



The Daily Bulletin: 2020-06-17

PUBLIC/HOUSE BILLS

H 77 (2019-2020) **DOT 2020-2021 FY BUDGET/GOVERNANCE. (NEW)** Filed Feb 13 2019, *AN ACT TO ADJUST THE DEPARTMENT OF TRANSPORTATION CERTIFIED BUDGET FOR THE 2020-2021 FISCAL YEAR AND TO IMPLEMENT GOVERNANCE MEASURES AND OTHER MODIFICATIONS RELATED TO THE OPERATIONS OF THE DEPARTMENT.*

Senate committee substitute replaces the content of the 2nd edition with the following.

Part I

Appropriates all budget codes listed in the Department of Transportation (DOT)'s certified budget for the 2020-21 fiscal year, as published by the Office of State Budget and Management (OSBM), up to the amounts specified, subject to the act's modifications.

Provides for the act to supersede any conflict with SL 2019-231.

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for the continued validity of 2019 legislation appropriating funds to entities covered by the act, unless expressly repealed or amended.

Part II

Sets forth a schedule for adjustments, including reductions, to the appropriations from the State Highway Fund for the current operations of DOT for fiscal year 2020-21. Now, current operations budgeted total \$2,333,400,000. Sets forth a conforming schedule for Highway Fund availability for 2020-21, distinct from that for 2019-20 set out in SL 2019-231 (DOT Budget for 2019-21 Biennium), now totaling \$2,333,400,000.

Sets forth a schedule for adjustments, including reductions, to the appropriations from the Highway Trust Fund for current operations of DOT for 2020-21, now totaling \$1,230,900,000. Makes a conforming schedule for Highway Trust Fund availability for 2020-21, distinct from that for 2019-20 set out in SL 2019-231, now totaling \$1,230,900,000.

Part III

Requires \$112,221,003 of the funds appropriated to DOT from the Highway Fund by the act to be used in specified amounts to increase the net appropriations of General Maintenance Reserve and Contract Resurfacing.

Requires reduction of the funds appropriated to DOT from the Highway Fund for 2020-21 by \$181,921,003, with specified reductions to the Mobility Modernization Program; the Powell Bill Program; the State Secondary System; Commercial Airport Funds; State Aid to General Aviation Airports; Amtrak Payment Cap; Freight Rail & Crossing Safety Improvement Program Fund; Lynx Blue Line Extension; State Maintenance Assistance Program; Rural Operating Assistance Program; and Capital Repairs; and Division of Motor Vehicles (DMV) headquarters lease. Reduces by \$3,542,874 funds appropriated for specified 41 vacant DOT positions.

Reduces the net appropriation from the Highway Trust Fund to the Strategic Transportation Initiative, of the funds appropriated by the act to DOT, from \$425,900,000, to \$1,039,408,940.

Part IV

States legislative authorization and certification of anticipated revenues for the Highway Fund and the Highway Trust Fund for fiscal years 2021-22 through 2024-25, ranging from \$2,471.1 million to \$2,587.8 million for the Highway Fund, and \$1,390.6 million to \$1,661.7 million for the Highway Trust Fund. Makes conforming changes to repeal Section 4.1(b) and (c) of SL 2019-231, enacting similar provisions. Adds a new annual requirement for DOT to collaborate with OSBM to develop a five-year revenue forecast, as described, beginning with the 2021-22 fiscal year.

Sets the motor fuel excise tax for the period beginning January 1, 2021, and ending December 31, 2021, at the greater of 36.1 cents per gallon or the rate calculated pursuant to specified state statute. Requires calculation of the tax for the period beginning January 1, 2022, using the amount for the 2021 calendar year, as calculated under this provision.

Authorizes the Department of State Treasurer to issue \$700 million in Build NC Bonds, subject to compliance with appropriate credit, control, and disclosure requirements. Restricts use of bond proceeds to currently existing projects, meaning projects in the process of design or construction as of June 1, 2020. Clarifies that the provisions do not modify the Build NC Bond limits under state law. Repeals Section 1.1 of SL 2019-251, which authorized issuance of \$400 million in Build NC Bonds.

Additionally, requires DOT to use any unexpended net proceeds from the Build NC Series 2019A Bonds on currently existing projects to the extent authorized by law and any applicable contract.

Amends GS 136-18(12b) to increase the maximum Grant Anticipation Revenue Vehicles (GARVEE) bonds debt service from 15% to 20% of the expected average annual federal revenue.

Mandates DOT maintain a GARVEE/Federal Repayment Reserve in the amount equivalent to the next debt service payment owed on all GARVEE bonds. Additionally, requires DOT to use any unexpended GARVEE/Federal Repayment Reserve funds on currently existing projects to the extent authorized by law and any applicable contract.

Amends GS 105-449.125(b) to modify the distribution of remaining motor fuel excise tax revenue collected following other required distributions as follows. Effective July 1, 2020, 81%, rather than 71% to the Highway Fund, and 19% rather than 29% to the Highway Trust Fund. Effective July 1, 2021, 80% to the Highway Fund and 20% to the Highway Trust Fund. Effective July 1, 2022, 75% to the Highway Fund and 25% to the Highway Trust Fund. Applies to excise tax revenue collected on or after the specified effective date.

Amends GS 136-44.2E, as enacted by SL 2019-251, to require the Secretary of Transportation (Secretary) to ensure the funds in the Transportation Emergency Reserve are not used in a manner that jeopardizes federal reimbursements for disaster-related expenses. Adds a new requirement for the Secretary to notify the Governor within 24 hours of determining that anticipated emergency expenses by DOT will exceed funds in the Emergency Reserve, deemed to be an extraordinary occasion, and authorizes the Governor to convene the NCGA in Extra Session under the NC Constitution. Urges the Governor to convene the NCGA within 14 hours of notice by the Secretary in order to appropriate funds from the Savings Reserve to the Emergency Reserve. Prioritizes federal reimbursement for major disaster expenditures with the Emergency Reserve as first priority, followed by the Reserve for General Maintenance in the Highway Fund, and the Savings Reserve.

Amends GS 143C-6-11 to require, rather than permit, DOT to reduce the specified budget and expenditures to pay for unanticipated expenditures for snow and ice removal, and emergencies, in any fiscal year when all funds allocated for such are depleted. Specifies the budget reductions must be by the same percentage.

Amends Section 3.3(4) of SL 2020-4 (2020 COVID-19 Recovery Act), regarding the \$300 million allocated to the General Maintenance Reserve from the Coronavirus Relief Fund. Now provides for reversion to the Coronavirus Relief Reserve if by September 1, 2020, rather than June 15, 2020, federal Treasury guidance or Congressional act has not authorized the use of the funds for the purpose of replacing lost revenue due to the COVID-19 emergency.

Further amends GS 143C-6-11, modifying the required content of the weekly cash flow report of DOT. Additionally amends the statute to require DOT to submit its balance sheet report to the specified NCGA committee and division by the 15th day of each month, rather than the 3rd.

Requires municipalities with a population of 400,000 or more to only receive 2/3 of the 2019-20 fiscal year allocation of Powell Bill Program funds, with the remaining funds allocated to municipalities with a population of less than 400,000 pursuant to state law requirements. Makes conforming change to repeal Section 5.4 of SL 2019-250, which appropriates additional funds to the Program and provides for different allocations.

Repeals the 2020-21 fiscal year allocation of funds for specified capital, repair, and renovation projects in Section 4.2 of SL 2019-231.

Authorizes up to \$1.5 million of the funds appropriated to DOT, excluding funds appropriated to DMV, to be used for information technology expenses related to the DMV's headquarters relocation.

