



## The Daily Bulletin: 2020-06-23

### PUBLIC/HOUSE BILLS

H 593 (2019-2020) **JCPC/DETENTION/CAA AND OTHER FEES. (NEW)** Filed Apr 3 2019, *AN ACT TO MAKE VARIOUS MODIFICATIONS TO THE GENERAL STATUTES RELATED TO JUVENILE CRIME PREVENTION COUNCILS, INDIVIDUALS UNDER EIGHTEEN IN CUSTODY, THE STATEWIDE MISDEMEANANT CONFINEMENT PROGRAM, CRIMINAL COURT FEES, AND RADIOLOGICAL EMERGENCY PLANNING FEES; TO APPROPRIATE FUNDS; TO CREATE A REGISTRY REQUIREMENT REVIEW FOR CERTAIN SEX OFFENDERS; AND TO CLARIFY DECLARATION PUBLICATION.*

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

Adds new Part VI, enacting GS 14-208.12B to require a sheriff who suspects that a person is required to register as a sex offender based on a reportable conviction based on either an out-of-state conviction or a federal conviction that is substantially similar to a North Carolina sexually violent offense, or an offense against a minor, to notify the person of the right to petition the court for a judicial determination of the requirement to register; review is limited to whether the out-of-state or federal conviction is substantially similar to a reportable conviction. Sets out the process for submitting the petition. Requires the hearing to be scheduled at the next regularly scheduled term of Superior Court in the District no less than three weeks from filing of the petition and no later than 120 days from filing of the petition. If the person does not register or file the form within 30 days of receiving notification of the requirement to register the person, judicial review is deemed waived.

Specifies that the district attorney has the burden to prove by a preponderance of the evidence, that the person's out-of-state or federal conviction is final, and for an offense, which if committed in North Carolina, was substantially similar to a sexually violent offense or an offense against a minor. Requires the judge, if the burden is met, to make a finding that the offense is substantially similar, and registration is required. Provides that the notified person is not required to register and may not be charged with failure to register or any other violation applicable to registrants until the presiding superior court judge rules on the petition and orders that the notified person register under the State's sex offender registration program or until 30 days has lapsed since notification of the requirement to register by the sheriff.

Makes failure to file a petition under the new provision and not registering a Class F felony.

Specifies that this process may not be used in lieu of the process in GS 14-208.12A to terminate the registration period.

Provides employees of a Sheriffs' Office, District Attorney's Office, and the NC State Bureau of Investigation with civil and criminal liability when performing their official duties under this statute.

Applies to individuals notified to register on or after August 1, 2020.

Adds new Part VII, amending GS 166A-19.31 to require municipalities and counties to submit notice and a signed copy of any adopted emergency declaration to the Division of Management using the State crisis management software, as well as posting a signed copy of the declaration on their website, if applicable.

Makes conforming changes to the act's long title.

**Intro. by Richardson, Morey, John, Rogers.**

[APPROP, GS 7A, GS 14, GS 15, GS 15A, GS 143B, GS 148, GS 153A, GS 162, GS 166A](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Corrections \(Sentencing/Probation\), Criminal Law and Procedure, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Department of](#)

**Public Safety, Local Government, Health and Human  
Services, Health, Mental Health**

H 885 (2019-2020) **ONLY ALLOW COURTS TO CHARGE FTA FEE ONCE. (NEW)** Filed Apr 16 2019, *AN ACT TO PROVIDE THAT ONLY ONE FEE MAY BE ASSESSED TO A DEFENDANT FOR FAILING TO APPEAR IN COURT IN A CRIMINAL CASE.*

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

Modifies the proposed changes to GS 7A-304 to clarify that the \$200 fee for failure to appear can only be collected, rather than assessed, once in a criminal case.

**Intro. by R. Turner, McGrady, McNeill, Faircloth.**

**GS 7A**

[View summary](#)

**Courts/Judiciary, Court System, Criminal Justice, Criminal  
Law and Procedure**

H 1023 (2019-2020) **STORM RECOVERY ACT OF 2019.** Filed Oct 22 2019, *AN ACT TO PROVIDE DISASTER RELIEF FROM HURRICANE DORIAN AND OTHER NAMED STORMS.*

Senate committee substitute to the 3rd edition deletes all provisions of the 3rd edition and replaces it with the following.

Part I

Section 1.1.(a) revises Section 2.3 of SL 2020-4 (2020 COVID-19 Recovery Act) by deleting the statement of legislative intent to appropriate \$150,000,000 if local governments experience a revenue shortfall and the federal CARES Act is amended to allow the use of federal funds for that purpose.

Section 1.1.(b) revises Section 3.1 of SL 2020-4 by transferring \$300,000,000 (was, \$150,000,000) from the Local Government Coronavirus Relief Reserve (Local Reserve) to the Coronavirus Relief Fund (Fund).

Section 1.1.(c) revises Section 3.2 of SL 2020-4 by increasing the appropriations from the Fund to the Office of State Budget and Management (OSBM) to \$2,095,988,029 (was, \$1,425,988,029).

