



The Daily Bulletin: 2020-05-05

PUBLIC/HOUSE BILLS

H 1043 (2019-2020) [2020 COVID-19 RECOVERY ACT \(NEW\)](#). Filed Apr 28 2020, *AN ACT TO PROVIDE AID TO NORTH CAROLINIANS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) CRISIS*.

AN ACT TO PROVIDE AID TO NORTH CAROLINIANS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) CRISIS. SL 2020-4. Enacted May 4, 2020. Effective May 4, 2020, except as otherwise provided.

Intro. by Bell, Jackson, Lewis.

APPROP

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Business and Commerce, Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, General Assembly, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Department of Administration, Department of Agriculture and Consumer Services, Department of Commerce, Department of Health and Human Services, Department of Information Technology, Department of Public Instruction, Department of Public Safety, Department of Transportation, Office of State Auditor, Office of State Budget and Management, 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

PUBLIC/SENATE BILLS

S 704 (2019-2020) [COVID-19 RECOVERY ACT](#). Filed Apr 28 2020, *AN ACT TO PROVIDE AID TO NORTH CAROLINIANS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) CRISIS*.

AN ACT TO PROVIDE AID TO NORTH CAROLINIANS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) CRISIS. SL 2020-3. Enacted May 4, 2020. Effective May 4, 2020, except as otherwise provided.

Intro. by Brown, Harrington, B. Jackson, J. Alexander, T. Alexander, Ballard, Berger, Blue, Britt, Bryan, Burgin, Chaudhuri, Clark, Daniel, D. Davis, J. Davis, deViere, Edwards, Fitch, Ford, Foushee, Gallimore, Garrett, Gunn, Hise, Horner, Johnson, Krawiec, Lowe, Marcus, McInnis, Murdock, Newton, Perry, Peterson, Rabon, Robinson, Sanderson, Sawyer, Searcy, Smith, Steinburg, Tillman, Waddell, Wells, Woodard.

STUDY, Buncombe, GS 8B, GS 14, GS 32A, GS 35A, GS 45A, GS 51, GS 66, GS 74C, GS 90, GS 96, GS 105, GS 113A, GS 115C, GS 120, GS 130A, GS 135, GS 143, GS 148, GS 150B, GS 153A, GS 159, GS 160A, GS 160D, GS 166A

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Civil Procedure, Family Law, Criminal Justice, Corrections (Sentencing/Probation),

Criminal Law and Procedure, Development, Land Use and Housing, Community and Economic Development, Land Use, Planning and Zoning, Property and Housing, Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Environment, Government, APA/Rule Making, General Assembly, Public Records and Open Meetings, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of Transportation, 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, Transportation

S 710 (2019-2020) **STRENGTHENING DWI LAWS**. Filed May 5 2020, *AN ACT TO CREATE THE OFFENSE OF FELONY DEATH BY VEHICLE FOR REVOKED IMPAIRED DRIVING AND TO REVOKE THE REGISTRATION OF ALL MOTOR VEHICLES REGISTERED TO A PERSON CONVICTED OF FELONY DEATH BY VEHICLE FOR REVOKED IMPAIRED DRIVING*.

Amends GS 20-141.4, establishing the offense of revoked driving felony death by vehicle, classified as a Class F felony and punishable by a minimum active term of at least 12 months of imprisonment that cannot be suspended. Sets forth the elements of the new offense as:

- (1) the person unintentionally causes the death of another person;
- (2) the person was engaged in the violation of any State or local law applying to the operation or use of motor vehicle or the regulation of traffic, other than impaired driving;
- (3) the commission is the proximate cause of the death; and
- (4) at the time of the commission, the person's drivers license was revoked for impaired driving license revocation under GS 20-28.2(a).

Amends GS 20-19(e), concerning license revocation under GS 20-17(a)(9), which requires revocation for any violation of GS 20-141.4. Adds that license revocation under GS 20-17(a)(9) due to violation of new GS 20-141.4(a7) (revoked driving felony death by vehicle) is permanent.

Enacts GS 20-54.1(a2), requiring the Division of Motor Vehicles (DMV) to revoke the registration of all motor vehicles registered in the name of a person who has been convicted of a revoked driving felony death by vehicle offense under new GS 20-141.4(a7) upon receipt of notice of conviction. Additionally prohibits registration of any other motor vehicles in the person's name until the convicted person's license is restored. Requires the convicted person to surrender registration(s) to the DMV within 10 days of the date of notice of revocation. Expands GS 20-54.1(b), concerning revocation of registration of a motor vehicle seized, making the provisions applicable to convictions under new subsection (a2), including registration revocation and surrender, forfeiture of right of registration, and innocent owner rights.

