



## The Daily Bulletin: 2020-04-30

### PUBLIC/HOUSE BILLS

H 1043 (2019-2020) **PANDEMIC RESPONSE ACT (NEW)**. Filed Apr 28 2020, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAW RELATED TO THE COVID-19 PUBLIC HEALTH CRISIS*.

House committee substitute makes the following changes to the 2nd edition. Amends the act's short title.

#### Part I.

Incorporates all content of the 1<sup>st</sup> edition of House Bill 1039 (An Act to Provide Aid to North Carolinians in Response to the Coronavirus Crisis by Increasing Access to Unemployment Benefits, Providing Employers a Suta Tax Credit, Waiving the Accrual of Interest on Certain Tax Payments, and Extending Certain Tax-Related Deadlines, as Recommended by the Economic Support Working Group of the House Select Committee on COVID-19). The summary of the bill can be found here: <https://lrs.sog.unc.edu/node/487014>

Incorporates all content of the 2<sup>nd</sup> edition of House Bill 1034 (An Act to Provide Funds for Small Business Loan Assistance). Summaries of the bill can be found here: <https://lrs.sog.unc.edu/bill/small-business-emergency-loans>

#### Part II.

Incorporates the content of the 1<sup>st</sup> edition of House Bill 1035 (An Act to Provide Relief to Elementary and Secondary School Students, Postsecondary School Students, School Personnel, and Educational Entities of the State to Accommodate Extraordinary Circumstances Due to Coronavirus Disease 2019 (COVID-19), as Recommended by the Education Working Group of the House Select Committee on COVID-19. The summary of the bill can be found here: <https://lrs.sog.unc.edu/bill/education-omnibus-covid-19>), with the following changes.

#### Advanced Courses in Mathematics

Deletes language providing that the provisions of GS 115C-81.36(a1) and (b) do not apply for the 2020-21 school year. Specifies that initial math placement for all students for the 2020-21 school year must be made consistent with local policies, in consultation with a student's 2019-20 school year math teacher (previously, permitted placement consistent with local policies). Adds that students, or their parents on their behalf, not initially placed in advanced courses or advanced learning opportunities in math can request testing to determine math placement for the 2020-21 school year. Provides for placement for highest level scoring on the math end-of-grades or end-of course tests pursuant to specified state law. Makes organizational changes.

#### School Calendar for the 2019-20 School Year

Makes technical and conforming changes to the section and subsection headings.

Eliminates the provisions stating the legislative intent to provide for supplemental jump start instruction in August of 2020, and permitting public school units to open as early as August 17, 2020.

#### School Calendar for the 2020-21 School Year

Adds the following new provisions. Directs the governing body of each public school unit to develop a Remote Instruction Plan (Plan) for the 2020-21 school year and submit its Plan to the State Board of Education (State Board) by July 20, 2020. Details 13 specifications Plans must address, including (1) training for teachers and staff, (2) surveying student and teacher home connectivity and providing for remote instruction appropriate for those with limited connectivity capability, (3) teaching and practice opportunities for students on accessing and using remote instruction platforms and methods, (4) communicating learning targets to students on each remote instruction day with lesson design to demonstrate learning, (5) tracking and

reporting attendance on remote instruction days, (6) providing online and offline contact options for student-teacher or staff communication, and (7) providing technology support for students.

Provides that the calendar requirements of GS 115C-84.2 apply to the 2020-21 school calendar for local school administrative units. Establishes that the provisions of the act supersede any school calendar adopted by a public school unit prior to the act's enactment. Sets forth parameters applicable to the 2020-21 school year for public school units as follows. Mandates that each public school unit adopt a calendar that includes 190 days of instruction with 185 days or 1,025 hours of instruction that includes five remote instruction days pursuant to the Plan, and five individually separate and distinct full instructional days. Requires adoption of a school calendar that includes an opening date for students of August 17, 2020, a closing date for students no later than June 11, 2021, and no remote instruction days prior to August 24, 2020. Allows for remote instruction days to be scheduled for use as teacher workdays. Provides for waiver of the opening date requirement for good cause so long as the opening date is not before August 17, 2020, and allows use of an additional five remote instruction days as make-up days for closure due to inclement weather or other emergency situations. Allows for additional remote instruction days, provided in accordance with the Plan, to satisfy instructional time requirements if a state of emergency or disaster is declared under GS Chapter 166A ordering school closure for more than five days.

Requires the State Board to report to the specified NCGA committee by September 15, 2020, on the implementation of Remote Instruction Plans. Requires the report to include copies of each Plan submitted and a statewide summary with five specified components and any other data deemed by the State Board to be useful to the committee in evaluating the delivery of statewide remote instruction.

#### School Improvement Plans

Adds a new section. Extends the validity of school improvement plans set to expire at the end of the 2019-20 school year until December 31, 2020, to allow additional time for consideration and adoption of a new plan; specifies that the replacement plan for these extended plans expire in 18 months, rather than two years.