Section 1.1.(d) makes various revisions to Section 3.3. of SL 2020-4 regarding OSBM's allocation of appropriated funds, effective June 15, 2020, as follows.

Amends subdivision (2) by allocating \$300,000,000 (was, \$150,000,000) to counties ineligible to receive direct funding from the CARES Act. Directs counties to allocate 25% of these funds (previously permitted counties to allocate amount in their discretion) for use by municipalities and provides that municipalities must return allocated funds to the county absent developing a plan to spend the funds by September 1, 2020.

Amends subdivision (4) by extending the deadline regarding the conditional revision of specified US Department of Treasury guidelines to September 1, 2020 (was, June 15, 2020) in order to allocate \$300,000,000 to the General Maintenance Reserve in the Highway Fund.

Amends subdivision (6) to provide that the funds allocated to Department of Public Instruction (DPI) must be used for emergency school nutrition services including innovative school meals and that school units participating in the Summer Food Service Program are eligible. Clarifies that meals are to be provided to students (previously recipients were unspecified). Changes relevant nutrition program participation period for units from March 16, 2020, to December 30, 2020 (was to end of the 2019-2020 school year).

Amends subdivision (32) by allocating \$7,425,000 (was, \$5,000,000) to OSBM to be allocated to the North Carolina Association of Free and Charitable Clinics and clarifying that funds can be used for other costs allowed pursuant to federal guidance in addition to emergency costs.

Amends subdivision (34) by allocating \$7,425,000 (was, \$5,000,000) to OSBM to be allocated to the North Carolina Community Health Center Association and clarifying that funds can be used for emergency and other costs allowed pursuant to federal guidance. Makes technical changes regarding name of association and acronym.

Amends subdivision (42) by allocating \$3,550,000 (was, \$2,250,000) to the Department of Health and Human Services (DHHS), Division of Social Services for \$100 supplemental payments for each child receiving foster care assistance payments beginning in April 2020 and continuing until funds are exhausted (previously ended June 2020).

Amends subdivision (44) by allocating \$14,500,000 (was, \$4,500,000) to the Department of Commerce for marketing COVID-19 concepts, strategies, and materials, as specified. Makes conforming changes.

Enacts new subdivision (47) allocating \$10,000,000 to the Department of Agriculture and Consumer Services to be used in accordance with Section 4.2A of the act (as enacted, regarding grants for small meat processing facilities).

Enacts new subdivision (48) allocating \$2,000,000 to the General Assembly to cover allowable costs incurred as a result of the COVID19 pandemic.

Enacts new subdivision (49) allocating \$750,000 to the Department of Information Technology, Government Data Analytics Center (GDAC) to develop a COVID-19 economic analytics and reporting tool, as specified.

Enacts new subdivision (50) allocating \$4,800,000 to UNC Chapel Hill to be used for the UNC School of Medicine Asheville Campus joint program related to COVID-19 response activities.

Enacts new subdivision (51) allocating \$15,000,000 to the Department of Commerce for job retention grants awarded by the Economic Investment Committee pursuant to Section 4.2B of the act (as enacted, regarding job retention grants).

Enacts new subdivision (52) allocating \$120,000,000 to the Department of Public Safety, Division of Emergency Management to be used as the State match for any Federal Emergency Management Agency public assistance funds provided for the COVID-19 pandemic.

Enacts new subdivision (53) allocating \$2,600,000 to OSBM to provide additional funding for NC HealthConnex for COVID-19 related operations and improvements, as specified.

Enacts new subdivision (54) allocating \$3,500,000 to the Administrative Office of the Courts (AOC) to be used as a grant for Caitlyn's Courage, Inc. in accordance with Section 4.2C of the act (as enacted).

Enacts new subdivision (55) allocating \$2,000,000 to the Wildlife Resources Commission to be allocated to the Outdoor Heritage Special Fund for the Outdoor Heritage Advisory Council's NC Schools Go Outside grant program.

Enacts new subdivision (56) allocating \$400,000 to the Department of Natural and Cultural Resources for the State Library's NC Kids Digital Library for enhancement of digital offerings.

Enacts new subdivision (57) allocating \$400,000 to the Department of Natural and Cultural Resources to be allocated to the North Carolina Museum of History for virtual and online programs and access.

Enacts new subdivision (58) allocating \$1,000,000 to the Department of Natural and Cultural Resources to be allocated to the North Carolina Zoological Park for health and safety enhancements related to COVID-19.

Enacts new subdivision (59) allocating \$725,000 to the Department of Commerce to be allocated to the High Point International Home Furnishings Market Authority Corporation to enable the Market to open during its international shows.

Enacts new subdivision (60) allocating \$1,500,000 to the Department of Commerce to contract with a nonprofit corporation for grants targeted to areas most dependent on travel and tourism, as specified.

Enacts new subdivision (61) allocating \$500,000 to the Department of Commerce to be allocated to the North Carolina Biotechnology Center for grants and job placement services related to workers displaced by COVID-19, as specified.

Enacts new subdivision (62) allocating \$2,500,000 to the Department of Commerce to be used in accordance with Section 4.2D of the act regarding the Plasma Games Pilot Program (as enacted).

