



The Daily Bulletin: 2021-01-27

PUBLIC/HOUSE BILLS

H2 (2021-2022) [BOTTLENOSE DOLPHIN AS STATE MARINE MAMMAL](#). Filed Jan 27 2021, *AN ACT ADOPTING THE BOTTLENOSE DOLPHIN AS THE STATE MARINE MAMMAL*.

Includes whereas clauses. Enacts GS 145-52, as title indicates.

Intro. by Hanig.

[GS 145](#)

[View summary](#)

[Government, Cultural Resources and Museums](#)

H 4 (2021-2022) [EXTEND ABC PERMIT RENEWAL FEE DEFERRAL](#). Filed Jan 27 2021, *AN ACT TO EXTEND THE DELAY ON THE PAYMENT DEADLINE FOR CERTAIN ABC PERMIT RENEWALS*.

Amends Section 1 of SL 2020-94, which defers payment of ABC permit renewal or registration fees by permittees prohibited from operating under Executive Order No. 141. Now defers payments until 90 days after the date all executive orders responding to the COVID-19 pandemic and limiting the full operation of the permittees are rescinded or expire (was, 90 days after the date the Governor signs an order rescinding the prohibition on those permittees' operation). Maintains the required written notice to the ABC Commission (Commission) of a permittee's intent to delay payment. Effective retroactively to June 30, 2020.

Directs the Commission to reinstate or reactivate any ABC permits canceled or moved to inactive status due to the Commission's previous implementation of Section 1 of SL 2020-94, and bars requiring affected permittees to submit an application or pay any fees in doing so.

Intro. by Moffitt, Boles, Bell, Paré.

[UNCODIFIED](#)

[View summary](#)

[Alcoholic Beverage Control, Government, Public Safety and Emergency Management](#)

H 5 (2021-2022) [\\$15/HOUR MIN. PAY FOR NONCERT. SCH. EMPLOYEES](#). Filed Jan 27 2021, *AN ACT TO REQUIRE THE HOURLY RATE OF THE MINIMUM SALARY FOR NONCERTIFIED PUBLIC SCHOOL EMPLOYEES TO BE AT LEAST FIFTEEN DOLLARS PER HOUR*.

Sets the hourly rate of minimum salary for all noncertified public school employees at at least \$15 per hour. Directs the State Board of Education to increase minimum salary grades and ranges for noncertified public school employees as necessary to achieve the minimum hourly rate of at least \$15. Authorizes local school administrative units to supplement the salaries of noncertified public school employees whose salaries are supported from non-State funds using funds provided pursuant to the act to meet the \$15 minimum hourly rate. Clarifies that the funds are not to supplant State or non-State funds already provided for noncertified public school employee salaries. Appropriates \$110 million in recurring funds for the 2021-22 fiscal year from the General Fund to the Department of Public Instruction to implement the act. Effective July 1, 2021.

Intro. by Everitt, R. Smith, Lofton, Harris.

[APPROP](#)

[View summary](#)

[Education, Elementary and Secondary Education,](#)

**Government, Budget/Appropriations, State Agencies,
Department of Public Instruction**

H 6 (2021-2022) [ECU BRODY SCHOOL OF MEDICINE FUNDS](#). Filed Jan 27 2021, *AN ACT TO PROVIDE FUNDS FOR THE PLANNING AND CONSTRUCTION OF A NEW BRODY SCHOOL OF MEDICINE AT EAST CAROLINA UNIVERSITY*.

Transfers \$15 million and \$13 million in nonrecurring funds from the General Fund to the State Capital and Infrastructure Fund for the 2021-22 and 2022-23 fiscal years, respectively. Appropriates the transferred amounts to the UNC Board of Governors to provide funds for the planning and construction of a new Brody School of Medicine at ECU. Sets the total amount authorized for the project at \$215 million. Effective July 1, 2021.

Intro. by Bell, Moore, Humphrey, Goodwin.

[APPROP](#)

[View summary](#)

[Education, Higher Education, Government,
Budget/Appropriations, State Agencies, UNC System, Health
and Human Services, Health](#)

H 7 (2021-2022) [PROTECT CITY EMPLOYEES FROM RETALIATION](#). Filed Jan 27 2021, *AN ACT PROVIDING THAT CITIES SHALL ADOPT RULES AND REGULATIONS ENCOURAGING THEIR EMPLOYEES TO REPORT IMPROPER OR UNLAWFUL ACTIVITY AND REQUIRING CITIES TO PROTECT EMPLOYEES WHO REPORT SUCH ACTIVITY FROM RETALIATION OR OTHER DISCRIMINATORY ACTION*.

Amends GS 160A-164 to require city councils that do not have binding personnel procedures protecting employees from retaliation to adopt rules and regulations or ordinances that encourage city employees to report to their appropriate authority evidence of (1) violations of federal, state, or local laws, rules, or regulations; (2) fraud; (3) misappropriation of state or city resources; (4) any activity that poses a substantial or specific danger to public health and safety; and (5) gross mismanagement, including gross waste of public monies and gross abuse of authority. Requires such city councils to prohibit, by binding policy, retaliation against an employee who reports such violations, as specified. Directs city councils to publish notice for purposes of informing their employees of their rights and responsibilities under the statute. Makes conforming and organizational changes to the act.

Intro. by Hanig, Bradford, Hardister.

