



The Daily Bulletin: 2021-03-11

PUBLIC/HOUSE BILLS

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*.

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

Amends proposed Article 43, Behavior Analyst Licensure, of GS Chapter 90, as follows. Modifies the Article's defined terms. Eliminates *behavior analysis* as a defined term. Changes *certifying entity* to no longer specify that the Behavior Analyst Certification Board is nationally accredited. Modifies *licensed assistant behavior analyst* to now require supervision by a licensed behavior analyst in NC who is approved by the certifying entity to supervise assistant behavior analysts (previously did not specify that the supervising behavior analyst needs to be approved by the certifying entity for supervision). Now defines *practice of behavior analysis* to include the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior (previously defined to include the empirical identification of functional relations between behavior and environmental factors known as functional assessment and analysis) and exclude any kind of psychological evaluation, diagnosis or intervention, including but not limited to psychological and neuropsychological testing, cognitive therapy, sex therapy, psychoanalysis, hypnotherapy, and long-term counseling as treatment modalities (previously defined to more specifically exclude psychological testing, cognitive therapy, sex therapy, psychoanalysis, hypnotherapy, and long-term counseling as treatment modalities).

Modifies the staggered terms provided for NC Behavior Analysis Board (Board) members, now requiring all legislatively appointed members to serve three-year terms, and all gubernatorially appointed members to serve two-year terms (previously, the member appointed by the President Pro Tempore of the Senate was for a two-year term, and the behavior analyst and public member appointed by the Governor were for a three-year term).

Simplifies the requirements for licensure as a behavior analyst and assistant behavior analyst to require applicants to meet the qualifications set by the Board and provide an official verification letter by the certifying entity, with assistant behavior analysts also required to provide that the applicant has an ongoing arrangement for supervision by a licensed behavior analyst as specified. Removes the statutory requirements for age and examination. Makes conforming changes to the provisions regarding license renewal and reciprocity to refer to proof of certification by presenting an official verification letter by the certifying entity. No longer includes the statutory requirement for proof of completing required continuing education when applying for license renewal.

Modifies the grounds for disciplinary action as follows. Now provides for disciplinary action following the revocation or suspension of a certification by the certifying entity for the practice of behavior analysis in any other jurisdiction or having been disciplined by the licensing board or certifying entity for conduct that would subject the licensee to discipline under the Article (previously for the revocation or suspension of a license for the practice of behavior analysis in any other jurisdiction or having been disciplined by the licensing board or certifying entity in any other jurisdiction for conduct which would subject the licensee to discipline). Modifies the disciplinary grounds involving failure to maintain clear and accurate patient or client records to include documentation of the purpose of the evaluation, treatment, or other services provided rather than the presenting problems, diagnosis, and purpose of the evaluation, treatment, or other services provided.

Regarding required criminal history checks of licensure applicants, requires the Board to ensure that each applicant has completed a criminal history record check and fingerprinting by the NC Department of Justice (DOJ), consenting to the check and use of fingerprints and other identifying information required (previously deemed the Board responsible for providing to the DOJ the applicant's fingerprints to be checked, a form signed by the applicant consenting to the criminal history record check and the use of fingerprints and other identifying information required). Now permits rather than requires the Board to collect fees required by DOJ.

Modifies the eight exemptions explicitly excluded from the scope of the Article to include an individual who is a matriculated college or university student or a postdoctoral fellow whose applied behavior analysis activities are a part of a defined program of study, course, practicum, internship, or fellowship and are directly supervised by a licensed behavior analyst in this jurisdiction or a qualified faculty member, so long as the individual does not represent him or herself as a professional and use a title that clearly indicates trainee status (previously this exemption applied to activities part of a defined college or university course program of study, practicum, or intensive practicum, so long as the individual is under direct supervision of a licensed behavior analyst, an instructor in a course sequence approved by the certifying entity, or a qualified faculty member.

Makes further technical changes.

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 193 (2021-2022) [2020-2021 SCHOOL TRANSPORTATION FLEXIBILITY](#). Filed Mar 1 2021, *AN ACT TO PROVIDE FLEXIBILITY TO ENSURE THAT TRANSPORTATION CAN BE PROVIDED FOR STUDENTS TO ATTEND IN-PERSON INSTRUCTION IN LOCAL SCHOOL ADMINISTRATIVE UNITS DURING THE 2020-2021 SCHOOL YEAR.*

House amendment substitute to the 2nd edition makes the following changes. Allows local boards of education offering Plan B instruction to grade 6-12 students to offer transportation to those students in accordance with the Plan A requirements for transportation established in the StrongSchoolsNC Public Health Toolkit (K-12) issued on March 4, 2021. Requires providing notification to the Department of Health and Human Services including a description of the plan for providing transportation in Plan A. Authorizes these local boards to share information on the transportation provided that is requested by the ABC Science Collaborative of the School of Medicine (ABC Collaborative) and allows the ABC Collaborative to provide analysis of this data. Makes conforming changes.

Intro. by Pickett, Saine.

UNCODIFIED

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Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, Transportation

H 196 (2021-2022) [2021 COVID-19 RESPONSE & RELIEF](#). Filed Mar 1 2021, *AN ACT TO MAKE MODIFICATIONS TO COVID-19 RELIEF LEGISLATION AND PROVIDE ADDITIONAL APPROPRIATIONS FOR THE EXPENDITURE OF FEDERAL COVID-19 PANDEMIC RELIEF FUNDS.*

AN ACT TO MAKE MODIFICATIONS TO COVID-19 RELIEF LEGISLATION AND PROVIDE ADDITIONAL APPROPRIATIONS FOR THE EXPENDITURE OF FEDERAL COVID-19 PANDEMIC RELIEF FUNDS. SL 2021-3.
Enacted March 11, 2021. Effective March 11, 2021, unless otherwise provided.

Intro. by Faircloth, Bumgardner, K. Hall, Strickland.

APPROP, GS 10B, GS 90, GS 131D, GS 153A, GS 160A

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Agriculture, Alcoholic Beverage Control, Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Court System, Development, Land Use and Housing, Community and Economic Development, Property and Housing, Education, Preschool, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, UNC System, Department of Administration, Department of

Agriculture and Consumer Services, Department of Commerce, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Health and Human Services, Department of Information Technology, Department of Public Instruction, Department of Public Safety, Department of State Treasurer, Department of Transportation, Office of State Budget and Management, Office of State Controller, State Government, State Personnel, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Mental Health, Social Services, Adult Services, Transportation

H 272 (2021-2022) **REVISE HEALTH STANDARD FOR LEAD**. Filed Mar 11 2021, *AN ACT TO UPDATE THE CHILDHOOD LEAD POISONING PREVENTION LAW TO ENSURE THAT YOUNG CHILDREN ARE NOT EXPOSED TO HAZARDOUS LEAD IN DRINKING WATER.*

Includes whereas clauses. Amends GS 130A-131.7 to include among the definition of lead poisoning hazard, any concentration of lead in drinking water equal to or greater than 10 (was, 15) parts per billion. Amends GS 130A-131.9C to require that remediation plans require that the lead poisoning hazards be reduced to the fewer than 10 (was, 15) parts per billion for lead in drinking water. Requires the Commission for Public Health to adopt temporary and permanent rules to implement this act. Effective December 1, 2021.

Intro. by Warren, Lambeth, Adcock, Potts.