Enacts new subdivision (63) allocating \$7,000,000 to the Department of Public Instruction to provide personal protective equipment for public schools to facilitate in-person instruction for the 2020-21 school year, as specified.

Enacts new subdivision (64) allocating \$5,000,000 to the Department of Public Instruction to hold in reserve to award as grants in the Department's discretion to public school units that apply for funds to provide access to services for exceptional children.

Enacts new subdivision (65) allocating \$3,000,000 to UNC Pembroke for an analytics project focusing on the COVID-19 pandemic, as specified.

Enacts new subdivision (66) allocating \$2,000,000 to UNC Pembroke for the Department of Nursing for specialized training related to COVID-19.

Enacts new subdivision (67) allocating \$5,000,000 to DHHS, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to be allocated to group homes to support implementation of CDC guidance related to these facilities. Defines the term *group home* for purposes of the subdivision.

Enacts new subdivision (68) allocating \$7,000,000 to OSBM to be allocated in equal amounts to Good Hope Hospital, Inc., Lake Norman Regional Medical Center, Cape Fear Valley Health Hoke Hospital, Catawba Valley Medical Center, Davis Regional Medical Center, Carolinas Healthcare System Blue Ridge, and AdventHealth Hendersonville to be used to offset expenses related to patient care from the COVID-19 pandemic. Specifies expenses which may be offset and requires grant recipients to provide a report of expenditures and other matter to relevant legislative committees by December 1, 2020.

Enacts new subdivision (69) allocating \$2,500,000 to OSBM to be allocated to any county designated as a tier two area with a population of less than 150,000 that has a hospital within its borders meeting certain specified criteria. Directs counties to distribute allocated funds to eligible hospitals to offset expenses related to patient care from the COVID-19 pandemic. Specifies expenses which may be offset and requires grant recipients to provide a report of expenditures and other matter to relevant legislative committees by December 1, 2020. Creates civil liability for counties, county officials, and county employees who misuse funds.

Enacts new subdivision (70) allocating \$4,300,000 to OSBM to be allocated to the Children's Advocacy Centers of North Carolina, Inc., to be distributed to child advocacy centers to cover the cost of increased child caseloads and virtual counseling due to the COVID-19 pandemic.

Enacts new subdivision (71) allocating \$375,000 to OSBM to be allocated to the Crossnore School and Children's Home for COVID-19 related preventative protective measures.

Section 1.1(e) adds the following new Sections to SL 2020-4.

#### Section 4.2A

States legislative findings concerning the impact of the COVID-19 emergency on small livestock producers and independent meat processors.

Directs the Department of Agriculture and Consumer Services (DACS) to determine if allocations made in subdivision 3.3(47) of SL 2020-4, as amended, are sufficient to improve the COVID-19 related slowdowns and mitigate capacity reductions, and if insufficient, to notify the State Controller who must deposit funds into the Coronavirus Relief Reserve. If DACS determines sufficient funds are allocated, requires DACS to use the funds for three types of grants: capacity enhancement grants, workforce development grants, and planning grants. Describes the availability and permitted uses of each grant, with capacity enhancement and workforce development grants provided to eligible meat processing facilities and planning grants available to nonprofits and higher education institutions.

Requires DACS to develop policies and procedures for the disbursement of grants that includes specified restrictions and requirements, including that grant eligibility be restricted to meat processing facilities that either (1) contract with independent livestock producers to process animals owned by the producers, and the USDA contracts with DACS to conduct federal inspection activities authorized by federal law at the plant, or the plant is a State-inspected facility, or (2) are a catfish aquaculture operation that raises and processes catfish. Also provides for use restrictions, prioritization of projects with job creation, and matching requirements of \$1 for every \$2 in grant funds.

Provides for repayment of grant funding for fixtures or equipment purchased with the grant funds and disposed of, as defined, during a period of time DACS can specify following their placement in service.

Requires DACS to transfer disallowed allocations under federal law as specified for ultimate transfer back to the Coronavirus Relief Reserve.

## Section 4.2B

States the purpose of the Section regarding the use of funds from the Coronavirus Relief Fund to help NC businesses and nonprofits after the COVID-19 pandemic. Directs the Department of Commerce to use funds allocated in subdivision 3.3(51) of SL 2020-4, as amended, to provide the following described grants.

Establishes the COVID-19 Job Retention Program (program), administered by the Economic Investment Committee (Committee), to provide one-time grants of up to \$250,000 to a business or nonprofit that retained jobs during and after the COVID-19 pandemic and meets program requirements. Limits program eligibility to businesses and nonprofits that: (1) employ at least 90% of the number of full-time or equivalent employees during the COVID-19 period in NC as it employed for the pay period ending on or about February 28, 2020; (2) for businesses, have sales for the COVID-19 period that are at least 10% below its sales during the same period in the preceding calendar year, and for nonprofits, gross receipts for the COVID-19 period are at least 10% below its gross receipts for the same period in the preceding calendar year.; and (3) did not participate in the Paycheck Protection Program (PPP), the Main Street Loan Program, or the Rapid Recovery Loan Program, as defined. Provides 11 defined terms. Defines a business to mean an entity subject to income tax, and defines a nonprofit to mean an entity exempt from income tax under GS 105-130.11(a)(3) or GS 105-130.11(a)(6). Defines the COVID-19 period to mean the period beginning March 1, 2020, and ending May 31, 2020. Provides for grants awards to be up to two months of the business's average monthly payroll costs, as defined, from the last year plus an additional 25%. Caps the total of all funds granted under the program at \$15 million. Directs the Committee to calculate the total amount of grants requested from the applications timely filed and to proportionately reduce each grant award of the total amount requested exceeds this amount. Requires applications to be filed by September 1, 2020, as specified by the Committee.