Provides for allocation of Commercial Airport Funds in specified amounts for seven airports for the 2020-21 fiscal year. Requires quarterly disbursement to compliant airports, and reversion of unexpended or unencumbered funds by August 31,

2021.

Directs DOT to submit a fleet management plan for Rail Division equipment to the specified NCGA committees and division by November 1, 2020. Details plan requirements. Directs the Rail Division to offer for sale surplus idle equipment, as described, by December 31, 2020. Requires credit of sale proceeds to the Rail Equipment Overhaul Fund. Further, directs the Rail Division to relocate the described caboos located in Gastonia to the NC Transportation Museum and to transfer ownership of the caboos and the Atlantic Coast Line locomotive currently located at the Museum to the Department of Natural and Cultural Resources by June 30, 2021.

Requires the Ferry Division to lease a passenger ferry vessel for operation between Hatteras and Ocracoke with the term ending by September 10, 2020, using up to \$1,146,179 of the contingency funds appropriated for lease and operation.

Requires DOT to distribute the funds allocated to the NC Ports Authority on a quarterly basis for the 2019-21 fiscal biennium.

Part V

Amends GS 143B-350, regarding the organization and powers of the Board of Transportation (BOT). Explicitly requires BOT to carry out its duties consistent with the fiduciary responsibility to ensure the solvency of the State Highway Fund and Highway Trust Fund. Changes the composition of BOT, increasing membership from 19 to 20 members, with six at-large members legislatively appointed, rather than 5 at-large members gubernatorially appointed. Adds one member elected by the Executive Committee of the Local Government Commission to serve as an ex officio, nonvoting member. Sets terms at four years, beginning July 31 of the year of initial appointment. Requires the Governor to appoint one member from each of the fourteen highway divisions to staggered terms beginning in 2020 and 2022. Provides for legislative appointments for similar staggered terms, with three members each appointed by the Speaker of the House and the Senate Pro Tempore. Provides for terms of members serving prior to July 31, 2020, to expire July 30, 2020. Requires a new board of 20 voting members to be appointed to terms beginning on July 31, 2020. Establishes member qualifications to include having a professional background related to transportation, budgeting, accounting, or financing to properly and effectively oversee the financial actions and accountability of DOT for its operations and the projects it manages. Requires the Governor to call BOT into session within 30 days after July 31, 2020. Requires monthly meetings, rather than meeting at least every 60 days. Modifies BOT's duties. Establishes that the primary duty of BOT is to serve as fiduciaries of the State Highway Fund and Highway Trust Fund and ensure the solvency of those funds when carrying out BOT's duties and powers. Adds new duties regarding review and oversight of the Spend Plan, DOT's use of bonds, and performance metrics. No longer includes the duty to consider and advise the Secretary on transportation matters referred by the Secretary. Explicitly prohibits BOT from making decisions on individual contracts, projects, or personnel matters. No longer includes consultation requirements for specified engineering or highway divisions. No longer requires prior NCGA committee approval of gubernatorial appointments. Makes conforming changes. Effective July 31, 2020.

Further amends GS 143C-6-11 to prohibit DOT from committing to further transportation projects that would cause the cash position to fall below the 7.5% requirement. Allows DOT to modify or supplement commitments for existing projects that result in a savings from the total estimated project cost of the existing commitment, based on a cost-savings analysis, or relate to the needs of an existing project to continue.

Adds a new requirement to GS 143C-6-11, requiring DOT to monthly post on its website and submit to the specified NCGA committees and division, a financial report statement containing seven specified components. Additionally, requires DOT to annually post on its website and submit to the specified NCGA committees and division a year-end summary at the end of each fiscal year, by July 15, of specified components of the monthly reporting requirements.

Requires DOT to modify its performance dashboard to include and track information regarding projected revenues and the Spend Plan for the next 18 months. Requires completion by October 1, 2020.

Enacts GS 143C-6-11.1, mandating DOT to develop a Spend Plan, subject to approval of the BOT, the Director of the Transportation Budget at OSBM, and the State Budget Director. Provides the procedure for approval and modification.

Directs DOT to transfer a vacant FTE position and funds to OSBM to be reclassified as Director of Transportation Budget. Specifies oversight and duties of the position. Requires DOT to grant access to data and information necessary for the Director to meet the responsibilities.

Directs DOT to develop and establish a uniform financial management personnel structure within all Highway Division offices, and develop and establish uniform report formats and policies and procedures that calculate spending and track cash management consistently among divisions. Allows position reclassification to establish uniform financial management personnel structure. Requires DOT to report to the specified NCGA committee and division by October 31, 2020, as specified.

Directs DOT to transfer one vacant FTE position and funds to the Department of State Treasurer to be reclassified as a financial analyst position focused on bond disclosure to review and monitor DOT's bond program and use of bond proceeds.

Directs DOT to consult with the Director of Transportation Budget and OSBM to create, develop, modify, and implement DOT forecasting methodology, best practices, and accuracy standards for the forecasting of spending. Requires DOT to report to the BOT and the specified NCGA committee and division on implementation by December 31, 2020.

Requires the Office of the State Auditor to annually conduct a performance audit of DOT, beginning with the 2019-20 fiscal year. Details requirements of the audit. Requires the State Auditor to annually report to the specified NCGA committees and division by January 15, beginning in 2021. Requires DOT cooperation.

Amends GS 136-44.6, regarding the formula for the allocation of funds for primary and secondary road maintenance. Requires the formula to be developed biennially and no longer limits allocation to funds from the Reserve for General Maintenance. Requires allocations to Highway Divisions and creation of a plan of action to reallocate funds among Divisions based on expenditures of the first three quarters. Now requires allotments to be made available to Divisions on a quarterly basis, based on the Spend Plan. Requires DOT to create a plan for reallocation to maximize funds each fiscal year.

Requires DOT to submit a detailed report on its use of federal Advance Construction authorizations within 90 days of July 1, 2020, to the specified NCGA committee, division, and OSBM. Details requirements of the report. Requires the Office of State Auditor to conduct a performance audit of this report and report to the specified NCGA committees and division by March 31, 2021. Requires DOT cooperation.

Part VI

Provides parameters regarding the legislatively enacted budget and Certified Budget, as adjusted, for 2020-21, establishing that the legislative budget controls in the event of conflict.

Requires OSBM to adjust the General Maintenance Reserve for 2020-21 to account for any change in employee benefit costs if HB 1136, HB 1218, or SB 818 become law.

Part VII

Effective July 1, 2020, unless otherwise provided.

Changes the act's titles.

Intro. by Torbett, Presnell, Iler, Shepard.

[APPROP, UNCODIFIED, GS 105, GS 136, GS 143B, GS 143C, GS 166A](#)

[Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of State Treasurer, Department of Transportation, Office of State Auditor, Office of State Budget and Management, State Government, Executive, State Property, Tax](#)

[View summary](#)

H 77 (2019-2020) [DOT 2020-2021 FY BUDGET/GOVERNANCE. \(NEW\)](#) Filed Feb 13 2019, *AN ACT TO ADJUST THE DEPARTMENT OF TRANSPORTATION CERTIFIED BUDGET FOR THE 2020-2021 FISCAL YEAR AND TO IMPLEMENT GOVERNANCE MEASURES AND OTHER MODIFICATIONS RELATED TO THE OPERATIONS OF THE DEPARTMENT.*

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

Part IV

Requires calculation of the motor fuel excise tax for the period beginning January 1, 2022, using the amount the tax rate would have been for the preceding calendar year calculated but for the calculation required under Section 4.2 of the act (previously, called for calculation based on the amount for the preceding calendar year as calculated under the Section).