#### Use of Regional Council of Governments in Administration of FEMA Public Assistance and Individual Assistance Funds

Authorizes the Department of Emergency management to use the NC Regional Councils of Government in administering FEMA public assistance and individual assistance funds. Requires compliance with Article 19 of GS Chapter 153A and Article 160A of GS Chapter 160A. Allows for the provision of assistance with training, grant applications, and other requested services by qualifying local governments and allows a regional council to be designated by a local government to administer any FEMA public assistance funds on its behalf.

#### North Carolina Scholarship for Children of Wartime Veterans

Eliminates the proposed provisions regarding a waiver from the limitation on the period of time to receive a scholarship under the Children of Wartime Veterans Scholarship program.

#### Part III.

Incorporates the content of the 2<sup>nd</sup> edition of House Bill 1037 (An Act Expanding the State's Capacity to Take Public Health and Safety Measures to address the COVID-19 Emergency, as Recommended by the Health Care Working Group of the House Select Committee on COVID-19, summaries of the bill can be found here: <https://lrs.sog.unc.edu/bill/covid-19-health-care-working-group-policy-rec>), with the following changes.

#### Affirmations of Actions Taken in Response to COVID-19

Removes the statement that the NCGA supports the actions taken by the Governor pursuant to Executive Order No. 116 and Executive Order No. 130, and the actions taken by the Department of Health and Human Services in response to the COVID-19 emergency.

#### Prescription Identification Requirements

Instead of requiring pharmacists to review a patient's information in the controlled substances reporting system for the preceding 12 months before dispensing a prescription for a Schedule II controlled substance, now states that nothing in the provision is to be construed to relieve a pharmacist of the obligation to review information in the controlled substances

reporting system in accordance with GS 90-133.74D. Removes the requirement for a courier, before delivering a mail-order prescription, to confirm the identity of the recipient through the visual inspection of a government issued photo identification.

#### Authorization for Pharmacists to Administer COVID-19 Tests

Removes the changes to GS 90-85.3A that would have allowed pharmacists to administer diagnostic tests and antibody tests for coronavirus disease 2019.

#### Part IV.

Incorporates all content of the 2<sup>nd</sup> edition of House Bill 1038 (An Act Making Omnibus Appropriations of Federal Funds for COVID-19 Response and Relief Efforts in North Carolina, as Recommended by the House Select Committee on COVID-19), summaries of the bill can be found here: <https://lrs.sog.unc.edu/bill/omnibus-covid-19-response-funds-new>, with the following change.

#### Summer Learning Plan Date Submission

Adds a new section. Regarding the \$70 million required to be allocated to the Department of Public Instruction (DPI) for local school administrative units, charter schools and the Innovative School District (ISD) to provide supplemental summer learning programs for students negatively affected by the impacts of COVID-19, requires local units and the ISD to submit their summer learning program plans to DPI by June 22, 2020, rather than May 31, 2020.

#### Part V.

#### Rule 5 Service Declaration of Emergency

Eliminates the previously proposed provisions amending Rule 5, Service and filing of pleadings and other papers, in GS Chapter 1A-1.

#### Disbursement of Funds Prior to Recordation of Deed in Certain Circumstances

Amends proposed GS 45A-4.1 concerning the disbursement of closing funds during certain declarations of emergency. Removes the requirement for all parties to agree in writing to the requirements of GS 45A-4 that closing funds be disbursed only upon collected funds.

#### Clarify Electronic Signatures for Search Warrants and Certain Court Orders

Permits use of electronic signature for signatures required for search warrants or any judicial order following a court hearing conducted by remote audio or visual transmission in a civil or criminal case. Expires August 1, 2020.

#### Authorizes the Chairman of the ABC Commission to Allow Certain Sales during the Coronavirus Emergency.

Authorizes the Chairman of the ABC Commission (Chairman) to allow mixed beverage permittees to engage in retail sales for consumption off the premises, including delivery by the permittee, an employee of the permittee, or independent contractor. Makes coordinating authorizations concerning delivery service permittees. Allows the Chairman to set terms and conditions for the sales and deliveries, but requires that products sold or delivered under the provision to be (1) packaged in a container with a secure lid or cap and in a manner designed to prevent consumption without removal, (2) sold only with food, and (3) limited to two servings per meal or food item ordered.

Expires on the date that Executive Order 116, declaring a state of emergency to coordinate COVID-19 response, expires or is rescinded.

#### Extend Time Period to Claim Lottery Prizes

Allows a lottery prize winner to submit a delayed claim that is expiring or awarded between March 10, 2020, and August 1, 2020. Requires the claim to be submitted to the Lottery Commission in writing no more than 90 days after the date the online game prize was announced or the instant game has closed.