## Section 4.2C

States legislative findings regarding the impact of the COVID-19 pandemic on domestic violence.

Requires the funds allocated in subdivision 3.3(54) in SL 2020-4, as amended, to the Administrative Office of the Courts (AOC) to be used as a grant for Caitlyn's Courage, Inc. to conduct a pilot program in at least nine judicial district with varying caseloads. Requires Caitlyn's Courage to collaborate with AOC and the respective Chief District Court Judges in developing implementation plans.

Details the four components of the pilot project, including: (1) allowing the use of GPS tracking devices as a condition of pretrial release for defendants of crimes related to stalking, sexual assault, domestic abuse, and violations of a domestic violence protective order (DVPO); (2) establish a local implementation team of specified officials and individuals involved in the court system; (3) operate a 24-hour monitoring system that contacts victims if an offender violates a relevant pretrial release condition or a DVPO; and (4) train all program participants regarding the GPS tracking devices used by the program.

Details seven specifications the electronic monitoring devices used by the program must employ, including the ability to record the offender's immediate location at all times and the ability to automatically notify the victim if an offender is within a restricted proximity to the victim pursuant to court order.

Directs Caitlyn's Courage, Inc. to report to the specified NCGA committees and division by April 1, 2021, on the pilot program, including specified content such as current and future estimated costs of the program's implementation. Requires consultation with participating judicial districts and the ECU Department of Criminal Justice.

## Section 4.2D

Requires the Office of Science, Technology, and Innovation (Office) to administer a pilot program (pilot) to promote access to innovative digital and personalized learning solutions for high school students that bridge the gap between chemistry and physical science classes and career and technical education (CTE) career pathways. Requires the local school administrative units to incorporate STEM-focused educational software programs developed by Plasma Games, Inc., in select STEM classes and their CTE programs to encourage student interest and workforce development for chemistry-dependent industries located in the state. Requires the pilot to be conducted for the 2020-21 school year.

Requires a participating local school administrative unit to provide the Office with a plan for the placement of the technology in its school and sets out requirements for the plan and its implementation.

Requires funds allocated in subdivision 3.3(62) of SL 2020-4, as amended, to be used to provide funds for participating local school administrative units to be used for licensing fees, for educational software, Plasma Games' operating costs, and for

implementation of the pilot.

Requires participating local school administrative units to provide a report by May 1, 2021, to the Office on the implementation of the pilot for the school year, including the specified information. Requires the Office to provide a report by June 1, 2021, to the specified NCGA committee and Division on the implementation of the pilot and the information reported by participating local school administrative units.

Section 1.1(f) amends Section 4.23 of SL 2020-3 (2020 COVID-19 Recovery Act), which (1) institutes a one-month separation requirement for retirement to become effective for retirees of the Teachers' and State Employees' Retirement System (TSERS) for individuals that retired on or after October 1, 2019, but before April 1, 2020; (2) sets forth further provisions applicable upon the expiration of the temporary changes to TSERS, including that for eligible retirees during the identified period, any time worked between March 10, 2020, and the time the changes expire is not considered work for purposes of the separation requirement; (3) provides that any earnings received between March 10, 2020, and time the changes expire are not earnings by a TSERS beneficiary law or earnings by a beneficiary of the Local Government Employees Retirement System under state law; and (4) provides that any benefits received by or paid to a law enforcement officer or retired law enforcement officer for separation allowances under Article 12D of GS Chapter 143 cannot be impacted by any work performed between March 10, 2020, and the time the changes expire. Changes the date for expiration of the Section's provisions from August 1, 2020, to August 31, 2020.

## Part II

Amends Section 1.7 of SL 2020-4 to extend the reporting requirement for OSBM on the use of allocated funds under SL 2020-4, from March 1, 2021, to April 1, 2021. Makes the same extension for the State Auditor's preliminary financial audit and final report on the Coronavirus Relief Fund required under Section 1.8 of SL 2020-4.

Authorizes the Department of Public Instruction to withhold up to \$12 million for the 2020-21 fiscal year from the transportation allotment and allocate those funds as needed for transportation expenses related to emergency school nutrition services provided between July 1, 2020, and the beginning of the 2020-21 school year to participating public school units. Effective July 1, 2020.