GS 130A

[View summary](#)

Health and Human Services, Health, Public Health

H 273 (2021-2022) **MODIFY BUILDERS INVENTORY TAX EXCLUSION**. Filed Mar 11 2021, *AN ACT TO EXEMPT FROM PROPERTY TAX THE INCREASE IN VALUE OF TOWNHOUSES HELD FOR SALE BY A BUILDER, TO THE EXTENT THE INCREASE IS ATTRIBUTABLE TO SUBDIVISION OR IMPROVEMENTS BY THE BUILDER.*

Amends GS 105-277.02, which designates residential real property held for sale by a builder as a special class of property. Adds an exclusion from property tax for any increase in value attributable to the construction of a townhouse, as the builder continues to hold the property for sale.

Intro. by Potts, Bradford, Zenger, Clemmons.

GS 105

[View summary](#)

Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Tax

H 274 (2021-2022) **2021 CURRENT OPERATIONS APPROPRIATIONS ACT**. Filed Mar 11 2021, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.*

Blank bill.

Intro. by Arp, Lambeth, Saine.

APPROP

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Government, Budget/Appropriations

H 275 (2021-2022) [FUNDS/ELIZABETH CITY HOMELESS SHELTER](#). Filed Mar 11 2021, *AN ACT TO APPROPRIATE FUNDS FOR A HOMELESS SHELTER IN ELIZABETH CITY.*

Appropriates \$100,000 for 2021-22 from the General Fund to Elizabeth City for expenses relating to purchasing land for and/or renovating a homeless shelter. Effective July 1, 2021.

Intro. by Hunter, Goodwin.

[APPROP, Pasquotank](#)

[View summary](#)

[Government, Budget/Appropriations, Health and Human Services, Social Services, Public Assistance](#)

H 277 (2021-2022) [THE SAVE ACT](#). Filed Mar 11 2021, *AN ACT TO DELIVER SAFE, ACCESSIBLE, VALUE-DIRECTED, AND EXCELLENT (SAVE) HEALTH CARE THROUGHOUT NORTH CAROLINA BY MODERNIZING NURSING REGULATIONS.*

Identical to [S 249](#), filed 3/11/21.

Enacts new GS 90-171.36B to prohibit an advanced practice registered nurse (APRN) from practicing as such without a license. Defines advanced practice registered nurse or APRN as an individual licensed by the The North Carolina Board of Nursing (Board) as an advanced practice registered nurse within one of the following four roles: (1) nurse practitioner or NP, (2) certified nurse midwife or CNM, (3) clinical nurse specialist or CNS, or (4) certified registered nurse anesthetist or CRNA. Enacts GS 90-171.36C to require the Board to issue an APRN license to any person recognized by the Board as an APRN or approved to practice as an APRN in the state on December 31, 2021. Enacts GS 90-171.36D, which specifies the process for APRN license renewal and reinstatement. Makes conforming changes to GS 90-171.43, GS 90-171.43A, and GS 90-171.44.

Amends the definitions of terms used in the Nursing Practice Act. Adds definitions for advanced assessment, advanced practice registered nurse, population focus, practice of nursing as an advanced practice registered nurse or APRN, practice of nursing as a certified nurse midwife or CNM, practice of nursing as a certified registered nurse anesthetist or CRNA, practice of nursing as a clinical nurse specialist or CNS, and practice of nursing as a nurse practitioner or NP. Amends the components listed that define the practice of nursing by a registered nurse to include collaborating with other health care providers in determining the appropriate health care for a patient (previously, limited to not prescribing a medical treatment regimen or making a medical diagnosis, except under the supervision of a licensed physician). Makes clarifying, organizational, and technical changes.

Amends GS 90-18(c) to establish that the practice of nursing by an APRN does not constitute practicing medicine or surgery.

Repeals GS 90-18.2, which places limitations on nurse practitioners. Makes conforming changes to GS 90-2, GS 90-18.3, GS 90-85.24, and GS 90-85.34A.

Amends GS 90-29(b) to establish that a certified registered anesthetist administering anesthetic does not constitute practicing dentistry.

Amends the powers of the Board in GS 90-171.23 by empowering the Board to grant prescribing, ordering, dispensing, and furnishing authority to holders of the advanced practice registered nurses license (deletes the power of the Board to appoint and maintain a subcommittee to work with the NC Medical Board to develop rules and regulations to govern the performance of medical acts by registered nurses and to determine related application fees).

Amends GS 90-171.27 to set out fees for application for licensure, license renewal, and reinstatement of lapsed licenses for APRNs.

Repeals GS 90-171.37(b) regarding the Board's disciplinary authority over registered nurses.

Repeals Article 10A of GS Chapter 90, Nurses Registered Under Previous Law, Practice of Midwifery. Makes conforming changes to GS 90-18 and GS 90-21.11.

Effective October 1, 2021.

Requires the Governor to submit an opt-out letter to the Centers for Medicare and Medicaid Services within 30 days of the date the section becomes law, requesting an exemption that allows hospitals, ambulatory surgical centers, critical access hospitals, and rural hospitals in the state the maximum flexibility to obtain Medicare reimbursement for anesthesia services in a manner that best serves each facility and its patients and community.

Directs the Board, the NC Medical Board, and the State Board of Dental Examiners to adopt implementing rules.

Intro. by White, Adcock, Cunningham, Wheatley.

GS 90

[View summary](#)

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

H 278 (2021-2022) [SUNSET ABC BOARD PARTICIPATION IN LGRS](#). Filed Mar 11 2021, *AN ACT SUNSETTING ELIGIBILITY FOR PARTICIPATION IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM BY BOARDS OF ALCOHOLIC CONTROL.*

Amends GS 128-23 by making any board of alcoholic control that is not a participating employer in the Local Governmental Employees' Retirement System on June 30, 2021, ineligible for participation in the Retirement System.

Intro. by McNeill, Moffitt.

GS 128

[View summary](#)

Alcoholic Beverage Control, Employment and Retirement

H 279 (2021-2022) [2021 REVENUE LAWS CHANGES](#). Filed Mar 11 2021, *AN ACT TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE, TO EXEMPT COVID-19 RELIEF PAYMENTS FROM THE INCOME DETERMINATION FOR THE PROPERTY TAX HOMESTEAD EXCLUSION, AND TO MAKE VARIOUS TECHNICAL, ADMINISTRATIVE, AND CLARIFYING CHANGES TO THE REVENUE LAWS.*

Part I. IRC Update

Amends GS 105-228.90 to update the term Code as it applies to the general administration of taxation to mean the Internal Revenue Code as enacted as of January 1, 2021 (currently, May 1, 2020).

Amends GS 105-153.5(a)(2)b. to modify the allowable itemized deduction an individual may elect to deduct from their gross income for mortgage expense and property tax. Prohibits the amount allowed as a deduction for interest paid or accrued during the taxable year under the Code with respect to any qualified residence from including the amount for mortgage insurance premiums treated as qualified residence interest for taxable years 2014 through 2021 (currently limited to taxable years 2014 through 2020).

Amends GS 105-153.5(c2) to modify the required adjustments to an individual's gross income, which are decoupled from federal requirements. Requires the taxpayer to add the amounts excluded from the taxpayer's gross income for the discharge of qualified principal residence indebtedness and qualified tuition and related expenses under the Code for taxable years 2014 through 2025 (currently limited to taxable years 2014 through 2020). Requires the taxpayer to add the amounts excluded from the taxpayer's gross income for payment by an employer of principal or interest on any qualified education loan incurred by the taxpayer for education of the taxpayer for taxable years 2020 through 2020 (currently limited to taxable year 2020), expanding the purpose of the provision to include decoupling from the federal exclusion of payments under the Consolidated Appropriations Act, 2021. Adds a new decoupling provision for taxable years 2021 and 2022 to require a taxpayer to add an amount equal to the amount which the taxpayer's deduction under of the specified section of the Code, regarding business-related expenses for food and beverages provided by a restaurant, exceeds the deduction that would have been allowed under the Code enacted as of May 1, 2020, stating the purpose of the provision is to decouple from the increased federal deduction under the Consolidated Appropriations Act, 2021.