#### New Attorneys' Oath

Postpones the expiration of the provisions allowing for remote administration of the required oath of new attorneys from August 1, 2020, to December 1, 2020.

(1) Allows the Department of Environmental Quality to Establish Emergency Measures and Procedures Applicable to Solid Waste Management; (2) Expand Local Government Authority to Request Waivers from the Department with Respect to Certain Items Banned from Landfills; and (3) To Allow Private Companies Providing Collection Services For Yard Trash to Request a Waiver from the Department to Allow Disposal of Yard Trash Collected in a Landfill in Consideration of Impacts to Public Health, During the COVID-19 State of Emergency.

Adds the defined term Coronavirus emergency and defines the term to mean the period from March 10, 2020, through August 1, 2020. Authorizes the Secretary of the Department of Environmental Quality (DEQ) or an authorized representative to develop and implement any emergency measures and procedures necessary for the proper management of solid waste generated during the Coronavirus emergency, upon request of a public or private landfill operator or the Secretary's own initiative. Requires written notice of emergency measures and procedures to be provided to the news media, waste organizations, governmental organizations and other interested or affected parties. Provides examples of emergency procedures and measures. Requires State agencies and political subdivisions to cooperate with the implementation of such procedures and measures. Expires August 1, 2020.

Adds a new section to allow a county or city, or a private company that is providing collection services for yard trash, to petition DEQ for a waiver from the prohibition or disposal of yard trash in a landfill during the Coronavirus emergency, defined as the same period as above, based on a showing that prohibiting the disposal would constitute an economic hardship or a real or potential health risk. Details specific parameters for a private company's petition. Expires August 1, 2020.

Expand Who May Be Appointed Medical Examiner

Deletes the proposed changes to GS 130A-383 concerning unclaimed body disposal.

Charitable Solicitations Application Review

Deletes the proposed changes to GS 131F-5 concerning licensure of charitable organizations.

Extend Validity of Probationary Certificates Issued by the North Carolina Code Officials Qualifications Board

Further extends the validity of any probationary certificates issued to Code-enforcement officials to provide for validity until March 12, 2021, of certificates set to expire between March 10, 2020, and March 10, 2021 (was, until August 1, 2020, for certificates set to expire between March 10, 2020, and July 31, 2020).

Clarify Available for Public Inspection/Local Government Budget Process

Adds a new section to amend GS 159G-12 to no longer specifically require local government budget officers to submit copies of the budget submitted to the governing board to the board's clerk in the clerk's office, or for the copy to be available for public inspection in the clerk's office. However, maintains the requirement for submission of a copy of the budget. Adds a new provision allowing for the clerk to post a copy of the budget on the local government's website and requires providing copies pursuant to state public records law.

Reinstate Special Obligation Bonds

Further amends GS 153A-427 to make more conforming and clarifying changes to the reinstatement of special obligation bonds in GS Chapter 159.

Floodplain Maps by Incorporation into Local Ordinances

Adds a new section to allow local land use development ordinances to reference or incorporate by reference flood insurance rate maps, watershed boundary maps, or other maps officially adopted or promulgated by State and federal agencies, subject to the specified parameters and requirements. Expires August 1, 2020.

Extend Ordinance/Rule Reporting

Deletes the proposed changes to Sections 5 and 6 of SL 2019-198 and instead provides for the identical language of those provisions with the identical proposed changes as uncodified language. Makes conforming changes. Additionally, permits the General Statutes Commission to make an interim report to the 2020 Regular Session of the 2019 General Assembly and the specified NCGA committee on recommendations concerning whether conduct criminalized by local ordinance or in the

Administrative Code should have generally applicable criminal penalties in state law, prior to the required final report on or before March 1, 2021.

#### Extend the North Carolina Child Well-Being Transformation Council

Adds a new section. Amends Section 24.1 of SL 2018-5 to postpone the final reporting deadline and termination of the Children's Council from June 30, 2020, to January 15, 2021.

#### Transportation Network Company Signage Requirements

Adds a new section. Amends Section 2 of SL 2019-194 to postpone the effective date of the signage requirements of GS 20-280.5(e) and (f), as enacted in the act, from July 1, 2020, to July 1, 2021.

#### Extend the Joint Legislative Study Committee on Small Business Retirement Options

Adds a new section. Amends SL 2019-205, which establishes the Joint Legislative Study Committee on Small Business Retirement Options (Committee). Currently, the Committee is required to report to the Speaker of the House and the President Pro Tempore of the Senate, and the Fiscal Research Division by March 31, 2020, by which time the Committee is terminated. Amends the provisions to require the Committee to report interim findings by March 31, 2020, and to report its final findings and recommendations by December 1, 2020. Requires the Committee to terminate upon submission of the final report or December 1, 2020, whichever occurs first. Effective retroactively to March 31, 2020.