[GS 160A](#)

[View summary](#)

[Employment and Retirement, Government, Ethics and
Lobbying, Local Government](#)

H 8 (2021-2022) [NC ADOPT ERA](#). Filed Jan 27 2021, *AN ACT TO RATIFY THE EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN AND TO APPROPRIATE FUNDS TO EDUCATE THE PUBLIC ABOUT THE PROVISIONS OF THE ACT*.

Identical to [S 15](#), filed 1/27/21.

Includes whereas clauses.

Ratifies the Equal Rights Amendment to the US Constitution (which is set out in the act's whereas clauses). Requires that the Governor forward certified copies of the act and its preamble to the Administrator of General Services, the President of the Senate, and the Speaker of the House of the US Congress.

Appropriates \$10,000 for 2021-22 from the General Fund to the Department of Labor to educate the public about the act.

Effective July 1, 2021.

Intro. by von Haefen, Cunningham, Fisher, Terry.

APPROP, CONST, UNCODIFIED

[View summary](#)

Constitution, Government, Budget/Appropriations, State Agencies, Department of Labor

H 9 (2021-2022) **ECU BRODY SCHOOL OF MEDICINE FUNDS**. Filed Jan 27 2021, *AN ACT TO PROVIDE FUNDS FOR THE PLANNING AND CONSTRUCTION OF A NEW BRODY SCHOOL OF MEDICINE AT EAST CAROLINA UNIVERSITY*.

Identical to H 6, filed 1/27/21.

Transfers \$15 million and \$13 million in nonrecurring funds from the General Fund to the State Capital and Infrastructure Fund for the 2021-22 and 2022-23 fiscal years, respectively. Appropriates the transferred amounts to the UNC Board of Governors to provide funds for the planning and construction of a new Brody School of Medicine at ECU. Sets the total amount authorized for the project at \$215 million. Effective July 1, 2021.

Intro. by K. Smith, Farkas.

APPROP

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System, Health and Human Services, Health

H 11 (2021-2022) **REGULATE ALCOHOL CONSUMABLES**. Filed Jan 27 2021, *AN ACT TO REGULATE ALCOHOL IN MANUFACTURED FOOD PRODUCTS SUCH AS ICE CREAM, ICE POPS, AND GELATIN*.

Amends GS 18B-101 to include alcohol consumables under the definition of alcoholic beverage. Defines alcohol consumable as any manufactured and packaged ice cream, ice pop or gelatin-based food product containing at least 0.5% alcohol by volume. Further amends GS 18B-101, modifying the definitions of fortified wine, malt beverage, spirituous liquor or liquor, and unfortified wine to include any alcohol consumables. Applies to offenses committed on or after December 1, 2021.

Amends GS 18B-206 to more generally allow the ABC Commission to set standards and adopt rules for alcoholic beverages (was, specifically for malt beverages, unfortified wine, fortified wine, and spirituous liquor). Makes conforming changes. Effective December 1, 2021.

Amends GS 18B-804 concerning setting the sale price of spirituous liquor by adding (1) a charge of one cent, for non-bottled products, on each stock keeping unit containing no more than 50 milliliters and five cents on each stock keeping unit containing more than 50 milliliters; and (2) an additional charge for local boards, for non-bottled products, of one cent on each stock keeping unit containing no more than 50 milliliters and five cents on each stock keeping unit containing more than 50 milliliters. Makes conforming changes by no longer referring to those impacted charges as bottle charges. Amends GS 18B-805 by making conforming changes to the provisions concerning a local board's distribution of revenue, to refer to charges instead of bottle charges. Applies to spirituous liquor sold on or after December 1, 2021.

Intro. by Boles, Moffitt, Hurley, Willingham.

GS 18B

[View summary](#)

Alcoholic Beverage Control

H 13 (2021-2022) **STATE SEARCH AND RESCUE FUNDING**. Filed Jan 27 2021, *AN ACT TO APPROPRIATE CONTINUATION FUNDS TO SUPPORT THE STATE SEARCH AND RESCUE PROGRAM*.

Includes whereas clauses.

Appropriates \$2.3 million in recurring funds from the General Fund to the Department of Public Safety, Division of Emergency Management for each fiscal year of the 2021-23 biennium. Directs that the funds be used to support the State Search and Rescue Program, in partnership with local governments, to supplement local funding to purchase equipment, maintain equipment, and provide other items necessary to ensure statewide search and rescue services. Allows match requirements to be satisfied by the sponsoring local agency with cash payments or in-kind contributions. Effective July 1, 2021.

Intro. by Davis.

APPROP

[View summary](#)

Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Public Safety, Local Government

H 14 (2021-2022) [FOOD BANK OF CENTRAL & AMP EASTERN NC FUNDS](#). Filed Jan 27 2021, *AN ACT TO APPROPRIATE FUNDS TO THE FOOD BANK OF CENTRAL & AMP EASTERN NORTH CAROLINA FOR CONSTRUCTION OF A NEW FOOD BANK FACILITY IN THE CITY OF WILMINGTON.*

Includes whereas clauses.

Appropriates \$750,000 for 2021-22 from the General Fund to the Food Bank of Central & Eastern North Carolina, Inc., for the construction of a new food bank facility in the City of Wilmington. Effective July 1, 2021.

Intro. by Davis, Miller, C. Smith, B. Jones.

APPROP, New Hanover

[View summary](#)

Government, Budget/Appropriations, Health and Human Services, Health, Social Services, Public Assistance

H 15 (2021-2022) [FORT FISHER STATE HISTORIC SITE/FUNDS](#). Filed Jan 27 2021, *AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES FOR PROJECTS AT THE FORT FISHER STATE HISTORIC SITE.*

Includes whereas clauses.

