



The Daily Bulletin: 2021-02-16

PUBLIC/HOUSE BILLS

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 AND TO DIRECT THE ABC COMMISSION TO REINSTATE OR REACTIVATE CERTAIN CANCELLED OR INACTIVATED ABC PERMITS.*

Senate amendment amends the 4th edition as follows.

Adds to the proposed changes to Section 1 of SL 2020-94 regarding the deferral of permit fees for certain ABC permittees affected by Executive Order No. 141. Requires ABC permittees who delay payment pursuant to Section 1 to be current in the filing and payment of applicable taxes and submit the required recycling plan with renewal and registration applications, pursuant to specified state laws, before the expiration of the 90-day deferral period.

Intro. by Moffitt, Boles, Bell, Paré.

UNCODIFIED

[View summary](#)

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

H 84 (2021-2022) [SEX OFFENDER PREMISES RESTRICTIONS](#). Filed Feb 16 2021, *AN ACT TO APPLY PREMISES RESTRICTIONS TO CERTAIN SEX OFFENDERS.*

Amends GS 14-208.18 to expand premises restrictions for certain persons required to register under Article 27A, Sex Offender and Public Protection Registration Programs. Adds that persons required to register under the Article who have committed any sexual exploitation of a minor offense in violation of GS 14-190.16, GS 14-190.17, or GS 14-190.17A (first, second, and third degree offenses, respectively), or substantially similar federal offenses or substantially similar offense in another state, are prohibited from knowingly being at the following locations: (1) on the premises of any place intended primarily for the use, care, or supervision of minors such as schools, nurseries and playgrounds; (2) any place where minors frequently congregate such as libraries, amusement parks and swimming pools, when minors are present; and (3) on the State Fairgrounds during the period that the State Fair is conducted annually, the Western NC Agricultural Center grounds during the period the NC Mountain State Fair is conducted, and on any other fairgrounds during the period an agricultural fair is being conducted. Applies to offenses committed on or after December 1, 2021.

Intro. by Warren, McNeill, Riddell, Stevens.

GS 14

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Public Safety and Emergency Management](#)

H 86 (2021-2022) [INCREASE IN-SERVICE DEATH BENEFITS/LRS](#). Filed Feb 16 2021, *AN ACT INCREASING THE DEATH BENEFIT FOR MEMBERS OF THE LEGISLATIVE RETIREMENT SYSTEM WHO DIE WHILE IN SERVICE, APPROPRIATING FUNDS TO THE GENERAL ASSEMBLY FOR THE INCREASED DEATH BENEFIT, AND MAKING TECHNICAL CHANGES TO REORGANIZE THE LEGISLATIVE RETIREMENT SYSTEM DEATH BENEFIT STATUTE.*

Section 1

Amends GS 120-4.27, concerning the death benefit for members of the Legislative Retirement System (LRS). Makes organizational, technical, and clarifying changes to the statute. Additionally, increases the death benefit payment to a designated beneficiary of a member who dies while in service after completing one year of creditable service from a lump-sum payment of an amount equal to the deceased member's highest annual salary, up to \$15,000, to instead provide for a lump-sum payment of \$50,000. Makes language gender neutral.

Effective retroactively to January 1, 2020, and applies to eligible deaths occurring on or after that date.

Section 2

Directs the State Treasurer to transfer from the LRS to the Teachers' and State Employees' Benefit Trust (Benefit Trust) an amount equal to 0.34% of the reported compensation for the LRS for the period beginning January 1, 2020, and ending June 30, 2021.

Section 3

Appropriates \$21,358 in recurring funds and \$10,679 in nonrecurring funds from the General Fund to the NCGA for 2020-21 for the LRS death benefit under GS 120-4.27, as amended. Requires the NCGA to make a \$32,037 contribution to the Benefit Trust by June 30, 2021, of the funds appropriated, for the LRS death benefit.

States legislative intent to make adjustments to the required employer salary-related contributions for 2021-22 to reflect the act's provisions.

Intro. by Howard, Moore, Reives, Carney.