#### Authorize State Agencies to Exercise Regulatory Flexibility During the Coronavirus Emergency in Order to Protect the Economic Well-Being of the Citizens and Businesses of the State

Adds a new section. Allows state agencies, as defined, to (1) delay collection of or modify collection of any fees, fines, or late payments assessed by the agency, (2) delay the renewal dates of permits, licenses, and similar certifications, registrations, and authorizations issued by the agency, and (3) delay or modify any educational or examination requirements implemented by the agency. Requires the state agency to determine that for the action to be in the public interest due to the impacts of the Coronavirus, as defined by federal statutory cross-reference. Defines *state agency* to specifically exclude the Division of Employment Security of the Department of Commerce, the Department of Health and Human Services (DHHS), the State Board of Education, the Department of Public Instruction, UNC, the State Board of Community Colleges, and the State Board of Elections. Requires agencies to report to the specified NCGA committees and commission and the Office of State Budget and Management (OSBM) by October 1, 2020, on its exercise of this regulatory flexibility. Requires agencies to exercise the authority granted to the maximum extent possible to protect the economic well-being of the citizens and businesses of the State and continuing to protect public health, safety, and welfare.

Authorizes agencies to adopt emergency rules for implementation, which sunset on August 1, 2020. Prohibits the adoption of temporary rules pursuant to these provisions.

Effective retroactively to March 10, 2020. Expires August 1, 2020, except for the reporting requirement.

#### Authorize Extension of Training and Certification of Law Enforcement Officers by Forensic Tests for Alcohol Branch

Adds a new section. Authorizes the Forensic Tests for Alcohol Branch (Branch) of DHHS to delay or modify any educational or exam requirements for recertification of law enforcement officers. Allows the Branch to extend issued certifications if educational and exam requirements are delayed. Effective March 10, 2020, and expires January 1, 2021.

#### Extend Certain Local Government Approvals Affecting the Development of Real Property within the State

Adds a new section. Extends the expiration date and associated vested right of any development approval that is current and valid during the period beginning March 10, 2020, and ending April 28, 2020, for five months. Defines development approval as any of the following land development approval issued by a local government: approval of an erosion and sedimentation control plan; any building permit; approval by a county or city of sketch plans, preliminary plats, subdivision plats, a site specific development plan or phased development plan, a development permit, a development agreement, or a building permit; or any certificate of appropriateness issued by a preservation commission. Defines the term development.

Details construction and implementation of the provisions. Details responsibilities of the holder of any development approval extended by the provisions, including maintaining all performance guarantees imposed as conditional approval.

Provides for possible termination of the extension for failure to comply with the provisions. Provides for notice and appeal of termination of approval.

Expires September 28, 2020.

#### DOT Emergency Reserve/Clarifications/Modifications

Adds a new section. Amends GS 136-44.2E, as enacted by SL 2019-251, which creates the Transportation Emergency Reserve (Emergency Reserve). Changes the funding of the Reserve to now require the Department of Transportation (DOT) to annually transfer \$125 million from Highway Fund appropriations (rather than the Highway Fund) to the Emergency Reserve. Further modifies the provisions to appropriate the transferred funds for expenses related to an emergency and for unreimbursed expenditures arising from the emergency (previously, emergency expenses only). Expands DOT's access to the Emergency Reserve funds to include when the US Secretary of Transportation authorizes the expenditure of emergency relief funds pursuant to specified federal law and when the Governor declares a disaster pursuant to GS 166A-19.21, in addition to the existing condition of a Presidential disaster declaration.

Amends SL 2019-251, Section 1.3, to allow DOT to use the \$64 million the State Controller is required to transfer to the Emergency Reserve within 30 days of the effective date of SL 2019-251 for any emergency occurring after December 31, 2015, that qualifies under GS 136-44.2E.

Directs DOT not to transfer funds to the Emergency Reserve for the 2020-21 fiscal year.

Amends SL 2019-251, Section 1.7, to modify the required allocations of the \$36 million appropriated from the General Fund to DOT for the 2019-20 fiscal year in the act to require \$30 million to be used for current and future unreimbursed expenditures (was, for current and future activities).

#### NCDOT Cash Floor

Exempts from the provisions, which prohibits further contract commitments by DOT if the required \$125 million cash floor is not maintained, contracts entered into in response to an emergency or disaster declaration and future transportation project contract commitments that are funded by federal bonds or grants, or State bonds. Defines *emergency* and *disaster declaration* by statutory cross-reference.

#### Part VI.

Includes a severability clause.

#### Part VII.

Effective when the act becomes law, unless otherwise indicated.

Makes additional organizational and technical changes.

