



The Daily Bulletin: 2020-06-10

PUBLIC/HOUSE BILLS

H 307 (2019-2020) **MOD. UTILITY VEHICLE CLASSIFICATION. (NEW)** Filed Mar 7 2019, *AN ACT TO AMEND THE MOTOR VEHICLE LAWS OF THE STATE TO REGULATE MODIFIED UTILITY VEHICLES.*

Senate committee substitute to the 3rd makes the following changes.

Amends GS 20-4.01 by changing the definition of modified utility vehicle so that it is now defined as a motor vehicle: (1) manufactured for off-road use with equipment required by GS 20-121.1(2), except a vehicle identification number, and (2) with four wheels, an engine displacement greater than 2,400 cubic centimeters, an overall length of 142 inches or greater, an overall width of 58 inches or greater, an overall height of 70 inches or greater, a maximum speed capability of 40 miles per hour or greater, and does not require an operator or passenger to straddle a seat (was, a vehicle that is designed for off-road use and manufactured with safety equipment required by GS 20-121.1(2)). Maintains the exclusion from the definition of all-terrain vehicles, golf carts, utility vehicles, and riding lawn mowers.

Amends GS 20-121.1 by adding that if a modified utility vehicle does not have a vehicle identification number, upon application by the vehicle's owner, the Division of Motor Vehicles must assign such a number before registration. Makes a clarifying change.

Intro. by Dixon, Brisson, Humphrey, R. Turner.

GS 20

[View summary](#)

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

H 463 (2019-2020) **EDUCATION IN PRISONS. (NEW)** Filed Mar 26 2019, *AN ACT TO PROVIDE ACCESS TO EDUCATION FOR INDIVIDUALS INCARCERATED IN STATE PRISONS.*

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

Deletes the proposed changes to Section 8.3(b) of SL 2010-31 which removed the prohibition on courses in local jails from earning regular budget full-time equivalents. Eliminates coordinating directives.

Deletes the proposed changes to GS 115D-5, which required all community college course offerings approved for prisoners in local jails to be tied to clearly identified job skill and/or transition needs.

Postpones the effective date of the act from July 1, 2019, to July 1, 2020.

Amends the act's titles.

Intro. by Rogers, Brody, Hardister, John.

[View summary](#)

Courts/Judiciary, Criminal Justice, Corrections (Sentencing/Probation), Education, Higher Education

H 679 (2019-2020) **RULES OF CIV PROCEDURE/E-FILING AND SERVICE. (NEW)** Filed Apr 10 2019, *AN ACT TO AMEND THE RULES OF CIVIL PROCEDURE TO ALLOW FOR ELECTRONIC FILING AND SERVICE.*

Senate committee substitute deletes the content of the 2nd edition and instead provides the following.

Amends Rule 3 of the NC Rules of Civil Procedure regarding commencement of a civil action, to require electronic filing, if available in the county of filing, to be consistent with Rule 5 of the General Rules of Practice for the Superior and District Courts.

Amends Rule 5 of the NC Rules of Civil Procedure regarding service and filing of pleadings and other papers. Allows service by email to meet the two-day requirement for service of superior court briefs or memos in support or in opposition of dispositive motions specified in subsection (a1). Amends subsection (b) regarding service of pleadings and papers subsequent to the original complaint, to allow for service through the court's electronic filing system to meet the service requirements, with service and process by the existing described methods when the court's electronic filing system is not available. Regarding service upon a party when the court's electronic filing system is not available, allows service to be made by email if the party has consented, a copy of the consent is filed with the court by any party, and the email is sent by 5:00 p.m. on a regular business day. Deems emails sent after 5:00 p.m. to have been sent on the next business day. Amends subsection (b1), concerning certificates of service, to require certificates of service to show the email addresses of persons served by email if appropriate. Provides that an automated certificate of service generated by the court's electronic filing system satisfies the certificate of service requirement with respect to persons served in that manner. Requires electronic filing, if available in the county of filing, to be consistent with Rule 5 of the General Rules of Practice for the Superior and District Courts. No longer provides a savings clause for failure to affix a date stamp or file stamp on any order, civil judgement, estate proceeding, or special proceeding. Makes conforming changes and makes language gender neutral.

Effective October 1, 2020, and applies to filings and service effected on or after that date.

Changes the act's titles.

Intro. by Zachary, Rogers, John.

GS 1A

[View summary](#)

Courts/Judiciary, Civil, Civil Procedure

H 1097 (2019-2020) **SUPERSEDING ORDERS/DOMESTIC VIOLENCE**. Filed May 14 2020, *AN ACT TO CLARIFY WHEN SUBSEQUENT COURT ORDERS WILL SUPERSEDE SIMILAR PROVISIONS IN DOMESTIC VIOLENCE PROTECTIVE ORDERS, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.*

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

Modifies the proposed changes to GS 50B-7 to provide that any subsequent order under GS Chapters 50 (Divorce and Alimony) or 110 (Child Welfare) supersedes similar provisions in prior protective orders issued pursuant to GS Chapter 50B (Domestic Violence) (previously, did not specify precedence over prior GS Chapter 50B orders, only GS Chapter 50B protective orders). No longer specifies that the superseding orders relate to child custody, child and spousal support, and possession of property issued under GS Chapters 50 and 110. Changes the act's effective date to now apply to orders in effect on or after August 1, 2020 (was, December 1, 2020).

