



The Daily Bulletin: 2019-08-26

PUBLIC/HOUSE BILLS

H 126 (2019-2020) **PAY INCREASES/STATE HIGHWAY PATROL. (NEW)** Filed Feb 20 2019, *AN ACT AWARDING LEGISLATIVELY MANDATED SALARY INCREASES AND SPECIAL ANNUAL LEAVE TO THE LAW ENFORCEMENT OFFICERS OF THE STATE HIGHWAY PATROL.*

Conference report deletes the content of the 4th edition and replaces it with the following. Makes conforming changes to the act's titles.

Part I. Appropriates \$3.6 million in recurring funds for 2019-20 and \$7.2 million in recurring funds for 2020-21 from the General Fund to the Department of Public Safety (DPS) to award compensation increases to the State Highway Patrol. Specifies that State funds are appropriated for each year of the 2019-21 biennium as agency receipts up to the amounts needed to implement the legislatively mandated salary increases provided in this act for each year of the 2019-21 biennium.

Part II.

Effective July 1, 2019, awards a State employee who (1) is a law enforcement officer employed by the State Highway Patrol and (2) was employed in a State-funded position on June 30, 2019, a legislative salary increase of 2.5% in the 2019-20 fiscal year and any salary adjustment otherwise allowed or provided by law. Effective July 1, 2020, awards a State employee who (1) is a law enforcement officer employed by the State Highway Patrol and (2) was employed in a State-funded position on June 30, 2020, a legislative salary increase of 2.5% in the 2020-21 fiscal year and any salary adjustment otherwise allowed or provided by law. Excludes from these raises members of the State Highway Patrol paid according to the experience-based pay schedule established in Part III of the act. Awards the increases in prorated amounts to part-time employees. Specifies that eligible State-funded employee are not prohibited from receiving the full salary increases solely because the employee's salary after applying the increase is above the maximum of the salary range prescribed by the State Human Resources Commission. Excludes from these salary increases any persons separated from service due to resignation, dismissal, reduction in force, death, or retirement or whose last workday is prior to June 30, 2019, for the 2019-20 fiscal year or June 30, 2020, for the 2020-21 fiscal year. Specifies that for 2019-21 payroll checks issued to employees after July 1, 2019, and July 1, 2020, respectively, that represent payment of services provided prior to July 1 of each year are not eligible for salary increases provided for in this act.

Prohibits funds appropriated in this act from being used to adjust the budgeted salaries of vacant positions, to provide salary increases in excess of those required by NCGA, or to increase the budgeted salary of filled positions to the minimum of the position's respective salary range unless otherwise specifically provided by law.

Requires any funds appropriated for legislatively mandated salary increases in excess of the amounts required to implement the increases authorized by this act to be credited to the Pay Plan Reserve.

Requires the Office of State Budget and Management to report to the specified NCGA Commission and Division by May 1, 2020, and May 1, 2021, on the expenditure of funds under this act. Specifies information that must be included in the report.

Part III.

Sets the entry-level annual salary of State Highway Patrol members at \$45,100 for 2019-20 and \$46,228 for 2020-21.

Part IV.

Amends GS 143C-4-9, concerning the Pay Plan Reserve to require that a specific amount be appropriated to the Reserve to fund statutory and scheduled pay expenses authorized by GS 20-187.6 for troopers of the State Highway Patrol compensated pursuant to an experience-based salary schedule (was, GS 20-187.3 in general).

Part V.

Awards a one-time additional five days of annual leave credited on July 1, 2019, to any person who is (1) a law enforcement officer employed by the State Highway Patrol on July 1, 2019, and (2) eligible to earn annual leave. Sets out requirements for the accounting for the leave and requires that remain available during the length of the employee's employment. Awards part-time permanent employees a pro rata amount. Sets out further parameters governing the use and carry forward of the leave.

Part VI.

Provides that if any provision of this act and GS 143C-5-4 (enactment deadline; procedures to be followed when the Current Operations Appropriations Act does not become law prior to the end of certain fiscal years) are in conflict, the provisions of this act prevail. Provides that the appropriations and the authorizations to allocate and spend funds which are set out in this act remain in effect until the Current Operations Appropriations Act for the applicable fiscal year becomes law, at which time that act becomes effective and governs appropriations and expenditures.

Part VII.

Effective July 1, 2019.

Intro. by Murphy, Dobson, Potts, Sasser.

APPROP, GS 143C

[View summary](#)

**Government, Budget/Appropriations, Public Safety and
Emergency Management, State Agencies, Department of
Public Safety**

H 226 (2019-2020) [PAY INCREASES/STATE EMPLOYEES. \(NEW\)](#) Filed Feb 27 2019, *AN ACT APPROPRIATING FUNDS FOR THE 2019-2021 FISCAL BIENNIUM TO AWARD PUBLIC EMPLOYEE BENEFITS INCREASES AND LEGISLATIVELY MANDATED SALARY INCREASES TO STATE EMPLOYEES.*

Conference report deletes all provisions of the 6th edition and replaces them with the following.

Changes the act's titles.

Part I.

Appropriates \$239,220,554 for the 2019-20 fiscal year and \$572,705,157 from the General Fund for the 2020-21 fiscal year to the specified entities in the specified amounts to cover the costs of implementing the act.