Amends GS 136-41.3 to expand the permitted uses of funds allocated to municipalities by the Department of Transportation (DOT) described, including repairs to roadways and construction of bikeways, greenways, or sidewalks, making the authorizations applicable to funds allocated under GS 136-41.1 in addition to those allocated under GS 136-41.2. Also requires municipalities to strongly prefer the use of seeds classified as native to the state when the use of funds under the statute includes landscaping.

Intro. by Torbett, Presnell, Iler, Shepard.

[APPROP, UNCODIFIED, GS 105, GS 136, GS 143B, GS 143C, GS 166A](#)

[View summary](#)

Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of State Treasurer, Department of Transportation, Office of State Auditor, Office of State Budget and Management, State Government, Executive, State Property, Tax

H 77 (2019-2020) [DOT 2020-2021 FY BUDGET/GOVERNANCE. \(NEW\)](#) Filed Feb 13 2019, *AN ACT TO ADJUST THE DEPARTMENT OF TRANSPORTATION CERTIFIED BUDGET FOR THE 2020-2021 FISCAL YEAR AND TO IMPLEMENT GOVERNANCE MEASURES AND OTHER MODIFICATIONS RELATED TO THE OPERATIONS OF THE DEPARTMENT.*

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

Part V

Makes clarifying and technical changes to the proposed changes to GS 143B-350 regarding legislative appointments to the Board of Transportation. Makes conforming changes to the members to be legislatively appointed to two-year terms beginning July 31, 2020.

Adds a new provision providing for legislative appointments to the Board of Transportation when the NCGA is not in session to be conducted pursuant to specified statute, and prohibits the Governor from rejecting such recommendations. Deems such candidates approved upon submission of the recommendation to the Governor.

Intro. by Torbett, Presnell, Iler, Shepard.

[APPROP, UNCODIFIED, GS 105, GS 136, GS 143B, GS 143C, GS 166A](#)

[View summary](#)

Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of State Treasurer, Department of Transportation, Office of State Auditor, Office of State Budget and Management, State Government, Executive, State Property, Tax

H 308 (2019-2020) [VARIOUS AG/NER CHANGES. \(NEW\)](#) Filed Mar 7 2019, *AN ACT TO MAKE VARIOUS CHANGES TO LAWS GOVERNING MATTERS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES.*

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

Changes the act's long and short titles.

Deletes the content of the previous edition and replaces it with the following.

Amends GS 90A-74 to expand the powers and duties of the North Carolina Wastewater Contractors and Inspectors Certification Board to allow the board to hold real property, subject to the approval of the Governor and Council of State.

Amends GS 113A-119(a) to allow electronic payments for development permits in areas of environmental concern under the Coastal Management Act of 1974.

Amends GS 130A-303 to add a new subsection (c) authorizing the Secretary of the Department of Environmental Quality to implement emergency measures and procedures necessary for the proper management of solid waste generated during a declared emergency. Requires written notice to be provided to the media and other affected organizations and parties. Provides for expiration of emergency measures and procedures no more than 60 days after the state of emergency has ended.

Amends GS 162A-203 to prohibit local governments from charging the State or a political subdivision a system development fee pursuant to Article 8 of Chapter 162A. Prohibition becomes effective upon enactment and any local ordinances inconsistent with it are void and unenforceable. Requires local governments to reimburse any system development fees paid by the State or a political subdivision between October 1, 2017, and July 1, 2020 upon request.

Amends Sec. 2.1 of SL 2019-224, which appropriated funding to the Wildlife Resources Commission to address abandoned and derelict vessels. Requires the Commission to comply with specific notice requirements before removing and disposing of a vessel and revise the definition of *abandoned and derelict vessel*.

Revises the allocation of funds for the Lindsey Bridge dam repair and stream restoration project originally in Section 36.3(a) of SL 2018-5. Revision provides that the funding will be reallocated to provide a directed grant to the Town of Madison. Includes definitions and imposes requirements on the expenditure of funds pursuant to the directed grant. Expires on June 30, 2021.

Extends the expiration date for GS Chapter 130A, Article 9, Part 6, which governs removal of mercury switches in light fixtures in vehicles, from June 30, 2021 to June 30, 2031. Provides that any funds remaining in the Mercury Pollution Prevention Fund on that date shall be transferred to the Division of Waste Management. Makes conforming changes. Effective June 30, 2020.

Extends by six months several research reporting deadlines applicable to the North Carolina Policy Collaboratory (Collaboratory). Amends Section 11.8 of SL 2016-94, which provides funding to initially establish the Collaboratory, to expand the authority of the Collaboratory to allow it to fund research by institutions outside the University of North Carolina system. Prohibits institutions receiving funding from the Collaboratory to charge for indirect costs.

Intro. by Dixon, Strickland, Barnes, Conrad.

GS 90A, GS 113A, GS 130A, GS 162A

[View summary](#)

Development, Land Use and Housing, Environment, Government, Public Safety and Emergency Management, State Agencies, UNC System, Department of Environmental Quality (formerly DENR), Local Government, Health and Human Services, Health, Public Health

H 340 (2019-2020) **AMEND APPT FOR COMPACT ON EDUCATION/MILITARY**. Filed Mar 12 2019, *AN ACT TO CREATE AN EMPLOYMENT PREFERENCE FOR ELIGIBLE MEMBERS OF THE NATIONAL GUARD*.

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

Changes the title of Article 16 of GS Chapter 127A to also include National Guard employment rights.

Enacts new GS 127A-200.5, making it State policy that employment preference be given by State departments, agencies, and institutions to eligible members of the National Guard. Encourages private, nonpublic employers in the State to provide the same preference.

Amends GS 126-81 to define an eligible member of the National Guard as a State resident who is a member of the NC National Guard or the National Guard of another state or a person who has been discharged under other than dishonorable conditions from the NC National Guard or the National Guard of another state.

Amends GS 127A-17.1 to include as an official purpose for which records of the NC National Guard in the Department of Public Safety may be disclosed, the substantiation of eligibility for a National Guard preference.

Amends the title of Article 13 of GS Chapter 126 by adding in reference to National Guard preference.

Enacts new GS 126-80.3 making it State policy that employment preference be given by State departments, agencies, and institutions to eligible members of the National Guard for positions subject to GS Chapter 126 (North Carolina Human Resources Act). Requires that preference be given to all eligible members of the National Guard who are state citizens in all evaluations of applications for positions with the State or its departments, institutions, or agencies; applies to initial employment, subsequent hirings, promotions, reassignments, and horizontal transfers. Makes these provisions subject to Article 9 of GS Chapter 143B (Department of Administration).

Amends GS 126-82 to give eligible National Guard members the same preference as those given under the statute to eligible veterans. Makes language gender-neutral. Makes conforming changes.

Amends GS 126-34.02 to allow a case in which an applicant for State employment or a State employee to allege that he or she was denied a National Guard preference to be heard as a contested case after the completion of the agency's grievance procedure and review by the Office of State Human Resources.

Requires the State Human Resources Commission and State agencies, departments, and institutions to adopt rules to implement the act.

Makes conforming changes to the act's long title.

Intro. by Martin, Cleveland, Bell.

[GS 126, GS 127A](#)

[View summary](#)

Employment and Retirement, Government, State Agencies, Office of State Human Resources (formerly Office of State Personnel), State Government, State Personnel, Military and Veteran's Affairs

H 425 (2019-2020) [IMPLEMENT CONNER'S LAW. \(NEW\)](#) Filed Mar 21 2019, *AN ACT TO IMPLEMENT CONNER'S LAW.*

Senate committee substitute deletes the contents of the 3rd edition and replaces it with the following:

Transfers \$1.2 million in nonrecurring funds for the 2020-21 fiscal year from the Statewide Misdemeanant Confinement Fund to the Department of State Treasurer. Appropriates the transferred funds are to pay benefits provided under Conner's Law, SL 2019-228.

