health and safety of clients, residents, staff, or visitors of that State facility; excludes recordings of a client's clinical sessions or any other recording that are part of a client's confidential records or information. Provides that a State facility is not required to disclose its security records unless required by federal law or court order. Requires a State facility to allow viewing of security records by an internal client advocate. Permits a State facility to allow viewing of a security recording by a client or their legally responsible person if the responsible professional, as defined in GS 122C-3, determines it to be in the best interest of the client.

Part III-K.

Amends SL 2017-57 to allow youth exiting foster care to a permanent home through the Guardianship Assistance Program to use funds appropriated to DHHS for child welfare postsecondary support program for educational needs (was, limited to foster youth aging out of the foster care system or special needs children adopted from foster care after age 12).

Part III-L.

Amends the definitions that apply in GS Chapter 122C (the Mental Health, Developmental Disabilities, and Substance Abuse Act of 1985). Amends the criteria that must be met to be defined as having a developmental disability. Adds and defines the term *traumatic brain injury*.

Part III-M.

Amends GS 143B-166 to require one of the members of the NC Medical Care Commission appointed by the Governor to be an individual affiliated with a licensed nonprofit Continuing Care Retirement Community. Directs that this individual must be appointed to fill the next vacancy occurring after the effective date of the act in an appointed position held by a representative of agriculture, industry, labor, or other interest group on the Commission.

Makes conforming changes to the act's titles.

Intro. by Hise, Krawiec, Bishop.

STUDY, UNCODIFIED, GS 7B, GS 8, GS 48, GS 55B, GS 58, GS 90, GS 90B, GS 108A, GS 110, GS 122C, GS 143, GS 143B

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Family Law, Juvenile Law, Abuse, Neglect and Dependency, Government, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance

LOCAL/SENATE BILLS

S 270 (2019-2020) **DURHAM/CLEMMONS DEANNEXATION. (NEW)** Filed Mar 14 2019, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF DURHAM AND REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF CLEMMONS.*

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

Adds a section removes three parcels, as described, from the Village of Clemmons's corporate limits.

Makes the entire act effective June 30, 2020 (was, 2019) Provides that property in the territory described in the two sections of the act as of January 1, 2020 (was, 2019) is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2020 (was, 2019).

Makes conforming changes. Changes the act's titles.

Intro. by McKissick, Woodard.

Durham, Forsyth

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 231: NCCC REORG. AUTHORITY & CAREER COACHES. (NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

H 305: SUMMER SCHOOL STUDY/COLLEGE ADV. CORPS. (NEW)

House: Placed On Cal For 07/31/2019

H 372: UNC AP SCORES & FUNDS/NCSSM-MORGANTON CAMPUS. (NEW)

House: Placed On Cal For 07/31/2019

H 391: PASSENGER PROTECTION ACT. (NEW)

House: Concurred In S Com Sub

House: Ordered Enrolled

H 645: REVISIONS TO OUTDOOR ADVERTISING LAWS.

House: Withdrawn From Cal

House: Placed On Cal For 08/06/2019

H 822: COMPREHENSIVE BEHAVIORAL HEALTH PLAN.

House: Withdrawn From Com

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

H 848: RV DEALER REGULATION.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

S 68: RELOCATION OF WATER/SEWER LINE COSTS.

House: Passed 2nd Reading

House: Passed 3rd Reading

S 199: CHILD SEX ABUSE/STRENGTHEN LAWS.

House: Amend Adopted A1
House: Amend Failed A2
House: Amend Adopted A3
House: Passed 2nd Reading

S 295: STANDARDS OF STUDENT CONDUCT. (NEW)

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

S 356: SURP. PROCEEDS; CERT. SEIZED VEH. SALES. (NEW)

House: Reptd Fav Com Sub 2
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 07/31/2019

S 380: DNCR ADD NEW TRAILS & VARIOUS CHANGES.

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

S 438: EXCELLENT PUBLIC SCHOOLS ACT OF 2019.

House: Conf Com Appointed

S 458: PTS INJURY DAY/CARDIAC TASK FORCE/TITUS'S LAW. (NEW)

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

S 537: ACH PMT/COUNSELOR-SA-SW ACT AMEND/DHHS REV. (NEW)

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

S 584: CRIMINAL LAW REFORM.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 07/31/2019

S 590: MODIFY CONTINUING ED FOR REAL ESTATE BROKERS.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 07/31/2019

LOCAL BILLS

S 270: DURHAM/CLEMMONS DEANNEXATION. (NEW)

House: Reptd Fav Com Substitute
House: Ruled Material
House: Cal Pursuant Rule 36(b)

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