Appropriates from the Highway Fund to the Department of Transportation (DOT) \$9,805,035 and \$22,327,533 in recurring funds for the 2019-20 and 2020-21 fiscal years, respectively, to cover the costs of implementing the act.

Deems the funds appropriated for each year of the biennium as agency receipts to implement the act.

Part II.

Transfers from the Department of Insurance (DOI) to the General Fund \$1,249,541 for the 2019-20 fiscal year and \$2,700,421 for the 2020-21 fiscal year.

Transfers from the Office of State Treasurer (OST) to the General Fund \$41,913 for the 2019-20 fiscal year and \$91,132 for the 2020-21 fiscal year.

Part III.

Effective July 1, 2019, awards a 2.5% salary increase of the 2019-21 fiscal year and allowable salary adjustment for any person whose salary is set by Part III of the act or otherwise authorized in the act who is employed in a State-funded position on June 30, 2019. Similarly, effective July 1, 2020, awards a 2.5% salary increase of the 2020-21 fiscal year and allowable salary adjustment for any person whose salary is set by Part III of the act or otherwise authorized in the act who is employed in a State-funded position on June 30, 2020. Excepts from the eligibility to receive the legislative salary increases: employees of local boards of education, local community college employee, UNC employees, clerks of superior court compensated under GS 7A-101, correctional employees to which HB 609 applies, law enforcement officers to which HB 126 or HB 777 apply, and

employees of schools operated by the Department of Health and Human Services, the Department of Public Safety, and the State Board of Education who are paid based on the Teacher Salary Schedule. Provides for part-time employees to receive the increases on a prorated basis. Allows for eligibility despite the employee's maximum salary range.

Amends GS 147-11 to increase the Governor's salary from \$147,287 to \$150,969, effective July 1, 2019, and to \$154,743, effective July 1, 2020.

Sets the annual salaries for members of the Council of State at \$133,365, effective July 1, 2019, and \$136,699, July 1, 2020.

Sets the annual salaries for specified executive branch officials and judicial branch officials, effective July 1, 2019, and July 1, 2020. Requires average salaries for assistant district attorneys or assistant public defenders not exceed \$80,579 or be less than \$43,248 for the 2019-20 fiscal year, effective July 1, 2019, and not exceed \$82,593 or be less than \$44,329 for the 2020-21 fiscal year, effective July 1, 2020.

Provides \$800,000 of the funds available to the Administrative Office of the Courts to increase the budgeted annual salary to \$70,000 for each new ADA position created in SL 2017-57 (Appropriations Act of 2017).

Effective July 1, 2019, amends GS 7A-101 to establish a salary schedule for clerks of superior court based on the number of State-funded assistant and deputy clerks of court as determined by the AOC workload formula, ranging from \$95,000 for 0-19 assistants and deputies and \$127,500 for 100 or more assistants and deputies (previously, based on county population, ranging from \$90,972 for less than 100,000 and \$123,554 for \$250,000 and above). Makes conforming and technical changes. Effective July 1, 2020, increases the salaries in the schedule in specified amounts ranging from \$97,375 to \$130,688.

Effective July 1, 2019, and July 1, 2020, amends GS 7A-102 to increase the maximum salary of assistant clerks and head bookkeepers to \$62,691 and \$64,258, and deputy clerks to \$49,235 and 50,466, respectively.

Effective July 1, 2019, amends GS 7A-171.1 to increase the amounts set in the table of salaries for magistrates, ranging from \$39,586 to \$63,212. Effective July 1, 2020, increases the amounts again, ranging from \$40,456 to \$64,792.

Effective July 1, 2019, increases the annual salaries of the Legislative Services Officer and nonelected employees of the General Assembly in effect on June 30, 2019, by 2.5%. Effective July 1, 2020, increases the annual salaries of the Legislative Services Officer and nonelected employees of the General Assembly in effect on June 30, 2020, by 2.5%. Provides that GS 120-32 controls.

Effective July 1, 2019, and July 1, 2020, amends GS 120-37 to increase the salary of principal clerks from \$111,107 to \$113,885, and \$116,732, respectively.

Effective July 1, 2019, and July 1, 2020, amends GS 120-37 to increase the salary of the sergeant-at-arms from \$438 per week to \$449 per week and \$460 per week, respectively.

Mandates the legislative increases, unless otherwise provided, for (1) all permanent, full-time State official and persons whose salaries are set pursuant to the State Human Resources Act (SHRA); (2) permanent, full-time State officials and persons in positions exempt from the SHRA; (3) permanent, part-time State employees; and (4) temporary and permanent hourly State employees.

Details parameters and limitations of the legislative salary increases, including that the increases do not apply to persons separated from service prior to June 30, 2019, for the 2019-20 fiscal year, or June 30, 2020, for the 2020-21 fiscal year. Allows for the reallocation of funds appropriated for the increases in excess of the amounts required by an agency to another agency that received insufficient funds. Requires excess amounts to be credited to the Pay Plan Reserve. Establishes reporting requirements for the Office of State Budget and Management by May 1, 2020, and May 1, 2021, to the specified NCGA committee and division on the expenditure of funds for legislatively mandated salary increases and employee benefits for the respective fiscal year. Details required content of the reports.