Intro. by John, Rogers, Morey, Brewer.

GS 50B

[View summary](#)

Courts/Judiciary, Civil, Family Law, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Social Services, Child Welfare

PUBLIC/SENATE BILLS

S 739 (2019-2020) **PERSONAL DELIVERY DEVICE/PDD/DELIVERY ROBOTS**. Filed May 14 2020, *AN ACT TO DEFINE AND REGULATE PERSONAL DELIVERY DEVICES.*

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

Section 2

Enacts Part 11D, Personal Delivery Devices, of Article 3, GS Chapter 20, rather than Article 10B, GS Chapter 20. Maintains the proposed language of previously proposed Article 10B in new Part 11D of Article 3, with the following modifications. Makes organizational and clarifying changes to proposed language.

Changes the proposed definition of *business entity* to mean a corporation, limited liability company, partnership, sole proprietorship, or other legal entity authorized to conduct business under the laws of the State (was, a legal entity formed for the purpose of making a profit). Adds to the defined terms, *operator*, and defines the term to mean an agent who is 16 years of age or older and is charged with the responsibility of monitoring and operating a personal delivery device (PDD; previously, this definition was set forth for "agent" in the context of required PDD monitoring by a human agent of the business entity among other PDD operation requirements).

Modifies the PDD operation authorization and requirements. Now, authorizes a business entity to operate a PDD in a pedestrian area or on a highway, with the rights and duties applicable to a pedestrian under GS Chapter 20, subject to the requirements and restrictions of the new Part (previously, authorized a business entity to operate a PDD if the entity is authorized to conduct business in the State under specified GS Chapters. No longer makes it unlawful for any person to operate or cause to operate a PDD. Instead, makes it unlawful for any person to operate a PDD in a pedestrian area or on a highway in the State except as authorized in the new Part.

Modifies and adds to the PDD operation requirements. Restricts operation on a highway to operation necessary to cross a highway or along a highway only if a sidewalk is not provided or accessible, and only if (1) the PDD is operated on the shoulder or as close as practicable to the extreme right of the highway in the direction of authorized traffic movement, and yields the right-of-way to all vehicles; (2) the PDD is not operated on a highway at a speed greater than 20 mph (previously, speeds not to exceed 35 mph); and (3) the PDD is not operated on a highway with a speed limit greater than 35 mph. Now requires PDDs to obey all traffic and pedestrian control devices and signs. No longer provides for PDDs to be operated in a manner that complies with the Chapter's provisions applicable to bicycles when the device is operating on a highway or bicycle lane in addition to those applicable to pedestrians when the device is operating in a pedestrian area. Now requires PDDs to yield the right-of-way to all human pedestrians (was, to all vehicles and pedestrians).

Modifies required PDD equipment to include lights on the rear and front that are visible and recognizable under normal atmospheric conditions from at least 500 feet on all sides of the PDD when operated at night (previously additionally specified when directly in front of a motor vehicle projecting lawful low-beam headlights).

Eliminates the prohibition against local government regulation of the hours and areas of operation of a PDD inconsistent with the Article. Now allows local governments to reasonably regulate PDD operation on a highway or pedestrian area for reasons relating to public health, safety, or welfare, subject to an opportunity from business entities. Explicitly bars local governments' outright ban of PDD operation. Specifies that this provision does not affect law enforcement or local government authority to enforce State laws relating to PDD operation.

Makes a violation of the PDD equipment requirements an infraction.

Changes the local regulation authority provided. Now, explicitly authorizes local governments having jurisdiction over ways of public passage to regulate time and place of PDD operation by regulation for the purpose of assuring safety of persons using highways and sidewalks. Bars local prohibition of PDD use.

Eliminates previously proposed liability provisions.

Adds the following content.

Section 3

Effective December 1, 2022, amends new GS 20-175.9, as enacted, to authorize local governments with jurisdiction over ways of public passage to prohibit PDD operation within its jurisdiction if it determines that the prohibition is necessary, rather than regulate time and place of operation. Provides that any ordinance regulating time and place of PDD operation adopted before the effective date of this provision remains in effect until repealed.

Sections 4 and 5

Amends GS 20-146.2 and GS 20-183.2 to reflect organizational changes made by the act to GS 20-4.01.

Section 6

Amends GS 20-286(10), which sets forth the definition for *motor vehicle* as the term applies to the regulation of motor vehicle dealers and manufacturers in Article 12. Specifies that *motor vehicle* does not include an electronically powered device that is equipped with automated driving technology that enables device operation with or without remote support and meets three weight, length, and width dimensions, while such electronically powered devices that exceed the specified weight, length, and width dimensions are included as a *motor vehicle*, subject to the fully autonomous vehicle regulations set out in Article 18 if it also falls within the definition of a *fully autonomous vehicle* under GS 20-400(3).

Section 7

Changes the appropriations provisions to appropriate the \$5,000 in nonrecurring funds from the General Fund to the Department of Public Safety rather than the Secretary of State, for 2020-21 to educate the public on safely interacting with PDDs operating in vehicular and pedestrian traffic (previously, appropriation provided to implement the act).