Part II. Exempt COVID-19 Relief from Homestead Income

Deems Extra Credit Grants and COVID-19 Recovery Rebates, as defined, not to be considered income for purposes of determining a person's eligibility under the elderly or disabled property tax homestead exclusion of GS 105-277.1.

Part III. Personal Income Tax Changes

Amends GS 105-153.5(b) to extend the sunset for the personal income tax deduction for amounts granted to the individual under the Extra Credit Grant program, now setting the provision to expire on January 1, 2022, rather than January 1, 2021.

Modifies and adds to the decoupling adjustments set forth in GS 105-135.5(c2) for individual income tax. Clarifies that the add-back provision for taxable years 2019 and 2020 under subdivision (17) regarding federal deduction for business interest expenses that would have been allowed under the Code as enacted on January 1, 2020, is not required to the extent the amount was required to be added back under another provision of subsection (c2). Enacts GS 105-135.5(c2)(21) to allow a taxpayer who made an addition under subdivision (17) to deduct 20% of the addition in each of the taxable years 2021 through 2025.

Makes a technical change to remove a statutory reference in GS 105-153.9 which has since been repealed.

Amends GS 105-163.7 to modify the deadlines for informational returns due to the Secretary of Revenue (Secretary) to now require an employer who terminates its business before the close of the calendar year to file its informational return on or before the last day of the month following the end of the calendar quarter in which the employer terminates its business, but no later than January 31 of the succeeding year (previously required filing within 30 days of the last payment of remuneration for employers who terminated business or permanently ceased paying wages during the calendar year).

Enacts GS 105-163.8(c) to require the Secretary to estimate the individual tax due and assess the withholding agent based on the estimate if a withholding agent fails to file a return and pay the tax due under Article 4A or fails a grossly incorrect or false or fraudulent return.

Amends GS 105-241.6(b), regarding exceptions to the statute of limitations for individual tax refunds. Now establishes that the period to request a refund of individual overpayment is six months after the end of an event that a taxpayer claims prevents the taxpayer from filing an accurate and definite request within the statutory period. Requires rather than permits the taxpayer to submit a written request to the Secretary seeking an extension prior to the statute of limitations.

Amends GS 105-252.1 to now prohibit a TTIN (Truncated Taxpayer Identification Number) from being used on any return, statement, or other document required to be filed or furnished to the Department of Revenue (DOR) unless specifically authorized by the Secretary, rather than specifically authorized by statute in GS Chapter 105.

Part IV. Corporate Income Tax Changes

Amends GS 105-83, which governs privilege taxes for installment paper dealers, to exclude from the statute's scope banks and savings and loans associations (currently, corporations liable under a since repealed statutory cross-reference, and savings and loans associations). Defines bank by statutory cross-reference. Applies retroactively for taxable years beginning on or after July 1, 2016.

Amends GS 105-130.5(a), regarding additions to federal corporate income tax. Clarifies that regarding the required addition of amounts equal to the deduction for business-related interest expenses for taxable years 2019 and 2020 which would have been allowed under the Code as enacted on January 1, 2020, under subdivision (31), the add-back is not required to the extent the amount was required to be added back under another provisions of subdivision (31). Enacts GS 105-130.5(b)(33) to permit a taxpayer who made an addition under subdivision (a)(31) to deduct 20% of the addition in each of the taxable years 2021 through 2025.

Amends the Secretary's authority to adjust the net income of a corporation under GS 105-130.5A to authorize the Secretary to require the corporation to file a return that reflects the net income on a combined basis of all members of its affiliated group with intercompany transactions that are conducting a unitary business when authorized adjustments are not adequate to redetermine State net income (previously did not specify for members of its affiliated group with intercompany transactions for this authority). Regarding voluntary redetermination, authorizes the Secretary and a corporation to jointly agree to a combined return methodology that accurately reports State net income (currently refers to agreement to alternative filing). Adds a new provision to prohibit a combined return from achieving tax benefits when the Secretary finds intercompany transactions do not distort income properly attributable to the State or could otherwise be corrected without a combined return. Makes the Secretary's authority regarding methods for redetermination subject to the statute's provisions and that of GS 105-130.7A, which governs the option of royalty income reporting. Makes further changes to provisions regarding required combined

returns to refer to members of a group that have intercompany transactions. Expands the statute's penalty provisions to replace the statutory reference to negligence penalties regarding consolidated or combined returns in GS 105-236(a)(5)f. to instead refer to the entire subdivision regarding negligence,(a)(5).

Amends GS 105-130.7B to add that the limitation on qualified interest expense does not apply to interest paid or accrued to a related member if the proportionate amount of interest paid or accrued to a related member has already been disallowed by the application of another specified section of the Code regarding the limitations on business interest. Applies retroactively for taxable years beginning on or after January 1, 2018.

Regarding the corporate net loss provisions in the context of mergers and acquisitions under GS 105-130.8A, requires the Secretary to apply the net economic loss standards of GS 105-130.8 (repealed for taxable years beginning on or after January 1, 2015) for mergers and acquisitions occurring prior to January 1, 2015, and the standards of the statute, which requires the Secretary to apply federal regulations, for taxable years beginning on or after January 1, 2015.

Adds to the kinds of information the Secretary can request of a corporation under GS 105-251 to include financial or tax documentation required to determine the appropriate adjustment under GS 105-130.5A, as amended. Authorizes the Secretary to propose any adjustment allowable under the corporate income tax provisions of Part I, Article 4 of the Chapter if the information is not timely provided as required by GS 105-130.5A.

Part V. Sales and Use Tax Changes

Amends GS 105-164.13E to exempt fowl, rather than baby chicks and poults, purchased by qualifying farmers from sales and use tax. Applies retroactively to purchases made on or after July 1, 2020.

Eliminates the authorized disclosure of tax information by State officers, employees and agents under GS 105-259(b) for the purpose of furnishing a list of the utility taxable gross receipts and piped natural gas tax revenues attributable to a city to the appropriate finance officials of the city.

Part VI. Excise Tax Hearings Changes

Makes the following changes to the revocation procedure for tobacco product licenses under GS 105-113.4B. Authorizes the Secretary to summarily revoke a license when the Secretary determines (rather than finds) that the licensee is incurring liability after failure to pay applicable taxes when due. Requires notice of revocation and notice of hearing to be held within 10 days of the notice, unless the licensee requests the hearing to be rescheduled before the date of the hearing whereby the Secretary must reschedule the hearing to allow for 10 days' notice. Establishes that the revocation is not stayed pending the hearing decision. Details notice of hearing requirements. Requires the Secretary to issue a final decision and notify the revoked licensee in writing within 10 days of the hearing stating the basis of the decision, though the stated basis is not binding on DOR. Details the required procedure for revocation applicable to non-summary revocations, which include, (1) notice of the proposed revocation that includes the basis and effectiveness of the proposed revocation as well as the circumstances under which revocation will not occur and an explanation of how the licensee can contest the proposed revocation, (2) deeming any proposed revocation final, and not subject to further administrative review, if not timely contested by requesting a hearing within 45 days of the proposed revocation notice, and (3) requiring the Secretary to conduct a hearing with 20 days' written notice, if timely requested, and issue a final decision and notify the licensee within 60 days of the hearing, with extension allowed upon mutual agreement, with the final decision, basis for the decision which is not binding on DOR, and if applicable, the effectiveness of revocation. Establishes criteria for delivery of notice and return of credentials.

Enacts GS 105-449.47B, establishing substantively identical authority of the Secretary and revocation procedure for motor carrier licenses or decals for noncompliance with Articles 36B, 36C or 36D, as that provided for non-summary revocations in GS 105-113.4B, as amended.