Appropriates \$9.5 million for 2021-22 from the General Fund to the Department of Natural and Cultural Resources, Office of Archives and History, to be used for capital projects at the Fort Fisher State Historic Site.

Appropriates \$500,000 for 2021-22 from the General Fund to the Department of Natural and Cultural Resources, Division of Historical Resources, Office of State Archaeology, to plan facilities for the Underwater Archaeology Branch at the Fort Fisher State Historic Site.

Effective July 1, 2021.

Intro. by Davis.

APPROP

[View summary](#)

Government, Budget/Appropriations, Cultural Resources and Museums, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)

H 16 (2021-2022) [SEA-TECH CIHS/FUNDS](#). Filed Jan 27 2021, *AN ACT TO APPROPRIATE FUNDS TO EXPAND THE SOUTHEAST AREA TECHNICAL HIGH SCHOOL IN NEW HANOVER COUNTY.*

Includes whereas clauses.

Appropriates \$3.15 million for 2021-22 from the General Fund to the Department of Public Instruction to be allocated to New Hanover County Schools to build a facility to support expansion of the Southeast Area Technical High School's innovation curriculum in partnership with Cape Fear Community College. Effective July 1, 2021.

Intro. by Davis.

[APPROP](#)

[View summary](#)

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

H 17 (2021-2022) [PILOT PROJECT TO TREAT OPIOID OVERDOSE](#). Filed Jan 27 2021, *AN ACT TO DIRECT THE CITY OF WILMINGTON TO CONTINUE TO DEVELOP AND IMPLEMENT THE QUICK RESPONSE TEAM PILOT PROJECT TO ADDRESS UNMET NEEDS OF OPIATE OVERDOSE VICTIMS WHO ARE IN NEED OF FOLLOW-UP TREATMENT, COUNSELING, SUPPORT, AND OTHER RECOVERY SERVICES.*

Includes whereas clauses. Directs the Department of Public Safety (DPS) and the City of Wilmington (City) to continue the development and implementation of the Quick Response Team Pilot Project (Project) to address the needs of opiate and heroin overdose victims who are not getting follow-up treatment. Requires DPS and the City to report the results of the Project to the specified NCGA Committee of the 2023 Regular Session upon the NCGA's reconvening. Appropriates \$500,000 in nonrecurring funds for the 2021-22 fiscal year and \$250,000 in nonrecurring funds for 2022-23 from the General Fund to DPS for the Project. Effective July 1, 2021.

Intro. by Davis.

[APPROP, STUDY, New Hanover](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Public Safety, Health and Human Services, Health, Public Health](#)

H 18 (2021-2022) [LOCAL SCHOOL ADMIN. UNIT CASH MANAGEMENT](#). Filed Jan 27 2021, *AN ACT TO PROVIDE LOCAL SCHOOL ADMINISTRATIVE UNITS ADDITIONAL FLEXIBILITY WITH RESPECT TO CASH MANAGEMENT.*

Amends GS 115C-438, regarding the disbursement of State funds to local school administrative units. Explicitly subjects local school administrative units to the cash management provisions under Article 6A, GS Chapter 147, with respect to all receipts, deposits, and disbursements required by law to be deposited with the State Treasurer or made available for expenditure by warrants drawn on the State Treasurer.

Adds new cash management guidelines to GS 147-86.12. Authorizes drawing of moneys deposited with the State Treasurer for disbursement by local school administrative units four business days prior to final disbursement to the ultimate payee, creating an exception to the guidelines set out in existing GS 147-86.11 requiring deposits to remain with the State Treasurer until final disbursement to the ultimate payee. Defines *business day*. Authorizes a local school administrative unit or school finance officer to deposit such moneys drawn on the State Treasurer in an official depository designated by the local board of education pursuant to state law. Makes technical changes. Makes conforming changes to GS 147-86.11.

Intro. by Davis.

[GS 115C, GS 147](#)

[View summary](#)

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

H 20 (2021-2022) [1998 CLEAN WATER BOND ADD'L CONNECTIONS](#). Filed Jan 27 2021, *AN ACT TO EXPAND THE TYPE OF DEVELOPMENT CONNECTIONS TO WATER SUPPLY LINES FUNDED BY THE CLEAN WATER AND NATURAL GAS CRITICAL*

NEEDS BOND ACT OF 1998.

Amends Section 5 of SL 2011-412 to also allow additional connections to a bond-funded waterline within a WS-I area or the critical area of any area designated WS-II, WS-III or WS-IV, in order to provide water to a structure located on a lot zoned for residential or mixed-use development (was, to a habitable structure located on a lot zoned for a single-family residence). Maintains the requirement that the design capacity and size of the existing waterline can accommodate the additional connections. Makes additional conforming and technical changes.

Intro. by Sasser, Moss.

UNCODIFIED

[View summary](#)**Environment, Environment/Natural Resources, Public Enterprises and Utilities**

H 21 (2021-2022) **ADD MEMBER TO NC TRAINING STANDARDS COMMISS.** Filed Jan 27 2021, *AN ACT TO PROVIDE THAT THE NORTH CAROLINA POLICE BENEVOLENT ASSOCIATION CAN APPOINT ONE FULL-TIME SWORN LAW-ENFORCEMENT OFFICER TO SERVE ON THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.*

Identical to [S 10](#), filed 1/27/21.

Amends GS 17C-3 to add a full-time sworn law enforcement officer selected by the North Carolina Police Benevolent Association to the membership of the North Carolina Criminal Justice Education and Training Standards Commission.