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.

Changes the act's titles.

Effective July 1, 2020.

Intro. by Faircloth, McNeill, Ross, Boles.

[APPROP](#)

[View summary](#)

Courts/Judiciary, Criminal Justice, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of State Treasurer, State Government, State Personnel

H 873 (2019-2020) [SYSTEM DEVELOPMENT FEE/ADU SEWER PERMIT. \(NEW\)](#) Filed Apr 16 2019, *AN ACT TO CLARIFY THE TIMING OF COLLECTION OF SYSTEM DEVELOPMENT FEES AND TO REQUIRE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO AMEND A RULE THAT CURRENTLY ALLOWS A SEWER THAT SERVES A SINGLE BUILDING TO BE DEEMED PERMITTED, TO ALLOW A SEWER SHARED WITH AN ACCESSORY BUILDING ON THE SAME PROPERTY TO BE DEEMED PERMITTED AS WELL.*

Senate committee substitute deletes the content of the 3rd edition and now provides the following.

Makes organizational changes to GS 162A-213, regarding system development fees. Modifies the provisions related to the timing of the collection of system development fees. The new timing provisions are as follows. For new development involving the subdivision of land, the fees must be collected at the later of either (1) the time of application for a building permit (was, at the time of plat recordation) or (2) when water or sewer service is committed by the local governmental unit. Adds new provisions to specify that if the system development fee is collected under subdivision (a)(1) and the local governmental unit that charges or assessed the system development fee is different from the local governmental unit issuing the building permit, the local governmental unit issuing the building permit must first require proof of collection of the system development fee. Provides that no system development fee may be assessed with respect to new development for which a system development fee has been collected at the time of plat recordation involving the subdivision of land and the amount of capacity associated with that payment of the system development fee has not increased at the time of the application for the building permit. Allows a system development fee to be charged if capacity has increased in the amount of the difference. Effective January 1, 2021, and applies to system development fees collected on or after that date.

Amends GS 162A-211 to add new subsection (a1), stating that revenue from system development fees calculated using the combined cost method may be expended for previously completed capital improvements for which capacity exists and for capital rehabilitation projects. Effective July 1, 2020, and applies to system development fees expended or encumbered on or after that date.

Adds new Sections 4(a) through 4(e), which direct the Department of Environmental Quality (DEQ) to adopt rules amending the Permitting by Regulation for Building Sewer Systems Rule to specify that if a building sewer serves a single building, the permit also includes a building sewer that serves an accessory building on the same lot that is connected to the building sewer for the main building, and also a sewer shared between a main building and an accessory building, as long as certain regulatory criteria are met. Defines Permitting by Regulation for Building Sewer Systems Rule to mean 15A NCAC 02T .0303. Defines *accessory building*, *building sewer*, and *lot*. Requires DEQ to implement these changes until the new rule is adopted. Effective when it becomes law and applies to common sewer lines in existence on, or constructed on or after, the effective date, which are shared by accessory dwelling units or accessory residential buildings and a primary residence.

Changes both of the act's titles.

Intro. by Arp, Boles, McNeill.

[GS 162A](#)

[View summary](#)

[Development, Land Use and Housing, Government, State Agencies, Health and Human Services, Health, Public Health, Public Enterprises and Utilities](#)

H 1080 (2019-2020) [REVENUE LAWS RECOMMENDATIONS](#). Filed May 14 2020, *AN ACT TO MAKE VARIOUS CHANGES TO THE REVENUE LAWS.*

House committee substitute to the 2nd edition to be summarized.

Intro. by Howard, Ross, Setzer, Szoka.

[View summary](#)

H 1087 (2019-2020) [WATER/WASTEWATER PUBLIC ENTERPRISE REFORM. \(NEW\)](#) Filed May 14 2020, *AN ACT TO IMPROVE VIABILITY OF THE WATER AND WASTEWATER SYSTEMS OF CERTAIN UNITS OF LOCAL GOVERNMENT BY REQUIRING LOCAL GOVERNMENT COMMISSION APPROVAL OF GRANT APPLICATIONS; TO REQUIRE CERTAIN WATER AND WASTEWATER SYSTEMS TO UNDERGO A REVIEW OF INFRASTRUCTURE MANAGEMENT, ORGANIZATIONAL MANAGEMENT, AND FINANCIAL MANAGEMENT; TO CREATE AND PROVIDE FUNDING FOR THE VIABLE UTILITY RESERVE TO PROVIDE GRANT MONEY FOR LOCAL GOVERNMENT UNITS; TO PROVIDE A STATUTORY PROCESS FOR MERGER AND DISSOLUTION OF WATER AND WASTEWATER SYSTEMS ESTABLISHED UNDER CHAPTER 162A OF THE GENERAL STATUTES; TO PROMOTE THE IMPORTANCE OF INTERLOCAL AGREEMENTS TO THE OPERATION OF WATER AND WASTEWATER SYSTEMS; TO STUDY SUBBASIN TRANSFERS AND HISTORICAL CHARTERS; TO REALLOCATE CERTAIN UNUSED FUNDS FROM THE PFAS RECOVERY FUND; AND TO PROVIDE FUNDS FOR THE SOUTHERN REGIONAL AREA HEALTH EDUCATION CENTER AND FOR WATER RESOURCES PROJECTS.*

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

Part II

Makes organizational changes to the funding provisions.

Adds the following new content.

Directs for the funds appropriated to the Division of Water Infrastructure for the 2018-19 fiscal year by SL 2018-5 and deposited in the PFAS Recovery Fund to be transferred and reallocated in specified amounts to the following projects: (1) to the Compensatory Mitigation Fund to dissolve the conservation easement associated with the Little Alamance Creek stream restoration project held by the State, with additional needed funds provided by the Department of Environmental Quality (DEQ) from available DEQ funds; (2) to the Oil or Other Hazardous Substances Pollution Protection Fund for DEQ to investigate and remediate petroleum product discharges into State waters that are ineligible for funding from programs addressing leaking underground storage tanks; (3) to provide a grant to MountainTrue for recreational water quality testing; and (4) to respond to contamination and other related water and wastewater infrastructure needs to the Towns of Maysville, Benson, Angier, and Kenansville. Effective June 30, 2020.

Part III

Appropriates from the Volkswagon Litigation Environmental Mitigation Fund (Fund) \$30,681,886 to fund Phase I of the August 28, 2018, Beneficiary Mitigation Plan (Plan), consistent with the specified trust agreement established in the consent decree resolving the identified federal court case and in accordance with Section 13.2 of SL 2017-57, as amended. Requires allocation of the appropriated funds for diesel bus and vehicle replacements or upgrades and Level 2 and DC charging stations. Authorizes DEQ, as the designated lead agency under the trust agreement, to transfer and use up to \$1,534,094 for administrative purposes in executing the Plan. Requires unencumbered funds at the end of the 2019-21 fiscal biennium to be returned to DEQ pursuant to the trust agreement.

Part IV

Directs DEQ to transfer, \$12,283,657 in nonrecurring funds from the cash balance of the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund, and the Department of Commerce to transfer \$12,283,657 in nonrecurring funds from the cash balance of the Film and Entertainment Grant Fund, to the Division of Water Resources by August 15, 2020. Appropriates the transferred funds to the Division of Water Resource to be allocated, along with funds carried forward from previous years, in specified amounts for 15 identified projects for 2020-21 totaling \$28,410,270 as State matching funds for an estimated \$82,396,979 in federal funds. States legislative intent to use funds carried forward from previous years to supplement the funds appropriated. Provides a schedule of specified amounts carried forward for use in 14 specified projects, totaling \$12,857,035. Provides for flexibility in funding in the event of actual costs varying from estimates, or delays in project commencement. Restricts use of funds to no more than 50% of the nonfederal portion of funds for projects in which a local government participates, applicable to funds appropriated by this act and funds appropriated prior to the current fiscal biennium proposed for reallocation to such projects.