Section 8

Changes the act's effective date. Now provide for the act to become effective December 1, 2020, and applicable to offenses committed on or after that date, except as otherwise provided (was, effective when the act became law).

Intro. by Perry, Searcy, Sawyer.

[APPROP, GS 20](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Motor Vehicle, Government, Budget/Appropriations, State Agencies, Department of Public Safety, Transportation](#)

S 750 (2019-2020) [CAPITAL PROJECTS-ELIZABETH CITY STATE UNIV. \(NEW\)](#) Filed May 14 2020, *AN ACT TO PROVIDE FUNDING FOR CAPITAL PROJECTS AT ELIZABETH CITY STATE UNIVERSITY.*

Senate committee substitute to the 1st edition makes the following changes. Deletes the content of the previous edition and replaces it with the following.

Transfers \$6 million in nonrecurring funds for 2020-21 from the General Fund to the State Capital and Infrastructure Fund. Appropriates that same amount from the Fund to the Office of State Budget and Management for 2020-21 to be allocated for the following projects at Elizabeth City State University: (1) \$2 million for a chiller; and (2) \$4 million for an HVAC System.

Reenacts and incorporates by reference the State Budget Act, GS Chapter 143C.

Provides for the continued validity of 2019 legislation appropriating funds to entities covered by the act, unless expressly repealed or amended.

Effective July 1, 2020.

Makes conforming changes to the act's titles.

Intro. by Steinburg.

[APPROP](#)

[View summary](#)

[Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System, Office of State Budget and Management](#)

S 803 (2019-2020) [CAPITAL APPROPRIATION - REPAIRS & RENOVAIONS](#). Filed May 19 2020, *AN ACT TO FUND REPAIRS AND RENOVAIONS PROJECTS FOR STATE AGENCIES AND THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY*

OF NORTH CAROLINA AND TO ENACT VARIOUS STATUTORY CHANGES RELATING TO FUNDING AND COMMENCING CAPITAL PROJECTS FROM THE STATE CAPITAL AND INFRASTRUCTURE FUND.

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

Sets the amount to be transferred from the General Fund to the State Capital and Infrastructure Fund (Fund) for the 2020-21 fiscal year and then appropriated to the Office of State Budget and Management (OSBM) for repairs and renovation projects pursuant to GS 143C-8-13, at \$119 million.

No longer requires a sufficient sum to be allocated to the Department of Revenue for security improvements at various locations throughout the State.

Amends GS 143C-8-13 by removing proposed language that authorized the chancellor of a constituent institution of UNC to pay for capital improvement projects with funds available to the institution whereby (1) the total project costs did not exceed \$1 million and the projects were of the 13 permitted types; (2) the institution reported quarterly to the BOG and specified NCGA division on projects undertaken pursuant to this authority; and (3) funds from a General Fund appropriation that were contractually obligated for a project remained available to fund the completion of the project. Makes conforming changes.

Amends GS 143C-4-3.1 to allow funds in the State Capital and Infrastructure Fund to be used for projects and grants that have been authorized and funded by an act of the NCGA, in addition to those identified in the Current Operations Appropriations Act.

Intro. by Brown, Harrington, B. Jackson.

[APPROP, GS 143, GS 143C](#)

[Agriculture, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, UNC System, Department of Administration, Department of Agriculture and Consumer Services, State Government, Executive, State Property](#)

[View summary](#)

S 805 (2019-2020) [CAPITAL APPROPRIATION - RAISE THE AGE/DPS](#). Filed May 19 2020, *AN ACT TO FUND CAPITAL IMPROVEMENTS AT DEPARTMENT OF PUBLIC SAFETY FACILITIES IMPLEMENTING RAISE THE AGE.*

Senate committee substitute deletes the content of the 1st edition and instead provides the following.

States legislative findings regarding allowable expenditures under the federal CARES Act.

Directs the State Controller to transfer \$645.4 million from the Coronavirus Relief Reserve to the Coronavirus Relief Fund (both established in SL 2020-4). Appropriates the transferred funds to the Office of State Budget and Management (OSBM) on a nonrecurring basis for 2020-21 to offset General Fund appropriations across State government for allowable expenditures from the Coronavirus Relief Fund.

Creates a Statewide Reserve for Appropriations (Reserve) in the General Fund with a negative beginning appropriation balance of \$645.4 million. Requires the Reserve to have a \$0 balance by December 30, 2020.

Prohibits appropriated funds from being used to increase total State agency or department requirements. Directs OSBM to reduce the net General Fund appropriation in the State agency or department as allowable expenditures are identified, and transfer that appropriation to the Reserve.

Makes the general provisions set out in Part I of SL 2020-4 applicable to the appropriated funds and requires OSBM to include the funds transferred and appropriated in the report required under Section 1.7 of SL 2020-4.

Effective July 1, 2020.