Amends GS 105-449.76 to modify the procedures for summary and non-summary revocations of fuel importer licenses to be the same as those provided in GS 105-113.4B, as amended.

Amends GS 119-19 to modify the procedures for summary and non-summary revocations of kerosene suppliers, distributors and operators, and dyed diesel fuel distributors' licenses for noncompliance with Article 3 or Article 36C or 36D of GS Chapter 105, to be the same as those provided in GS 105-113.4B, as amended. Adds to the procedure required for cancellation of a license upon written request of the licensee to require the request to include a proposed effective date, and require the license be returned on or before the proposed effective date. Otherwise cancels the license within 15 days after DOR receives

the request. Requires the inclusion of an explanatory statement when a license cannot be returned. Requires the Secretary to notify the licensee when the license is cancelled.

Applies to summary revocations and non-summary revocations initiated by DOR on or after January 1, 2022.

Part VII. Excise Tax Changes

Recodifies GS 105-113.8 as GS 105-113.4H, regarding the federal Constitution and statutes applicable to tobacco products tax.

Recodifies GS 105-113.11 as GS 105-113.4I. Amends the statute, expanding the licensure mandate regarding engagement in the tobacco product business in the State to include wholesale dealers and retail dealers in addition to the existing requirement for distributors.

Recodifies GS 105-113.29 as GS 105-113.4J. Amends the statute to make conforming changes, expanding the prohibition on operating an unlicensed business that sells, offers for sale, or possess with the intent to sell tobacco products.

Recodifies GS 105-113.33 as GS 105-113.4K, regarding criminal penalties for violations.

Amends GS 105-113.18 to exclude licensed distributors from the required use tax reports.

Amends GS 105-113.35 to no longer allow a manufacturer to request a waiver from tax on vapor products shipped to either a wholesale dealer or retail dealer.

Amends GS 105-113.37 to specify that tobacco product taxes levied by the Part (rather than the Article) are payable by a licensed wholesale dealer or licensed retail dealer when the monthly report is required to be filed covering tobacco products, excluding cigarettes. Adds a new requirement for persons not licensed as wholesale dealers or retail dealers that have acquired non-tax-paid tobacco products other than cigarettes to file a report with the Secretary within 96 hours after receipt, showing the product amount and any other required information, along with the tax owed.

Amends GS 105-113.83 to relieve alcoholic beverage excise tax liability for breweries or wineries who have transferred malt beverages or wine, so long as specified conditions are met, with the wholesaler receiving the transfer liable for the tax due. Makes organizational changes.

Amends GS 105-113.86 to authorize the Secretary to require, rather than mandating, wholesalers or importers to furnish a bond of at least \$5,000. Additionally authorizes the Secretary to require a distillery to furnish a similar bond of at least \$2,000. Makes clarifying and conforming changes.

Amends GS 105-236 to include failure to pay a license required under GS 105-113.4I, as recodified and amended, after written notification from DOR, among those actions which are punishable by a \$1,000 penalty. Applies to penalties assessed on or after January 1, 2022.

Adds to GS 105-449.45 regarding penalties for failure of motor carriers to file a return as required. Adds a new penalty for failing to pay the tax, set at the greater of \$50 or 10% of the tax due. Provides exceptions and authorizes the Secretary to reduce or waive a penalty under specified state law.

Adds *fuel grade ethanol* to the defined terms set out in GS 105-449.60, applicable to Article 36C, defined by specified federal standards. Makes conforming changes to the defined term *gasohol*, now defining the term to mean a blended fuel composed of gasoline and fuel alcohol or gasoline and ethanol. Effective January 1, 2022.

Amends the duties of a transporters of motor fuel by railroad tank car or transport truck under GS 105-449.115 to include maintaining a copy of the shipping document at a centralized place of business for at least three years from the date of delivery. Modifies the language of the duties of the transporter related to delivery to no longer refer to printed specifications. Makes technical and clarifying changes. Eliminates the review required of the person receiving the shipment to determine an NC destination. Adds a new requirement for the receiver to maintain a copy of the shipping document for three years from the date of delivery. Makes similar changes to GS 105-449.115A regarding the duties of transporters and receivers of fuel by tank wagon. Adds to the duties of the transporter (1) delivery of the motor fuel to the person designated in the shipping document unless three conditions are satisfied, and (2) provision of a copy of the shipping document to the person to whom the motor fuel is delivered. Enacts duties of the person receiving the shipment to mirror those of receivers under GS 105-449.15, as amended. Effective January 1, 2022.

Amends GS 105-449.123 to replace the civil penalty provided for failure to properly mark dyed fuel storage facilities. Sets the penalty at \$250, with each inspection that results in a finding of noncompliance constituting a separate and distinct offense (previously set at amounts equal to the tax at the motor fuel rate on the inventory held in the violating storage tank, or if that cannot be determined, the capacity of the storage tank). Applies to penalties assessed on or after January 1, 2022.

Part VIII. Local Government Tax Changes

Corrects a statutory cross-reference in GS 105-278.

Intro. by Howard, Szoka, Bradford, Setzer.

GS 105, GS 119

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Agriculture, Alcoholic Beverage Control, Animals, Business and Commerce, Corporation and Partnerships, Development, Land Use and Housing, Property and Housing, Government, State Agencies, Department of Revenue, Tax, Local Government, Transportation

H 280 (2021-2022) **MENTAL HEALTH FACILITY/WESTERN NC/FUNDS**. Filed Mar 11 2021, *AN ACT TO PROVIDE FUNDING FOR THE PLANNING AND CONSTRUCTION OF A NEW MENTAL HEALTH CARE FACILITY IN WESTERN NORTH CAROLINA*.

Appropriates \$50 million for 2021-22 from the General Fund to the Department of Health and Human Services for the planning and construction of a new mental health care facility. Requires the facility to be located in either Cherokee, Clay, Graham, Haywood, Jackson, Macon, or Swain County. Effective July 1, 2021.

Intro. by Clampitt, Pless.

APPROP, Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain

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

H 281 (2021-2022) **LOGGERHEAD TURTLE/STATE SALTWATER REPTILE**. Filed Mar 11 2021, *AN ACT TO ADOPT THE LOGGERHEAD SEA TURTLE AS THE OFFICIAL SALTWATER REPTILE OF THE STATE OF NORTH CAROLINA*.

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

Intro. by Iler, Hanig, McElraft, Shepard.

GS 145

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Animals, Government, Cultural Resources and Museums

H 283 (2021-2022) **INCREASE TROOPERS IN MECKLENBURG COUNTY**. Filed Mar 11 2021, *AN ACT TO INCREASE THE NUMBER OF STATE TROOPERS ASSIGNED TO MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS*.

Identical to [S 230](#), filed 3/10/21.

Appropriates \$821,089 in recurring funds for each year of the 2021-23 biennium and \$660,000 for 2021-22 from the General Fund to the State Highway Patrol to fund 12 full-time State Trooper positions. Specifies that the positions funded in this act are to result in an increase of at least 12 State Troopers assigned to State Highway Patrol District H5 of Troop H. Effective July 1, 2021.

Intro. by Logan, Belk, Hunt, Majeed.

APPROP

[View summary](#)**Government, Budget/Appropriations, Public Safety and
Emergency Management**

H 284 (2021-2022) **REPEAL RIGHT OF ACTION/CAPITAL OUTLAY FUND**. Filed Mar 11 2021, *AN ACT TO REPEAL THE RIGHT OF A LOCAL BOARD OF EDUCATION TO FILE LEGAL ACTION CHALLENGING THE SUFFICIENCY OF FUNDS APPROPRIATED TO THE CAPITAL OUTLAY FUND.*

Repeals the following subsections of GS 115C-431, which concerns procedures for resolving disputes between a board of education and a board of county commissioners over the amount of money appropriated to the local current expense fund, or the capital outlay fund. Repeals (c) (allowing a local board of education to file an action if within five days after an announcement of no agreement on the amount of money to be appropriated to the capital outlay fund has been made by the mediator), (d) (setting out procedure for an appeal from the judgment in c), and (e) (concerning the levy of supplemental taxes when the judgement under c is rendered after the due date prescribed by law for property taxes).