Grants state employees a one-time additional five days of annual leave, credited on July 1, 2019. Excludes full-time permanent state employees eligible to earn annual leave, UNC employees, and employees to which HB 609, HB 126, or HB 777 apply. Details parameters and limitations for the leave awarded, including that the leave has no cash value and cannot be paid out upon separation or retirement. Adds that any vacation leave remaining on December 31 of each year in excess of 30 days is reduced by the number of days awarded by the act that were actually used by the employee during the year, so that the calculation of vacation leave days that would convert to sick leave reflects the deduction of those days of special annual leave

awarded that were used by the employee during the year. Allows the leave to carry forward to each following year, as specified. Clarifies that no employee is required to take the additional leave awarded.

Effective for the 2019-21 fiscal biennium, mandates that required employer salary-related contributions be paid from the same source as the source of the employee's salary, with those paid from the General Fund or Highway Fund be paid proportionately to the salary portion supported by those funds. Makes the provisions applicable to payments on behalf of the employee for hospital medical benefits, longevity pay, unemployment compensation, accumulated leave, workers' compensation, severance pay, separation allowances, and applicable disability income benefits.

Sets the State's employer contribution rates budgeted for retirement and related benefits for the 2019-20 and 2020-21 fiscal years, effective July 1, 2019, and July 1, 2020, respectively, for teachers and State employees, State law enforcement officers, the University and Community Colleges Optional Retirement Programs, the Consolidated Judicial Retirement System, and the Legislative Retirement System.

Sets a cap for annual employer contributions payable monthly by the State for each covered employee or retiree for the State Health Plan for the 2019-20 fiscal year at \$4,900 for Medicare-eligible employees and retirees, and \$6,306 for non-Medicare-eligible employees and retirees; and for the 2020-21 fiscal year at \$5,165 for Medicare-eligible employees and retirees, and \$6,647 for non-Medicare-eligible employees and retirees.

Sets the total State contribution to the North Carolina Firefighters' and Rescue Squad Workers' Pension Fund at \$18,652,208 in 2019-20 and \$19,002,208 in 2020-21.

Sets the total State contribution to the North Carolina National Guard Pension Fund at \$11,031,715 in 2019-20 and \$11,031,715 in 2020-21.

Requires that \$215,000 from the funds allocated to the Office of State Controller be used to adjust the salaries of SAP-skilled employees closer to 85% of the midpoint of average market pay rates.

Requires that of the funds appropriated in Part I of this act, 0.05% of the estimated General Fund payroll for each entity be used to pay short-term disability benefits.

Part IV.

Provides that if any provision of this act and GS 143C-5-4 (enactment deadline; procedures to be followed when the Current Operations Appropriations Act does not become law prior to the end of certain fiscal years) are in conflict, the provisions of this act prevail. Provides that the appropriations and the authorizations to allocate and spend funds which are set out in this act remain in effect until the Current Operations Appropriations Act for the applicable fiscal year becomes law, at which time that act becomes effective and governs appropriations and expenditures.

Effective July 1, 2019.

Intro. by R. Turner.

[APPROP, GS 7A, GS 105, GS 120, GS 147](#)

[View summary](#)

[Courts/Judiciary, Court System, Government, General Assembly, Public Safety and Emergency Management, State Agencies, State Government, Executive, State Personnel](#)

H 449 (2019-2020) [HANDICAPPED & SPECIAL REGISTRATION PLATES \(NEW\)](#). Filed Mar 25 2019, *AN ACT TO AUTHORIZE THE ISSUANCE OF HANDICAPPED LICENSE PLATES TO A REGISTERED VEHICLE OWNER THAT IS THE GUARDIAN OR PARENT OF A HANDICAPPED PERSON AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE VARIOUS SPECIAL REGISTRATION PLATES.*

Conference report adds the following to the 4th edition.

Amends GS 20-37.6, allowing the registered owner of a vehicle who is the guardian or parent of a handicapped person to apply for and display a distinguishing license plate (currently, limited to handicapped persons who are registered vehicle owners).

Specifies that a vehicle with a distinguishing license plate can be lawfully used when a handicapped person is not a driver or

passenger so long as the vehicle is not using handicapped privileges. Requires a registered owner who is the guardian or parent of a handicapped person and displays a distinguishing license plate to submit certification of the required medical determination every five years, though annual renewal of the distinguishing license plate is required. Makes conforming changes. Amends GS 20-37.5 to add guardian to the defined terms.

Further enacts new subdivisions to GS 20-79.4(b) to also produce special registration plates for ALS Research and the Town of Wrightsville Beach. Establishes a special plate fee of \$30 for the ALS Research plate and requires that \$20 of that amount be transferred quarterly to the ALS Association of North Carolina Chapter to support ALS research. Establishes a special plate fee of \$20 for the Town of Wrightsville Beach plate and requires that \$10 of that amount be transferred quarterly to the Town of Wrightsville Beach to help fund the continuing efforts to maintain and improve recreational opportunities for residents and visitors.

Makes the entire act effective March 1, 2020. Makes conforming changes to the act's titles.

Intro. by Iler, Torbett.

GS 20

[View summary](#)

**Courts/Judiciary, Motor Vehicle, Government, State Agencies,
Department of Transportation, Transportation**

H 555 (2019-2020) **MEDICAID TRANSFORMATION IMPLEMENTATION. (NEW)** Filed Apr 2 2019, *AN ACT TO APPROPRIATE FUNDS FOR THE IMPLEMENTATION OF MEDICAID TRANSFORMATION AND TO MAKE OTHER MEDICAID TRANSFORMATION-RELATED CHANGES.*

Senate amendment makes the following changes to the 4th edition.