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

APPROP, STUDY, GS 1A, GS 10B, GS 14, GS 20, GS 32A, GS 35A, GS 45A, GS 51, GS 58, GS 74C, GS 90, GS 96, GS 105, GS 113A, GS 120, GS 122C, GS 130A, GS 131F, GS 135, GS 136, GS 143, GS 143C, GS 148, GS 150B, GS 153A, GS 159, GS 160A, GS 166A

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**Alcoholic Beverage Control, Business and Commerce, Courts/Judiciary, Civil, Civil Law, Civil Procedure, Family Law, Motor Vehicle, Criminal Justice, Corrections (Sentencing/Probation), Criminal Law and Procedure, Development, Land Use and Housing, Building and Construction, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Environment, Government, APA/Rule Making, Budget/Appropriations, Elections, Public Records and Open Meetings, Public Safety and Emergency**

**Management, State Agencies, Community Colleges System Office, UNC System, Department of Agriculture and Consumer Services, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Information Technology, Department of Public Instruction, Department of Public Safety, Department of Revenue, Department of Transportation, Office of State Auditor, Office of State Budget and Management, Secretary of State, State Board of Elections, State Government, State Personnel, Tax, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Adult Services, Child Welfare, Public Assistance, Lottery and Gaming**

H 1051 (2019-2020) **HONOR LINDA JOHNSON**. Filed Apr 30 2020, *A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF LINDA P. JOHNSON, FORMER MEMBER OF THE GENERAL ASSEMBLY.*

As title indicates. Includes several whereas clauses.

Directs the Secretary of State to transmit a certified copy of the resolution to the family of the late former Representative Linda Johnson.

**Intro. by Davis.**

**HOUSE RES**

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**Government, General Assembly**

H 1052 (2019-2020) **PED REPORT/STUDENT FINANCIAL ASSISTANCE**. Filed Apr 30 2020, *AN ACT TO MAKE NECESSARY IMPROVEMENTS TO ENSURE STATE FUNDS FOR POSTSECONDARY EDUCATIONAL FINANCIAL AID PROGRAMS ARE FULLY EXPENDED AND TO GAUGE THE EFFECTIVENESS OF THOSE PROGRAMS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

#### Section 1

Amends GS 116-209.45 to detail information required to be included in the State Education Assistance Authority's annual report to the specified NCGA committee regarding the Forgivable Education Loans for Service Fund and loans awarded from the Funds. Requires the reports to include the total number of loan recipients who have met employment service requirements for loan forgiveness or elect cash loan repayment. Requires the individual records used to generate the annual reports to be retained for five years.

Requires the State Education Assistance Authority (Authority) to include initial information on loan recipients of the Forgivable Education Loans for Service program, including recipients' field of work, in its annual report by December 1, 2020.

Directs the Authority to develop and maintain a record-keeping system to track repayment methods used by recipients of State-funded educational loans that are eligible for forgiveness based on individual employment service requirements. Provides that the system should facilitate other specified data reporting requirements on State-funded education loan programs and inform as to whether the programs are meeting NC employment needs. Requires the Authority to report implementation progress to the specified NCGA committees by January 1, 2021.

#### Section 2

Effective July 1, 2021, amends GS 116-209.14 to require the Authority to biennially develop and maintain a strategic plan that sets performance goals, as specified, of the Authority in the administration of State-funded financial assistance for postsecondary programs. Requires the Authority to make the current strategic plan available on its website. Requires the

Authority to include its implementation of its strategic plan in the existing annual reporting requirement to the Governor and the NCGA. Expands the required components of the annual reports to include the strategic plan adopted and data metrics on State-funded financial assistance program administration and program recipients, as specified.

Directs the Authority to report on its progress in meeting the requirements of GS 116-209.14, as amended, to the specified NCGA committees by January 1, 2021.

### Section 3

Appropriates \$700,000 in recurring funds from the General Fund to the UNC Board of Governors to be allocated to the Authority for administrative costs in the administration of the UNC Need-Based Financial Aid Program.

### Section 4

Directs the Office of State Budget and Management (OSBM) to develop recommendations on increasing transparency in administrative cost reporting for the Need-Based Scholarships for Students Attending Private Institutions of Higher Education Program, including a method for reporting funding received by the Authority in its financial statements. Requires OSBM to report its recommendations and associated timeline for any proposed legislative changes to the specified NCGA committees by June 30, 2020.

**Intro. by Horn, Lucas, Fraley, Clemmons.**

**APPROP, GS 116**

**Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, State Agencies, UNC System, Office of State Budget and Management**

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H 1053 (2019-2020) **PED/MILITARY OCCUPATIONAL LICENSURE**. Filed Apr 30 2020, *AN ACT TO EXPEDITE OCCUPATIONAL LICENSURE FOR MILITARY SPOUSES, PUBLICIZE LICENSURE INFORMATION, AND REPORT DATA REGARDING APPLICANTS WHO ARE MILITARY SPOUSES AND APPLICANTS THAT HAVE MILITARY TRAINING, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Amends GS 93B-15.1 regarding licensure for individuals with military training and experience or military spouses. Makes organizational changes to separate the notification requirements for occupational licensing boards that find the military trained applicant or the military spouse applicant does not satisfy the licensure, certification, or registration requirements; however, the existing requirements remain for both applicants. Adds that an occupational licensing board must notify a military spouse applicant who has a pending complaint with the respective licensing agency in another jurisdiction within 30 days of the board's receipt of written notice of the disposition of the pending complaint.