Directs the State Board of Education (State Board) to report to the specified NCGA committee by October 15, 2021, on unpaid meal charges in local school administrative units, including specified information. Directs DPI to transfer \$3.9 million in nonrecurring funds from the cash balance of the School Bus Replacement Fund to the State Public School Fund for the 2020-21 fiscal year. Appropriates the transferred funds to provide lunches at no cost to students of all grades qualifying for reduced-price meals in all participating schools for the 2020-21 school year. Provides for DPI to use excess funds appropriated to the breakfast program to implement the provisions if transferred funds are insufficient. Effective July 1, 2020.

Directs OSBM to reduce the appropriations from the Civil Penalty and Forfeiture Fund to the School of Technology Fund by \$18 million in nonrecurring funds for 2020-21; instead appropriates that amount from the Civil Penalty and Forfeiture Fund to the State Public School Fund, and directs OSBM to reduce the General Fund appropriations from the State Public School Fund by that amount. Appropriates from the General Fund the \$18 million now available in nonrecurring funds for 2020-21 to DPI to implement the School Business System Modernization Plan set out in SL 2017-57. Requires DPI to transfer up to \$650,000 of the funds to the Government Data Analytics Center (GDAC) to leverage existing public-private partnerships for ongoing support of the annual school report card data system and the School Finance Reporting system; requires up to \$400,000 of those funds to be used for the annual school report card data system and \$250,000 for the School Finance Reporting system. Requires GDAC to enter into contracts and interagency data sharing agreements to accomplish the required reporting system under SL 2017-57, by October 1, 2020. Requires DPI to continue partnering to accomplish the continued development, deployment, and ongoing provision of a data integration service that consolidates data from financial, human resources, licensure, student information, and EVAAS. Effective July 1, 2020.

Requires the Division of Central Management and Support of the Department of Health and Human Services to waive the 15% match requirement for the competitive grant process for nonprofit organizations for the 2020-21 fiscal year required under Section 11A.14(b)(2) of SL 2017-57, as amended.

## Part III

Provides for the continued validity of 2019 legislation appropriating funds from the Coronavirus Relief Fund to an entity covered by the act, unless expressly repealed or amended by the act or any of the following: SL 2020-4; SL 2020-14; SB 805;

SB 808; SB 816; SB 836; HB 1071; HB 1087; and HB 1229.

Directs OSBM to deposit any remaining funds in the Coronavirus Relief Reserve in the General Fund as nontax revenue for the 2020-21 fiscal year if permitted by federal law or guidance, to remain until legislatively appropriated.

Authorizes OSBM to use up to \$645 million appropriated from the Coronavirus Relief Fund in SB 805 for revenue replacement and to establish the Statewide Reserve for Appropriations required by that act, if SB 805 or similar legislation becomes law and federal law or guidance permits. Additionally repeals SB 805's requirement to reduce the Reserve's negative appropriation balance if that act becomes law.

Provides for the effect of the act's headings. Includes a severability clause. Changes the act's short title to Coronavirus Relief Fund/Additions & Revisions. Changes the long title to AN ACT TO PROVIDE ADDITIONAL AND REVISED USES FOR FEDERAL CORONAVIRUS RELIEF FUNDS; TO PROVIDE ADDITIONAL FUNDING FOR SCHOOL NUTRITIONAL NEEDS; TO EXTEND THE ABILITY OF CERTAIN GOVERNMENTAL RETIREES TO ENGAGE IN PART-TIME EMPLOYMENT WITHOUT AFFECTING RETIREMENT; TO PROVIDE FUNDING FOR THE IMPLEMENTATION OF THE SCHOOL BUSINESS SYSTEM MODERNIZATION PLAN; TO WAIVE MATCH REQUIREMENTS FOR A CERTAIN COMPETITIVE GRANT PROCESS FOR NONPROFITS; AND TO MAKE TECHNICAL CHANGES.

**Intro. by Rules, Calendar, and Operations of the House.**

**APPROP, UNCODIFIED**

**Agriculture, Animals, Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Employment and Retirement, Government, Budget/Appropriations, Cultural Resources and Museums, General Assembly, Public Safety and Emergency Management, State Agencies, UNC System, Department of Agriculture and Consumer Services, Department of Commerce, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Health and Human Services, Department of Information Technology, Department of Justice, Department of Public Instruction, Department of Public Safety, Department of Transportation, Office of State Auditor, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health, Social Services, Child Welfare, Public Assistance, Nonprofits, Transportation**

[View summary](#)

H 1064 (2019-2020) **GSC CLARIFYING BINGO LICENSE STATUTE**. Filed May 8 2020, *AN ACT TO CLARIFY THE BINGO LICENSE STATUTE, AS RECOMMENDED BY THE 3 GENERAL STATUTES COMMISSION, AND TO MAKE ADDITIONAL TECHNICAL 4 CORRECTIONS AND TO AMEND THE RULES OF CIVIL PROCEDURE AND THE CRIMINAL PROCEDURE ACT CONCERNING THE GRANTING OF CONTINUANCES FOR GOOD CAUSE ON ACCOUNT OF SERVICE ON A STATE BOARD, COMMISSION, OR AUTHORITY AS AN APPOINTEE OF THE GOVERNOR, LIEUTENANT GOVERNOR, OR GENERAL ASSEMBLY.*

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

Changes the act's long title. Reorganizes Sections 1, 2, 3, and 4 of the act into Sections 1(a), 1(b), 1(c), and 1(d) respectively.

