



The Daily Bulletin: 2021-02-08

PUBLIC/HOUSE BILLS

H 60 (2021-2022) [FUNDS/CAROLINA MUSEUM OF THE MARINE](#). Filed Feb 8 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA MUSEUM OF THE MARINE AND CIVIC INSTITUTE IN ONSLOW COUNTY*.

Includes whereas clauses. Appropriates \$26 million from the General Fund to the Museum of The Marine for 2021-22 to build the Carolina Museum of the Marine and Civic Institute and design and install exhibits, classrooms and theaters, and immersive technology. Effective July 1, 2021.

Intro. by Cleveland, Moore, Shepard, McElraft.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, Cultural Resources and Museums, Military and Veteran's Affairs](#)

H 61 (2021-2022) [LOCAL COMMUNICABLE DISEASE PROGRAMS/FUNDS](#). Filed Feb 8 2021, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, FOR LOCAL HEALTH DEPARTMENT EXPANSION OF LOCAL INFRASTRUCTURE ACTIVITIES ASSOCIATED WITH THE SURVEILLANCE, DETECTION, CONTROL, AND PREVENTION OF COMMUNICABLE DISEASES*.

Includes whereas clauses. States the NCGA's intent to protect public health by providing additional State funds to address increased demands associated with communicable and emerging infectious diseases. Appropriates \$36 million in recurring funds for 2021-22 and \$36 million in recurring funds for 2022-23 from the General Fund to the Department of Health and Human Services, Division of Public Health, to be allocated to local health departments to expand local infrastructure for activities associated with the surveillance, detection, control, and prevention of communicable diseases. Requires that for each year of the 2021-23 fiscal biennium, \$18 million be divided equally among the local health departments with the remaining \$18 million allocated to local health departments based upon the percentage of the State population served by each of the local health departments. Specifies that local health departments must use the funds to supplement and not supplant existing funds for the surveillance, detection, control, and prevention of communicable diseases. Effective July 1, 2021.

Intro. by White, Potts.

[APPROP](#)

[View summary](#)

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

H 62 (2021-2022) [GOV. IMMIGRATION COMPLIANCE/ENJOIN ORDINANCES](#). Filed Feb 8 2021, *AN ACT TO AUTHORIZE INJUNCTIVE RELIEF AGAINST CITIES AND COUNTIES THAT ADOPT SANCTUARY POLICIES, ORDINANCES, OR PROCEDURES IN VIOLATION OF STATE LAW*.

Amends GS 153A-145.5 and GS 160A-205.2 to deem null and void any county or city policy, ordinance, or procedure limiting or restricting the enforcement of federal immigration laws to less than the full extent permitted by federal law (previously prohibited such policies, ordinances and procedures). Additionally, creates a right of action for any person to seek an injunction for any violation of the statutes. Authorizes courts to enter mandatory or prohibitory injunctions to enjoin violations, requiring actions brought to be set for immediate hearing, with subsequent proceedings accorded priority by trial and appellate courts. Specifies that adequate legal remedies is no defense in the action. Requires injunction orders to describe the acts

enjoined with reference to the violations that have been proved. Courts are authorized to award attorneys' fees to (1) a party who successfully obtains injunctive relief, or (2) the governmental unit or body the action was instituted against if the court determines the action was filed in bad faith or was frivolous. Bars assessing attorneys' fees against the governmental body or unit if the court finds that the governmental body or unit acted in reasonable reliance on (1) a court order or judgement applicable to the governmental unit or body, or (2) the published opinion of an appellate court, an order of the NC Business Court, or a final order of the Trial Division.

Appropriates \$10,000 from the General Fund for 2021-22 to the Department of Labor to provide education for the public regarding the act's provisions, effective July 1, 2021.

Appropriates \$5,000 from the General Fund for 2021-22 to the Office of State Budget and Management to provide grants to the NC League of Municipalities (in the amount of \$3,000) and the NC County Commissioners Association (in the amount of \$2,000) to provide education for local governments, effective July 1, 2021.

Applies to actions filed on or after the date the act becomes law.

Intro. by Cleveland, Warren, Clampitt.

[APPROP, GS 153A, GS 160A](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Government, Budget/Appropriations, State Agencies, Department of Labor, Office of State Budget and Management, Local Government, Immigration](#)

H 63 (2021-2022) [GREENSBORO HOLOCAUST MEMORIAL FUNDS](#). Filed Feb 8 2021, *AN ACT TO APPROPRIATE FUNDS TO THE WOMEN OF THE SHOAH TO CREATE A HOLOCAUST MEMORIAL MONUMENT IN THE CITY OF GREENSBORO.*

Appropriates \$250,000 from the General Fund for 2021-22 to Women/Shoah-Jewish Placemaking (Women of the Shoah) to create a Holocaust memorial monument in Greensboro. Effective July 1, 2021.