Further amends the statute by adding to the information each occupational licensing board must publish to its website, currently limited to licensure, registration, or certification criteria, to include a document that contains a summary of the opportunities available to veterans and military spouses under the statute's provisions. Additionally, requires the Secretary of the Department of Military and Veterans Affairs to publish on the Department's website both documents occupational licensing boards are required to publish on its website under the statute (previously, required licensure criteria to be published on the Department's website, but did not place this responsibility on the Secretary).

Amends GS 93B-2 regarding annual reporting requirements for occupational licensing boards. Adds to the required contents of the annual reports, requiring occupational licensing boards to report on the following data for both military trained applicants and military spouses: the number of applicants, the number granted a license, the number denied a license for any reason, and a summary of the reasons for denial. Prohibits disclosure of any identifying information of any applicant in reporting this information. Additionally, amends GS 93B-15.1 to require the State Board of Education to report this same information regarding teacher licensure for military trained applicants and military spouses. Lastly, amends GS 93B-2 to require all occupational licensing boards to annually electronically file the information collected on military trained applicants and military spouses with the Secretary of the Department of Military and Veterans Affairs.

Requires each occupational licensing board to include the newly required reporting criteria under GS 93B-2, as amended, for fiscal year 2019-20 in annual reports by October 31, 2021.



Effective December 1, 2020, and applies to applications for licensure received on or after that date.

**Intro. by Horn, Lucas.**

GS 93B

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**Business and Commerce, Occupational Licensing,  
Government, State Agencies, Department of Military &  
Veterans Affairs, Military and Veteran's Affairs**

H 1054 (2019-2020) [AUTOMATIC EXTRA SESSION/STATE OF EMERGENCY](#). Filed Apr 30 2020, *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO REQUIRE THE GOVERNOR TO CONVENE THE GENERAL ASSEMBLY IN EXTRA SESSION WITHIN FOURTEEN DAYS OF THE ISSUANCE OF A DECLARATION OF A STATEWIDE STATE OF EMERGENCY AND PROVIDE A PROCESS FOR THE GENERAL ASSEMBLY TO CONVENE UPON LEGISLATIVE CALL IN THE EVENT THE GOVERNOR DOES NOT PROVIDE A DATE TO CONVENE IN EXTRA SESSION.*

Subject to voter approval at the statewide general election in November 2020 and effective January 1, 2021, amends Section 5 of Article III and Section 11 of Article II of the NC Constitution. Requires the Governor to convene the NCGA in an extra session within 14 days of issuing a statewide state of emergency declaration if the NCGA has jointly adjourned for more than 14 days and is not scheduled to reconvene in regular session within 14 days of the declaration. Directs that if the Governor fails to do so, the NCGA must convene in extra session during the statewide state of emergency upon receipt by the President Pro Tempore of the Senate and the Speaker of the House of Representatives of written requests signed by the majority of their respective chambers. Sets out ballot language.

**Intro. by Speciale, Pittman, Kidwell.**

CONST

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**Constitution, Government, General Assembly, Public Safety  
and Emergency Management, State Government, Executive**

## PUBLIC/SENATE BILLS

S 706 (2019-2020) [EDUC. CHANGES FOR MILITARY-CONNECTED STUDENTS](#). Filed Apr 30 2020, *AN ACT TO AUTHORIZE STUDENT ATTENDANCE IN A LOCAL SCHOOL ADMINISTRATIVE UNIT FOR CHILDREN OF ACTIVE DUTY MILITARY DUE TO THE MILITARY ORDERS OF THE PARENT, TO REQUIRE IDENTIFICATION OF MILITARY-CONNECTED STUDENTS IN NONPUBLIC SCHOOLS, AND TO CLARIFY CONTINUOUS ENROLLMENT FOR HIGH SCHOOL STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL ONCE THOSE STUDENTS ARE ADMITTED TO A STATE INSTITUTION OF HIGHER EDUCATION, AS RECOMMENDED BY THE NORTH CAROLINA MILITARY AFFAIRS COMMISSION.*

Identical to [H 1047](#), filed 4/29/20.