Intro. by Brown, Harrington, B. Jackson.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, Public Safety and](#)

**Emergency Management, State Agencies, Office of State
Budget and Management, Office of State Controller, State
Government**

S 808 (2019-2020) **MEDICAID FUNDING ACT (NEW)**. Filed May 19 2020, *AN ACT APPROPRIATING FUNDS FOR THE DOROTHEA DIX CAMPUS RELOCATION PROJECT AND FOR THE CHILD WELFARE CASE MANAGEMENT COMPONENT OF NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY (NC FAST); APPROPRIATING CORONAVIRUS RELIEF FUNDS FOR BEHAVIORAL HEALTH AND CRISIS SERVICES; APPROPRIATING FUNDS FOR THE OPERATION OF THE NORTH CAROLINA MEDICAID PROGRAM AND THE IMPLEMENTATION OF MEDICAID TRANSFORMATION; AND MAKING MEDICAID TRANSFORMATION-RELATED CHANGES.*

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

Makes organizational changes to existing content. Modifies existing content and adds new content as follows.

Part I

Transfer \$15 million in nonrecurring funds from the General Fund to the State Capital and Infrastructure Fund, and appropriates the transferred funds to the Office of State Budget and Management (OSBM) for 2020-21 to be allocated for the Dorothea Dix campus relocation project with the Department of Health and Human Services (DHHS). Directs the Department of Administration to collaborate with DHHS to select land in Wake County suitable for the relocation project, with the appropriated funds to be used for planning expenses. Effective July 1, 2020.

Part II

Appropriates \$6,154,480 in nonrecurring funds from the General Fund to DHHS, Division of Central Management and Support for 2020-21 for updates and changes to the child welfare case management component of the NC Families Accessing Services through Technology (NC FAST) system, as specified. Effective July 1, 2020.

Part III

Directs the State Controller to transfer \$50 million from the Coronavirus Relief Reserve to the Coronavirus Relief Fund (both established in SL 2020-4), and appropriates the transferred funds on a nonrecurring basis to OSBM for 2020-21 to allocated to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) for distribution LME/MCOs to fund behavioral health and crisis services in response to the COVID-19 pandemic at the discretion of DMH/DD/SAS. Makes the general provisions set out in Part I of SL 2020-4 applicable to the appropriated funds and requires OSBM to include the funds transferred and appropriated in the report required under Section 1.7 of SL 2020-4. Effective July 1, 2020.

Part IV

Explicitly prohibits DHHS, Division of Health Benefits (DHB) from transferring any amount of the certified Medicaid budget surplus calculated for 2019-20 to DMH/DD/SAS for allocation to LME/MCOs to offset any reduction in single-stream funding. Effective June 30, 2020.

Part V

Requires described funds received by DHB during 2019-20 due to the acceleration of the federal 2019-20 MRI/GAP Plan to remain available and used for the Medicaid Program for the 2020-21 fiscal year. Effective June 30, 2020.

Appropriates from the General Fund to DHB \$1.4 million in nonrecurring funds for 2020-21 for the implementation of an electronic visit verification (EVV) system for personal care services and home health services under the Medicaid program.

Provides for the following funding for Medicaid and NC Health Choice programs rebase.

Requires \$30 million in nonrecurring funds of the funds appropriated to DHB for 2019-20 and the funds appropriated in Part V of the act to remain available to be used for the Medicaid and NC Health Choice programs rebase in the 2020-21 fiscal year. Effective June 30, 2020.

Directs the State Controller to transfer \$84 million from the funds available in the Medicaid Transformation Reserve to DHB for 2020-21 to be used for Medicaid and NC Health Choice programs rebase. Deems these funds appropriated for the stated purpose.

Directs \$136 million in nonrecurring funds to be transferred from the Medicaid Contingency Reserve to DHB for 2020-21 to be used for the Medicaid and NC Health Choice programs rebase. Deems funds appropriated for the stated purpose.

Appropriates \$213 million from the General Fund to DHB for 2020-21 to be used for the Medicaid and NC Health Choice programs rebase.

Effective July 1, 2020, except as otherwise provided.

Part VI

Directs every county department of social services and any federally recognized tribe that has assumed responsibility for the Medicaid program to take the following actions within 60 days after expiration of the declared nationwide public health emergency as a result of COVID-19: (1) redetermine Medicaid eligibility for all beneficiaries whose eligibility was continued by federal law but were due for renewal of eligibility, experienced a change in circumstance affecting eligibility, or post-eligibility verification information affected eligibility; and (2) provide notice to beneficiaries determined ineligible as a result of such redetermination.

Part VII

Contains the substantive content of the 1st edition, with the following modifications and additions.

Section 7

Amends Section 3 of SL 2015-245, as amended, to require capitated contracts to begin no later than July 1, 2021, rather than January 1, 2021.

Provides that if the capitated payments do not begin on July 1, 2021, DHB must make the following monthly payments to prepaid health plans (PHPs) for each full month after June 30, 2021, that the payments have not been paid. Requires \$4 million to each PHP that has been awarded a statewide benefit plan PHP capitated contract as of June 1, 2020, and a prorated amount of \$4 million to each PHP that has been awarded a regional standard benefit plan PHP capitated contract as of June 1, 2020, based upon the number of regions contracted to serve. Excludes months in which capitation payment failure after July 1, 2021, is caused by the PHP.

Eliminates the previous appropriations provisions regarding funding for the Medicaid and NC Health Choice programs rebase and contracts, personnel, and projects relating to transitioning to Medicaid managed care.