APPROP, GS 120

**Employment and Retirement, Government,
Budget/Appropriations, General Assembly, State
Government, State Personnel**

[View summary](#)

H 87 (2021-2022) **FUNDS/NEW NORTH CAROLINA MARITIME MUSEUM**. Filed Feb 16 2021, *AN ACT TO APPROPRIATE FUNDS TO THE MARITIME HERITAGE FOUNDATION OF BEAUFORT, NORTH CAROLINA, INC., TO COMPLETE A MASTER SITE PLAN FOR A NEW MARITIME MUSEUM IN BEAUFORT.*

Includes whereas clauses. Appropriates \$3 million from the General Fund to The Maritime Heritage Foundation of Beaufort, North Carolina, Inc. for 2021-22 to begin the advance planning phase focusing on the future construction of a new NC Maritime Museum in Beaufort at Gallants Channel. Restricts use of funds to completing a Master Site Plan, hiring an architect and project manager, and taking actions to maintain, protect and secure boundaries and public access to the site and the waterfront, as well as undertaking all utilities, site, and infrastructure improvements. Effective July 1, 2021.

Intro. by McElraft.

APPROP, Carteret

**Government, Budget/Appropriations, Cultural Resources and
Museums**

[View summary](#)

H 88 (2021-2022) **MODIFY BD. OF BARBER EXAMINERS FEES**. Filed Feb 16 2021, *AN ACT TO MODIFY FEES CHARGED BY THE STATE BOARD OF BARBER EXAMINERS.*

Amends GS 86A-25 by increasing the amount of the following fees charged by the State Board of Barber Examiners: certificate of registration or renewal as a barber, certificate of registration or renewal as an apprentice barber, barbershop permit or renewal, late fee for the restoration of an expired barber, apprentice or barbershop certificate, examination to become a barber school instructor, student permit, barber school permit or renewal, late fee for restoration of an expired barber school certificate, barber school instructor certificate or renewal, late fees for restoration of an expired barber school instructor certificate, and inspection of a newly established barbershop. Also removes the provision stating that there is no fee for

certificates or renewals for barbers 70 years and older. Applies to all fees charged and all applications submitted on or after October 1, 2021.

Intro. by Setzer.

GS 86A

[View summary](#)

**Business and Commerce, Occupational Licensing,
Employment and Retirement**

H 89 (2021-2022) [SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH](#). Filed Feb 16 2021, *AN ACT DESIGNATING THE MONTH OF SEPTEMBER OF EACH YEAR AS CHILDHOOD CANCER AWARENESS MONTH*.

Identical to [S 80](#), filed 2/10/21.

Includes whereas clauses. Enacts new GS 103-16 designating September as Childhood Cancer Awareness Month in North Carolina.

Intro. by Sasser, Moss, Willis, Penny.

GS 103

[View summary](#)

**Government, Cultural Resources and Museums, Health and
Human Services, Health**

H 91 (2021-2022) [REDUCE REG. TO HELP CHILDREN WITH AUTISM](#). Filed Feb 16 2021, *AN ACT TO REDUCE UNNECESSARY REGULATORY CONSTRAINTS FOR APPLIED BEHAVIOR ANALYSIS*.

Identical to [S 103](#), filed 2/16/21.

Adds new Article 43, Behavior Analyst Licensure, to GS Chapter 90. Prohibits a person from practicing as a licensed behavior analyst or an assistant behavior analyst without a state license issued pursuant to the Article, with specified exemptions. Defines behavior analysis as the design, implementation, and evaluation of systematic instructional and environmental modifications to produce significant personal or interpersonal improvements in human behavior. Effective January 1, 2022, makes violations of the Article a Class 2 misdemeanor. Establishes the NC Behavior Analysis Board (Board), with five members (three appointed by the Governor and one each upon recommendation of the Speaker of the House of Representatives and the President Pro Tem. of the Senate). Charges the Board with administration of the licensing program and requires the Board to make an annual report to the Governor. Sets out qualifications for licensure as a behavior analyst or assistant behavior analyst, fees that may be charged by the Board, and the Board's disciplinary authority. Allows for reciprocity and for the issuance of temporary licenses. Permits criminal record checks for licensees and persons seeking licenses. Makes conforming changes to GS 90-270.138. Requires the Board to adopt temporary rules to implement the act, which remain in effect until permanent rules are in effective. Enacts GS 8-53.14 governing the confidentiality of communications between a behavior analyst and their client or patient.

Intro. by Bell, Lambeth, K. Baker, Saine.

GS 8, GS 90

[View summary](#)

**Business and Commerce, Occupational Licensing, Health and
Human Services, Health, Health Care Facilities and Providers**

H 93 (2021-2022) [REQUIRE NALOXONE SCRIPTS WITH OPIOID SCRIPTS](#). Filed Feb 16 2021, *AN ACT REQUIRING EACH HEALTH CARE PRACTITIONER WHO PRESCRIBES AN OPIOID MEDICATION TO A PATIENT TO PRESCRIBE AN OPIOID ANTAGONIST FOR THAT PATIENT UNDER CERTAIN CIRCUMSTANCES AND FOR CERTAIN PURPOSES*.