Part I.

No longer repeals Sections 9D.15 (regarding the use of the Medicaid Transformation Fund for specified transformation needs) and 9D.15B (regarding Medicaid Transformation administrative reduction flexibility and reporting) of HB 966 (the Appropriations Act of 2019) if HB 966 becomes law.

No longer repeals all of Part II of the act if HB 966 becomes law. Instead, if HB 966 becomes law, repeals Section 2.1 and 2.2 (appropriating funds for Medicaid and NC Health Choice programs rebase, and for transitioning to Medicaid managed care, for the 2019-20 and 2020-21 fiscal years) and Part III of the act (providing for the use of the Medicaid Transformation Fund for specified Medicaid transformation needs).

Part III.

Changes the amount to be transferred from the Medicaid Transformation Reserve in the General Fund to the Medicaid Transformation Fund from \$224 million to \$193 million for the 2019-20 fiscal year, and from \$45 million to \$24 million for the 2020-21 fiscal year.

Regarding the amount permitted to be transferred from the Medicaid Transformation Fund to the Department of Health and Human Services (DHHS), Division of Health Benefits, for the 2020-21 fiscal year for providing the State share for nonrecurring qualifying needs directly related to Medicaid transformation, specifies that the specified amount is in nonrecurring funds.

No longer authorizes transfers to the Division of Health Benefits for the 2019-20 and 2020-21 fiscal years for the purpose of providing nonrecurring funding for administrative expenses during the transition to Medicaid-managed care.

Part IV.

Deletes the provisions of Part IV, which reduced the budget of the Division of Health Benefits for the 2019-20 and 2020-21 fiscal years, and established reporting requirements regarding the Division's reduction of administrative costs.

Part IX.

Makes a technical change to new GS 143C-4-11. Further amends the statute to allow allocation or expense of funds from the Medicaid Contingency Reserve if the Director of Budget finds additional needed to cover a shortfall, after the State Controller has verified that all Medicaid and NC Health Choice program receipts are being used appropriately (previously, generally required prior verification of receipts).

Part X.

Amends Section 10.3(b) of the act, if HB 966 becomes law, regarding the transfer of receipts collected from supplemental and base assessments in excess of that anticipated in the Governor's proposed base budget for the 2019-20 fiscal year for the Division of Health Benefits. Now provides for the specified transfers if the receipts collected are in excess of those anticipated in HB 966, rather than the Governor's proposed base budget.

Part XII.

Amends new GS 143C-9-9 to refer to the Hospital Uncompensated Care Fund consistently throughout.

Intro. by Dobson, White, Saine, Lambeth.

[APPROP, UNCODIFIED, GS 58, GS 105, GS 108A, GS 143C](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, UNC System, Department of Health and Human Services, Tax, Health and Human Services, Health, Health Care Facilities and Providers, Social Services, Public Assistance](#)

H 609 (2019-2020) [SALARY INCREASES/ADULT CORRECTIONAL EMPLOYEES. \(NEW\)](#) Filed Apr 4 2019, *AN ACT AWARDING LEGISLATIVELY MANDATED SALARY INCREASES AND SPECIAL ANNUAL LEAVE TO STATE ADULT CORRECTIONAL FACILITY EMPLOYEES.*

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

Adds that of the funds appropriated in the act from the General Fund to the Department of Public Safety for compensation increases to State adult correctional facility employees, \$15 million in recurring funds must be used to provide salary supplements to employees in high-need correctional facilities in accordance with Part IV of the act.

Intro. by McNeill, Faircloth, R. Turner, Richardson.

[APPROP](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Public Safety, State Government, State Personnel](#)

H 633 (2019-2020) [STRENGTHEN CRIMINAL GANG LAWS.](#) Filed Apr 9 2019, *AN ACT TO STRENGTHEN THE LAWS AGAINST CRIMINAL GANG ACTIVITY AND CLARIFY JUDICIAL STANDARDS COMMISSION PROCEDURES.*

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

Amends GS 7A-377 by prohibiting the Judicial Standards Commission (Commission) from investigating when its own motion or a written complaint by a citizen is based substantially upon a legal ruling by a district or superior court judge and the ruling has not yet been reviewed and ruled upon by either the North Carolina Court of Appeals or the North Carolina Supreme Court. Specifies that the Commission is limited to reviewing judicial conduct, not matters of law. Applies to complaints or investigations pending on or after the date the act becomes law.

Makes conforming changes to the act's organization and the act's long title.

Intro. by Davis, Faircloth, McNeill, Richardson.

[GS 7A, GS 8C, GS 14, GS 15A](#)

[View summary](#)**Courts/Judiciary, Evidence, Court System, Criminal Justice,
Criminal Law and Procedure**

H 777 (2019-2020) **PAY INCREASES/SBI & ALE. (NEW)** Filed Apr 15 2019, *AN ACT AWARDING LEGISLATIVELY MANDATED SALARY INCREASES AND SPECIAL ANNUAL LEAVE TO LAW ENFORCEMENT OFFICERS OF THE STATE BUREAU OF INVESTIGATION AND ALCOHOL LAW ENFORCEMENT.*

Conference report deletes the content of the 3rd edition and replaces it with the following. Makes conforming changes to the act's titles.

Part I.