Amends the statute by adding that if an agreement on the amount of money appropriated to the capital outlay fund is not reached in mediation, then the decision of the county commissioners is final. Prohibits the local board of education from filing any legal action challenging the sufficiency of the funds appropriated to the capital outlay fund by the board of county commissioners.

Makes conforming changes to GS 115C-432.

Intro. by Potts, Hanig, Moss, Pless.

GS 115C

[View summary](#)

Education, Government, Local Government

H 285 (2021-2022) **ENS RAILROAD TRAIN/DRIVER ED CURRICULUM**. Filed Mar 11 2021, *AN ACT TO REQUIRE DRIVER INSTRUCTION ON THE EMERGENCY NOTIFICATION SYSTEM FOR RAILROAD TRAIN EMERGENCIES.*

Adds to the criteria the Division of Motor Vehicles (DMV) must meet in preparing a drivers license handbook pursuant to GS 20-88.1 to require the inclusion of a description of the procedures for using the Emergency Notification System (ENS) phone number for stopping a railroad train at a railroad crossing in the event of suspicious activity around the railroad track, an obstruction or vehicle stuck on the railroad tracks, or the malfunctioning of railroad gates. Effective January 1, 2022.

Amends GS 115C-215 to require the driver education curriculum to include the same description of the procedures for using the ENS phone number for stopping a railroad train at a railroad crossing in the three above described situations. Applies beginning with the 2021-22 school year.

Intro. by Penny.

GS 20, GS 115C

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**Courts/Judiciary, Motor Vehicle, Education, Elementary and
Secondary Education, Government, State Agencies,
Department of Transportation**

H 286 (2021-2022) **URGE CONGRESS/PROPOSE "KEEP NINE" AMENDMENT**. Filed Mar 11 2021, *A JOINT RESOLUTION URGING CONGRESS TO PROPOSE THE "KEEP NINE AMENDMENT" TO THE UNITED STATES CONSTITUTION.*

Includes whereas clauses. Urges the United States Congress to propose an amendment to the federal Constitution to require the US Supreme Court to be composed of nine judges. Requires the Secretary of State to submit a copy of the resolution to each member of the State's Congressional Delegation, and other specified federal and state legislative leaders.

Intro. by Penny.

JOINT RES

[View summary](#)**Constitution, Courts/Judiciary, Court System**

H 288 (2021-2022) **BENNETT COLLEGE ACCREDIT./PRIVATE NEED-BASED**. Filed Mar 11 2021, *AN ACT TO CLARIFY ACCREDITATION REQUIREMENTS FOR BENNETT COLLEGE FOR THE NEED-BASED SCHOLARSHIPS FOR STUDENTS ATTENDING PRIVATE INSTITUTIONS OF HIGHER EDUCATION*.

Identical to [S 212](#), filed 3/9/21.

Changes the criteria to qualify as an eligible private postsecondary institution under GS 116-280(3) for purposes of Article 34, which provides for need-based scholarships for students attending private postsecondary institutions of higher education. Regarding the accreditation criteria for qualification of a nonprofit postsecondary institution with a main permanent campus in the State that is not owned or operated by the State or its agencies or subdivisions, now requires that the school be either (1) accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) or by the New England Association of Schools and Colleges through its Commission of Higher Education, or (2) accredited by SACSCOC on January 1, 2021, and beginning January 1, 2021, a member of the Transnational Association of Christian Colleges and Schools (currently only provides for accreditation by the Southern Association of Colleges and Schools under the standards of the College Delegate Assembly of the Association or by the New England Association of Schools and Colleges through its Commission on Institutions of Higher Education). Applies beginning with scholarships awarded for the 2021-22 academic year.

Intro. by Harrison, Hardister, Quick, Clemmons.

[GS 116](#)

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

H 289 (2021-2022) **DIT/BROADBAND MAPPING -- FUNDS**. Filed Mar 11 2021, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF INFORMATION TECHNOLOGY FOR THE PREPARATION OF STATEWIDE BROADBAND MAPS AND ESTABLISHING THE DEPARTMENT AS THE SOLE SOURCE OF BROADBAND MAPPING FOR STATE AGENCIES*.

Amends GS 143B-1321 to give the Department of Information Technology (Department) the power and duty to prepare and maintain statewide broadband maps to identify the capabilities and needs related to broadband access and serve as the sole provider of broadband mapping for State agencies. Amends GS 143B-1370 by making conforming changes. Amends GS 143B-1373 to require the Office of Broadband Infrastructure in the Department to serve as the designated agency for the receipt of all State, federal, and private grants, gifts, or matching funds for broadband mapping; requires the funds to remain unexpended until appropriated by the NCGA.

Appropriates \$1 million for 2020-21 from the General Fund to the Department for broadband mapping.

Intro. by Arp, Reives, McElraft, Lambeth.

[APPROP, GS 143B](#)

[View summary](#)

**Government, Budget/Appropriations, State Agencies,
Department of Information Technology, Public Enterprises
and Utilities**

H 290 (2021-2022) **MAKE CERTAIN DRUG OFFENSES INFRACTIONS**. Filed Mar 11 2021, *AN ACT TO RECLASSIFY MISDEMEANOR POSSESSION OF MARIJUANA OR HASHISH AND POSSESSION OF MARIJUANA DRUG PARAPHERNALIA AS INFRACTIONS*.

Amends GS 90-95(d)(4) making possession of a controlled substance classified in Schedule VI (marijuana and tetrahydrocannabinols) an infraction, rather than a Class 3 or Class 1 misdemeanor based on quantity. Maintains that if the quantity possessed exceeds one and one-half ounces of marijuana or three-twentieths of an ounce of hashish, or any quantity of

synthetic tetrahydrocannabinols or tetrahydrocannabinols isolated from the resin of marijuana, the offense is punishable as a Class I felony.

Makes possession of marijuana drug paraphernalia in violation of GS 90-113.22A an infraction rather than a Class 3 misdemeanor.

Applies to offenses committed on or after December 1, 2021.

Intro. by Alexander, Morey, Cunningham, Carney.

GS 90

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

H 291 (2021-2022) **BLDG. PLAN APPROVAL - CERTAIN COMMERCIAL PROP.** Filed Mar 11 2021, *AN ACT TO ESTABLISH AND REQUIRE CERTAIN TIME LINES FOR REVIEW AND APPROVAL OF COMMERCIAL BUILDING PLANS FOR LOCAL GOVERNMENTS AND TO ESTABLISH REMEDIES FOR FAILURE TO TIMELY REVIEW PLANS SUBMITTED UNDER THE EXPERTISE OF A LICENSED DESIGN PROFESSIONAL.*

Amends GS 160D-1106 to require a local government to complete an initial plan review within 15 days for commercial plans submitted that require a design professional seal pursuant to NC Building Code Council rules. Requires the local government to communicate with the design professional to resolve any issues with the submitted plan within that time period. Requires the local government to review any requested information or a resubmitted plan within 15 days from receipt. Provides for the following in the event that the local government does not issue a permit for the submitted plan within 30 days of initial plan submission, or, if additional information or plan resubmission is requested, within 15 days of the receipt of the information or resubmitted plan: (1) reduction of the fee charged for plan submission and review by 10% each day and (2) allows the permit applicant to retain a third-party firm to review the submitted plans and the local government to issue all necessary permits for the project within 72 hours of third party review and approval, with the local government responsible for reimbursement of the cost of the third party review. Requires that a local government must obtain information from the appropriate manufacturer when either the local government or its agents require information regarding specifications or manufacturer engineering information on an element, component, or fixture related to the submitted plan. Prohibits delaying or denying the issuance of a permit or certificate of occupancy based upon the receipt of such information from the manufacturer. Applies to plans submitted on or after the date the act becomes law.