Adds new Section 2(a) that amends GS 1A-1, Rule 40 of the Rules of Civil Procedure, by replacing possessive pronoun and providing a broader definition of good cause for a continuance to include any service in carrying out any duties as a member of the General Assembly (was, service as a member) and service on any other board, commission, or authority as an appointee of the Governor, Lieutenant Governor, or the General Assembly (previously limited to service on the Rules Review Commission).

Adds new Section 2(b) that amends GS 15A-952 of the Criminal Procedure Act regarding filing pretrial motions to provide that good cause for granting a continuance includes any service in carrying out any duties as a member of the General

Assembly (was, service as a member) and service on any other board, commission, or authority as an appointee of the Governor, Lieutenant Governor, or the General Assembly (previously limited to service on the Rules Review Commission).

Provides that Section 2 becomes effective December 1, 2020.

Makes conforming changes.

**Intro. by Davis.**

[GS 1A, GS 14, GS 15A](#)

[View summary](#)

**Courts/Judiciary, Civil, Civil Procedure, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Public Safety, Lottery and Gaming, Nonprofits**

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

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

Amends GS 105-153.5 to modify the itemized deduction individual taxpayers may elect to deduct from their adjusted gross income for medical and dental expenses. Modifies the definition of *medical and dental expense* in GS 105-153.5(a)(2)c. for taxable years 2019 and 2020 to decouple from the extension of the 7.5% floor for the medical and dental expense deduction, by defining the term *Code* to mean the Internal Revenue Code as enacted as of January 1, 2019.

Makes conforming organizational changes. Also, inadvertently changes the subsection of GS 105-153.5 amended by the act, regarding decoupling adjustments, from (c2) to (c3).

Changes the act's long title.

**Intro. by Howard, Ross, Setzer, Szoka.**

[GS 58, GS 93B, GS 105, GS 119, GS 143B, GS 153A, GS 160A](#)

[View summary](#)

**Business and Commerce, Insurance, Occupational Licensing, Development, Land Use and Housing, Community and Economic Development, Education, Elementary and Secondary Education, Government, State Agencies, Department of Revenue, Tax, Local Government, Health and Human Services, Health**

H1096 (2019-2020) [UNC OMNIBUS CHANGES/UNC LAB SCHOOL FUNDS. \(NEW\)](#) Filed May 14 2020, *AN ACT TO MAKE VARIOUS CHANGES RELATED TO THE UNIVERSITY OF NORTH CAROLINA SYSTEM; TO DIRECT THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY THE FEASIBILITY OF OFFERING ACCELERATED UNDERGRADUATE DEGREE PROGRAMS AT CONSTITUENT INSTITUTIONS; AND TO PROVIDE FUNDS FOR THE UNIVERSITY OF NORTH CAROLINA LABORATORY SCHOOLS*.

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

Specifies that notwithstanding the proposed changes to GS 116-239.11, which concern required allocations by the State Board of Education to laboratory schools, the Department of Public Instruction (DPI) is prohibited from providing funding for laboratory schools for transportation services until existing transportation service agreements with the local school administrative hosting the laboratory school expire or are modified, if applicable. Requires units to provide a copy of such existing agreements to DPI.

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

[APPROP, STUDY](#)

[View summary](#)

**Business and Commerce, Courts/Judiciary, Civil, Civil Law,**



**Education, Elementary and Secondary Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System, Department of Public Instruction, Local Government**

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 amendment makes the following changes to the 4th edition.

Broadens one of the pathways for being an eligible meat processing facility for grants awarded pursuant to the act, to include plants that meet the previously specified requirements and are otherwise regulated by the USDA, as an alternative to other inspection requirements.

**Intro. by Elmore, Howard.**

**APPROP, GS 106**

[View summary](#)

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

## PUBLIC/SENATE BILLS

S 105 (2019-2020) **CLARIFY EMERGENCY POWERS. (NEW)** Filed Feb 21 2019, *AN ACT TO CLARIFY THE EXPIRATION OF A STATE OF EMERGENCY AND THE EXERCISE OF CERTAIN POWERS UNDER A STATE OF EMERGENCY AND TO CLARIFY THE ABATEMENT OF STATEWIDE IMMINENT HAZARDS.*

House committee substitute makes the following changes to the 3rd edition. Deletes the content of the 3rd edition and replaces it with the following.

Amends GS 166A-19.20 to provide for the expiration of a gubernatorially or legislatively declared statewide state of emergency upon the earlier of the date the declaration is rescinded or 30 days after the declaration (current law provides for expiration upon rescission only for both statewide and non-statewide declarations). Adds new subsection (e) to allow for an extension of a statewide declaration upon concurrence of the Council of State.

Amends GS 166A-19.3 to define *concurrence of the Council of State* to mean the Governor making contacts with each member, documenting the contact and response of each member, and releasing member responses prior to or simultaneously with exercising GS Chapter 166A authority. Also defines *statewide emergency area* to mean any emergency area applicable to two-thirds or more of the counties in the state.