Enacts GS 90-12.8 to establish new requirements for practitioners prescribing Schedule II controlled substances identified in GS 90-90(1), which includes opium, opiates, and opioids. When writing a prescription for a patient for a Schedule II controlled

substance identified in GS 90-90(1), requires co-prescribing an FDA approved drug for complete or partial reversal of opioid-induced respiratory depression, and documenting such in the patient's medical record, if: (1) the prescription dosage is for 50 or more morphine milligram equivalents of an opioid medication per day; (2) the Schedule II controlled substance is prescribed concurrently with a prescription for benzodiazepine; or (3) the patient presents with an increased risk for overdose as evidenced by but not limited to a history of overdose or substance use disorder. Requires providing the patient and one or more persons designated by the patient, or if the patient is a minor, to the minor's parent, guardian, or person standing in loco parentis, with education on overdose prevention and the use of the FDA-approved opioid antagonist, consistent with the existing standard of care. Permits referral to the appropriate licensing board for administrative sanctions practitioners who prescribe a Schedule II controlled substance identified in GS 90-90(1) and fail to co-prescribe an opioid antagonist prescription, or fail to provide the required education and use information. Specifies that the act does not create a private right of action against a practitioner who fails to follow these requirements, and also does not limit a practitioner's liability for negligent diagnosis or treatment. Effective October 1, 2021.

Intro. by Sasser, Humphrey, Moffitt, Adcock.

GS 90

[View summary](#)

Health and Human Services, Health, Health Care Facilities and Providers

H 95 (2021-2022) [IMPROVE ANATOMICAL GIFT DONATION PROCESS](#). Filed Feb 16 2021, *AN ACT IMPROVING THE EFFICIENCY OF ORGAN, EYE, AND TISSUE DONATION AT THE DEPARTMENT OF MOTOR VEHICLES BY REQUIRING DONORS WHO ORIGINALLY BECAME DONORS IN ANOTHER JURISDICTION TO CONSENT TO THE IMPRINTING OF AN ANATOMICAL GIFT STATEMENT OR SYMBOL ON THE DONOR'S NORTH CAROLINA DRIVERS LICENSE OR IDENTIFICATION CARD AND BY CLARIFYING WHEN AN ANATOMICAL GIFT MADE BY AUTHORIZING THAT A STATEMENT OR SYMBOL BE IMPRINTED ON THE DONOR'S DRIVERS LICENSE OR IDENTIFICATION CARD WILL BE CONSIDERED REVOKED.*

Amends GS 130A-412.7 to specify that an anatomical gift donor who originally became a donor in another jurisdiction is required to authorize that a statement or symbol be imprinted on the donor's drivers license or identification card issued in this State in order for the gift to be valid based on an NC drivers license or identification card indication.

Amends GS 130A-412.7 to specify that a statement or symbol on an NC drivers license or identification card indicating that the donor has made an anatomical gift must remain on the license or card until the donor revokes consent by requesting removal of the statement or symbol as prescribed by the Division of Motor Vehicles.

Effective October 1, 2021.

Intro. by Sasser, Potts, Carney, K. Baker.

GS 130A

[View summary](#)

Government, State Agencies, Department of Transportation, Health and Human Services, Health, Public Health

H 96 (2021-2022) [ALLOW PHARMACISTS TO ADMIN. INJECTABLE DRUGS](#). Filed Feb 16 2021, *AN ACT TO ALLOW PHARMACISTS TO ADMINISTER INJECTABLE DRUGS.*

Includes whereas clauses. Amends GS 90-85.3A to add that pharmacists may administer injectable drugs and to specify that immunizing pharmacists may administer injectable drugs (was, administer drugs). Applies to licensed pharmacists and immunizing pharmacists on or after October 1, 2021.

Requires the North Carolina Board of Pharmacy to adopt rules to implement this act by October 1, 2021. Allows for the adoption of temporary rules, which would remain in effect until permanent rules that replace the temporary rules become effective.

Intro. by Sasser, Setzer, White, Adcock.