Makes conforming organizational changes. Changes the act's long title.

Requires DEQ to submit semiannual reports on the use of funds to the specified NCGA committee and division, and the Office of State Budget and Management (OSBM) with specified content.

Intro. by Lambeth.

APPROP, STUDY, GS 159G, GS 160A, GS 162A

[View summary](#)

Courts/Judiciary, Motor Vehicle, Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Commerce, Department of Environmental Quality (formerly DENR), Department of State Treasurer, Local Government, Health and Human Services, Health, Public Health, Public Enterprises and Utilities

H 1105 (2019-2020) [COVID/SUPPLEMENTARY G.R.E.A.T. GRANT PERIOD](#). Filed May 14 2020, *AN ACT TO PROVIDE FUNDING TO THE DEPARTMENT OF INFORMATION TECHNOLOGY TO EXPEDITE AND EXPAND BROADBAND INFRASTRUCTURE IN THE STATE WITH A SUPPLEMENTARY GRANT PERIOD FOR THE G.R.E.A.T. PROGRAM.*

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

Part I

Makes changes regarding the supplementary grant process through the Growing Rural Economies with Access to Technology (GREAT) program. Describes eligible projects for use in scoring a project application, providing for projects to include specified information regarding unserved households. Defines *infrastructure costs* and *unserved household*. Regarding forfeiture of the grant amount for non-completion, extends the date by which projects must be completed from December 30, 2021, to December 30, 2022.

Adds the following new content.

Part II

Amends GS 143B-1373, regarding the GREAT program. Increases the transmission speeds included in the definition of *broadband access*. Provides for eligible projects to include specified information regarding unserved households in the project area for purposes of scoring the project application. Expands infrastructure costs to include engineering and other associated costs with securing a lease to locate or collocate infrastructure, excluding actual monthly lease payments. Defines *unserved household*. Expands the scoring model for project applications based on cost per household. Modifies the base speed multipliers. No longer prohibits the use of Connect America Phase II Fund funds for matching.

Further amends GS 143B-1373. Specifies that a county's development tier designation in effect as of the beginning of the fiscal year applies for all grants awarded for that fiscal year. Effective on the date the act becomes law and applies to applications submitted on or after December 31, 2019. Makes identical changes to the statute as amended in SL 2019-230, effective July 1, 2020.

Requires the Department of Information Technology to provide a \$15,000 supplementary grant award from the GREAT Fund for each grant project awarded for the 2020-21 fiscal year that has also received a grant from the Federal Communications Commission Rural Digital Opportunity Fund Action Phase I.

Part III

Amends Section 3.3 of SL 2020-4 (2020 COVID-19 Recovery Act) regarding the \$8 million appropriated for the GREAT Fund for supplementary project funding. Adds that grants can be received as an initial lump sum of the total grant award less matching assessments if the applicant provides evidence of financial solvency and service in the state for at least three years, along with attestation that the project will be completed pursuant to the agreement.

Intro. by Arp, Saine, B. Jones, Reives.

APPROP, UNCODIFIED, GS 143B

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations,

**Public Safety and Emergency Management, State Agencies,
Office of Information Technology Services**

H 1163 (2019-2020) [GUILFORD FUNDS/CABARRUS LAND/BRUNSW SHELLFISH. \(NEW\)](#) Filed May 19 2020, *AN ACT TO REALLOCATE CERTAIN WATER AND SEWER FUNDING AND TO TRANSFER CERTAIN PARCELS OF THE STONEWALL JACKSON MANUAL TRAINING AND INDUSTRIAL SCHOOL PROPERTY TO THE COUNTY OF CABARRUS AND TO CREATE A PILOT PROGRAM FOR SHELLFISH CULTIVATION OR WATER COLUMN LEASES IN BRUNSWICK COUNTY.*

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

Adds new Section 3.(d), authorizing the Department of Public Safety (Department) to use the property conveyed to Cabarrus County from the State under this bill for public safety and emergency management training. Grants the Department priority in scheduling for use of this property over entities located outside of Cabarrus County.

Intro. by Faircloth, Hardister.

APPROP, UNCODIFIED, Brunswick, Cabarrus, Guilford, GS
146

[View summary](#)

**Environment, Aquaculture and Fisheries, Government,
Budget/Appropriations, State Agencies, Department of
Administration, Department of Environmental Quality
(formerly DENR), Department of Public Safety, State
Government, State Property, Health and Human Services,
Health, Public Health, Public Enterprises and Utilities**

H 1168 (2019-2020) [MURPHY BRANCH CORRIDOR REDUCTION.](#) Filed May 22 2020, *AN ACT TO PROVIDE FOR THE REDUCTION OF THE DEPARTMENT OF TRANSPORTATION'S INTEREST IN A CERTAIN PORTION OF THE ANDREWS TO MURPHY RAIL CORRIDOR WITHIN THE LIMITS OF CHEROKEE COUNTY.*

Senate committee substitute to the 2nd edition deletes all provisions of the 2nd edition and replaces it with the following.

Section 1

Defines the term *Rail Corridor* to mean the former Murphy Branch rail corridor and describes the composition of that corridor as well as the exclusions from the defined term. Provides that where there is more than one track in the Rail Corridor, the State must retain its property interest in the Rail Corridor for a distance of 25 feet from the center of each track.

Section 2

Uniformly reduces the State's interest in the right-of-way claimed by the Department of Transportation (DOT) with respect to the Rail Corridor to 25 feet on each side of the center line of the tracks traversing the Rail Corridor. Transfers the interest in real property previously held by the State to the current adjacent real property owner of record upon that owner's release of all claims against the State and DOT. Requires that such transfers of interest and releases of claims occur within two years of the effective date of the act. Requires DOT to provide the adjacent property owner a quitclaim deed or deed of release within 180 days of the property owner's release of claims. Provides that the property transfers do not require Council of State or Board of Transportation approval.

Section 3

Provides that notwithstanding Section 2, DOT must retain an easement for entry and access for maintenance and repair of the track and associated structures that is parallel to the retained portion of the Rail Corridor and 15 feet in width. Describes limitations on building and activities within the easement and clarifies that the easement is not prohibited from also being subject to an agricultural or conservation easement.

Section 4

Describes various ways in which the act should not be construed. Makes clear that the act does not alter or amend federal law and does not alter or amend the management of privately owned railroads.

Section 5

Repeals Section 35.18 of SL 2016-94, which authorizes DOT to lease or convey specified portions of the Great Smoky Mountain Railroad, formerly the Andrews to Murphy rail line, to the County of Cherokee and the Towns of Andrews and Murphy for public recreation use, as well as mandates revitalization of rail lines for the operation of excursion trains, if applicable.

Intro. by Corbin, McNeely.