Intro. by Zenger, Potts.

GS 160D

[View summary](#)

Development, Land Use and Housing, Building and Construction, Government, Local Government

H 292 (2021-2022) **HOWARD HUNTER, JR., EASTERN CRIME LAB.** Filed Mar 11 2021, *AN ACT TO DIRECT THE NORTH CAROLINA DEPARTMENT OF JUSTICE TO PLAN AN EASTERN REGIONAL LABORATORY TO BE LOCATED ON THE CAMPUS OF ELIZABETH CITY STATE UNIVERSITY.*

Requires the Department of Justice, from the funds available, to plan an Eastern Regional Laboratory to be located at Elizabeth City State University. Requires a report on the associated plans, costs, and timelines to the specified NCGA committees chairs and the specified division by February 1, 2022.

Intro. by Bell, Hunter, Saine, D. Hall.

UNCODIFIED

[View summary](#)

Government, State Agencies, Department of Justice

H 293 (2021-2022) [SUPPLEMENTARY GREAT GRANT CLARIFICATIONS](#). Filed Mar 11 2021, *AN ACT TO MAKE CLARIFYING CHANGES FOR THE SUPPLEMENTARY G.R.E.A.T. GRANT PROCESS IN RESPONSE TO THE COVID-19 PANDEMIC.*

Subject to HB 196 of the 2021 Regular Session (2021 COVID-19 Response and Relief) becoming law, amends Section 3.3 of that act as follows. Further amends Section 4.1 of SL 2021-1 (2020 COVID Relief Bill Modifications) to add new subsection (c) to require any unawarded funds remaining of the \$45 million appropriated (amount is increased by this act) to the Growing Rural Economies with Access to Technology Fund in Section 4.1(b), as amended, to be used for the broadband projects that were submitted and scored by the Office of Broadband Infrastructure in accordance with the special supplementary grant process established by Section 4.17 of SL 2020-4 (2020 COVID-19 Recovery Act), as amended, for which appropriated funds were not previously available. Further adds that all grant awards for the GREAT grant process must be completed by April 15, 2021.

Intro. by Arp, McElraft, Bell, Stevens.

APPROP, UNCODIFIED

[View summary](#)

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

H 294 (2021-2022) [SALE OF SALVAGE VEHICLES](#). Filed Mar 11 2021, *AN ACT PERMITTING DEALERS TO SELL USED VEHICLES ISSUED A SALVAGE CERTIFICATION WITHOUT CONDUCTING A SAFETY INSPECTION.*

Amends GS 20-183.4C to allow a dealer to sell a used vehicle that was issued a salvage certificate of title, without a safety inspection if no alterations or repairs have been made to the vehicle after the salvage certificate of title was issued and after sale of the vehicle, and the dealer makes a written disclosure that the dealer did not perform a safety inspection. Applies to used vehicles sold on or after October 1, 2021.

Intro. by B. Jones, Bell.

GS 20

[View summary](#)

Courts/Judiciary, Motor Vehicle

H 295 (2021-2022) [DSS REVIEW OF PROCEDURES/OAH](#). Filed Mar 11 2021, *AN ACT TO REQUIRE THE SOCIAL SERVICES COMMISSION OF THE DIVISION OF SOCIAL SERVICES TO REVIEW POLICIES, GUIDELINES, AND OTHER INTERPRETIVE STATEMENTS AND SUBMIT A REPORT TO THE OFFICE OF ADMINISTRATIVE HEARINGS AND TO UPDATE THE PROCESS FOR LEGISLATIVE REVIEW OF RULES.*

To be summarized.

Intro. by Stevens, Moffitt, Riddell, White.

[View summary](#)

PUBLIC/SENATE BILLS

S 101 (2021-2022) [REQUIRE COOPERATION WITH ICE 2.0](#). Filed Feb 15 2021, *AN ACT TO REQUIRE COMPLIANCE WITH IMMIGRATION DETAINERS AND ADMINISTRATIVE WARRANTS AND TO REQUIRE CERTAIN REPORTS FROM LOCAL LAW ENFORCEMENT.*

Senate amendments make the following changes to the 2nd edition.

Amendment #1 deletes the provision in GS 162-62 that made it a Class 3 misdemeanor when the administrator or other person in charge of the facility holding the prisoner (1) willfully fails to make a query of Immigration and Customs Enforcement of the US Department of Homeland Security when required to do so under the statute or (2) willfully fails to hold a prisoner for 48 hours when required to do so under the statute.

Amendment #2 amends GS 162-62(a) to also require the administrator or equivalent of any county jail, local or district confinement facility, satellite jail or work release unit (facility) to attempt to determine if any prisoner who is confined for any period in their facility is a legal resident if the individual is charged with a class A1 misdemeanor under Article 8 (assaults) of GS Chapter 14 or any violation of 50B-4.1 (violation of valid protective order).

Intro. by Edwards, Sanderson, Britt.

GS 162

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure

S 220 (2021-2022) **THE REOPEN OUR SCHOOLS ACT OF 2021. (NEW)** Filed Mar 9 2021, *AN ACT TO PROVIDE ACCESS TO IN-PERSON LEARNING FOR STUDENTS IN GRADES KINDERGARTEN THROUGH TWELVE.*

AN ACT TO PROVIDE ACCESS TO IN-PERSON LEARNING FOR STUDENTS IN GRADES KINDERGARTEN THROUGH TWELVE. SL 2021-4. Enacted March 11, 2021. Effective March 11, 2021.

Intro. by Ballard, Lee, Hise.

APPROP, UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Public Instruction, State Government, Executive, Health and Human Services, Health, Public Health

S 241 (2021-2022) **MODIFY UTILITY VEHICLE DEFINITION.** Filed Mar 11 2021, *AN ACT AMENDING MOTOR VEHICLE LAWS REGULATING MODIFIED UTILITY VEHICLES.*

Amends the definition of *modified utility vehicle* in GS 20-4.01, which is a cognate of *passenger vehicle* in GS Chapter 20, to no longer require an engine displacement greater than 2,400 cubic centimeters and to require an overall length of 110 inches or greater rather than 142 inches or greater.

Amends GS 20-121.1 to explicitly prohibit modified utility vehicles from operating on any street or highway having four or more lanes regardless of the posted speed limit. Separates the required equipment of a modified utility vehicle from that of mini-trucks and low-speed vehicles. No longer requires modified utility vehicles to have a windshield or windshield wipers. Adds a new provision to require the operator and all passengers of a modified utility vehicle to wear safety helmets with a retention strap compliant with federal standards if the vehicle is not equipped with a windshield and windshield wipers. Adds a new qualification to the Department of Transportation's statutory authority to prohibit the operation of low-speed vehicles, mini-trucks, or modified utility vehicles on any road or highway if it determines that the prohibition is necessary in the interest of safety, to provide that the authority is granted notwithstanding the provisions of any other subdivision of the statute.

Effective October 1, 2021.

Intro. by Jarvis, Sawyer, Johnson.