Sets the initial term of the new member from July 1, 2021, to June 30, 2024; subsequent appointees will serve a term of three years, with services at the will of the appointing authority.

Intro. by Riddell, Hardister, Cunningham, Bradford.

GS 17C

[View summary](#)**Government, Public Safety and Emergency Management****PUBLIC/SENATE BILLS**

S 4 (2021-2022) **EQUAL TAX TREATMENT OF GOV'T RETIREES.** Filed Jan 27 2021, *AN ACT TO PROVIDE EQUAL TAX TREATMENT OF MILITARY AND GOVERNMENT RETIREES.*

Amends GS 105-153.5, enacting two distinct deductions for individual taxpayers, the effectiveness of which relies on thresholds set for net General Fund tax collected in a fiscal year. When the amount of net General Fund tax collected in a fiscal year exceeds \$23.838 billion, a taxpayer may deduct amounts received from a federal retirement plan for a retired member of the US Armed Forces or as survivorship benefits for survivors of active duty or retired US Armed Forces members, effective for the taxable year that begins the following January 1. When the amount of net General Fund tax collected in a fiscal year exceeds \$24.238 billion, a taxpayer may deduct the amounts received from State, local, or federal retirement plans, effective for the taxable year that begins the following January 1. Defines *net General tax collected for a fiscal year* as the amount reported by the Department of Revenue as the Total General Fund Revenue on its June final Statement of Collection, less any large one-time, non-recurring revenue as specified, and adjusted by any changes in net collections resulting from the suspension or termination of transfers out of General Fund collections. Requires the Secretary of Revenue to notify taxpayers when the enacted deductions become effective. Bars deducting the described amounts under both deduction provisions enacted, or the existing deduction provision for certain amounts from State, local, or federal retirement plans as well.

Intro. by Burgin, Davis, Lazzara.

GS 105

[View summary](#)**Employment and Retirement, Government, State Government, State Personnel, Tax, Local Government, Military and Veteran's Affairs**

S 5 (2021-2022) **LICENSING CERTAIN FIRE SAFETY EQUIP. WORK.** Filed Jan 27 2021, *AN ACT TO REQUIRE LICENSING AND PERMITTING FOR INDIVIDUALS AND FIRMS THAT INSTALL AND SERVICE PORTABLE FIRE EXTINGUISHERS AND FIRE SUPPRESSION SYSTEMS.*

Enacts Article 82B, Licensing and Permitting for the Installation and Servicing of Portable Fire Extinguishers and Fire Suppression Systems, in GS Chapter 58.

Sets forth 11 defined terms. Provides for the Commissioner of Insurance (Commissioner) to administer the Article through the Office of the State Fire Marshall. Requires the Commissioner to establish rules for proper installation, inspection, recharging, repairing, servicing, or testing of fire suppression systems or portable fire extinguishers; and required specifications as to the number, type, size, shape, color, and information and data contained on service tags to be attached to all portable fire extinguishers and fire suppression systems covered by the Article that are installed, inspected, recharged, repaired, serviced, or tested. Permits the Commissioner to adopt the applicable standards of the National Fire Protection Association or another nationally recognized organization. Authorizes the Commissioner to adopt rules to require an exam of license or permit applicants under the Article. Authorizes the Commissioner to apply for and receive grants for the Article's administration from interested parties.

Requires firms to be licensed and persons to be permitted to install, inspect, repair, service, or test portable fire extinguishers, pre-engineered kitchen fire suppression systems, pre-engineered industrial fire suppression systems, and engineered special hazard fire suppression systems. Makes it unlawful to take such action on any portable fire extinguisher or fire suppression system without attaching the required tag(s) completed in detail, as described. Excludes from the permitting provisions individuals employed by any firm or governmental entity that only engages in the installation and servicing of fire suppression systems or portable fire extinguishers on such items owned by the firm and installed on property under the control of the firm, subject to the rules and regulations adopted under the Article. Provides further exemptions, including fire chiefs, fire marshals, fire inspectors, and insurance company inspectors, as described, and any firm that engages only in the routine visual inspection of the systems and extinguishers owned by the firm and installed on property under the firm's control.

Sets the license fee at \$250 and the permit fee at \$100. Exempts government employees and members of a legal organized fire department acting in the member's official capacity.

Sets forth license and permit requirements, including proof of comprehensive liability insurance for prospective licensees.

Provides for keeping a permit on the permittee's person in the course of the work under the permit, and licensees and permittees producing a valid license or permit upon demand by the Commissioner, the Commissioner's representatives, or any local authority having jurisdiction, or any individual soliciting the services of the licensee or permittee.

Establishes reciprocity with individuals holding a comparable valid permit, license, or certification issued by another state which meets the minimum requirements under the Article and pays the applicable filing fees.

Details the form of licenses, permits and applications. Requires a licensee or permittee to notify the Commissioner within 30 days of any change to application information provided to the Commissioner. Requires the Commissioner give an applicant 60 days to correct any deficiencies discovered in the application.

Requires the licenses and permits to be issued for each license year, beginning January 1 and expiring the following December 31. Provides for restoration of an inoperative license by paying a penalty within 90 days of expiration. After 90 days of expiration, the former licensee or permittee must apply for a new license or permit.

Details license or permit sanctions and denial procedures. Allows for an applicant to request review of a denial in writing within 30 days after service of the notice of denial, and allows an applicant to request an administrative hearing on the outcome within 30 days after service of the notice of the outcome. Requires surrender of a license or surrender within 30 days of suspension, revocation or nonrenewal. Describes the effect of an order of suspension or revocation.