[Cherokee](#)

[View summary](#)

Government, State Agencies, Department of Transportation, State Government, State Property, Transportation

H 1201 (2019-2020) [LOCAL MEAT PROCESSORS GRANTS/MARKETING FUNDS. \(NEW\)](#) Filed May 26 2020, *AN ACT TO PROVIDE FUNDING FOR GRANTS TO SMALL AND INDEPENDENT MEAT PROCESSORS TO ALLEVIATE NEGATIVE FOOD SUPPLY CHAIN IMPACTS DUE TO THE COVID-19 PANDEMIC AND FOR TECHNOLOGY-BASED MARKETING TO RESPOND TO COVID-19 RELATED CHANGES IN CONSUMER PURCHASES OF FOOD AND TO MAKE TECHNICAL AND CLARIFYING CHANGES TO THE NORTH CAROLINA FARM ACT OF 2019-2020.*

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

Adds the following content.

Amends GS 106-1070 to rename the NC Sweetpotato Advisory Council as the NC Sweetpotato Quality and Branding Advisory Council (council). Establishes the council within the Department of Agriculture and Consumer Services, with members appointed by the NC Sweetpotato Commission (Commission; previously, appointed by the Commissioner of Agriculture (Commissioner)). Provides for the Commissioner to serve as chair. Adds the Executive Director of the Commission to the council. Provides for other advisors selected by the Commission, rather than the Commissioner. Adds member duties including advising the Commissioner on plant pest regulatory issues. Requires quarterly meetings or meeting on an as needed basis upon the Commissioner's request. Makes conforming changes to GS 106-1066 and GS 106-1069.

Changes the act's long title.

Intro. by Elmore, Howard.

[APPROP, GS 106](#)

[View summary](#)

Agriculture, Animals, Business and Commerce, Education, Higher Education, Government, Public Safety and Emergency Management, State Agencies, Department of Agriculture and Consumer Services

H 1205 (2019-2020) [EXPEDITED STATE LEASING-BROADBAND.](#) Filed May 26 2020, *AN ACT TO STREAMLINE THE PREPARATION AND FINALIZATION OF NEW LEASES AND LEASE RENEWALS ON STATE PROPERTY TO EXPEDITE DEPLOYMENT OF BROADBAND INFRASTRUCTURE.*

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

Modifies the proposed changes to GS 146-29.2(b1), concerning leases or interest in real property of the state for the purposes of the construction and placement of broadband infrastructure. Adds new provisions regarding determinations for dispositions made under the subsection. Now requires the Department of Administration (Department) to prepare and finalize a lease agreement within four months of receiving the lease application by the controlling agency (was, upon receipt of a new, initial request). Requires the controlling agency to coordinate with the Department in preparing a complete application package for

the lease request. Requires the Department to enter into the lease pursuant to the terms of the application after four months have elapsed and the application has not been finalized.

Eliminates the proposed changes to GS 116-31.12, concerning acquisition and disposition of real property of the UNC System by lease.

Appropriates from the General Fund to the Department \$250,000 in recurring funds for the 2020-21 fiscal year to contract personnel to administer the communication lease review process. Allows the Department to use up to \$90,000 to retain a licensed real estate appraiser who holds an MAI designation, and up to \$160,000 to retain a licensed attorney who holds a current certification in real property law.

Clarifies that the act applies to applications for new leases and lease renewals submitted on or after July 1, 2020, the effective date of the act.

Intro. by Arp, Saine.

APPROP, GS 146

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Administration, State Government, State Property

H 1229 (2019-2020) [UI PROGRAM INTEGRITY/TEMP. ABAWD TIME WAIVERS](#). Filed May 27 2020, *AN ACT APPROPRIATING FUNDS TO THE DIVISION OF EMPLOYMENT SECURITY TO STRENGTHEN UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY DURING THE CORONAVIRUS PANDEMIC AND PREVENTING CERTAIN PAYMENTS TO PRECINCT OFFICIALS FROM REDUCING UNEMPLOYMENT INSURANCE BENEFITS.*

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

Eliminates the provision allowing the Department of Health and Human Services to seek a temporary waiver from the USDA for time limits established by federal law for able-bodied adults without dependents participating in the Food and Nutrition Services Program in the State.

Eliminates the provision establishing that payments received by precinct officials and assistants for work performed during the period from September 1, 2020, and November 5, 2020, do not affect the computation of the individual's partial unemployment weekly benefit under State law.

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

Intro. by Howard, Wray, Saine.

APPROP, UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Commerce, Office of State Budget and Management, Office of State Controller, Health and Human Services, Social Services, Public Assistance

PUBLIC/SENATE BILLS

S 374 (2019-2020) [REPEAL RISKY RETIREMENT PAYMENTS](#). Filed Mar 27 2019, *AN ACT TO ELIMINATE THE OPTION FOUR AND OPTION SIX RETIREMENT OPTIONAL ALLOWANCES UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.*

House committee substitute to the 2nd edition to be summarized.

Intro. by Wells, Brown.

[View summary](#)

S 380 (2019-2020) **CLARIFY FELONY POSSESS SWEEPSTAKES MACHINE. (NEW)** Filed Mar 27 2019, *AN ACT TO CLARIFY FELONIOUS POSSESSION OF ELECTRONIC SWEEPSTAKES MACHINES OR DEVICES.*

House committee substitute replaces the content of the 4th edition with the following.

Amends G.S. 14-306.4(a) (Electronic machines and devices for sweepstakes prohibited) to (1) modify the definition of *electronic machine or device* to specify that the term applies whether or not the machine or device is autonomous; (2) modify the definition of *entertaining display* to include a fish game or any other multiplayer or multi-station video game in which players can play against the software or each other; (3) define *autonomous*.

Further amends GS 14-306.4 to add new subsection (g), making it a Class G felony for any person to operate or place into operation (1) more than four electronic matches or devices in one location; (2) any electronic machine or device within 100 feet of more than three other electronic machines or devices; and (3) one or more electronic machines or devices that do not operate autonomously. Provides that conviction of a violation results in forfeiture of all electronic machines and devices operated or placed into operation.

Effective December 1, 2020, and applies to offenses committed on or after that date.

Changes the act's titles.

Intro. by Wells, Hise, Daniel.

GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Lottery and Gaming

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 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.*

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

Eliminates proposed GS 115C-550.1 and GS 115C-558.1, establishing a requirement that private schools and nonpublic schools report to the State all students whose parents are serving in the active-duty or reserve military. Makes conforming deletions.

Makes conforming changes to the act's long title.

Intro. by Brown.

GS 115C, GS 116

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Military and Veteran's Affairs

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 OR LENIENT 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, AND TO ALLOW LEGISLATORS ACCESS TO0 CONFIDENTIAL ADULT PROTECTIVE SERVICES AND CHILD PROTECTIVE SERVICES RECORDS, AND TO AUTHORIZE THE PROGRAM EVALUATION DIVISION TO STUDY THE FEASIBILITY AND EFFECTIVENESS OF IMPLEMENTING A CHILD WELFARE SIMULATION TRAINING AND CERTIFICATION PROGRAM.

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

Changes the act's long title.

Revises new GS 7B-300.1 to provide that a county may not have a policy regarding child protective services intake screening criteria that is more stringent or lenient than State policy or adds to State policy (previously did not include policies that were more lenient).

Revises requirements in Section 3(a) related to assessment of child welfare worker comprehension and training needs. Deletes specific requirements related to increasing frequency of training and developing an intermediate intake screening course. Adds a requirement that all child welfare supervisors pass a competency test prior to screening.

Amends GS 108A-80 to add a new subsection (b2) to authorize a legislator to request and receive access to confidential information related to child and adult protective services cases, unless prohibited by federal law. Provides that a legislator may not retain copies of such records and any information shared with a legislator must be kept confidential.

Amends subsections (b) and (c) of GS 108A-80 to remove language making violations of the section a Class 1 misdemeanor.

Adds a new subsection (c1) to consolidate the penalties and provide that a violation of (a), (b), (b1), new (b2), or (c) is punishable as a Class 1 misdemeanor.