Part I

Amends GS 115C-366 to modify the conditions that permit a student who is not a domiciliary of a local school administrative unit to attend a public school of that unit without payment. Currently, allows for the student to attend if he or she resides with an adult who is a domiciliary of the unit and the parent or legal guardian is on active military duty and is deployed out of the local school administrative unit in which the student resides. Replaces the provision to provide for situations in which the student resides with an adult who is a domiciliary of the administrative unit and the parent or legal guardian is on active military duty and his or her commanding officer provides a signed letter that the parent or legal guardian's military orders prevent the parent or legal guardian from physically residing with the student. Conditions assignment upon the commanding officer's letter including the required affidavits (existing requirement) of the student's parent, guardian or legal custodian, as well as an indication of the time period that the military orders will be in effect. Maintains that the term activity duty military excludes periods of active duty for training for less than 30 days. Amends the statute further to specify that no requirement of legal guardianship by the caregiver is required for a student to qualify for enrollment under these provisions.

Enacts GS 115C-366(a10) to establish that a student who is not a domiciliary of a local school administrative unit is permitted to register for enrollment in the public schools of that unit if the student resides in that unit with a parent, legal guardian, or legal custodian on active military duty who is assigned by official military order to a military installation or reservation in the State. Clarifies that this new provision does not curtail a unit's authority to deny admission to students previously suspended under GS 115C-366(a5).

Applies beginning with the 2020-21 school year.

#### Part II

Enacts GS 115C-550.1 and GS 115C-558.1 to require private church schools, schools of religious charter, and qualified nonpublic schools to annual report to the Division of Nonpublic Education, Department of Administration on enrolled military-connected students. Defines a military-connected student to mean a student enrolled who has a parent, stepparent, sibling, or any other person who resides in the same household serving in the active or reserve components of the specified Armed Forces. Specifies that identification as a military-connected student is not public record under state law and can only be made public as permitted under the federal Family Educational Rights and Privacy Act (FERPA) or by the Division of Nonpublic Education to any liaison in the State employed by the State, a local government, or the Armed Forces.

Amends GS 115C-564 to require home schools to annually report a notice of intent to operate with the Division of Nonpublic Education and comply with the reporting of military-connected students consistent with new GS 115C-550.1 and GS 115C-558.1. Provides for a simplified process for a notice of intent for continued operations of home schools with no changes from the prior notice.

Requires the Division of Nonpublic Education to establish the simplified process for home schools to annually update the notice of intent to operate by August 1, 2020.

Applies to all nonpublic schools beginning with the 2020-21 school year.

#### Part III

Enacts GS 116-143.3(c1) to permit a dependent relative who resides with a member of the Armed Forces who is reassigned outside of the State incident to active duty military to remain eligible to be charged the in-State tuition rate at a state community college or UNC institution if two criteria are met: (1) at the time the dependent relative applies for admission, he or she is enrolled in a NC high school and meets the existing requirements for admission set out in subsection (c) of the act; and (2) the dependent relative enrolls no later than the fall academic year immediately following admission and remains continuously enrolled at the institution of higher education.

Applies to students admitted for the fall academic semester of 2020 and thereafter.

**Intro. by Brown.**

[GS 115C, GS 116](#)

[View summary](#)

**[Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Department of Administration, Military and Veteran's Affairs](#)**

**S 707 (2019-2020) [PED/STATE PORTS EFFICIENCY & EFFECTIVENESS](#).** Filed Apr 30 2020, *AN ACT TO IMPROVE THE EFFICIENCY AND EFFECTIVENESS OF NORTH CAROLINA STATE PORTS AND TO MAKE NEEDED STATUTORY CHANGES, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Requires the NC Ports Authority, as part of its five-year strategic planning process to implement measures to: (1) address port utilization, throughput, gate times, and ship turnaround times at the Port of Morehead City; and (2) adequately address the dimensions and factors of maritime port service quality identified in the specified finding in the Program Evaluation Division's Report No. 2019-07.

Amends GS 136-263 to expand the requirement for the Ports Authority to provide adequate equipment and facilities in order to maintain existing and future levels of containerized cargo shipping and provide and encourage growth in handling of containerized cargoes so that it applies generally and not specifically to the ports of Morehead City and Wilmington.

Requires the Ports Authority to report annually, beginning June 30, 2020, to the specified NCGA committees and division, on a status update of the Port Authority's implementation of an environmental management system.

**Intro. by Ford, B. Jackson.**

[GS 136](#)

[View summary](#)

[Transportation](#)

S 708 (2019-2020) [CPS INTAKE SCREENING/PED RECOMMENDATIONS](#). Filed Apr 30 2020, *AN ACT TO PROHIBIT COUNTY DEPARTMENTS OF SOCIAL SERVICES FROM IMPLEMENTING CHILD PROTECTIVE SERVICES INTAKE SCREENING CRITERIA THAT IS MORE STRINGENT THAN, OR IN ADDITION TO, STATE POLICY AND TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO MAKE VARIOUS POLICY CHANGES AS A MEANS TO IMPROVE THE CHILD PROTECTIVE SERVICES INTAKE SCREENING PROCESS, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Identical to [H 1048](#), filed 4/29/20.