Authorizes the Commissioner to deny, suspend, place on probation, revoke, or refuse to renew any license or permit under the Article for any of the 21 specified reasons, including failure to meet requirements under the Article and conviction of a crime involving dishonesty.

Authorizes the Commissioner to issue cease and desist order for individuals or firms the Commissioner believes is or has been violating the Article. Requires the order to include a notice of opportunity for hearing upon request within 30 days of receipt of the order and notice. Provides for service of the order. Provides for noncompliance to result in the revocation of any and all permits and licenses issued by the Commissioner for a period of at least six months and no more than five years. Provides for effect of noncompliance on new permits or licenses held by the individual or firm. Establishes that violation of the Article can constitute grounds for license or permit refusal.

Establishes civil penalties for violations of the Article, rules adopted thereunder, or order of the Commissioner, as follows: a penalty not exceeding \$1,000 for the first offense, no less than \$1,000 and not exceeding \$2,000 for the second offense, and no less than \$2,000 and not exceeding \$5,000 for a third or subsequent offense. Requires prior notice of a violation and a reasonable waiting period before ordering a fine, as specified. Additionally authorizes the Commissioner to bring a civil action to enjoin a violation.

Makes willful or intentional violations of any provision of the Article, rules, or order of the Commissioner a Class 1 misdemeanor. Details other conduct that constitutes a Class 1 misdemeanor, including (1) obliterating serial numbers on tags for falsifying service records, (2) improper install or service, (3) allowing another to use a license or permit or use another's license or permit, (4) impersonating a representative of the Commissioner, State Fire Marshal, local fire chief, fire marshal, or other fire authority, (5) noncompliance with the Article, and (6) failure to comply with a cease and desist order issued by the Commissioner.

Clarifies that the Article does not limit certain State or local government powers. Prohibits local government from imposing any further requirements on licensees or permittees to prove competency.

Authorizes the Department of Insurance to adopt temporary rules for the Article's implementation.

Effective January 1, 2022.

Intro. by Burgin, Sawyer, Ford.

GS 58

[View summary](#)

**Business and Commerce, Occupational Licensing,
Government, Public Safety and Emergency Management,
State Agencies, Department of Insurance**

S 8 (2021-2022) [IN-STATE TUITION PILOT PROGRAM](#). Filed Jan 27 2021, *AN ACT TO AUTHORIZE THE STATE BOARD OF COMMUNITY COLLEGES TO IMPLEMENT AN IN-STATE TUITION PILOT PROGRAM FOR RESIDENTS OF CERTAIN GEORGIA COUNTIES.*

Requires the State Board of Community Colleges to establish and implement an in-state tuition pilot program for residents of four named counties in Georgia. Requires that the program allow Tri-County Community College to offer in-State tuition to residents of those counties but prohibits displacing a North Carolina resident in order to do so. Requires an annual report on specified information about the program, with the first report due on September 30, 2022, to the specified NCGA committee and division. The pilot program expires at the end of the 2024-25 academic year.

Applies beginning with the 2021-22 academic year.

Intro. by Corbin.

STUDY

[View summary](#)

**Education, Higher Education, Government, State Agencies,
Community Colleges System Office**

S 10 (2021-2022) [ADD MEMBER TO NC TRAINING STANDARDS COMMISS.](#) Filed Jan 27 2021, *AN ACT TO PROVIDE THAT THE NORTH CAROLINA POLICE BENEVOLENT ASSOCIATION CAN APPOINT ONE FULL-TIME SWORN LAW-ENFORCEMENT OFFICER TO SERVE ON THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.*

Amends GS 17C-3 to add a full-time sworn law enforcement officer selected by the North Carolina Police Benevolent Association to the membership of the North Carolina Criminal Justice Education and Training Standards Commission.

Sets the initial term of the new member from July 1, 2021, to June 30, 2024; subsequent appointees will serve a term of three years, with services at the will of the appointing authority.

Intro. by Johnson, Perry, Hise.

GS 17C

[View summary](#)

Government, Public Safety and Emergency Management

S 12 (2021-2022) **MILITARY RETIREE STATE INCOME TAX RELIEF**. Filed Jan 27 2021, *AN ACT TO PROVIDE INCOME TAX RELIEF FOR CERTAIN RETIRED MEMBERS OF THE ARMED FORCES OF THE UNITED STATES*.

Amends GS 105-153.5, establishing a new deduction allowable for individual taxpayers. Allows taxpayers to deduct amounts received from the federal government as retirement pay from the US Armed Forces if the taxpayer meets four conditions. Conditions include (1) establishing North Carolina residency by December 1, 2023, or within two years of the taxpayer's date of retirement from the US Armed Forces, whichever is later; (2) continued residency once established; (3) being at least 55 years of age on January 1 of the taxable year; and (4) serving at least 20 years in the US Armed Forces or having a service-connected disability. Bars deducting the described amount from both the enacted deduction provision and the existing provision for certain state, local, or federal retirement pay. Effective for taxable years beginning on or after January 1, 2022.

Intro. by Clark.

GS 105

[View summary](#)

Employment and Retirement, Government, Tax, Military and Veteran's Affairs

S 15 (2021-2022) **NC ADOPT ERA**. Filed Jan 27 2021, *AN ACT TO RATIFY THE EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN AND TO APPROPRIATE FUNDS TO EDUCATE THE PUBLIC ABOUT THE PROVISIONS OF THE ACT*.