Section 8

Modifies the required transfers of unspecified amounts for Medicaid transformation. Now requires the State Controller to transfer \$19.42 million from funds in the Medicaid Transformation Reserve to the Medicaid Transformation Fund (Transformation Fund), and allows the sum to be transferred to DHB on a nonrecurring basis for 2020-21, as qualifying needs arise, for the sole purpose of providing the State share for qualifying needs directly related to Medicaid transformation. Adds provider experience as a qualifying need, and no longer includes other nonrecurring needs identified by DHB as a qualifying need. Now requires OSBM to verify that the amount DHB requests provides a State share that does not result in a total requirement exceeding \$63,120,000 for 2020-21 (was, \$140 million).

Adds that the Section is effective July 1, 2020.

Section 11

Sets the rate floor for durable medical equipment under managed care at 100% of the Medicaid fee-for-service for durable medical equipment for the first three years of the initial standard benefit plan prepaid health plan capitated contracts required under Article 4 of GS Chapter 108D.

Section 12

Makes clarifying changes regarding services that DHHS may contract with IMCE/IHCPs to provide Medicaid and NC Health Choice beneficiaries.

Section 13

Changes the effective date of the previously described changes to the supplemental payment program for eligible medical providers from January 1, 2021, to July 1, 2021.

Changes the effective date of the proposed repeal of Section 12H.13(e) of SL 2013-360, which reduced the percentage of allowable costs for hospital payments from 80% to 70%, and Sections 12H.13(b) and 12H.13A of SL 2014-100, which set the settlement for outpatient Medicaid services performed by UNC Hospitals and Vidant Medical Center at 70% of costs, from January 1, 2021, to July 1, 2021.

Section 15.1

Changes the effective date of the proposed repeal of Article 7 of GS Chapter 108A, Hospital Provider Assessment Act, from January 1, 2021, to July 1, 2021.

Makes the following modifications to the specified assessments and payments required under Article 7 of GS Chapter 108A due prior to the Article's repeal. For the annual period beginning October 1, 2020, requires calculation of the equity payment amount and the UPL payment amount required by GS 108A-124 to exclude services rendered after June 30, 2021, rather than December 31, 2020.

Changes the effective date of proposed new Article 7A, Hospital Assessment Act, in GS Chapter 108A, from January 1, 2021, to July 1, 2021.

Changes the definition given for the State's annual Medicaid payment, now calculated at a base of \$120 million for the taxable year October 1, 2020, through September 30, 2021, rather than \$110 million.

Regarding required transfers from hospitals exempt from both the base and supplemental assessments that (1) make an intergovernmental transfer to the DHHS to be used to draw down matching federal funds and (2) has acquired, merged, leased, or managed another hospital on or after March 25, 2011, modifies the partial year formula set out for calculating the required amount to now require, for the period beginning July 1, 2021, rather than January 1, 2021, and ending September 30, 2021, dividing one-fourth of the amount of the State's annual Medicaid payment (was, three-fourths) by the amount collected under the base assessment.

Requires total hospital costs to be calculated based on the Hospital Cost Report Information System's 2017, rather than 2016, cost report data available through CMS for the taxable year October 1, 2020, through September 30, 2021.

Changes the base and supplemental assessment percentage rates to be used pursuant to new GS 108A-142 and GS 108A-141 for the taxable year October 1, 2020, through September 30, 2021, at a base assessment rate of 2.04% (was 1.77%) and a supplemental assessment rate of 2.32% (was 2.26%). Restricts imposition of the base assessment rate and the supplemental assessment rate to the months beginning on or after July 1, 2021, rather than January 1, 2021, with the assessment imposed from the period July 1, 2021 (was January 1, 2021), through September 30, 2021, to be one-quarter, rather than three-fourths, of the assessment amount that would have been imposed for the full taxable year.

Postpones the sunset of the authority granted to the the State Controller to transfer funds from the Medicaid Contingency Reserve to DHB upon request and as needed to cover any shortfall of receipts from the supplemental or base assessments under new GS 108A-141 and GS 108A-142, from June 30, 2021, to June 30, 2022.

Section 18

States the NCGA's intent to enact legislation before the start of the 2021-22 fiscal year, rather than to amend Section 2.3(b) of SL 2019-242, to reflect changes to the handling of nontax revenue in the NC Medicaid program in a managed care environment.

Part VIII

Contains the general provisions set forth in previous Part I of the act.

Changes the act's titles.

Intro. by Brown, Harrington, B. Jackson.

APPROP, GS 58, GS 105, GS 108A, GS 108D, GS 122C, GS 143C

[View summary](#)

Government, Budget/Appropriations, General Assembly, Public Safety and Emergency Management, State Agencies, Department of Administration, Department of Health and Human Services, Department of Revenue, Office of State Budget and Management, Office of State Controller, Tax, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Mental Health, Social Services, Child Welfare, Public Assistance

S 818 (2019-2020) **COMPENSATION FOR CERTAIN SCHOOL EMPLOYEES. (NEW)** Filed May 19 2020, *AN ACT TO PROVIDE FOR THE COMPENSATION OF CERTAIN PUBLIC SCHOOL EMPLOYEES.*

Senate committee substitute to the 1st edition makes the following changes. Deletes the provisions of the 1st edition and replaces it with the following.

Part I.