Intro. by Hardister, Clemmons, Harrison, Faircloth.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, Cultural Resources and Museums](#)

PUBLIC/SENATE BILLS

S 61 (2021-2022) [DENTAL SERVICES/MEDICAID TRANSFORMATION](#). Filed Feb 8 2021, *AN ACT TO ENHANCE MEDICAID TRANSFORMATION BY PROVIDING FOR CAPITATED CONTRACTS FOR THE PROVISION OF DENTAL SERVICES TO MEDICAID AND NC HEALTH CHOICE RECIPIENTS.*

Directs the Department of Health and Human Services (DHHS) to enter into capitated contracts with at least two prepaid dental plans for the provision of dental services to Medicaid and NC Health Choice recipients consistent with the goals of Medicaid transformation outlined in SL 2015-241 (Medicaid Transformation and Reorganization) as amended. Requires DHHS to consult with the Joint Legislative Oversight Committee on Medicaid and NC Health Choice on the terms and conditions of the requests for proposals (RFPs) for the solicitation of bids for statewide capitated contracts for the provision of services, in accordance with GS 12-3(15). Requires contracts to be the result of the submission of competitive bids by prepaid dental plans resulting from the RFPs, and details the minimum provisions the contracts must include. Directs DHHS to oversee, monitor, and enforce capitated dental services contract performance.

Clarifies that the intent of the General Assembly is to promptly transition to the provision of dental services under capitated contracts. Directs DHHS to ensure the act's prompt implementation. Requires DHHS to submit to the Centers for Medicare and

Medicaid Services (CMS) any necessary waiver applications and State Plan amendments to accomplish the act's requirements no later than January 1, 2022.

Intro. by Perry.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Social Services, Public Assistance

S 62 (2021-2022) [VOLUNTEER FIRE DEPARTMENT PRESERVATION ACT](#). Filed Feb 8 2021, *AN ACT TO ENACT THE VOLUNTEER FIRE DEPARTMENT PRESERVATION ACT OF 2021*.

Part I titles the act, the "Volunteer Fire Department Preservation Act of 2021."

Part II

Recodifies GS 58-78-1 through GS 58-78-20 (regarding the State Fire and Rescue Commission) as Part 1 of Article 78, GS Chapter 58 and entitles the Part, *General Provisions*.

Enacts Part 2 of Article 78, GS Chapter 58, establishing the North Carolina Firefighters Fellows Program (Program), administered by the 10-member North Carolina Firefighters Fellows Committee (Committee), established by the Act, with the assistance of the Office of State Fire Marshal (OSFM). Details Committee membership, with members serving two-year terms beginning July 1, 2021. Provides for committee leadership, member expenses and vacancies. Charges the Committee with oversight of the Program, including forgivable loan recipient selection criteria, selection procedures, and selection of recipients to receive forgivable loans. Directs the NC Fire and Rescue Commissioner (Commissioner) to select a staff member from the OSFM to serve as the Program administrator, subject to Committee consent, who is charged with Program administration and oversight. Identifies five recruitment specific duties of the administrator.

Directs that the Program provide forgivable loans of up to \$3,152 per year for up to two years to selected individuals to be used for tuition, fees, and books in order to obtain an associates degree in fire protection or related fields of study. Caps the maximum forgivable loans provided annually at 100, with the total number of recipients in the Program capped at 200 per year. Requires annual recipient selection by June 1. Details eligibility criteria, including appearing on the State roster of an eligible fire department, meeting residency requirement for in-State tuition purposes, and being a high school graduate or high school senior with the intent to be employed or volunteer for an eligible department upon completion of the Program. Bars from eligibility persons convicted of a felony or a crime for which punishment could have been imprisonment for more than two years. Gives the Committee flexibility in required application materials, including requiring certified background checks on applicants over 18. Deems application materials and Committee deliberations confidential and not public record. Requires the Committee to publish application, award, and notification deadlines and provide written notification to applications regarding the outcome of the Committee's deliberations. Deems recipient selection final, and requires the Committee to adopt standards for awards, including scholastic profile, potential for excellence in the profession, school and community service, at least two references, and demonstrated writing ability. Requires the State Fire Marshal to administer the forgivable loans once recipients are named, as specified. Provides for recipient obligations, including continued enrollment in the appropriate field at a community college with a minimum 2.0 GPA.