GS 90

[View summary](#)**Health and Human Services, Health, Health Care Facilities and Providers**

H 98 (2021-2022) **HURRICANE HOUSING RECOVERY GRANT**. Filed Feb 16 2021, *AN ACT TO PROVIDE FUNDING TO THE HOUSING FINANCE AGENCY FOR A GRANT TO A NONPROFIT TO ASSIST CERTAIN HOMEOWNERS IMPACTED BY HURRICANES MATTHEW, FLORENCE, AND MICHAEL*.

Appropriates \$1.5 million in nonrecurring funds for 2021-22 from the General Fund to the North Carolina Housing Finance Agency, to be used as a grant to Kingdom Community Development Corporation for the completion of construction on 28 subdivision units, six single-family homes, and eight townhomes in Balsawood Village for families affected by Hurricanes Matthew, Florence, and Michael. Effective July 1, 2021.

Intro. by Lucas, Richardson.**APPROP**[View summary](#)**Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, Public Safety and Emergency Management**

H 99 (2021-2022) **FUNDS/ORANGE ST SCHOOL/SPRING LAKE CIVIC CTR**. Filed Feb 16 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HISTORIC ORANGE STREET SCHOOL BUILDING IN FAYETTEVILLE AND THE HISTORIC SPRING LAKE CIVIC CENTER BUILDING IN SPRING LAKE*.

Appropriates \$50,000 in nonrecurring funds for 2021-22 from the General Fund to the Orange Street School Restoration and Historical Association, Inc., to support its Restoration and Upgrade Project for the historic Orange Street School building. Appropriates \$100,000 in nonrecurring funds for 2021-22 from the General Fund to the Sandhills Family Heritage Association, to renovate and restore its historic Spring Lake Civic Center building. Effective July 1, 2021.

Intro. by Lucas, Richardson.**APPROP**[View summary](#)**Government, Budget/Appropriations, Cultural Resources and Museums**

H 100 (2021-2022) **HIGHWAY CLEANUP ACT OF 2021**. Filed Feb 16 2021, *AN ACT TO ENACT THE HIGHWAY CLEANUP ACT OF 2021*.

Titles the act, "The Highway Cleanup Act of 2021."

Amends GS 14-399, increasing the following civil fines relating to littering. For littering in violation of subsection (a) in an amount not exceeding 15 pounds and not for commercial purposes, increases the civil fine from no less than \$250 and no more than \$1,000, to no less than \$500 and no more than \$2,000 for the first violation, and from no less than \$500 and no more than \$2,000, to a fine of no less than \$1,000 and no more than \$4,000 for subsequent violations. For littering in an amount exceeding 15 pounds but not exceeding 500 pounds and not for commercial purposes, increases the fine from not less than \$500 and not more than \$2,000, to not less than \$1,000 and not more than \$4,000. For violations of of subsection (a) punishable as a felony that result in sustained damages, requires payment to the injured party in treble the amount of actual damages or \$400 (was \$200), whichever is greater.

For littering in an amount not exceeding 15 pounds in violation of subsection (a1), increases the fine from no more than \$100 to no more than \$200 for the first violation, and from no more than \$200 to no more than \$400 for subsequent violations. For littering in an amount exceeding 15 pounds but not exceeding 500 pounds, increases the fine from not more than \$200 to not more than \$400. For littering in an amount exceeding 500 pounds, increases the fine from not more than \$300 to not more than \$600.

Directs the Department of Transportation (DOT) to use of to \$500,000 of appropriated funds from the Highway Fund in SL 2020-91 to establish the Cops Clean NC grant program (program) to award grants to sheriffs' offices in rural counties to provide officers overtime pay for litter cleanup efforts. Defines *rural counties* to mean counties with a population of less than 150,000. Caps grants at \$10,000. Requires DOT to provide relevant educational materials. Requires distribution of educational materials to first time littering offenders.

Directs DOT to use \$500,000 of appropriated funds from the Highway Fund in SL 2020-91 to raise awareness and participation in the five existing anti-litter programs identified.

Intro. by Bell, B. Jones, Miller, Harrison.

APPROP, GS 14

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure, Employment and Retirement, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Transportation, Local Government

PUBLIC/SENATE BILLS

S 37 (2021-2022) **IN-PERSON LEARNING CHOICE FOR FAMILIES**. Filed Feb 1 2021, *AN ACT TO PROVIDE ACCESS TO IN-PERSON LEARNING FOR STUDENTS IN GRADES KINDERGARTEN THROUGH TWELVE*.

Conference report amends the 4th edition as follows.