Sets forth the "A" Teacher Salary Schedule for the 2020-21 fiscal year for licensed personnel of public schools who are classified as teachers, based on years of experience, ranging from \$3,500 to \$5,200. Additionally sets forth salary supplements for licensed teachers who have NBPTS certification (12%), are classified as "M" teachers (10%), have licensure based on academic preparation at the six-year degree level (\$126 over the supplement provided to "M" teachers), have licensure based on academic preparation at the doctoral degree level (\$253 over the supplement provided to "M" teachers), and certified nurses (10%).

Requires that the first step of the salary schedule for school psychologists, school speech pathologists licensed at the master's degree level or higher, and school audiologists licensed at the master's degree level or higher, must be equivalent to the sixth step of the "A" salary schedule. Provides for a 10% salary supplement. Deems these employees eligible to receive salary supplements equivalent to those of teachers for academic preparation at the six-year degree level or the doctoral degree level.

Requires that the twenty-sixth step of the salary schedule for school psychologists, school speech pathologists licensed at the master's degree level or higher, and school audiologists licensed at the master's degree level or higher, must be 7.5% higher than the salary received by these same employees on the twenty-fifth step of the salary schedule.

Provides that in lieu of the amounts of annual longevity payments to teachers paid on the teacher salary schedule, beginning with the 2014-15 fiscal year, the amounts of those longevity payments are included in the monthly amounts under the teacher salary schedule.

Details teacher compensation for the 2020-21 school year based on either the applicable salary schedule or whether the teacher was eligible for longevity pay for the 2013-14 school year, with the compensation amount determined to be the greater amount. Provides that "teacher" includes instructional support personnel.

Part II.

Directs the Department of Public Instruction (DPI) to administer a one-time, lump sum bonus of \$350 by October 31, 2020, for any teacher employed in a qualifying public school unit as of October 1, 2020. Clarifies this bonus is in addition to other wages and bonuses the teacher receives or is scheduled to receive. Deems the bonus is not compensation under the State Teachers' and Employees' Retirement System (TSERS). Defines *teacher* to include instructional support personnel. States the legislative intent that funds will supplement teacher compensation and not supplant local funds.

Requires for 2020-21 that funds appropriated from the General Fund to DPI for the following bonus programs be used instead for teacher bonuses: Advanced Placement/International Baccalaureate/Cambridge AICE Teacher Bonus Program, Industry Certifications and Credentials Teacher Bonus Program, Third Grade Read to Achieve Teacher Bonus Program, Fourth and

Fifth Grade Reading Teacher Bonus Program, and Fourth to Eighth Grade Math Teacher Bonus Program. States the NCGA's intent for 2021-22 and subsequent fiscal years to reauthorize bonuses based on the criteria used in these programs.

Part III.

Encourages the Governor, for the 2020-21 fiscal year, to allocate funds from the Governor's Emergency Education Relief Fund to provide a one-time bonus of \$600 for teachers, instructional support personnel, and noncertified personnel. Specifies that these bonuses are not compensation under TSERS.

Part IV.

Sets out the salary schedule for principals for 2020-21, beginning July 1, 2020, with rates determined based on average daily membership with increases for meeting and exceeding growth, with amounts ranging from \$68,125 to \$102,187. Sets out provisions for determining placement on the schedule. Sets out amounts that are to be used for determining the average daily membership between July 1, 2020, and December 31, 2020, and between January 1, 2021, and June 30, 2021. Sets out the procedure for determining the school growth score.

Requires that beginning in 2017-18, instead of providing annual longevity payments to principals, the amounts of those payments are included in the annual amounts in the salary schedule. Details principal compensation for the 2020-21 school year based on either the applicable salary schedule or whether the principal was eligible for longevity pay for the 2016-17 fiscal year, with the compensation amount determined to be the greater amount.

Part V.

Requires DPI to administer a one-time bonus by October 31, 2020, to any qualifying principal in an amount equal to the amount received under Section 2.4 of SL 2019-247. Defines *qualifying principal* as one who received a bonus in 2019-20 under Section 2.4 of SL 2019-247 and is employed as a principal in a public school as of October 1, 2020. Specifies that the bonus is not compensation for purposes of TSERS. States the NCGA's intent that funds will supplement principal compensation and not supplant local funds.

Part VI.

Provides that for the 2020-21 fiscal year, assistant principals are to receive a monthly salary based on the "A" teacher salary schedule plus 19%, with placement based on total years of experience as a certified employee of the public schools. Deems an administrator with a one-year provisional assistant principal's certificate equivalent to an assistant principal.

Requires assistant principals with certification based on academic preparation at the six-year degree level to be paid a salary supplement of \$126 per month, and at the doctoral degree level to be paid a salary supplement of \$253 per month.

Provides for a 10-month stipend for participants in an approved full-time master's in-school administration program. Details limitations and required certification.

Provides that in lieu of the amounts of annual longevity payments to assistant principals paid on the assistant principal salary schedule, beginning with the 2017-18 fiscal year, the amounts of those longevity payments are included in the monthly amounts provided to assistant principals pursuant to the act.

Details assistant principal compensation for the 2020-21 school year based on either the applicable salary determined by the act or whether the principal was eligible for longevity pay for the 2016-17 fiscal year, with the compensation amount determined to be the greater amount.

Part VII.