Requires the Program administrator, in coordination with the Committee, to annually report to the NC Fire and Rescue Commission, beginning January 1, 2023, on the Program, as specified.

Provides for terms, forgiveness and repayment guidelines for the forgivable loans, including capping the interest rate at 10% and requiring disbursement directly to the community college where the recipient is enrolled. Provides loan forgiveness for recipients who, within five years after obtaining their associates degree in fire protection of a related, Committee-approved field, the recipient is a volunteer or employed on a full-time basis for a period of at least four years in an eligible fire department. Additionally, provides for repayment extensions for up to two years, repayment within 60 months, and default on the loans.

Effective July 1, 2021, and applies to the award of forgivable loans beginning with the 2022-23 academic year.

Part III

Amends GS 105-275 to exclude from tax 25% of the assessed value of housing together with the land that is owned and used as a primary residence by an unpaid member of a volunteer fire department who is on the certified roster (defined to mean the listing of firefighters meeting the eligibility criteria for the NC Firefighters' and Rescue Squad Workers' Pension Fund), attended at least 36 hours of fire department drills and meeting during the taxable year, and has more than five years of volunteer fire service, as verified from the certified roster. Effective for taxes imposed for taxable years beginning on or after July 1, 2021.

Part IV

Amends GS 58-86-35, GS 58-86-40, and GS 58-86-45, increasing monthly member payments to the NC Firefighters' and Rescue Squad Workers' Pension Fund (Pension Fund) from \$10 to \$20 as it applies to new and current members and workers seeking retroactive membership.

Amends GS 58-86-55, increasing the monthly pension to eligible members, including disabled members, beneficiaries, and retired firefighters from \$170 to \$180 monthly. Makes conforming changes regarding increased monthly member contributions.

Effective January 1, 2022, and apply to monthly payments into the Pension Fund for months of service on or after that date.

Part V

Includes a severability clause.

Intro. by Daniel, Britt, McInnis.

[GS 58, GS 105](#)

[View summary](#)

[Education, Higher Education, Employment and Retirement, Government, Public Safety and Emergency Management, Tax](#)

S 64 (2021-2022) [WINDOW TINT/INSPECTION/APPROACH OF LEO](#). Filed Feb 8 2021, *AN ACT TO REMOVE THE SAFETY INSPECTION OF TINTED WINDOWS AND TO REQUIRE A DRIVER TO LOWER A TINTED WINDOW UPON THE APPROACH OF A LAW ENFORCEMENT OFFICER*.

Amends GS 20-183.3 by no longer requiring that tinted windows be inspected during a motor vehicle safety inspection. Makes conforming changes including removing the corresponding fee in GS 20-183.7. Amends GS 20-127 by adding the requirement that a driver of a vehicle with tinted windows roll down the driver side window when a law enforcement officer approaches, and roll down the passenger window if the officer approaches from the passenger side. Applies to offenses committed on or after December 1, 2021.

Intro. by Johnson.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, Public Safety and Emergency Management](#)

S 65 (2021-2022) [JUDICIAL DISTRICT 19D - HOKE COUNTY](#). Filed Feb 8 2021, *AN ACT TO ESTABLISH A RESIDENCY REQUIREMENT FOR ONE DISTRICT COURT JUDGE POSITION FOR HOKE COUNTY*.

Identical to [H 55](#), filed 2/4/21.

Amends GS 7A-133 by requiring that one of the four district court judges in district 19D (consisting of Hoke and Moore counties) be a resident of Hoke County while allowing the other three to be residents of either Hoke or Moore counties. Effective January 1, 2023, and requires elections held in 2022 to be conducted accordingly.

Intro. by Clark.

GS 7A

[View summary](#)[Courts/Judiciary](#)

S 66 (2021-2022) [REGULATE USE OF DEER SECRETIONS FOR HUNTING](#). Filed Feb 8 2021, *AN ACT TO REGULATE THE USE OF DEER URINE AND OTHER SECRETIONS FOR THE TAKING OF GAME*.

Enacts new GS 113-291.14 making it illegal to use any cervid (a member of the deer family) excretion for the purposes of taking or attempting to take, attracting, or scouting wildlife unless the excretion meets all of the following: (1) the excretion has been determined to be free of chronic wasting disease (CWD) prions based on testing by an independent laboratory using the specified testing method; (2) the excretion is entirely collected from facilities participating in a deer protection program that includes all the five specified protocols related to CWD; and (3) the packaging for the excretion includes language indicating that the product has been tested using the specified method and the excretion is sourced from a facility complying with a deer protection program. Applies to acts that occur on or after October 1, 2021.