Eliminates the proposed requirements regarding the provision of reasonable accommodations to classroom teachers upon implementation of the proposed mandate for in-person instruction to K-12 students for the remainder of the 2020-21 school year. Instead, requires local boards of education to create a process for teachers and staff to self-identify as high-risk from COVID-19, including self-identification due to being the direct caretaker of a minor with an underlying condition identified as high-risk from COVID-19, and to have a plan in place to address requests for alternative work reassignments, in accordance with the requirements of the StrongSchoolsNC Public Health Toolkit. Strongly encourages local boards to enable those self-identified as high-risk to minimize face-to-face contact and to allow six-foot social distancing, modify job responsibilities to minimize exposure risk, or allow them to telework if possible.

Intro. by Ballard, Lee, Hise.

UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, Local Government, Health and Human Services, Health, Public Health

S 52 (2021-2022) **SEX OFFENDER RESIDENCE RESTRICTION/CLARIFY**. Filed Feb 3 2021, *AN ACT TO AMEND THE LAW THAT IMPOSES RESIDENTIAL RESTRICTIONS ON SEX OFFENDERS TO PROVIDE THAT THE ONE THOUSAND FOOT RESTRICTION IS TO BE MEASURED FROM THE PROPERTY LINE OR LINES OF THE PROPERTY ON WHICH THE SCHOOL OR CHILD CARE CENTER IS LOCATED*.

Senate committee substitute amends the 1st edition as follows.

Replaces the proposed changes to GS 14-208.16 to more specifically prohibit a registered sex offender from knowingly residing (1) at any location which is within 1,000 feet of any property line of a property on which a school or child care center is located, and (2) within any structure, any portion of which is within 1,000 feet of any property line of a property on which a school or child care center is located (current law prohibits residing within 1,000 feet of a property on which any school or child care center is located).

Intro. by Sawyer, Perry, Johnson.

GS 14

[View summary](#)**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure**

S 102 (2021-2022) [REACT/PLATES/SIREN](#). Filed Feb 16 2021, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE PERMANENT REGISTRATION PLATES TO RADIO EMERGENCY ASSOCIATED COMMUNICATIONS TEAMS (REACT) AND TO AUTHORIZE REACT VEHICLES TO USE LIGHTS AND SIRENS.*

Reenacts GS 20-84(b)(7) as it existed before its repeal by SL 2012-159. Authorizes the Division of Motor Vehicles (DMV) to issue permanent registration plates for a motor vehicle owned by an incorporated REACT (Radio Emergency Associated Communications) team that provides its services pursuant to a contract with a county or municipality (previously not limited by contract specifications).

Amends GS 20-125 to require every vehicle owned or operated by an incorporated REACT team that provides its services pursuant to a contract with a county or municipality to be equipped with special lights, bells, sirens, horns, or exhaust whistles approved by the Commissioner of Motor Vehicles.

Intro. by Daniel.

GS 20

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

S 103 (2021-2022) [REDUCE REG. TO HELP CHILDREN WITH AUTISM](#). Filed Feb 16 2021, *AN ACT TO REDUCE UNNECESSARY REGULATORY CONSTRAINTS FOR APPLIED BEHAVIOR ANALYSIS.*

Adds new Article 43, Behavior Analyst Licensure, to GS Chapter 90. Prohibits a person from practicing as a licensed behavior analyst or an assistant behavior analyst without a state license issued pursuant to the Article, with specified exemptions. Defines *behavior analysis* as the design, implementation, and evaluation of systematic instructional and environmental modifications to produce significant personal or interpersonal improvements in human behavior. Effective January 1, 2022, makes violations of the Article a Class 2 misdemeanor. Establishes the NC Behavior Analysis Board (Board), with five members (three appointed by the Governor and one each upon recommendation of the Speaker of the House of Representatives and the President Pro Tem. of the Senate). Charges the Board with administration of the licensing program and requires the Board to make an annual report to the Governor. Sets out qualifications for licensure as a behavior analyst or assistant behavior analyst, fees that may be charged by the Board, and the Board's disciplinary authority. Allows for reciprocity and for the issuance of temporary licenses. Permits criminal record checks for licensees and persons seeking licenses. Makes conforming changes to GS 90-270.138. Requires the Board to adopt temporary rules to implement the act, which remain in effect until permanent rules are in effect. Enacts GS 8-53.14 governing the confidentiality of communications between a behavior analyst and their client or patient.

Intro. by Perry, Lee, Barnes.