Requires that employees of schools operated by the Department of Health and Human Services, Department of Public Safety, and the State Board of Education who are paid on the teacher salary schedule are to be paid as authorized in this act.

Part VIII.

Amends Section 3.15 of SL 2019-209 to decrease: the maximum annual employer contributions, effective July 1, 2020, by the State for each covered employee or retiree for 2020-21 to the State Health Plan: (1) from \$5,165 to \$5,021 for Medicare-eligible employees and retirees and (2) from \$6,647 to \$6,461 for non-Medicare eligible employees and retirees. Repeals this

change if H1218 becomes law. If H1218 does becomes law, amends that same provision to instead reduce those amounts to \$4,916 for Medicare-eligible employees and retirees and \$6,326 for non-Medicare eligible employees and retirees.

Requires the Office of State Budget and Management, by August 15, 2020, to adjust the appropriations for State Health Plan contributions of all applicable agencies, departments, or institutions to reflect the changes made in the provision above.

Specifies that this represents a decrease in General Fund net appropriations totaling \$47,227,728 in recurring funds for 2020-21. States the NCGA's intent to restore employer contribution rates to the amounts in SL 2019-209 if the federal government provides additional relief funds or additional flexibility on existing relief funds that can be used to support the General Fund.

Requires the State Controller, by August 15, 2020, to transfer \$8,942,376 in nonrecurring funds for 2020-21 from the IT Reserve Fund to the Department of Public Instruction. Also appropriates \$47,227,728 in nonrecurring funds for 2020-21 from the General Fund to the Department of Public Instruction. These funds are to reflect an increase in the average salary of various public school employee positions.

Part IX.

Reenacts and incorporates by reference the State Budget Act, GS Chapter 143C.

Provides for the continued validity of 2019 legislation appropriating funds to entities covered by the act, unless expressly repealed or amended.

Appropriates departmental receipts for 2020-21 up to the amounts needed to implement the act for the 2020-21 fiscal year.

Part X.

Effective July 1, 2020.

Makes conforming changes to the act's titles.

Intro. by Brown, Harrington, B. Jackson.

[APPROP](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction, Office of State Budget and Management, Office of State Controller](#)

LOCAL/HOUSE BILLS

H 1062 (2019-2020) [BEAUFORT COUNTY/ANIMAL SERVICES RECORDS](#). Filed May 6 2020, *AN ACT RELATING TO THE RELEASE OF ANIMAL SERVICES RECORDS IN BEAUFORT COUNTY.*

AN ACT RELATING TO THE RELEASE OF ANIMAL SERVICES RECORDS IN BEAUFORT COUNTY. SL 2020-10.
Enacted June 10, 2020. Effective June 10, 2020.

Intro. by Kidwell.

[Beaufort](#)

[View summary](#)

[Animals, Government, Public Records and Open Meetings](#)

H 1154 (2019-2020) [GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY](#). Filed May 19 2020, *AN ACT FURTHER STAGGERING THE TERMS OF SOME MEMBERS OF THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY TO PROVIDE INCREASED CONTINUITY OF SERVICE ON THE AUTHORITY.*

AN ACT FURTHER STAGGERING THE TERMS OF SOME MEMBERS OF THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY TO PROVIDE INCREASED CONTINUITY OF SERVICE ON THE AUTHORITY. SL 2020-11.

Enacted June 10, 2020. Effective June 10, 2020.

Intro. by McGrady, Fisher.

[Buncombe, Henderson](#)

[View summary](#)

Transportation

H 1156 (2019-2020) [CASWELL CTY/REFERENDUM ON COUNTYWIDE ZONING](#). Filed May 19 2020, *AN ACT AUTHORIZING THE CASWELL COUNTY BOARD OF COMMISSIONERS TO CONDUCT AN ADVISORY REFERENDUM ON THE ADOPTION OF A COUNTYWIDE ZONING ORDINANCE*.

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

Authorizes the Caswell County Board of Commissioners to call a special election pursuant to state law, rather than directing the county board of elections, to hold an advisory referendum on the question of whether to adopt a countywide zoning ordinance to implement zoning regulations for all unincorporated areas of Caswell County. Conditions placing the question language on the ballot upon calling the advisory referendum in accordance with the act. Now requires the referendum to be conducted prior to December 1, 2020, rather than on or before December 31, 2020.

Intro. by Meyer.

[Caswell](#)

[View summary](#)

Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Elections

H 1159 (2019-2020) [ADD MEMBERS/JOHNSTON CNTY. AIRPORT AUTHORITY](#). Filed May 19 2020, *AN ACT TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO THE JOHNSTON COUNTY AIRPORT AUTHORITY*.

AN ACT TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO THE JOHNSTON COUNTY AIRPORT AUTHORITY. SL 2020-12. Enacted June 10, 2020. Effective June 10, 2020.

Intro. by Strickland, Bell, White.

[Johnston](#)

[View summary](#)

Transportation

ACTIONS ON BILLS

PUBLIC BILLS

H 158: WAIVE ROAD TEST REQUIREMENT. (NEW)

House: Withdrawn From Com

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Failed Concur In S Com Sub

House: Conf Com Appointed

H 307: MOD. UTILITY VEHICLE CLASSIFICATION. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Rules and Operations of the Senate

H 413: FUNDS TO SUPPORT GREENSBORO/US FIGURE SKATING.