Appropriates \$2.68 million in recurring funds for 2019-20 and \$3.36 million in recurring funds for 2020-21 from the General Fund to the Department of Public Safety (DPS) to award compensation increases to agents of the State Bureau of Investigation (SBI) and officers of Alcohol Law Enforcement (ALE). Specifies that State funds are appropriated for each year of the 2019-21 biennium as agency receipts up to the amounts needed to implement the legislatively mandated salary increases provided in this act for each year of the 2019-21 biennium.

Part II.

Effective July 1, 2019, awards a State employee who (1) is a law enforcement officer employed of the SBI or ALE and (2) was employed in a State-funded position on June 30, 2019, a legislative salary increase of 2.5% in the 2019-20 fiscal year and any salary adjustment otherwise allowed or provided by law. Effective July 1, 2020, awards a State employee who (1) is a law enforcement officer of the SBI or ALE and (2) was employed in a State-funded position on June 30, 2019 (appears to intend 2020), a legislative salary increase of 2.5% in the 2020-21 fiscal year and any salary adjustment otherwise allowed or provided by law. Excludes from these raises law enforcement officers paid according to the experience-based pay schedule established in Part IV of the act. Awards the increases in prorated amounts to part-time employees. Specifies that eligible State-funded employee are not prohibited from receiving the full salary increases solely because the employee's salary after applying the increase is above the maximum of the salary range prescribed by the State Human Resources Commission. Excludes from these salary increases any persons separated from service due to resignation, dismissal, reduction in force, death, or retirement or whose last workday is prior to June 30, 2019, for the 2019-20 fiscal year or June 30, 2020, for the 2020-21 fiscal year. Specifies that for 2019-21 payroll checks issued to employees after July 1, 2019, and July 1, 2020, respectively, that represent payment of services provided prior to July 1 of each year are not eligible for salary increases provided for in this act.

Prohibits funds appropriated in this act from being used to adjust the budgeted salaries of vacant positions, to provide salary increases in excess of those required by NCGA, or to increase the budgeted salary of filled positions to the minimum of the position's respective salary range unless otherwise specifically provided by law.

Requires any funds appropriated for legislatively mandated salary increases in excess of the amounts required to implement the increases authorized by this act to be credited to the Pay Plan Reserve.

Requires the Office of State Budget and Management to report to the specified NCGA Commission and Division by May 1, 2020, and May 1, 2021, on the expenditure of funds under this act. Specifies information that must be included in the report.

Part III.

Sets the entry-level annual salary of agenst of the SBI and ALE at \$45,100 for 2019-20 and \$46,228 for 2020-21.

Part IV.

Requires that \$2 million of the funds appropriated to DPS for 2019-20 in this act to be allocated to establish a pay schedule for law enforcement officers in the SBI and ALE that (1) increases the annual beginning officer salary to \$45,100 and (2) sets a stepped progression from beginning officer pay to \$65,807 over a six year period by providing increases of 6.5% per year. Prohibits using the funds to adjust the pay of other SBI or ALE employees.

Part V.

Amends GS 143C-4-9, concerning the Pay Plan Reserve to require that a specific amount be appropriated to the Reserve to fund statutory and scheduled pay expenses authorized by the Appropriations Act for law enforcement officers of the SBI and ALE.

Part VI.

Awards a one-time additional five days of annual leave credited on July 1, 2019, to any person who is, on July 1, 2019, (1) a law enforcement officer of the SBI or ALE, and (2) eligible to earn annual leave. Sets out requirements for the accounting for the leave and requires that remain available during the length of the employee's employment. Awards part-time permanent employees a pro rata amount. Sets out further parameters governing the use and carry forward of the leave.

Part VII.

Provides that if any provision of this act and GS 143C-5-4 (enactment deadline; procedures to be followed when the Current Operations Appropriations Act does not become law prior to the end of certain fiscal years) are in conflict, the provisions of this act prevail. Provides that the appropriations and the authorizations to allocate and spend funds which are set out in this act remain in effect until the Current Operations Appropriations Act for the applicable fiscal year becomes law, at which time that act becomes effective and governs appropriations and expenditures.

Part VIII.

Effective July 1, 2019.

Intro. by Belk, Gill, Hurley, Martin.

APPROP, GS 143C

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**Government, Budget/Appropriations, Public Safety and
Emergency Management, State Agencies, Department of
Public Safety**

PUBLIC/SENATE BILLS

S 86 (2019-2020) **SMALL BUSINESS HEALTHCARE ACT**. Filed Feb 19 2019, *AN ACT TO ESTABLISH STANDARDS FOR ASSOCIATION HEALTH PLANS AND MULTIPLE EMPLOYER WELFARE ARRANGEMENTS*.

AN ACT TO ESTABLISH STANDARDS FOR ASSOCIATION HEALTH PLANS AND MULTIPLE EMPLOYER WELFARE ARRANGEMENTS. SL 2019-202. Enacted August 26, 2019. Effective October 1, 2019.

Intro. by Bishop, Krawiec, Edwards.