GS 8, GS 90

[View summary](#)**Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers**

S 104 (2021-2022) [ALIGN PPP TAX TREATMENT TO FEDERAL TREATMENT](#). Filed Feb 16 2021, *AN ACT TO ELIMINATE THE ADDBACK FOR BUSINESS EXPENSES DEDUCTED TO THE EXTENT THE PAYMENT RESULTS IN FORGIVENESS OF A COVERED LOAN UNDER THE FEDERAL CARES ACT.*

Effective for taxable years beginning on or after January 1, 2020, repeals GS 105-130.5(1)(32) and GS 105-153.5(c2)(20), which require corporate and individual taxpayers to add to the taxpayer's adjusted gross income the amount of any expense deducted under the Internal Revenue Code to the extent that payment of the expense results in forgiveness of a covered loan pursuant to section 1106(b) of the federal CARES Act (governing the Payment Protection Program/PPP) and the income associated with the forgiveness is excluded from gross income pursuant to section 1106(i) of the CARES Act.

Intro. by Edwards, Perry, Craven.

GS 105

[View summary](#)

**Business and Commerce, Government, Public Safety and
Emergency Management, Tax**

LOCAL/HOUSE BILLS

H 23 (2021-2022) [UTV REGULATION/TOWN OF SPENCER](#). Filed Jan 27 2021, *AN ACT TO ALLOW THE TOWN OF SPENCER TO REGULATE UTILITY VEHICLES*.

House committee substitute amends the 1st edition as follows. Modifies existing language of Section 1 of SL 2003-124 set forth in the bill to reflect the Section as it was also amended by SL 2013-172 (the previous edition set forth existing language as the Section existed in the amendments set out in SL 2011-171). Maintains the substantive change to include Spencer in the towns explicitly authorized to regulate the operation of utility vehicles on any public street or road within the town by ordinance. Moves the proposed addition to maintain alphabetical order.

Intro. by Warren.

Rowan

[View summary](#)

Courts/Judiciary, Motor Vehicle, Transportation

H 85 (2021-2022) [PROTECT PRIVATE PROPERTY RIGHTS](#). Filed Feb 16 2021, *AN ACT TO CLARIFY THAT THE INCLUSION OF REAL PROPERTY ON A COMPREHENSIVE TRANSPORTATION PLAN IS NOT A REQUIRED DISCLOSURE OR A MATERIAL FACT FOR THE PURPOSES OF DISCLOSURE FOR REAL ESTATE TRANSACTIONS*.

Makes the following changes regarding real property conveyances, applicable to Cleveland and Lincoln Counties only.

Enacts GS 39-51 to deem material the fact that any portion of real property offered for conveyance, rent, or lease is included in a financially constrained transportation plan. Specifies that the fact that any portion of real property offered for conveyance, rent, or lease is included in a comprehensive transportation plan that is not financially constrained adopted under specified state or federal law regarding transportation planning, is not, standing alone, material. Prohibits any party or their agent to the conveyance, rental, or lease from knowingly making a false statement regarding the property's inclusion on any transportation plan.

Amends GS 47E-4 to deem the inclusion of real property in a comprehensive transportation plan that is not financially constrained adopted pursuant to specified state or federal law regarding transportation planning not a required disclosure in real estate contracts. Prohibits parties or their agents in real estate contracts governed by GS Chapter 47E from knowingly making a false statement regarding a property's inclusion in any transportation plan.

Applies to real estate contracts entered into on or after the date the act becomes law.

Intro. by Hastings, Saine.

Cleveland, Lincoln, GS 39, GS 47E

[View summary](#)

**Courts/Judiciary, Civil, Civil Law, Development, Land Use
and Housing, Property and Housing, Transportation**

H 90 (2021-2022) [IN-PERSON LEARNING](#). Filed Feb 16 2021, *AN ACT TO PROVIDE IN-PERSON LEARNING FOR STUDENTS IN ASHEBORO CITY SCHOOLS, CARTERET COUNTY SCHOOLS, HAYWOOD COUNTY SCHOOLS, RANDOLPH COUNTY SCHOOLS, AND YANCEY COUNTY SCHOOLS.*

Includes whereas clauses. Makes the following mandates and authorizations, applicable to the Asheboro City Schools, Carteret County Schools, Haywood County Schools, Randolph County Schools, and Yancey County Schools only.

Requires local school administrative units to have the option to provide in-person instruction to K-12 students for the remainder of the scheduled 2020-21 school year, notwithstanding state law or any executive orders, secretarial orders, or directives, or local ordinances. Defines *in-person instruction* to require lunch and transportation services.