Applies to offenses committed on or after December 1, 2020.

Intro. by Edwards, J. Davis, Sawyer.

GS 20

[View summary](#)

Courts/Judiciary, Motor Vehicle, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Transportation

S 711 (2019-2020) [ELIGIBILITY CHANGES FOR OPP SCHOLARSHIPS](#). Filed May 5 2020, *AN ACT TO CHANGE THE ELIGIBILITY CRITERIA FOR THE OPPORTUNITY SCHOLARSHIP GRANT FUND PROGRAM TO ALLOW ANY STUDENT ELIGIBLE TO ATTEND A NORTH CAROLINA PUBLIC SCHOOL TO BE ELIGIBLE FOR A SCHOLARSHIP GRANT AND TO APPROPRIATE FUNDS FOR THE EXPANSION OF THE PROGRAM.*

Amends GS 115C-562.1(3)a., eliminating the existing eligibility requirements for opportunity scholarships for eligible students to attend nonpublic schools. Instead, makes any student who is eligible to attend a NC public school under GS 115C-366 eligible to receive an opportunity scholarship.

Repeals GS 115C-562.2(a)(2)b., which required no more than 40% of the funds remaining after returning students are given funding priority to be used to award scholarship grants to eligible students entering either kindergarten or first grade. Now, remaining funds are to be distributed pursuant to the other existing parameters, which require at least 50% of the remaining funds to be used for eligible students residing in households with an income level which does not exceed the amount required for the student to qualify for the federal free or reduced-price lunch program, with the remainder to all other eligible students.

Amends GS 115C-562.8(b), increasing the amounts appropriated for the 2020-21 through the 2026-27 fiscal years, and for the 2027-28 fiscal year and every fiscal year thereafter, to the Opportunity Scholarship Grant Fund Reserve by \$2 million each.

Applies beginning with the award of scholarship grants for the 2021-2022 school year.

Intro. by Hise.

[APPROP, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Government, Executive](#)

S 712 (2019-2020) [NC FREEDOM TO WORK ACT](#). Filed May 5 2020, *AN ACT GUARANTEEING THE CONSTITUTIONAL RIGHT OF NORTH CAROLINIANS TO ENJOYMENT OF THE FRUITS OF THEIR OWN LABOR AND THE PURSUIT OF HAPPINESS BY LIMITING CERTAIN PENALTIES FOR VIOLATIONS OF EXECUTIVE ORDERS AND LOCAL PROHIBITIONS AND ACTIONS BY OCCUPATIONAL LICENSING BOARDS.*

Establishes criminal immunity for any violation of the following five executive orders, issued between March 17, 2020, and April 23, 2020, and any subsequent extensions or amendments thereto: No. 118; No. 120; No. 121; No. 131; and No. 135. Additionally, establishes criminal immunity for any violation of any executive order issued after April 23, 2020, in response to the COVID-19 emergency pursuant to specified statutory authority regarding state of emergencies. Provides that all prosecutions for violation of the described executive orders are abated.

Further, establishes criminal immunity for any violation of local prohibitions and restrictions that mirror or exceed the limitations contained in the above described executive orders in response to the COVID-19 emergency, and provides that all prosecutions for violations of such prohibitions or restrictions are abated. Caps civil penalties for any violation of these local prohibitions or restrictions at \$25 for the first violation and \$1 per day for each subsequent violation. Provides for citizen refunds of fines already collected less \$25 for the first violation and \$1 per day for each subsequent violation, and any amount deposited pursuant to the constitutional requirement concerning county school funds.

Bars disciplinary action by occupational licensing boards against any licensee who violates any of the described executive orders or local prohibitions or restrictions.

The above provisions apply retroactively to March 17, 2020.

Appropriates \$5,000 in nonrecurring funds from the General Fund to the Secretary of State for the 2019-20 fiscal year to provide the public with educational materials relating to the act. Requires consultation with State occupational licensing boards in the development and dissemination of the materials.

Intro. by Daniel, Sawyer, Ford.

[APPROP, UNCODIFIED](#)

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Secretary of State, State Government, Executive, Local Government

ACTIONS ON BILLS

PUBLIC BILLS

S 709: ADOPT RHODODENDRON AS STATE SHRUB.

Senate: Passed 1st Reading

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

S 710: STRENGTHENING DWI LAWS.

Senate: Filed

S 711: ELIGIBILITY CHANGES FOR OPP SCHOLARSHIPS.

Senate: Filed

S 712: NC FREEDOM TO WORK ACT.

Senate: Filed

No local actions on bills

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