House: Withdrawn From Com

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

H 463: EDUCATION IN PRISONS. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Appropriations/Base Budget

Senate: Withdrawn From Com

Senate: Re-ref Com On Rules and Operations of the Senate

H 472: NCSU/ NC A&T MATCHING FUNDS/UMSTEAD ACT. (NEW)

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 536: TEMP OUTDOOR RESTAURANTS FOR OUTDOOR SEATING (NEW).

House: Withdrawn From Cal

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

H 594: TEMP OPEN GYMS/HEALTH CLUBS/FITNESS CTRS. (NEW)

House: Concurred In S Com Sub

House: Ordered Enrolled

House: Ratified

House: Pres. To Gov. 6/10/2020

H 612: DSS REVIEW OF PROCEDURES/CRIMINAL HISTORY/OAH. (NEW)

Senate: Reptd Fav

H 679: RULES OF CIV PROCEDURE/E-FILING AND SERVICE. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Rules and Operations of the Senate

H 1048: CPS INTAKE SCREENING/PED RECOMMENDATIONS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1053: PED/MILITARY OL & AUDIOLOGY INTERSTATE COMPCT. (NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1064: GSC CLARIFYING BINGO LICENSE STATUTE.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1067: MODERNIZE DEBT SETTLEMENT PROHIBITION.

Senate: Reptd Fav

Senate: Re-ref Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

Senate: Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

H 1071: FUNDS TO DPI FOR ADM GROWTH. (NEW)

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/11/2020

H 1072: GSC TECHNICAL CORRECTIONS 2020.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1087: WATER/WASTEWATER PUBLIC ENTERPRISE REFORM. (NEW)

House: Passed 2nd Reading

H 1097: SUPERSEDING ORDERS/DOMESTIC VIOLENCE.

House: Reptd Fav Com Substitute

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

H 1136: FUNDS FOR NCSSM-MORGANTON CAMPUS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Ordered Enrolled

H 1163: NORTHWEST GUILFORD WATER AND SEWER FUNDS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 1169: BIPARTISAN ELECTIONS ACT OF 2020. (NEW)

Senate: Amend Tabled A1

Senate: Amend Tabled A2

Senate: Amend Tabled A3

Senate: Amend Tabled A4

Senate: Amendment Withdrawn A5

Senate: Passed 2nd Reading

H 1218: SALARY RELATED CONTRIBS./DEBT SERVICE FUNDS. (NEW)

Senate: Reptd Fav

S 379: RETIREE AMENDMENTS.

Senate: Ratified

S 390: DUPONT STATE FOREST-FINANCIAL STUDY.

Senate: Pres. To Gov. 6/10/2020

S 432: BIRTH CENTER & PHARM BENEFITS MGR. LICENSURE (NEW).

Senate: Conf Com Dismissed

Senate: Conferees Reappointed

S 562: THE SECOND CHANCE ACT.

House: Passed 2nd Reading

House: Passed 3rd Reading

S 719: RETIREMENT TECH./PROTECT./& OTHER CHANGES. (NEW)

House: Passed 2nd Reading

House: Passed 3rd Reading

S 720: GSC CONFORMING AMENDS./2019 LAND-USE CHANGES.*House: Reptd Fav**House: Serial Referral To Rules, Calendar, and Operations of the House Stricken**House: Cal Pursuant Rule 36(b)**House: Placed On Cal For 06/11/2020***S 729: GSC MODERNIZE PARTITION LAWS.***House: Reptd Fav**House: Serial Referral To Rules, Calendar, and Operations of the House Stricken**House: Cal Pursuant Rule 36(b)**House: Placed On Cal For 06/11/2020***S 739: PERSONAL DELIVERY DEVICE/PDD/DELIVERY ROBOTS.***Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted**Senate: Re-ref Com On Appropriations/Base Budget**Senate: Withdrawn From Com**Senate: Re-ref to Finance. If fav, re-ref to Rules and Operations of the Senate***S 750: CAPITAL PROJECTS-ELIZABETH CITY STATE UNIV. (NEW)***Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted**Senate: Re-ref Com On Rules and Operations of the Senate***LOCAL BILLS****H 1062: BEAUFORT COUNTY/ANIMAL SERVICES RECORDS.***House: Ratified***H 1151: ASHEVILLE-BUNCOMBE BD. OF TRUSTEES.***House: Fail Concur In S Amend SA1**House: Conf Com Appointed***H 1154: GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.***House: Ratified***H 1156: CASWELL CTY/REFERENDUM ON COUNTYWIDE ZONING.***House: Withdrawn From Com**House: Re-ref Com On Rules, Calendar, and Operations of the House**House: Reptd Fav Com Substitute**House: Cal Pursuant Rule 36(b)**House: Placed On Cal For 06/11/2020***H 1159: ADD MEMBERS/JOHNSTON CNTY. AIRPORT AUTHORITY.***House: Ratified***H 1199: GRADUATING SR. NUMERIC GRADE. (NEW)***Senate: Reptd Fav**Senate: Re-ref Com On Rules and Operations of the Senate***© 2020 School of Government The University of North Carolina at Chapel Hill**

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