Intro. by Perry, Britt, Johnson.

GS 113

[View summary](#)[Animals](#)

S 67 (2021-2022) [FOOD COMMERCIALIZATION FUNDS](#). Filed Feb 8 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE EASTERN NORTH CAROLINA FOOD COMMERCIALIZATION CENTER*.

Identical to [H 59](#), filed 2/4/21.

Appropriates \$1 million and \$1.5 for 2021-22 and 2022-23, respectively, from the General Fund to the Department of Agriculture and Consumer Services to provide a grant to the Eastern NC Food Commercialization Center (Center) to provide matching funds for a federal construction grant and to provide working capital and equipment for the Center. Directs the Center to annually report to the specified NCGA committee and division on its use of the funds by April 1 until all funds are spent or have reverted. Requires unspent or unencumbered funds to revert to the General Fund after June 30, 2023. Effective July 1, 2021.

Intro. by Davis.

APPROP

[View summary](#)[Agriculture, Government, Budget/Appropriations, State Agencies, Department of Agriculture and Consumer Services](#)

S 69 (2021-2022) [DMV LICENSING REQ/AUTH. VENDOR FOR ROAD TESTS](#). Filed Feb 8 2021, *AN ACT TO REVISE DIVISION OF MOTOR VEHICLE PERMIT AND LICENSE REQUIREMENTS AND TO AUTHORIZE THE DIVISION TO UTILIZE A VENDOR TO ADMINISTER ROAD TESTS*.

Amends GS 20-11 as follows. Amends the driving restrictions on those driving with a limited learner's permit to restrict driving hours to between the hours of 5:00 am and 9:00 pm for the first three months (was, first six months) after permit issuance, and specifies that after the first three (was, six) months after issuance, the permit holder may drive at any time. Amends the requirements to be met in order for a person who is at least 16 years old but less than 18 years to obtain a limited provisional license, to require the person to have held a limited learner's permit for at least six (was, 12) months; also removes the requirement of passing a road test.

Requires the Division of Motor Vehicles (DMV) to use third-party vendors to administer the road tests required by Article 2 of GS Chapter 20. Requires each vendor to obtain a certification from DMV that the test complies with criteria and training developed by DMV. Allows vendors to charge a fee for the road test and requires any road test fee charged by a private vendor

to be deducted from the fee charged by DMV for the license for which the applicant is required to take the road test. Requires DMV to maintain oversight of the road tests conducted by vendors. Requires DMV to report to the specified NCGA committee by November 1, 2021, on specified information related to this requirement.

Intro. by Sawyer, McInnis, Britt.

GS 20

[View summary](#)

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

S 70 (2021-2022) [FUNDS/CAROLINA MUSEUM OF THE MARINE](#). Filed Feb 8 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE CAROLINA MUSEUM OF THE MARINE AND CIVIC INSTITUTE IN ONSLOW COUNTY.*

Identical to [H 60](#), filed 2/8/21.

Includes whereas clauses. Appropriates \$26 million from the General Fund to the Museum of The Marine for 2021-22 to build the Carolina Museum of the Marine and Civic Institute and design and install exhibits, classrooms and theaters, and immersive technology. Effective July 1, 2021.

Intro. by Lazzara, Perry.

APPROP

[View summary](#)

Government, Budget/Appropriations, Cultural Resources and Museums, Military and Veteran's Affairs

S 72 (2021-2022) [ADVANCED CERT. SERVICE PURCHASE OPTION/LEOS](#). Filed Feb 8 2021, *AN ACT TO ALLOW FOR THE PURCHASE OF UP TO FOUR YEARS' CREDITABLE SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM AT FULL COST BY LAW ENFORCEMENT OFFICERS HOLDING AN ADVANCED LAW ENFORCEMENT CERTIFICATE ISSUED BY THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION OR THE NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION.*

Amends GS 135-4 (concerning the Teachers' and State Employees' Retirement System) and GS 128-26 (concerning the Local Government Employees' Retirement System) by allowing a member who has completed at least five years of membership service and who has been awarded the Advanced Law Enforcement Certificate to purchase up to four years' creditable service in one of those retirement systems. Sets out additional requirements for the purchase of service, including that it not be associated with any specific compensation or period of time. Sets out provisions for the calculation of the amount payable.

Intro. by Steinburg.

GS 128, GS 135

[View summary](#)

Employment and Retirement, Government, Public Safety and Emergency Management, State Government, State Personnel, Local Government

LOCAL/SENATE BILLS

S 63 (2021-2022) [19TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 8 2021, *AN ACT RELATING TO THE 19TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by deViere.