Amends GS 166A-19.30 to condition the additional powers of the Governor in the event of insufficient local control of a gubernatorially or legislatively declared state of emergency to assure adequate protection for lives and property, upon concurrence of the Council of State.

Amends GS 130A-20, which provides authority for the Secretary of Health and Human Services (Secretary), Secretary of Environmental Quality, and local health directors to order abatement of an imminent hazard; enter upon property and take abatement action upon noncompliance after notice; and take a lien on the property for cost of abatement. Separates the authority of the Secretaries from the local health directors. Clarifies that the authority of local health directors applies to specific properties.

Adds new subsection (c) to grant the Secretary the authority to determine that a class or category of property uses presents an imminent hazard and to order persons in control of that type of class or category of property uses to abate the imminent hazard upon notification to the Governor and the Governor's receipt of concurrence of the Council of State. Explicitly prohibits any action to close a category or class of properties without a concurrence of the Council of State. Allows the Secretary to enter the property and take necessary abatement actions for noncompliance with the order after notice or a reasonable attempt to notify the persons in control of a specific property. Deems the Secretary of Environmental Quality to share the rights set out in new subsection (c) to enforce the waste management and drinking water regulations of Articles 9 and 10. Aligns the defined terms *concurrence of Council of State*, and *statewide*, with the new terms set out in GS 166A-19.3, as amended.

Makes conforming changes to the act's titles.

**Intro. by J. Jackson, J. Davis, Britt.**

GS 130A, GS 166A

[View summary](#)

**Government, Public Safety and Emergency Management, State Agencies, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, State Government, Executive, Local Government, Health and Human Services, Health, Public Health**

S 217 (2019-2020) [UI/PRECINCT WORKERS/2020 GENERAL ELECTION. \(NEW\)](#) Filed Mar 11 2019, *AN ACT TO PREVENT CERTAIN PAYMENTS TO PRECINCT OFFICIALS WORKING IN THE 2020 GENERAL ELECTION FROM REDUCING UNEMPLOYMENT INSURANCE BENEFITS.*

Conference report makes the following changes to the 3rd edition. Deletes the content of the 3rd edition and replaces it with the following.

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

Makes conforming changes to the act's titles.

**Intro. by Britt, Daniel.**

[View summary](#)

**Government, Elections, Health and Human Services, Social Services, Public Assistance**

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

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

Amends Section 2 by removing proposed GS 20-175.11, to no longer require registration of personal delivery devices with the Division of Motor Vehicles (Division) and payment of a registration fee prior to operating a personal delivery device.

**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 782 (2019-2020) [MERCHANDISE SALES LIMIT/MECK. DIST. CT. \(NEW\)](#) Filed May 14 2020, *AN ACT AMENDING THE CAMPAIGN FINANCE LAWS TO RAISE THE LIMIT ON MERCHANDISE SALES FOR POLITICAL PARTIES AND TO PROVIDE FOR AT-LARGE ELECTION OF DISTRICT COURT JUDGES IN MECKLENBURG COUNTY.*

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

Regarding the proposed changes to the Mecklenburg County district court judicial districts set forth in GS 7A-133, adds that all elections in 2020 must be conducted in accordance with the identified Consent Order.

**Intro. by Edwards, Hise, D. Davis.**

[Mecklenburg, GS 7A, GS 163](#)

[View summary](#)

[Courts/Judiciary, Court System, Government, Elections](#)

H 865 (2019-2020) [HONOR TONY RAND, FORMER MEMBER.](#) Filed Jun 23 2020, *A SENATE RESOLUTION HONORING THE LIFE AND MEMORY OF ANTHONY EDEN "TONY" RAND, FORMER MEMBER OF THE GENERAL ASSEMBLY.*

As title indicates. Includes whereas clauses.

**Intro. by deViere, Blue, Clark.**

[SENATE RES](#)

[View summary](#)

[Government, General Assembly](#)

## ACTIONS ON BILLS

## PUBLIC BILLS

### **H 32: [COLLABORATIVE LAW.](#)**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

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

*House: Concurred On 2nd Reading*

### **H 118: [COVID-19 LIAB. SAFE HARBOR. \(NEW\)](#)**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

### **H 258: [OPEN AMUSEMENT PARKS/ARCADES/VENUES. \(NEW\)](#)**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

### **H 308: [VARIOUS AG/NER CHANGES. \(NEW\)](#)**

*House: Failed Concur In S Com Sub*

*House: Conf Com Appointed*

*Senate: Conf Com Appointed*

### **H 425: [IMPLEMENT CONNER'S LAW. \(NEW\)](#)**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 451: TEMP. ABAWD TIME WAIVERS. (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 06/24/2020*

**H 455: AMEND VARIOUS MOTOR VEHICLE LAWS. (NEW)**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 463: EDUCATION IN PRISONS. (NEW)**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 593: JCPC/DETENTION/CAA AND OTHER FEES. (NEW)**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