Includes whereas clauses.

Ratifies the Equal Rights Amendment to the US Constitution (which is set out in the act's whereas clauses). Requires that the Governor forward certified copies of the act and its preamble to the Administrator of General Services, the President of the Senate, and the Speaker of the House of the US Congress.

Appropriates \$10,000 for 2021-22 from the General Fund to the Department of Labor to educate the public about the act.

Effective July 1, 2021.

Intro. by Foushee, Marcus, Murdock.

APPROP, CONST, UNCODIFIED

[View summary](#)

Constitution, Government, Budget/Appropriations, State Agencies, Department of Labor

S 18 (2021-2022) **ECU BRODY SCHOOL OF MEDICINE FUNDS**. Filed Jan 27 2021, *AN ACT TO PROVIDE FUNDS FOR THE PLANNING AND CONSTRUCTION OF A NEW BRODY SCHOOL OF MEDICINE AT EAST CAROLINA UNIVERSITY*.

Identical to H 6, filed 1/27/21.

Transfers \$15 million and \$13 million in nonrecurring funds from the General Fund to the State Capital and Infrastructure Fund for the 2021-22 and 2022-23 fiscal years, respectively. Appropriates the transferred amounts to the UNC Board of

Governors to provide funds for the planning and construction of a new Brody School of Medicine at ECU. Sets the total amount authorized for the project at \$215 million. Effective July 1, 2021.

Intro. by Davis, Perry.

APPROP

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System, Health and Human Services, Health

S 19 (2021-2022) **STUDY NONCERTIFIED SCHOOL EMPLOYEE SALARIES**. Filed Jan 27 2021, *AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO STUDY AND REPORT ON RAISING SALARIES FOR NONCERTIFIED PUBLIC SCHOOL EMPLOYEES TO AT LEAST FIFTEEN DOLLARS PER HOUR*.

Requires the Department of Public Instruction to study and make recommendations on the viability and advisability of raising salaries for all noncertified public school employees to at least \$15 per hour. Requires the study to consider: (1) methods of raising salaries for noncertified public school employees in a fiscally responsible manner; (2) the interconnection in salaries between State, federal, and local funds; and (3) the fiscal impact on local governments. Requires a report to the specified NCGA committees and division by May 15, 2021.

Intro. by Davis.

STUDY

[View summary](#)

Education, Elementary and Secondary Education, Government, State Agencies, Department of Public Instruction

S 20 (2021-2022) **HANDS FREE NC**. Filed Jan 27 2021, *AN ACT MAKING IT UNLAWFUL TO USE A WIRELESS COMMUNICATION DEVICE WHILE OPERATING A MOTOR VEHICLE ON A PUBLIC STREET, HIGHWAY, OR PUBLIC VEHICULAR AREA*.

Titles the act "The Hands Free NC Act."

Repeals GS 20-137.3 (pertaining to unlawful use of a mobile phone while operating a vehicle by persons under 18 years of age), GS 20-137.4 (pertaining to unlawful use of a mobile phone while operating a school bus), and GS 20-137.4A (pertaining to unlawful use of mobile telephone for text messaging or electronic mail while operating a vehicle).

Enacts new GS 20-137.3A as follows. Prohibits operating a motor vehicle (1) with a wireless communication device in the person's hand, (2) while holding or supporting a wireless communication device with the person's body, not including wearable technology that does not require physical exertion to support, (3) while watching a video or movie or communicating by video on a wireless communication device, or (4) while texting on a wireless communication device. Defines *wireless communication device* as (1) a cell phone, personal digital assistant, electronic device with mobile data access, laptop computer, pager, smartwatch, broadband personal communication device, electronic game, and portable computing device or (2) a device through which personal wireless services, as defined in specified federal law, are transmitted. Defines *operating a motor vehicle* as operating a motor vehicle on a public street, highway, or public vehicular area, excluding where vehicle is off, or to the side of, a public street, highway, or public vehicular area in a location where the motor vehicle can safely remain stationary. Defines *texting* to mean entering text into, or reading text from, a wireless communication device. Sets out exceptions to the prohibition when (1) the device is used to communicate an emergency to one of the specified public safety entities; or (2) the device is used in the performance of official duties by one of six specified classes of public safety officers, public utilities vehicle operators, and radio response operators. Prohibits persons under 18 from operating a motor vehicle while using a wireless communication device unless for following the recommended route by an electronic navigation system or communicating in an emergency situation, as specified. Specifies that the statute does not prohibit the use of equipment installed by the manufacturer and integrated into the vehicle by any person while operating a motor vehicle. First offenses (for a person with no prior or no offense in the prior 36 months) are an infraction punishable by a \$100 fee with no insurance points. Second offenses (where a person is guilty of a first offense within the previous 36 months) are an infraction with a \$150

fine and insurance points. Third and subsequent offenses (where a person is guilty of two or more offenses within the previous 36 months) are an infraction with a \$200 fine and insurance points. Violations by school bus operators are subject to the penalties above but the person will be guilty of a Class 2 misdemeanor instead of an infraction. Clarifies that the statute does not authorize seizure of a wireless communication device while operating a motor vehicle. Prohibits local governments from passing ordinances regulating this topic. Directs the Commissioner of Motor Vehicles and the Department of Public Instruction to incorporate in its driver education and licensing programs instructions designed to encourage compliance with the statute and requirements and penalties specified by law.