STUDY, GS 58

[View summary](#)

**Business and Commerce, Government, State Agencies,
Department of Insurance, Health and Human Services,
Health, Health Insurance**

S 230 (2019-2020) **NC MILITARY AND VETERAN ACT OF 2019. (NEW)** Filed Mar 12 2019, *AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES PROVIDING FOR EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF MEMBERS OF THE ARMED FORCES OF THE UNITED STATES; TO PROVIDE THAT THE PROGRAM EVALUATION DIVISION SHALL STUDY WAYS IN WHICH TO IMPROVE THE ABILITY OF MILITARY-TRAINED APPLICANTS AND MILITARY SPOUSES TO BECOME LICENSED BY OCCUPATIONAL LICENSING BOARDS IN THE STATE; TO AUTHORIZE A LOCAL DIRECTOR OF SOCIAL SERVICES TO DETERMINE IF A JUVENILE WHO IS ALLEGED TO HAVE BEEN ABUSED, NEGLECTED, OR DEPENDENT HAS AN ASSOCIATION WITH THE MILITARY AND TO SHARE THAT INFORMATION WITH THE APPROPRIATE MILITARY AUTHORITIES, WHEN APPLICABLE; TO ENSURE THAT ALL ELIGIBLE CHILDREN CAN OBTAIN WARTIME VETERANS SCHOLARSHIPS; AND TO CHARGE CERTAIN VETERANS AND OTHER INDIVIDUALS THE IN-STATE TUITION RATE.*

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES PROVIDING FOR EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF MEMBERS OF THE ARMED FORCES OF THE UNITED STATES; TO PROVIDE THAT THE PROGRAM EVALUATION DIVISION SHALL STUDY WAYS IN WHICH TO IMPROVE THE ABILITY OF MILITARY-TRAINED APPLICANTS AND MILITARY SPOUSES TO BECOME LICENSED BY OCCUPATIONAL LICENSING BOARDS IN THE STATE; TO AUTHORIZE A LOCAL DIRECTOR OF SOCIAL SERVICES TO DETERMINE IF A JUVENILE WHO IS ALLEGED TO HAVE BEEN ABUSED, NEGLECTED, OR DEPENDENT HAS AN ASSOCIATION WITH THE MILITARY AND TO SHARE THAT INFORMATION WITH THE APPROPRIATE MILITARY AUTHORITIES, WHEN APPLICABLE; TO ENSURE THAT ALL ELIGIBLE CHILDREN CAN OBTAIN WARTIME VETERANS SCHOLARSHIPS; AND TO CHARGE CERTAIN VETERANS AND OTHER INDIVIDUALS THE IN-STATE TUITION RATE. SL 2019-201. Enacted August 23, 2019. Effective August 23, 2019.

Intro. by D. Davis, Brown, Ballard.

STUDY, GS 7B, GS 115C, GS 116

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Business and Commerce, Occupational Licensing, Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Education, Elementary and Secondary Education, Higher Education, Government, General Assembly, State Agencies, State Board of Education, Military and Veteran's Affairs

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.*

The Governor vetoed the act on 8/23/19. The Governor's objections and veto message are available here: <https://webservices.ncleg.net/ViewBillDocument/2019/6322/0/S438-BD-NBC-6110>.

Intro. by Berger.

GS 115C

[View summary](#)

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

S 683 (2019-2020) [COMBAT ABSENTEE BALLOT FRAUD](#). Filed Jun 28 2019, *AN ACT TO AMEND THE LAWS GOVERNING MAIL-IN ABSENTEE BALLOTS, TO RESTORE THE LAST SATURDAY OF EARLY ONE-STOP VOTING, AND TO EXTEND THE TIME BY WHICH COUNTY BOARDS OF ELECTION NEED TO REPLACE DIRECT RECORD ELECTRONIC VOTING EQUIPMENT UNDER CERTAIN CONDITIONS.*

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

Amends GS 163A-1306 to deem each register of absentee requests (mail-in and one-stop) to constitute public record, and can be opened to inspection by any registered voter of the county within 60 days before and 30 days after an election in which absentee ballots were authorized, or any other time when good and sufficient reason warrants inspection (previously, limited the scope of these parameters to the one-stop absentee ballot register required under new subsection (b), and deemed the mail-in absentee ballot request register required of subsection (a), as amended, confidential until the opening of the voting place, at which time the register is public record). Eliminates proposed subsection (e), which required the State Board of Elections (State Board) or the county board of elections to inform the voter of the status of that voter's request for mail-in absentee ballot upon inquiry by the voter or the voter's near relative or verifiable legal guardian.

Makes organizational and clarifying changes to GS 163A-871. Further amends the statute, which deems confidential specified personal identifying information, modifying the scope of the provisions to now include any email address submitted under

Article or Article 21 of GS Chapter 163A (was, more specifically Part 2 of Article 21), photocopies of identification for voting (previously not included), and drivers license numbers held by the State Board or a county board (previously, deemed the personally identifying information confidential as generated by the voter, the State Board, or a county board in the mail-in absentee ballot process). Specifies that voter signatures can be viewed by the public, whether held by the State Board or a county board.

Makes organizational and clarifying changes to GS 163A-1308, concerning absentee ballot requests and issuance. Changes the statutory cross-reference regarding voter eligibility to vote by absentee ballot, now referencing GS 163A-1295 rather than GS 163A-1295(a). Makes language gender neutral. Recodifies subsection (h), which defines near relative, as GS 163A-1295(f).