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

*Senate: Conf Com Appointed*

**H 635: PURCHASE & CONTRACTS BENCHMARKS/PROPERTY.**

*House: Failed Concur In S Com Sub*

*House: Conf Com Appointed*

*Senate: Conf Com Appointed*

**H 652: FREEDOM TO WORSHIP SAFELY. (NEW)**

*House: Failed Concur In S Com Sub*

*House: Conf Com Appointed*

*Senate: Conf Com Appointed*

**H 686: FREEDOM TO CELEBRATE THE FOURTH OF JULY. (NEW)**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 694: DESIGNATE LEGACY AIRPORTS.**

*Senate: Reptd Fav*

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

*Senate: Reptd Fav*

**H 736: ELECTIVE SHARE-JOINT ACCOUNTS.**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

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

*House: Failed Concur In S Com Sub*

*House: Conf Com Appointed*

*Senate: Conf Com Appointed*

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

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 885: ONLY ALLOW COURTS TO CHARGE FTA FEE ONCE. (NEW)**

*Senate: Amend Adopted AI*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

*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 06/24/2020*

**H 902: DELAY CERTAIN ABC PERMIT RENEWAL PAYMENTS. (NEW)**

*House: Failed Concur In S Com Sub*

**H 918: EXPEDITE PERMANENCY/DHHS REPORT SNAP/TANF. (NEW)**

*Senate: Withdrawn From Cal*

*Senate: Placed On Cal For 06/24/2020*

**H 920: CONDOMINIUM ASSOCIATION CHANGES.**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 1023: STORM RECOVERY ACT OF 2019.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

*Senate: Reptd Fav*

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

*House: Ratified*

**H 1051: HONOR LINDA JOHNSON.**

*House: Ratified*

*House: Ch. Res 2020-4*

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

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 1064: GSC CLARIFYING BINGO LICENSE STATUTE.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

*Senate: Reptd Fav*

**H 1065: HONOR MARYANN BLACK, FORMER MEMBER.**

*House: Ratified*

*House: Ch. Res 2020-3*

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

*House: Withdrawn From Cal*

*House: Placed On Cal For 06/24/2020*

**H 1074: OMITTED MEMBERSHIP SERVICE/TSERS/LGERS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/24/2020*

**H 1080: REVENUE LAWS RECOMMENDATIONS.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

*Senate: Reptd Fav*

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

*House: Failed Concur In S Com Sub*

*House: Conf Com Appointed*

*Senate: Conf Com Appointed*

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

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

*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 06/24/2020*

**H 1105: COVID/SUPPLEMENTARY G.R.E.A.T. GRANT PERIOD.**

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

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 1168: MURPHY BRANCH CORRIDOR REDUCTION.**

*House: Concurred In S Com Sub*

*House: Ordered Enrolled*

**H 1201: LOCAL MEAT PROCESSORS GRANTS/MARKETING FUNDS. (NEW)**

*House: Amend Adopted A1*

*House: Amend Failed A2*

*House: Passed 2nd Reading*

**H 1205: EXPEDITED STATE LEASING-BROADBAND.**

*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 1225: EDUCATION & TRANSPORTATION BOND ACT OF 2020.**

*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*

**S 208: LIMIT LOCAL RESTRICTIONS/NONCOMMERCIAL SIGNS. (NEW)**

*House: Withdrawn From Com*

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

**S 212: NC FAST/EARLY CHILD/TRANSFORMATION/ACH ACCESS. (NEW)**

*House: Conf Com Dismissed*

*House: Conferees Reappointed*

**S 217: UI/PRECINCT WORKERS/2020 GENERAL ELECTION. (NEW)**

*Senate: Conf Com Reported*

*Senate: Conf Held As Material*

*Senate: Placed On Cal For 06/24/2020*

*House: Conf Com Dismissed*

*House: Conferees Reappointed*

*House: Conf Com Dismissed*

*House: Conferees Reappointed*

*House: Conf Com Reported*

*House: Cal Pursuant Rule 44(d)*

*House: Placed On Cal For 06/24/2020*

*House: Placed On Cal For 06/24/2020*

**S 284: COUNTY CYBERSEC./SATELLITE BROADBAND GRANTS. (NEW)**

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

**S 374: REGULATORY REFORM ACT OF 2020. (NEW)**

*House: Withdrawn From Cal*

*House: Placed On Cal For 06/24/2020*

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

*Senate: Failed Concur In H Com Sub*

*Senate: Conf Com Appointed*

*House: Conf Com Appointed*

**S 733: UNC CAPITAL PROJECTS. (NEW)**

*House: Passed 3rd Reading*

*House: Special Message Sent To Senate*

*Senate: Special Message Received For Concurrence in H Com Sub*

*Senate: Placed On Cal For 06/24/2020*

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

*House: Reptd Fav Com Substitute*

*House: Cal Pursuant Rule 36(b)*

*House: Placed On Cal For 06/24/2020*

**LOCAL BILLS**

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

*Senate: Special Message Received For Concurrence in H Com Sub*

*Senate: Held As Material*

*Senate: Placed On Cal For 06/24/2020*

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