Amends GS 58-36-75 to require the North Carolina Rate Bureau to assign one insurance point under the Safe Drive Incentive Plan for a person convicted for a second offense and two insurance points for a person convicted for a third or subsequent offense.

Amends GS 20-11 as follows. Prohibits limited learner's permit holders and limited provisional license holders from using a wireless communication devices while operating a motor vehicle (was, prohibits the use of a mobile telephone or other additional technology associated with a mobile telephone). Amends the criteria to be met in order to obtain such permits and licenses to require that the individual have not been convicted of a violation of new GS 20-137.3A (was, a violation of GS 20-137.3, which makes it unlawful for a person under age 18 to use a mobile phone while driving). Makes additional conforming changes. Makes the failure to comply with restrictions regarding the use of a wireless communication device while operating a motor vehicle an infraction punishable under GS 20-137.3A (was, failure to comply with the restriction regarding the use of a mobile phone while operating a motor vehicle in an infraction punishable by a \$25 fine).

Applies to offenses committed on or after July 1, 2021. Requires issuing only warning tickets for the first six months. Provides a savings clause for offenses committed before the effective date of the act.

Intro. by Burgin, Corbin, Woodard.

GS 20, GS 58

[View summary](#)

Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle, Government, Public Safety and Emergency Management, Public Enterprises and Utilities

LOCAL/HOUSE BILLS

H 3 (2021-2022) [VOTER INITIATIVE FOR BEAUFORT COUNTY](#). Filed Jan 27 2021, *AN ACT TO PROVIDE THE VOTERS OF BEAUFORT COUNTY A RIGHT TO PETITION FOR CHANGES TO THE STRUCTURE OF THE BEAUFORT COUNTY BOARD OF COMMISSIONERS*.

Enacts GS 153A-60.1, applicable to Beaufort County only, to allow resident voters to petition the county board of elections to call a special election to adopt proposed changes to the structure of the county board of commissioners. Requires a valid initiative petition to contain required text to implement the proposed structure by resolution, with reference to the structure options set out in GS 153A-58, and have signatures of the lesser of 10% of registered voters in the county, or 3,000. Sets parameters for the election. Requires a majority vote in favor of the proposed changes for a resolution to be adopted, with adopted changes effective for at least two years after the beginning of the term of office of the officers so elected. Bars filing initiative petitions within one year and six months following the effective date of a resolution adopting changes or one year and six months from the date of any election on changes that were not adopted by voters. Allows for more than one proposition on the same ballot so long as no proposition offers a different plan under the same option as another proposition on the ballot.

Intro. by Kidwell.

Beaufort

[View summary](#)

Government, Elections

H 10 (2021-2022) [ASHEVILLE AIRPORT AUTH./AUTHORIZE GOLF COURSE](#). Filed Jan 27 2021, *AN ACT TO AUTHORIZE THE GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY TO OPERATE, OWN, LEASE, SUBLEASE, CONTROL, REGULATE, AND/OR GRANT TO OTHERS THE RIGHT TO OPERATE GOLF COURSES ON AIRPORT PREMISES.*

Amends Section 14 of SL 2012-121, regarding the powers of the Greater Asheville Regional Airport Authority, to expand the Authority's power to include operating, owning, leasing, subleasing, controlling, regulating, and/or granting others the right to operate golf courses on any airport premises.

Intro. by Moffitt, Turner, Johnson, Fisher.

[Buncombe](#)

[View summary](#)

[Development, Land Use and Housing, Transportation](#)

H 12 (2021-2022) [ADDRESS PANDEMIC LEARNING LOSS/ALAMANCE CNTY](#). Filed Jan 27 2021, *AN ACT TO ADDRESS PANDEMIC LEARNING LOSS BY TEMPORARILY ALLOWING ADDITIONAL ADJUSTMENTS TO THE SCHOOL CALENDAR FOR ALAMANCE-BURLINGTON SCHOOLS.*

Under current law, GS 115C-84.2(d) sets the parameters within which local boards of education must determine the opening and closing dates of public schools under subdivision (a)(1) of this statute. Amends GS 115C-84.2(d) to provide the local boards of education for the Alamance-Burlington Schools with additional flexibility in adopting their school calendars. Expires at the conclusion of the 2022-23 school year.

Intro. by Riddell, Hurtado.

[Alamance](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 19 (2021-2022) [NORWOOD/REMOVE CAP ON SATELLITE ANNEXATIONS](#). Filed Jan 27 2021, *AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWN OF NORWOOD.*

Amends GS 160A-58.1 as the title indicates.

Intro. by Sasser, Moss.

[Stanly, GS 160A](#)

[View summary](#)

[Government, Local Government](#)

H 22 (2021-2022) [APEX TOWN COUNCIL APPOINT TOWN CLERK](#). Filed Jan 27 2021, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF APEX TO ALLOW THE TOWN COUNCIL TO APPOINT THE TOWN CLERK.*

Amends Section 4.4 of the Charter of the Town of Apex, set out in SL 1985-356, as amended. Authorizes the town council to appoint a town clerk to keep a journal of town council proceedings, maintain records of the town, and perform other duties as the council directs (previously, provided for the town manager to appoint a town clerk to keep the journal of board of commissioner proceedings, maintain records of the town, and perform other duties as the town manager directs).

Intro. by Adcock, von Haefen.

[Wake](#)

[View summary](#)

[Government](#)

LOCAL/SENATE BILLS

S 3 (2021-2022) [12TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 12TH SENATORIAL DISTRICT*.

Blank bill.

Intro. by Burgin.