Amendments to GS 108A-80 become effective October 1, 2021.

Directs the Program Evaluation Division to study the feasibility of implementing statewide a simulation and certification child welfare training program comparable to one piloted in several western counties. Requires a report by April 1, 2021.

Intro. by Edwards, Krawiec, Burgin.

[GS 7B, GS 108A](#)

[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, Adult Services, Child Welfare

S 730 (2019-2020) [THE NO PATIENT LEFT ALONE ACT](#). Filed May 13 2020, *AN ACT PROVIDING PATIENT VISITATION RIGHTS THAT WILL NOT BE IMPACTED DURING DECLARED DISASTERS AND EMERGENCIES AND APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH SERVICE REGULATION, TO DEVELOP AND DISSEMINATE TO HOSPITALS FREE INFORMATIONAL MATERIALS EXPLAINING THESE RIGHTS.*

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

Senate committee substitute amends the 2nd edition by amending Section 4 to specify that the appropriation is from the General Fund, and adding two new sections to reenact and incorporate the State Budget Act, GS 143C, by reference, and to provide for the continued validity of 2019 legislative appropriating funds to entities covered by the act, unless expressly repealed or amended.

Intro. by Daniel, Perry, Krawiec.

[APPROP, GS 131E](#)

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers

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 amends Section 2 of the 3rd edition by adding new GS 20-175.11 regarding registration of personal delivery devices to previously proposed Part 11D of Article 3, GS Chapter 20. Provides that in order to operate a personal delivery device a business entity must register that device with the Division of Motor Vehicles (Division) and must pay a one-time fee of \$250.00 per device. Directs the Division to maintain a list of registered devices.

Eliminates the \$5,000 appropriation provision.

Intro. by Perry, Searcy, Sawyer.

GS 20

[View summary](#)

Business and Commerce, Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Public Safety, Transportation

S 848 (2019-2020) [COVID-19 ECONOMIC RECOVERY GRANTS. \(NEW\)](#) Filed May 26 2020, *AN ACT TO PROVIDE ECONOMIC SUPPORT TO BUSINESSES FOR JOB RETENTION, RECRUITMENT, AND REPATRIATION DURING AND AFTER THE COVID-19 3 PANDEMIC*.

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

Amends Section 1 to include nonprofits as entities eligible to receive grants under the Job Retention Program. Defines nonprofit as an entity exempt from income tax under GS 105-130.11(a)(3) or GS 105-130.11(a)(6). Restricts eligibility to nonprofits whose gross receipts for the COVID-19 period, as defined, are at least 10% below its gross receipts for the same period in the preceding calendar year. Makes conforming changes to other sections.

Amends Section 1 to change Mainstreet Loan Program to Mainstreet Lending Program. Makes conforming changes to other sections.

Amends Section 2(c) to specify that appropriations in Sections 3(g), 4(h), and 5(c) of the act do not become effective unless funds are allowed to be expended pursuant to the federal CARES Act requirements and federal Treasury guidance.

Adds new Section 2(d) to specify that the requirements and limitations set forth in Part I of SL 2020-4 apply to the funds appropriated. Directs the Office of State Budget and Management to include the funds transferred and appropriated in the report required under Section 1.7 of SL 2020-4.

Amends Section 3(d) related to Job Investment grant program to specify that the total of all funds granted under the program may not exceed \$50 million. Directs the Economic Investment Committee to calculate the total amount of grants requested from the applications timely filed and to proportionately reduce each grant award if the total amount requested exceeds this amount (previously, provided for a \$50,000 grant award cap, provided on a first-come, first-served basis). Amends Section 3(e) to set an application deadline of September 1, 2020.

Amends Sections 3(g), 4(h), and 5(c) to specify that the appropriations are subject to the contingency set forth in Section 2.(c), requiring compliance with the requirements of the federal CARES Act and federal Treasury guidance.

Amends Section 4(a) to specify that the purpose of the Increased Investment grant program is to invest increased investment in the State in 2020 and 2021.

Amends Section 4(c) to specify that to be eligible for a grant, the Economic Investment Committee must find that the total benefit of a business' investment to the State under the grant appropriate for the investment.

Amends Section 4(h) to change the date by which unexpended funds revert from December 30, 2022 to December 31, 2023.

Adds new Section 5.1 to authorize the Department of Commerce to use up to 5% of the amount of funds appropriated to each program created pursuant to this act for administration of each program, respectively.

Adds two new sections to reenact and incorporate the State Budget Act, GS 143C, by reference, and to provide for the continued validity of 2019 legislative appropriating funds to entities covered by the act, unless expressly repealed or amended.

Intro. by Newton, Hise, Tillman.

APPROP

**Business and Commerce, Government,
Budget/Appropriations, Public Safety and Emergency
Management, State Agencies, Department of Administration,
Department of Agriculture and Consumer Services, Local
Government**

[View summary](#)

LOCAL/HOUSE BILLS

H 1113 (2019-2020) **LOCAL OPTION SALES TAX/SCHOOL CONSTRUCTION. (NEW)** Filed May 14 2020, *AN ACT TO ALLOW GUILFORD COUNTY TO DEDICATE THE CHAPTER 105 ARTICLE 46 ONE-QUARTER CENT COUNTY SALES AND USE TAX TO PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES ONLY.*

House committee amends 1st edition as follows:

Amends the proposed changes to GS 105-357 as it applies to Guilford County so that (1) the referendum on the additional local sales tax contemplated by this bill is held in accordance with G.S. 163-287 (instead of GS 163A-1592), and (2) the ballot question specifically states the amount of the additional local option sales tax (.25%). Eliminates proposed subsection (d), which would have permitted the county to combine the referendum for the additional local option sales tax with a bond referendum.

Amends the proposed changes to GS 105-358 as it applies to Guilford County so that a referendum held pursuant to GS 105-357 for an additional local option tax allows voters to choose from only two permissible uses for net proceeds of that tax: (1) any public purpose or (2) only public school capital outlay purposes (previously also included only public education purposes, only supplements of classroom teacher salaries, and only financial support of community colleges).

Further amends G.S. 105-358 as it applies to Guilford County to require that if the additional local option sales tax approved by the voters is levied for public school capital outlay purposes, the county must maintain at least the same amount of public school capital outlay funding as in the fiscal year prior to the fiscal year in which the voters approve the additional local option sales taxes.

Makes conforming changes and changes the act's titles.

Intro. by Hardister, Clemmons, Faircloth, Brockman.

Guilford

[View summary](#)

Tax

H 1151 (2019-2020) **ASHEVILLE-BUNCOMBE BD. OF TRUSTEES.** Filed May 18 2020, *AN ACT TO CLARIFY THE APPOINTMENTS MADE BY THE BOARDS OF EDUCATION TO THE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE BOARD OF TRUSTEES.*

AN ACT TO CLARIFY THE APPOINTMENTS MADE BY THE BOARDS OF EDUCATION TO THE ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE BOARD OF TRUSTEES. SL 2020-20. Enacted June 17, 2020. Effective June 17, 2020, and applies to appointments made on or after July 1, 2021.

Intro. by B. Turner, Fisher, Ager.

Buncombe

[View summary](#)[Education, Higher Education](#)

H 1157 (2019-2020) [ABOLISH CORONER IN VARIOUS COUNTIES. \(NEW\)](#) Filed May 19 2020, *AN ACT ABOLISHING THE OFFICE OF CORONER IN AVERY, BLADEN, HOKE, AND MONTGOMERY COUNTIES.*

AN ACT ABOLISHING THE OFFICE OF CORONER IN AVERY, BLADEN, HOKE, AND MONTGOMERY COUNTIES. SL 2020-21. Enacted June 17, 2020. Sections 2 and 3 are effective January 1, 2021. The remainder is effective June 17, 2020.