Amends GS 163A-1309, setting forth the method for requesting absentee ballots, to require the State Board to make the written request form available at its office, online, and in each county board of elections (previously, excluded online availability), and permits reproduction of the form (previously, no longer permitted). No longer permits the voter to request the form in person or in writing. Modifies the required content of the form to include a clear indicator of the date the election generating the request is to be held, except for annual calendar year requests pursuant to GS 163A-1295 for individuals with sickness or physical disability (previously, required indication of the calendar year in which the election or elections generating the request are to be held, and did not provide for this exception). No longer requires the form to include the name of any individual or group assisting the voter with obtaining or completing the form, or a unique identifier for the voter. Now allows a member of a multipartisan team trained and authorized by the county board to return the completed request form (previously, limited to the voter or the voter's near relative or verifiable legal guardian). Adds to the reasons for which a request for an absentee ballot is not valid and will not be issued an application and ballot, including (1) the completed written request is not on a form created by the State Board, (2) the completed written request is completed or signed by anyone other than the voter or the voter's near relative or verifiable legal guardian (with assistance permitted by a member of a multipartisan team trained and authorized by the county board), (3) the written request does not contain all of the required information, and (4) the completed written request is returned to the county by someone other than the voter, the voter's near relative or verifiable legal guardian, a member of a multipartisan team trained and authorized, the US Postal Service, or a designated delivery service. Adds to the required content of the State Board's enforcement rules, now requiring a voter affidavit stating a reasonable impediment as an inability to attach a physical copy of the voter's identification with the written request to include either (1) the number of the voter's NC drivers license, (2) the number of the voter's special identification card, or (3) the last four digits of the applicant's social security number. Makes further technical and conforming changes.

Amends GS 163A-1295(b) to allow a voter that reports a sickness or physical disability that is expected to last the remainder of the calendar year to request to vote by mail-in absentee ballot for all primaries and elections held during the calendar year when the completed written request under GS 163A-1308, as amended, is received (previously, allowed the applicant to report and request on the application an absentee ballot, and did not cross-reference GS 163A-1308 nor specify the request be for mail-in absentee ballots).

Changes the State Board's reporting requirement. Now requires the State Board to report to the specified NCGA committee and the General Assembly by May 1, 2020, on its plans to implement Section 2 and 3 of the act and any necessary statutory changes (concerning the proposed changes to GS 163A-1308, GS 163A-1309, and GS 163A-1295; previously, limited to proposed GS 163A-1309(a)(9), now deleted, concerning including unique voter identifiers on request forms).

Amends GS 20-30 to allow making a color copy of a drivers license, learner's permit, or special id card in order to comply with GS 163A-1307 (method of requesting absentee ballots).

Amends GS 163A-1317, making it a Class 1 misdemeanor to sell, attempt to sell, purchase or agree to purchase a completed written request, a completed application for absentee ballots, or voted absentee ballots (was, limited to completed applications and ballots). Requires a person who intentionally fails to deliver or destroys a completed request for, an application for, or a voter absentee ballot to have the intent of obstructing a vote by a registered voter to be guilty of a Class G felony. Eliminates the proposed Class G felony for stealing, releasing, or possessing the official register of absentee requests for mail-in ballots prior to the permitted time for a purpose other than the conduct of county board business.

Amends GS 163A-1300, as amended, to modify the one-stop voting period. Now sets the period to be no earlier than the third Thursday before an election and no later than 2:00 p.m. on the last Saturday before the election (was, no later than 1:00 PM on the last Saturday). Changes the proposed explicit requirement for county boards to conduct one-stop voting on the last Saturday before the election, now requiring one-stop voting from 8:00 a.m. until 2:00 p.m. (was, from 8:00 a.m. until 1:00 p.m.). No longer permits a county board to continue until 5:00 p.m. on that last Saturday.

Eliminates the proposed changes to GS 163A-1303, regarding the sites and hours for one-stop voting. Instead, amends the statute to require the State Board to consider, in determining whether to approve a county's Plan for Implementation, whether the Plan disproportionately favors any party, racial or ethnic group, or candidate. Adds identical language regarding approval of a Plan that includes a one-stop site in a building the county board is not entitled to demand and use as an election-day voting place, now requiring the State Board to find that the sites chosen will not disproportionately favor any party, racial or ethnic group, or candidate (previously, required finding the sites chosen do not unfairly advantage or disadvantage geographic, demographic, or partisan interests of that county). Excepts from the requirement for county-wide uniformity of one-stop sites on Saturdays the last Saturday before the election.

Effective January 1, 2020, amends GS 163A-1303 to limit required one-stop site hours to 8:30 a.m. to 6:30 p.m. (was, 7:00 a.m. to 7:00 p.m.). Sunsets this provision on August 1, 2020.

Makes organizational and clarifying changes to GS 163A-1310, regarding transmission of executed absentee ballots to county boards. Also, removes language specifying that transmission by mail or commercial courier is at the voter's expense. Appropriates \$250,000 from the unappropriated fund balance of the General Fund to the State Board for the 2019-20 fiscal year to provide for pre-paid postage for mail-in absentee ballots. Effective January 1, 2020, and expires December 31, 2020.

Amends Section 3.11 of SL 2018-13, which modifies Sections 30.8 and 30.9 of SL 2013-281. Makes technical corrections to refer instead to SL 2013-381, which requires the decertification of certified direct record electronic (DRE) voting systems that do not use paper ballots and prohibits their use in any election held on or after December 1, 2019. Makes other technical changes.