GS 20

[View summary](#)

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

S 248 (2021-2022) [DENTAL PATIENT TRANSPARENCY ACT](#). Filed Mar 11 2021, *AN ACT TO REQUIRE DISCLOSURE OF THE DATA AND METHODOLOGIES USED BY DENTAL SERVICES BENEFIT PLANS BY WHICH DENTISTS ARE SUBJECT TO RATING OR PROFILING SYSTEMS OR DESIGNATIONS TO ENSURE ACCURATE, FAIR, AND USEFUL RATING OF THOSE DENTISTS AND TO INCLUDE ADDITIONAL INFORMATION ON HEALTH BENEFIT PLANS IDENTIFICATION CARDS.*

Enacts GS 58-3-245(e) to place the following responsibilities on every insurer offering a dental services benefit plan which provides a designation or rating or profiling system for dentists in the benefit plan network. Requires the insurer to utilize fair and accurate designations and rating or profiling systems and mandates disclosure to consumers and dentists the basis for the designation, rating, or profile. Adds a requirement to provide a mechanism for a dentist to challenge and correct any erroneous designation or any erroneous data or methodologies used for the designation, or rating or profiling system.

Makes technical and clarifying changes to GS 58-3-247, regarding the requirement for insurers offering health benefit plans to provide subscribers or members with an insurance identification card. Adds a new requirement for insurance identification cards to contain an indication of whether the health benefit plan is a fully insured or self-funded plan, with plans fully-insured noted by using "NCDOI" to indicate to the consumer that the Department of Insurance is able to provide assistance regarding the regulation of the plan. No longer specifically includes in the statute's scope health benefit plans of the State Health Plan for Teachers and State Employees (SHP), as the term *health benefit plan* is defined under GS 58-3-167 excludes the SHP. Instead enacts GS 135-48.51(7a) to subject the SHP cards to the requirements of GS 58-3-247.

Effective October 1, 2021.

Intro. by Perry, Johnson, Sawyer.

[GS 58](#)

[View summary](#)

Employment and Retirement, Government, State Government, State Personnel, Health and Human Services, Health, Health Insurance

S 249 (2021-2022) [THE SAVE ACT](#). Filed Mar 11 2021, *AN ACT TO DELIVER SAFE, ACCESSIBLE, VALUE-DIRECTED, AND EXCELLENT (SAVE) HEALTH CARE THROUGHOUT NORTH CAROLINA BY MODERNIZING NURSING REGULATIONS.*

Enacts new GS 90-171.36B to prohibit an advanced practice registered nurse (APRN) from practicing as such without a license. Defines *advanced practice registered nurse* or *APRN* as an individual licensed by the The North Carolina Board of Nursing (Board) as an advanced practice registered nurse within one of the following four roles: (1) nurse practitioner or NP, (2) certified nurse midwife or CNM, (3) clinical nurse specialist or CNS, or (4) certified registered nurse anesthetist or CRNA. Enacts GS 90-171.36C to require the Board to issue an APRN license to any person recognized by the Board as an APRN or approved to practice as an APRN in the state on December 31, 2021. Enacts GS 90-171.36D, which specifies the process for APRN license renewal and reinstatement. Makes conforming changes to GS 90-171.43, GS 90-171.43A, and GS 90-171.44.

Amends the definitions of terms used in the Nursing Practice Act. Adds definitions for *advanced assessment*, *advanced practice registered nurse*, *population focus*, *practice of nursing as an advanced practice registered nurse or APRN*, *practice of nursing as a certified nurse midwife or CNM*, *practice of nursing as a certified registered nurse anesthetist or CRNA*, *practice of nursing as a clinical nurse specialist or CNS*, and *practice of nursing as a nurse practitioner or NP*. Amends the components listed that define *the practice of nursing by a registered nurse* to include collaborating with other health care providers in determining the appropriate health care for a patient (previously, limited to not prescribing a medical treatment regimen or making a medical diagnosis, except under the supervision of a licensed physician). Makes clarifying, organizational, and technical changes.

Amends GS 90-18(c) to establish that the practice of nursing by an APRN does not constitute practicing medicine or surgery.

Repeals GS 90-18.2, which places limitations on nurse practitioners. Makes conforming changes to GS 90-2, GS 90-18.3, GS 90-85.24, and GS 90-85.34A.

Amends GS 90-29(b) to establish that a certified registered anesthetist administering anesthetic does not constitute practicing dentistry.

Amends the powers of the Board in GS 90-171.23 by empowering the Board to grant prescribing, ordering, dispensing, and furnishing authority to holders of the advanced practice registered nurses license (deletes the power of the Board to appoint and maintain a subcommittee to work with the NC Medical Board to develop rules and regulations to govern the performance of medical acts by registered nurses and to determine related application fees).

Amends GS 90-171.27 to set out fees for application for licensure, license renewal, and reinstatement of lapsed licenses for APRNs.

Repeals GS 90-171.37(b) regarding the Board's disciplinary authority over registered nurses.

Repeals Article 10A of GS Chapter 90, Nurses Registered Under Previous Law, Practice of Midwifery. Makes conforming changes to GS 90-18 and GS 90-21.11.

Effective October 1, 2021.

Requires the Governor to submit an opt-out letter to the Centers for Medicare and Medicaid Services within 30 days of the date the section becomes law, requesting an exemption that allows hospitals, ambulatory surgical centers, critical access hospitals, and rural hospitals in the state the maximum flexibility to obtain Medicare reimbursement for anesthesia services in a manner that best serves each facility and its patients and community.

Directs the Board, the NC Medical Board, and the State Board of Dental Examiners to adopt implementing rules.

Intro. by Hise, Krawiec, Burgin.

GS 90

[View summary](#)

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

S 251 (2021-2022) **CAIN CENTER FOR THE ARTS FUNDS**. Filed Mar 11 2021, *AN ACT APPROPRIATING FUNDS TO HELP CONSTRUCT THE CAIN CENTER FOR THE ARTS*.

Appropriates \$1 million for 2021-22 from the General Fund to the Cornelius Arts/Community Center, Inc., to help with the construction of the Cain Center for the Arts, that will be located in Cornelius. Effective July 1, 2021.

Intro. by Marcus.

APPROP, Mecklenburg

[View summary](#)

Government, Budget/Appropriations, Cultural Resources and Museums

S 252 (2021-2022) **CORNELIUS AFFORDABLE HOUSING FUNDS**. Filed Mar 11 2021, *AN ACT APPROPRIATING FUNDS TO THE TOWN OF CORNELIUS FOR A COMPREHENSIVE REDEVELOPMENT PLAN TO INCREASE AFFORDABLE HOUSING*.

Appropriates \$150,000 for 2021-22 from the General Fund to the Town of Cornelius to assist the Town in creating a comprehensive redevelopment plan to increase affordable housing. Effective July 1, 2021.

Intro. by Marcus.

APPROP, Mecklenburg

[View summary](#)

Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations

S 255 (2021-2022) [2021 AOC LEGISLATIVE CHANGES.-AB](#) Filed Mar 11 2021, *AN ACT TO MAKE VARIOUS CHANGES AND TECHNICAL CORRECTIONS TO THE LAWS GOVERNING THE ADMINISTRATION OF JUSTICE.*

To be summarized.

Intro. by Britt, Daniel.

[View summary](#)

S 257 (2021-2022) [MEDICATION COST TRANSPARENCY ACT](#). Filed Mar 11 2021, *AN ACT TO PROMOTE PRICING TRANSPARENCY FOR PATIENTS AND TO ESTABLISH STANDARDS AND CRITERIA FOR THE REGULATION AND LICENSURE OF PHARMACY BENEFITS MANAGERS PROVIDING SERVICES FOR HEALTH BENEFIT PLANS IN NORTH CAROLINA.*

To be summarized.

Intro. by Perry, Britt, Johnson.