Enacts GS 7B-300.1 to prohibit county departments of social services from supplementing child protective services intake screening criteria with additional or more stringent county policy than State policy.

Mandates the Department of Health and Human Services (DHHS), Division of Social Services (DSS) to implement a rapid consultation system with counties in making decisions regarding the safety of children, including a devoted telephone line for county workers or supervisors to request DSS consultation. Requires at least two DSS staffers to consult with the county department within 24 hours of receipt of a request. Directs DSS to implement the rapid consultation system by June 30, 2021, and submit a report on its implementation to the specified NCGA committee by December 31, 2021.

Additionally, directs DSS to periodically assess county departments of social services' workers and supervisors' comprehension and correct implementation of State policy and their training needs regarding screening of reports of alleged child maltreatment. Specifies assessment techniques to be used and directs DSS to require retraining when necessary. Further directs DSS to increase the frequency of intake training, develop an intermediate intake screening course, and require county workers and supervisors to complete intake screening training at least every three years. Requires DSS to implement the assessment and training requirements by December 31, 2020, and submit a report on its use of the requirements to the specified NCGA committee by June 30, 2021.

Directs DSS to revise the child protective services structured intake form that is used by county departments of social services to screen reports of alleged child maltreatment. In consultation with the Children's Research Center or a similar organization, requires DSS to revise the form to ensure it continues to meet federal and State requirements and provides consistency for use statewide. Requires DSS to recertify the structured form every five years, continue to consult with the Children's Research Center or a similar organization when State policy changes require modifications to the structured intake form. Establishes biennial reporting requirements, beginning July 30, 2020, for DSS to report to the specified NCGA committee on its revision process until revisions are complete.

Mandates that DSS implement statistically valid program monitoring for county intake screening procedures and establish measurable performance benchmarks that can be applied to all counties. Requires DSS to perform county data reviews for intake screening at least annually beginning no later than December 31, 2024. Provides parameters for performance review sampling and monitoring. Establishes an annual reporting requirement, beginning June 30, 2021, and ending December 31, 2024, for DSS to report to the specified NCGA committee its progress toward improved monitoring and continuous quality improvement.

**Intro. by Edwards, Krawiec, Burgin.**

[GS 7B](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare](#)

## LOCAL/HOUSE BILLS

H 1055 (2019-2020) [CITY OF JACKSONVILLE/DEANNEXATION](#). Filed Apr 30 2020, *AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF JACKSONVILLE*.

Effective June 30, 2020, removes one identified parcel from the Town of Jacksonville's corporate limits.

Specifies that the act has no effect on any liens of the City for outstanding taxes or special assessments before June 30, 2020.

Provides that property in the territory described as of January 1, 2020, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2020.

**Intro. by Shepard.**

[Onslow](#)

[View summary](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 1041: APPOINTMENTS BILL 2020.**

*House: Withdrawn From Com*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

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

### **H 1043: PANDEMIC RESPONSE ACT (NEW).**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

*Senate: Special Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Appropriations/Base Budget*

### **H 1048: CPS INTAKE SCREENING/PED RECOMMENDATIONS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary, if favorable, Rules, Calendar, and Operations of the House*

### **H 1049: PED/DEQ ORGANIZATIONAL STRUCTURE.**

*House: Passed 1st Reading*

*House: Ref to the Com on Environment, if favorable, Rules, Calendar, and Operations of the House*

### **H 1050: PED/LOW-PERFORMING SCHOOL DISTRICTS.**

*House: Passed 1st Reading*

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

**H 1051: HONOR LINDA JOHNSON.**

*House: Filed*

*House: Passed 1st Reading*

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

**H 1052: PED REPORT/STUDENT FINANCIAL ASSISTANCE.**

*House: Filed*

*House: Passed 1st Reading*

*House: Ref to the Com on Education - Universities, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House*

**H 1053: PED/MILITARY OCCUPATIONAL LICENSURE.**

*House: Filed*

*House: Passed 1st Reading*

*House: Ref to the Com on Judiciary, if favorable, Rules, Calendar, and Operations of the House*

**H 1054: AUTOMATIC EXTRA SESSION/STATE OF EMERGENCY.**

*House: Filed*

*House: Passed 1st Reading*

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

**S 706: EDUC. CHANGES FOR MILITARY-CONNECTED STUDENTS.**

*Senate: Filed*

**S 707: PED/STATE PORTS EFFICIENCY & AMP EFFECTIVENESS.**

*Senate: Filed*

**S 708: CPS INTAKE SCREENING/PED RECOMMENDATIONS.**

*Senate: Filed*

**LOCAL BILLS****H 1055: CITY OF JACKSONVILLE/DEANNEXATION.**

*House: Filed*

*House: Passed 1st Reading*

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

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