Intro. by Brewer.[Avery, Bladen, Hoke, Montgomery](#)[View summary](#)[Health and Human Services, Health, Public Health](#)

LOCAL/SENATE BILLS

S 201 (2019-2020) [BOLTON, DUNN, JACKSONVILLE BOUNDARIES. \(NEW\)](#) Filed Mar 6 2019, *AN ACT TO CORRECT A TYPOGRAPHICAL ERROR IN S.L. 2005-141, TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF BOLTON, TO ADD CERTAIN DESCRIBED PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF DUNN, AND TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE CITY OF JACKSONVILLE.*

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

Makes the deannexation of the previously described territory from the corporate limits of the Town of Bolton effective June 30, 2020 (was, June 30, 2019). Provides that properties in the described territory as of January 1, 2020, are no longer subject to municipal taxes imposed beginning July 1, 2020 (was, as of January 1, 2019, and beginning on or after July 1, 2019).

Adds the following.

Adds the described territories to the corporate limits of the City of Dunn, effective June 30, 2020. Provides that properties in the described territory as of January 1, 2020, are subject to municipal taxes imposed beginning July 1, 2020.

Removes the parcel identified from the corporate limits of the City of Jacksonville. Provides that properties in the described territory as of January 1, 2020, are no longer subject to municipal taxes imposed beginning July 1, 2020. Includes a savings clause for valid liens for outstanding ad valorem taxes or special assessments before the effective date.

Makes conforming changes to the act's titles.

Intro. by Britt.[Columbus, Harnett, Onslow](#)[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 77: [DOT 2020-2021 FY BUDGET/GOVERNANCE. \(NEW\)](#)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Transportation

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted
Senate: Re-ref Com On Finance
Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

H 118: COVID-19 LIAB. SAFE HARBOR. (NEW)

Senate: Reptd Fav

H 258: EXPAND ELIGIBILITY FOR UTILITY ACCOUNT.

Senate: Withdrawn From Com
Senate: Re-ref to Commerce and Insurance. If fav, re-ref to Rules and Operations of the Senate

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

House: Ratified

H 308: VARIOUS AG/NER CHANGES. (NEW)

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Finance

H 340: AMEND APPT FOR COMPACT ON EDUCATION/MILITARY.

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

H 425: IMPLEMENT CONNER'S LAW. (NEW)

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

H 451: TITUS'S LAW.

Senate: Withdrawn From Com
Senate: Re-ref to Health Care. If fav, re-ref to Rules and Operations of the Senate

H 463: EDUCATION IN PRISONS. (NEW)

Senate: Passed 2nd Reading

H 471: EXEMPT DIRECT PRIMARY CARE FROM DOI REGS. (NEW)

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

H 511: NORTH CAROLINA FIRST STEP ACT. (NEW)

House: Conf Report Adopted
House: Ordered Enrolled
House: Ratified
House: Pres. To Gov. 6/17/2020

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

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

H 635: PURCHASE & CONTRACTS BENCHMARKS/PROPERTY.

Senate: Reptd Fav

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

House: Concurred In S Com Sub

House: Ordered Enrolled

House: Ratified

House: Pres. To Gov. 6/17/2020

H 694: DESIGNATE LEGACY AIRPORTS.

Senate: Withdrawn From Com

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

H 806: HOA/CONDO POOL OPENING LTD. LIABILITY. (NEW)

Senate: Reptd Fav

H 873: SYSTEM DEVELOPMENT FEE/ADU SEWER PERMIT. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

H 1035: 2020-2021 CALENDAR MODIFICATIONS. (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 Rules and Operations of the Senate

H 1050: PED/LOW-PERFORMING SCHOOL DISTRICTS.

Senate: Reptd Fav

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

H 1052: PED REPORT/STUDENT FINANCIAL ASSISTANCE.

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

Senate: Withdrawn From Com

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

H 1070: EMERGENCY GRANTS FOR CERTAIN MILK PRODUCERS. (NEW)

House: Reptd Fav

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

H 1080: REVENUE LAWS RECOMMENDATIONS.

House: Ruled Material

House: Reptd Fav Com Sub 2

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/18/2020

H 1082: ABC ADMIN. PENALTIES/ALCOHOL CONSUMABLES. (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 Rules and Operations of the Senate

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 1096: UNC OMNIBUS CHANGES/UNC LAB SCHOOL FUNDS. (NEW)

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

H 1163: GUILFORD FUNDS/CABARRUS LAND/BRUNSW SHELLFISH. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 1168: MURPHY BRANCH CORRIDOR REDUCTION.

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

House: Ratified

H 1229: UI PROGRAM INTEGRITY/TEMP. ABAWD TIME WAIVERS.

Senate: Amend Adopted A1

Senate: Passed 3rd Reading

Senate: Engrossed

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

S 155: ASSESS COSTS OF LOCAL LEO CRIME LAB ANALYSIS.

House: Withdrawn From Com

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

S 374: REPEAL RISKY RETIREMENT PAYMENTS.

House: Reptd Fav Com Substitute

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

S 380: CLARIFY FELONY POSSESS SWEEPSTAKES MACHINE. (NEW)

House: Reptd Fav Com Sub 2

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

S 488: DMV/MV DEALER CHANGES. (NEW)

House: Regular Message Sent To Senate

S 562: THE SECOND CHANCE ACT.

Senate: Ratified

S 595: CHANGES TO REAL PROPERTY STATUTES.

House: Regular Message Sent To Senate

Senate: Regular Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 06/18/2020

S 599: OPEN SKATING RINKS/BOWLING ALLEYS. (NEW)

House: Passed 3rd Reading

House: Ordered Engrossed

House: Special Message Sent To Senate

Senate: Special Message Received For Concurrence in H Com Sub

Senate: Placed On Cal For 06/18/2020

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

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 708: CPS INTAKE SCREENING/PED RECOMMENDATIONS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

Senate: Ratified

S 730: THE NO PATIENT LEFT ALONE ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 739: PERSONAL DELIVERY DEVICE/PDD/DELIVERY ROBOTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 750: CAPITAL PROJECTS-ELIZABETH CITY STATE UNIV. (NEW)

House: Withdrawn From Cal

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

LOCAL BILLS

H 1113: LOCAL OPTION SALES TAX/SCHOOL CONSTRUCTION. (NEW)

House: Reptd Fav Com Substitute

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

H 1151: ASHEVILLE-BUNCOMBE BD. OF TRUSTEES.

House: Ratified

H 1156: CASWELL CTY/REFERENDUM ON COUNTYWIDE ZONING.

Senate: Reptd Fav

H 1157: ABOLISH CORONER IN VARIOUS COUNTIES. (NEW)

House: Ratified

S 201: BOLTON, DUNN, JACKSONVILLE BOUNDARIES. (NEW)

House: Ruled Material

House: Reptd Fav Com Substitute

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

S 286: AMEND FIRE PROT. FEES/UNION/BRUNSWICK.

House: Reptd Fav

House: Re-ref Com On Finance

© 2020 School of Government The University of North Carolina at Chapel Hill

This work is copyrighted and subject to "fair use" as permitted by federal copyright law. No portion of this publication may be reproduced or transmitted in any form or by any means without the express written permission of the publisher. Distribution by third parties is prohibited. Prohibited distribution includes, but is not limited to, posting, e-mailing, faxing, archiving in a public database, installing on intranets or servers, and redistributing via a computer network or in printed form. Unauthorized use or reproduction may result in legal action against the unauthorized user.

[Print Version](#)