Cumberland

[View summary](#)

S 68 (2021-2022) [5TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 8 2021, *AN ACT RELATING TO THE 5TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Davis.

Greene, Pitt

[View summary](#)

S 71 (2021-2022) [TOWN OF SOUTHERN SHORES/EMINENT DOMAIN](#). Filed Feb 8 2021, *AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO EXERCISE THE POWER OF EMINENT DOMAIN FOR PURPOSES OF ENGAGING IN BEACH EROSION CONTROL AND FLOOD AND HURRICANE PROTECTION WORKS.*

Identical to [H 30](#), filed 1/28/21.

Amends GS 40A-3 to include the Town of Southern Shores among those counties and towns granted the power of eminent domain for 10 specified public use or benefit purposes, including (1) improving roads and sidewalks, (2) establishing or improving recreational facilities, (3) establishing drainage programs and programs to prevent obstructions to the natural flow of streams, creeks and natural water channels, and improving drainage facilities, and (4) engaging in building and improving beach erosion control or flood and hurricane protection works. Explicitly excludes the power to establish access for the public to public trust beaches and appurtenant parking areas.

Amends GS 40A-42 to include the Town of Southern Shores among those named local public condemners to which title to the property specified in a complaint, together with the right of possession, vest in the condemner upon the filing of the complaint and the making of deposit, when the Town acquires property by condemnation for four specified purposes, including (1) improving roads and sidewalks; (2) improving storm sewer and drainage systems and works, or sewer and septic tank lines and systems; (3) establishing drainage programs and programs to prevent obstructions to the natural flow of streams, creeks and natural water channels, and improving drainage facilities; and (4) engaging in building and improving beach erosion control or flood and hurricane protection works.

Intro. by Steinburg.

Dare

[View summary](#)

[Development, Land Use and Housing, Environment, Environment/Natural Resources](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 54: CRIMINAL INFORMATION NETWORK/REVISE FEE.

House: Passed 1st Reading

House: Ref to the Com on State Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 55: JUDICIAL DISTRICT 19D - HOKE COUNTY.

House: Passed 1st Reading

House: Ref to the Com on Judiciary 1, if favorable, Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House

H 56: RAISE JUDICIAL RETIREMENT AGE FROM 72 TO 75.

House: Passed 1st Reading

House: Ref to the Com on Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

H 57: FUNDS/NEW HOKE CO. COURTHOUSE.

House: Passed 1st Reading

House: Ref to the Com on Appropriations, if favorable, Rules, Calendar, and Operations of the House

H 60: FUNDS/CAROLINA MUSEUM OF THE MARINE.

House: Filed

H 61: LOCAL COMMUNICABLE DISEASE PROGRAMS/FUNDS.

House: Filed

H 62: GOV. IMMIGRATION COMPLIANCE/ENJOIN ORDINANCES.

House: Filed

H 63: GREENSBORO HOLOCAUST MEMORIAL FUNDS.

House: Filed

S 56: TRYON PALACE - CAPITAL PROJECT.

Senate: Passed 1st Reading

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

S 58: DISAPPROVE DEER SECRETION RULES.

Senate: Passed 1st Reading

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

S 59: RESTORE MASTER'S PAY FOR CERTAIN EDUCATORS.

Senate: Passed 1st Reading

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

S 60: DISAPPROVE VARIOUS SOLID WASTE RULE CHANGES.

Senate: Passed 1st Reading

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

S 61: DENTAL SERVICES/MEDICAID TRANSFORMATION.

Senate: Filed

S 62: VOLUNTEER FIRE DEPARTMENT PRESERVATION ACT.

Senate: Filed

S 64: WINDOW TINT/INSPECTION/APPROACH OF LEO.

Senate: Filed

S 65: JUDICIAL DISTRICT 19D - HOKE COUNTY.

Senate: Filed

S 66: REGULATE USE OF DEER SECRETIONS FOR HUNTING.

Senate: Filed

S 67: FOOD COMMERCIALIZATION FUNDS.

Senate: Filed

S 69: DMV LICENSING REQ/AUTH. VENDOR FOR ROAD TESTS.

Senate: Filed

S 70: FUNDS/CAROLINA MUSEUM OF THE MARINE.

Senate: Filed

S 72: ADVANCED CERT. SERVICE PURCHASE OPTION/LEOS.

Senate: Filed

LOCAL BILLS

S 57: 47TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading

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

S 63: 19TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 68: 5TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 71: TOWN OF SOUTHERN SHORES/EMINENT DOMAIN.

Senate: Filed

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