[Harnett, Johnston, Lee](#)

[View summary](#)

S 6 (2021-2022) [48TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 48TH SENATORIAL DISTRICT*.

Blank bill.

Intro. by Edwards.

[Buncombe, Henderson, Transylvania](#)

[View summary](#)

S 7 (2021-2022) [35TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 35TH SENATORIAL DISTRICT*.

Blank bill.

Intro. by Johnson.

[Union](#)

[View summary](#)

S 9 (2021-2022) [GRAHAM COUNTY OCCUPANCY TAX](#). Filed Jan 27 2021, *AN ACT TO CREATE GRAHAM COUNTY DISTRICT G AND AUTHORIZE THE LEVY OF AN OCCUPANCY TAX IN THE DISTRICT*.

Creates a new tax district in Graham County consisting of the part of the County located outside of incorporated areas within the County, to be called Graham County District G. The District is a body politic and corporate. Provides for the governance of that district by the Graham County Board of Commissioners.

Authorizes the Graham County District G governing body to levy a room occupancy tax of up to 3%. Provides that the tax must be levied, administered, collected, and repealed as provided in GS 153A-155 (uniform provisions for room occupancy taxes). Requires the Graham County Tourism Development Authority (TDA) to use at least two-thirds of the occupancy tax proceeds to promote travel and tourism in the District and the remainder for tourism related expenditures in the District. Makes conforming changes to GS 153A-155.

Intro. by Corbin.

[Graham](#)

[View summary](#)

[Government, Tax](#)

S 11 (2021-2022) [42ND SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 42ND SENATORIAL DISTRICT*.

Blank bill.

Intro. by Proctor.[Alexander, Catawba](#)[View summary](#)

S 13 (2021-2022) [11TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 11TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Barnes.[Johnston, Nash](#)[View summary](#)

S 14 (2021-2022) [10TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 10TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by B. Jackson.[Duplin, Johnston, Sampson](#)[View summary](#)

S 16 (2021-2022) [26TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 26TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Craven.[Guilford, Randolph](#)[View summary](#)

S 17 (2021-2022) [7TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 27 2021, *AN ACT RELATING TO THE 7TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Perry.[Lenoir, Wayne](#)[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 2: [BOTTLENOSE DOLPHIN AS STATE MARINE MAMMAL.](#)

House: Filed

H 4: EXTEND ABC PERMIT RENEWAL FEE DEFERRAL.

House: Filed

H 5: \$15/HOUR MIN. PAY FOR NONCERT. SCH. EMPLOYEES.

House: Filed

H 6: ECU BRODY SCHOOL OF MEDICINE FUNDS.

House: Filed

H 7: PROTECT CITY EMPLOYEES FROM RETALIATION.

House: Filed

H 8: NC ADOPT ERA.

House: Filed

H 9: ECU BRODY SCHOOL OF MEDICINE FUNDS.

House: Filed

H 11: REGULATE ALCOHOL CONSUMABLES.

House: Filed

H 13: STATE SEARCH AND RESCUE FUNDING.

House: Filed

H 14: FOOD BANK OF CENTRAL & AMP EASTERN NC FUNDS.

House: Filed

H 15: FORT FISHER STATE HISTORIC SITE/FUNDS.

House: Filed

H 16: SEA-TECH CIHS/FUNDS.

House: Filed

H 17: PILOT PROJECT TO TREAT OPIOID OVERDOSE.

House: Filed

H 18: LOCAL SCHOOL ADMIN. UNIT CASH MANAGEMENT.

House: Filed

H 20: 1998 CLEAN WATER BOND ADD'L CONNECTIONS.

House: Filed

H 21: ADD MEMBER TO NC TRAINING STANDARDS COMMISS.

House: Filed

S 4: EQUAL TAX TREATMENT OF GOV'T RETIREES.

Senate: Filed

S 5: LICENSING CERTAIN FIRE SAFETY EQUIP. WORK.

Senate: Filed

S 8: IN-STATE TUITION PILOT PROGRAM.

Senate: Filed

S 10: ADD MEMBER TO NC TRAINING STANDARDS COMMISS.*Senate: Filed***S 12: MILITARY RETIREE STATE INCOME TAX RELIEF.***Senate: Filed***S 15: NC ADOPT ERA.***Senate: Filed***S 18: ECU BRODY SCHOOL OF MEDICINE FUNDS.***Senate: Filed***S 19: STUDY NONCERTIFIED SCHOOL EMPLOYEE SALARIES.***Senate: Filed***S 20: HANDS FREE NC.***Senate: Filed***LOCAL BILLS****H 3: VOTER INITIATIVE FOR BEAUFORT COUNTY.***House: Filed***H 10: ASHEVILLE AIRPORT AUTH./AUTHORIZE GOLF COURSE.***House: Filed***H 12: ADDRESS PANDEMIC LEARNING LOSS/ALAMANCE CNTY.***House: Filed***H 19: NORWOOD/REMOVE CAP ON SATELLITE ANNEXATIONS.***House: Filed***H 22: APEX TOWN COUNCIL APPOINT TOWN CLERK.***House: Filed***S 3: 12TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Filed***S 6: 48TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Filed***S 7: 35TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Filed***S 9: GRAHAM COUNTY OCCUPANCY TAX.***Senate: Filed***S 11: 42ND SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Filed***S 13: 11TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Filed***S 14: 10TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Filed*

S 16: 26TH SENATORIAL DISTRICT LOCAL ACT-1.*Senate: Filed***S 17: 7TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Filed*

© 2021 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](#)