Allows the State Board to authorize a county board of elections to use a direct record electronic (DRE) voting system in any election prior to December 1, 2020, so long as the county board, by December 1, 2020, submits a request to the State Board, provides sufficient information for the State Board to conclude the use will not jeopardize election security, and has begun the process and timeline for replacing the DRE voting system and provided the State Board documentation of the timeline and required testing. Specifically authorizes the State Board to grant an exception to any requirement of GS 163A-1117(a), which requires system recommendation, demonstrations, and testing, that the State Board deems appropriate for that county. Effective when the act becomes law and expires January 1, 2021.

Maintains the act's effective date provisions and changes the act's long title.

Intro. by Daniel, McKissick, Hise.

UNCODIFIED, GS 20, GS 163A

[View summary](#)

Courts/Judiciary, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Government, Elections, State Agencies, State Board of Elections, Local Government

S 690 (2019-2020) **MODIFICATIONS TO 2019 APPOINTMENTS BILL**. Filed Aug 13 2019, *AN ACT TO MAKE MODIFICATIONS TO APPOINTMENTS MADE IN THE 2019 APPOINTMENTS BILL*.

Senate amendment makes the following changes to the 1st edition.

Further amends SL 2019-122 (Appointments Bill 2019) to correct the names of various appointments. Changes the term of appointment to the NC Institute of Medicine Board of Directors upon recommendation of the Speaker of the House of Representatives, now providing for a term expiring December 31, 2023, rather than January 1, 2023. Adds Tabari Wallace to the Speaker's recommendations for appointment to the NC Professional Educator Preparation and Standards Commission (replacing the appointment of Joseph Childers).

Intro. by Rabon.

UNCODIFIED

[View summary](#)

Business and Commerce, Government, General Assembly, State Government, Executive

ACTIONS ON BILLS**PUBLIC BILLS****H 74: TAXPAYER REFUND ACT. (NEW)**

Senate: Reptd Fav

H 126: PAY INCREASES/STATE HIGHWAY PATROL. (NEW)

House: Conf Com Reported

House: Rule 44b

House: Re-ref Com On Appropriations

Senate: Conf Com Reported

Senate: Placed On Cal For 08/27/2019

H 226: PAY INCREASES/STATE EMPLOYEES. (NEW)

House: Conf Com Reported

House: Rule 44b

House: Re-ref Com On Appropriations

Senate: Conf Com Reported

Senate: Placed On Cal For 08/27/2019

H 283: CONNER'S LAW.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 08/27/2019

H 426: ADD'L SUPERIOR COURT JUDGE DISTRICT 18B.

House: Withdrawn From Com

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

H 427: ADD'L DISTRICT COURT JUDGE DISTRICT 18.

House: Serial Referral To Appropriations, Justice and Public Safety Stricken

House: Withdrawn From Com

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

H 449: HANDICAPPED & SPECIAL REGISTRATION PLATES (NEW).

Senate: Conf Com Reported

Senate: Placed On Cal For 08/27/2019

H 555: MEDICAID TRANSFORMATION IMPLEMENTATION. (NEW)

Senate: Amend Adopted AI

Senate: Passed 2nd Reading

H 609: SALARY INCREASES/ADULT CORRECTIONAL EMPLOYEES. (NEW)

Senate: Amend Adopted AI

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

H 633: STRENGTHEN CRIMINAL GANG LAWS.

Senate: Amend Adopted AI

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

H 704: RURAL HEALTH CARE STABILIZATION ACT. (NEW)

Senate: Reptd Fav

H 777: PAY INCREASES/SBI & ALE. (NEW)

House: Conf Com Reported

House: Rule 44b

House: Re-ref Com On Appropriations

Senate: Conf Com Reported

Senate: Placed On Cal For 08/27/2019

S 86: SMALL BUSINESS HEALTHCARE ACT.

Senate: Became Law W/o Signature

Senate: Ch. SL 2019-202

S 250: REMOVE FOREIGN CITIZENS FROM VOTING ROLLS. (NEW)

House: Withdrawn From Cal

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

S 353: EXPAND CARTWAY PATH/SEPTIC TANK LAWS. (NEW)

Senate: Concurred On 3rd Reading

Senate: Ordered Enrolled

S 438: EXCELLENT PUBLIC SCHOOLS ACT OF 2019.

Senate: Ref To Com On Rules and Operations of the Senate

S 522: LOW-PERF. SCHOOLS/STAND. STUDENT CONDUCT. (NEW)

Senate: Failed Concur In H Com Sub

S 559: STORM SECURITIZATION/ALT. RATES.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 08/27/2019

S 562: THE SECOND CHANCE ACT.

House: Withdrawn From Cal

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

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

S 600: VETS CHILDREN/SHORT-TERM WORKFORCE TRAINING.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 621: TESTING REDUCTION ACT OF 2019.

House: Conf Report Adopted

Senate: Conf Report Adopted

Senate: Ordered Enrolled

S 682: IMPLEMENT CRIME VICTIM RIGHTS AMENDMENT.

House: Amend Failed A1

House: Passed 2nd Reading

House: Passed 3rd Reading

S 683: COMBAT ABSENTEE BALLOT FRAUD.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 08/27/2019

S 690: MODIFICATIONS TO 2019 APPOINTMENTS BILL.

Senate: Passed 2nd Reading

Senate: Amend Adopted A1

Senate: Passed 3rd Reading

Senate: Engrossed

LOCAL BILLS**H 55: CLEVELAND COUNTY/SHERIFF VACANCIES. (NEW)**

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 270: DURHAM DEANNEXATION. (NEW)

House: Passed 2nd Reading

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