Requires local boards to provide in-person instruction to all students under Plan A (Minimal Social Distancing). Mandates school compliance with requirements for Plan A implementation provided in the StrongSchoolsNC Public Health Toolkit (K-12), as the guidance existed on February 2, 2021. Encourages requiring at least 3.5 feet of social distancing when possible for all students. Mandates offering remote instruction for participation at the discretion of students' parents.

Grants local boards flexibility in making day-to-day decisions regarding shifting individual schools or classrooms from in-person instruction to remote instruction as necessary due to COVID-19 exposures that result in insufficient school personnel or required student quarantines. Requires consultation with the local health director and local school superintendent, and reporting of any such shift to the Department of Public Instruction within 72 hours.

Intro. by McElraft.

[Carteret, Haywood, Randolph, Yancey](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management](#)

H 92 (2021-2022) [SCHOOL CALENDAR FLEXIBILITY/DAVIE COUNTY](#). Filed Feb 16 2021, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO DAVIE COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR.*

Includes whereas clauses. Under current law, GS 115C-84.2(d) provides authority to local boards of education to determine the opening and closing dates for public schools under GS 115C-84.2(a)(1). However, the local boards must comply with specified parameters for the opening and closing dates of public schools as provided. Subsection (d) also provides criteria under which the State Board of Education may waive those requirements upon a showing of good cause by a local board of education.

Amends GS 115C-84.2(d) as the title indicates. Allows Davie County Schools to open as early as the Monday closest to August 10 (currently, no earlier than the Monday closest to August 26), excluding year-round schools. Deletes the provisions of subsection (d) concerning waiver of the requirements upon a showing of good cause. Adds new language to GS 115C-174.2 permitting assessments to be given before the conclusion of the fall semester for local boards that have implemented a school calendar that concludes the fall semester prior to December 31.

Applies beginning with the 2021-22 school year.

Intro. by Howard.

[Davie](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 94 (2021-2022) [GRAHAM COUNTY OCCUPANCY TAX](#). Filed Feb 16 2021, *AN ACT TO CREATE GRAHAM COUNTY DISTRICT G AND AUTHORIZE THE LEVY OF AN OCCUPANCY TAX IN THE DISTRICT.*

Identical to [S 9](#), filed 1/27/21.

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 Gillespie.

[Graham](#)

[View summary](#)

[Government, Tax](#)

H 97 (2021-2022) [ROWLAND CHARTER AMEND/VACANCIES](#). Filed Feb 16 2021, *AN ACT AMENDING THE CHARTER OF THE TOWN OF ROWLAND TO MAKE TECHNICAL CORRECTIONS AND TO ALLOW BOARD MEMBERS TO FILL VACANCIES ON THE TOWN BOARD OF COMMISSIONERS.*

Amends specified sections of the Charter of the Town of Rowland, SL 1998-105, as amended. Applicable to vacancies existing on or after the date the act becomes law, requires the Town Board of Commissioners (Board) to appoint a person to fill a vacancy in the office of mayor or commissioner after qualification or because of a refusal to qualify, rather than filling the vacancy by special election as the Charter currently requires. Makes conforming changes. Makes technical changes to refer to the Board, rather than the Town Board.

Intro. by B. Jones.

[UNCODIFIED, Robeson](#)

[View summary](#)

[Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 4: [EXTEND ABC PERMIT RENEWAL FEE DEFERRAL.](#)

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

H 58: [HONOR DOUGLAS YONGUE, FORMER MEMBER.](#)

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/17/2021

H 64: [NCWORKS COMMISSION MEMBERSHIP MODIFICATION.](#)

House: Reptd Fav

House: Re-ref Com On State Government

H 76: [MODERNIZE DEBT SETTLEMENT PROHIBITION.](#)

House: Passed 1st Reading

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

H 78: REPORT ON K-12 COMPUTER SCIENCE DATA.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, Rules, Calendar, and Operations of the House

H 79: STUDENT DIGITAL LEARNING ACCESS.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, Rules, Calendar, and Operations of the House

H 80: DISAPPROVE VARIOUS SOLID WASTE RULE CHANGES.

House: Passed 1st Reading

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

H 81: IN-STATE TUITION PILOT PROGRAM.

House: Passed 1st Reading

House: Ref to the Com on Education - Community Colleges, if favorable, Rules, Calendar, and Operations of the House

H 82: SUMMER LEARNING CHOICE FOR NC FAMILIES.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, Rules, Calendar, and Operations of the House

H 83: ELIMINATE INCOME TAX FOR MILITARY RETIREES.

House: Passed 1st Reading

House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 84: SEX OFFENDER PREMISES RESTRICTIONS.

House: Filed

H 86: INCREASE IN-SERVICE DEATH BENEFITS/LRS.

House: Filed

H 87: FUNDS/NEW NORTH CAROLINA MARITIME MUSEUM.

House: Filed

H 88: MODIFY BD. OF BARBER EXAMINERS FEES.

House: Filed

H 89: SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH.

House: Filed

H 91: REDUCE REG. TO HELP CHILDREN WITH AUTISM.

House: Filed

H 93: REQUIRE NALOXONE SCRIPTS WITH OPIOID SCRIPTS.

House: Filed

H 95: IMPROVE ANATOMICAL GIFT DONATION PROCESS.

House: Filed

H 96: ALLOW PHARMACISTS TO ADMIN. INJECTABLE DRUGS.

House: Filed

H 98: HURRICANE HOUSING RECOVERY GRANT.

House: Filed

H 99: FUNDS/ORANGE ST SCHOOL/SPRING LAKE CIVIC CTR.

House: Filed

H 100: HIGHWAY CLEANUP ACT OF 2021.

House: Filed

S 37: IN-PERSON LEARNING CHOICE FOR FAMILIES.

House: Conf Com Reported

Senate: Conf Com Reported

Senate: Placed on Today's Calendar

House: Conf Com Reported

House: Cal Pursuant Rule 44(d)

House: Placed On Cal For 02/17/2021

Senate: Conf Report Adopted

S 38: SMALL BUSINESS OWNERS/S CORP FAIRNESS ACT.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 52: SEX OFFENDER RESIDENCE RESTRICTION/CLARIFY.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 54: CONFIRM GOVERNOR'S APPTS/MINING COMMISSION.

House: Regular Message Received From Senate

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/17/2021

S 93: ASSISTING NC FAMILIES IN CRISIS.

Senate: Passed 1st Reading

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

S 94: TRAMPOLINE PARK REGULATION/STUDY/FUNDS.

Senate: Passed 1st Reading

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

S 95: MILITARY SURVIVING SPOUSE SPEC. PLATE RENEWAL.

Senate: Passed 1st Reading

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

S 96: LOCAL LEO WEAPON PURCHASE.

Senate: Passed 1st Reading

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

S 98: DISAPPROVE VARIOUS SOLID WASTE RULE CHANGES.

Senate: Held As Filed

S 99: CLARIFY LAW ON THEFT OF CATALYTIC CONVERTERS.

Senate: Passed 1st Reading

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

S 100: POLICE FUNDING PROTECTION ACT.

Senate: Passed 1st Reading

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

S 101: REQUIRE COOPERATION WITH ICE 2.0.

Senate: Passed 1st Reading

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

S 102: REACT/PLATES/SIREN.

Senate: Filed

S 103: REDUCE REG. TO HELP CHILDREN WITH AUTISM.

Senate: Filed

S 104: ALIGN PPP TAX TREATMENT TO FEDERAL TREATMENT.

Senate: Filed

LOCAL BILLS

H 19: NORWOOD/REMOVE CAP ON SATELLITE ANNEXATIONS.

House: Reptd Fav

House: Re-ref Com On Finance

H 23: UTV REGULATION/TOWN OF SPENCER.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary 2

H 38: BD. OF TRUSTEES/ISOTHERMAL CC.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 02/17/2021

H 50: CALYPSO ANNEXATION.

House: Reptd Fav

House: Re-ref Com On Finance

H 77: SCHOOL CALENDAR FLEXIBILITY/MOORE COUNTY.

House: Passed 1st Reading

House: Ref to the Com on Education - K-12, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

H 85: PROTECT PRIVATE PROPERTY RIGHTS.

House: Filed

H 90: IN-PERSON LEARNING.

House: Filed

H 92: SCHOOL CALENDAR FLEXIBILITY/DAVIE COUNTY.

House: Filed

H 94: GRAHAM COUNTY OCCUPANCY TAX.

House: Filed

H 97: ROWLAND CHARTER AMEND/VACANCIES.

House: Filed

S 97: PITT COUNTY/CONTRACTED AMBULANCE SERVICES.

Senate: Passed 1st Reading

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

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