[View summary](#)

S 258 (2021-2022) [SENATE BOG VACANCY ELECTION](#). Filed Mar 11 2021, *A SENATE RESOLUTION ELECTING JOEL D. FORD TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.*

Includes whereas clauses. Elects Joel D. Ford to the UNC Board of Governors for a term commencing upon the date the resolution is adopted and ending June 30, 2023.

Intro. by Rabon.

[SENATE RES](#)

[View summary](#)

[Government, State Agencies, UNC System](#)

S 259 (2021-2022) [ADDITIONAL MAGISTRATES TO MECKLENBURG COUNTY](#). Filed Mar 11 2021, *AN ACT TO ADD TWO ADDITIONAL MAGISTRATES TO MECKLENBURG COUNTY AND TO APPROPRIATE FUNDS.*

Identical to [H 251](#), filed 3/9/21.

Amends GS 7A-133 by increasing the number of magistrates allotted to Mecklenburg County from 26.50 to 28.50.

Appropriates \$137,078 in recurring funds for each year of the 2021-23 fiscal biennium and \$6,056 for 2021-22 from the General Fund to the Administrative Office of the Courts to be used to hire two additional magistrates to serve in Mecklenburg County.

Effective July 1, 2021.

Intro. by Waddell.

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

[View summary](#)

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

S 265 (2021-2022) [BOND REFERENDUM TRANSPARENCY](#). Filed Mar 11 2021, *AN ACT TO INCREASE THE TRANSPARENCY OF BOND REFERENDUMS BY REQUIRING ADDITIONAL DISCLOSURES ON BOND APPLICATIONS, THE ORDER APPROVING THE BOND APPLICATION, AND ON THE BALLOT.*

Enacts GS 159-52(c) to require the Local Government Commission (Commission) to state three disclosures in any order approving a local government's application to issue a bond, including (1) the total amount of estimated interest using the highest interest rate, as described, (2) the governmental unit's increase in property tax liability for each \$10,000 of property tax value necessary for debt service, and (3) a notice that the unit can issue additional general obligation debt of up to two-thirds of the amount of the proposed bond as the debt is retired, without a vote, specifying the calculation of that amount. Makes organizational changes.

Amends GS 159-51 to require the local governmental unit's application to the Commission for approval to issue a bond to include the required disclosures of new GS 159-52(c). Makes conforming changes to GS 159-53 to reflect the reorganization of GS 159-52.

Changes the form of the question for a referendum to approve a bond provided in GS 159-61(d) to include the required disclosures with calculated amounts as now required in GS 159-51 and GS 159-52. Applies to bonds proposed on or after the date the act becomes law.

Intro. by Johnson, Ford.

[GS 159](#)

[View summary](#)

[Banking and Finance, Government, Local Government](#)

S 268 (2021-2022) [FILM GRANT FUND APPROPRIATION](#). Filed Mar 11 2021, *AN ACT TO PROVIDE ADDITIONAL FUNDING FOR THE FILM AND ENTERTAINMENT GRANT FUND*.

Appropriates \$34 million in nonrecurring funds for each year of the 2021-23 biennium from the General Fund to the Department of Commerce to be allotted to the Film and Entertainment Grant Fund created pursuant to GS 143B-437.02A and used for purposes consistent with that statute. Effective July 1, 2021.

Intro. by Lee, Lowe.

[APPROP](#)

[View summary](#)

[Development, Land Use and Housing, Community and Economic Development, Government, Budget/Appropriations, State Agencies, Department of Commerce](#)

S 270 (2021-2022) [INSURANCE TECHNICAL CHANGES](#). Filed Mar 11 2021, *AN ACT REVISING THE VERIFICATION OBLIGATIONS OF AN INSURER AND ITS AGENT WITH RESPECT TO RATE EVASION FRAUD; RECODIFYING CERTIFICATE OF INSURANCE PROVISIONS; AND ESTABLISHING A CIVIL PENALTY FOR THE FRAUDULENT PREPARATION, ISSUANCE, REQUESTING, OR REQUIREMENT OF A CERTIFICATE OF INSURANCE*.

Amends GS 58-2-164 regarding rate evasion fraud in auto insurance. Specifies that the insurer and its agent can satisfy the verification requirements for applicants under subdivision (c) by, within 30 days of coverage binding, obtaining from the applicant reliable proof of NC residency and the applicant's status as an eligible risk (currently permits the agent to satisfy the requirements by obtaining the proof with no timeline). Includes in the list of proof of residency and eligible risk status, of which two items are deemed reliable proof, an electronic utility bill accessed by the applicant in the presence of the insurer or its agent.

Recodifies specified subsections of GS 58-3-150, regarding certificates of insurance, as subsections (a), (b), (c), and (e) of GS 58-3-149. Amends and adds to the statute as follows. Amends the definition given for *certificate of insurance* to include electronically submitted documents. Adds new subdivision (d) making it unlawful, punishable by a fine of up to \$5,000, to prepare, issue, request, or require a certificate of insurance that either contains false or misleading information concerning the policy of insurance to which a certificate of insurance makes reference, or purports to alter, amend, or extend the coverage provided by the policy of insurance to which a certificate of insurance makes reference. Specifies that the penalty is in addition to any other penalty for criminal law violations. Provides for remittance of the proceeds to the Civil Penalty and Forfeiture Fund.

Effective October 1, 2021.

Intro. by Johnson.

GS 58

[View summary](#)

**Business and Commerce, Insurance, Courts/Judiciary, Civil,
Civil Law, Motor Vehicle**

S 271 (2021-2022) [RATE-MAKING LEGISLATION](#). Filed Mar 11 2021, *AN ACT TO AMEND THE INSURANCE RATE-MAKING LAWS*.

Amends GS 58-36-10 regarding the factors to consider in making and using insurance rates to require due consideration to be given to investment income from capital and surplus.

Amends GS 58-36-43 to clarify that an insurance company cannot condition the acceptance or renewal of a policy, any underwriting criteria, or any rating criteria, upon the acceptance by the policyholder of any optional automobile or homeowners' enhancements authorized by the statute (previously phrased to combine underwriting rating criteria).

Repeals GS 58-36-43(b), which requires insurers to utilize statistical codes outlined by their statistical organization in reporting premiums and losses resulting from program enhancements filed with the Commissioner of Insurance (Commissioner) pursuant to the statute.

Amends GS 58-36-65 to set forth a new definition for *conviction* used in the statute regarding classifications of drivers and safe driving incentive plans, as the term was previously defined by statutory cross-reference that has since been repealed.

Effective October 1, 2022, and applicable to drivers convicted of moving violations on or after that date, amends GS 58-36-65 to require that for convictions for which four or more points under a Safe Driving Incentive Plan are assigned, other than convictions for speeding in excess of the posted speed limit, subclassification plan charges must be applied to a policy for a period of five policy years.

Amends subsection (k) of GS 58-36-65 to allow the subclassification plan to provide for premium surcharges for insureds having less than eight years' driving experience as licensed drivers for insureds receiving a drivers license for the first time on or after October 1, 2021. Makes conforming changes to restrict the same authority for insureds having less than three years' driving experience as licensed drivers for insureds receiving a driver's license for the first time on or before September 30, 2021.

Enacts subsection (k1) to GS 58-36-65 to provide for drivers subject to subsection (k) to be eligible for an inexperienced safe driver discount after three full years of driving experience. Details eligibility requirements, including having no at-fault accidents or convictions (including prayers for judgment continued) on the driver's driving record, which precludes the driver from discount eligibility. Eligibility terminates after eight years of licensure or upon an at-fault accident or conviction. Requires any discount to be filed by the Rate Bureau with the Commissioner. Effective October 1, 2021.

Amends GS 58-36-75(f) to expand the time period required for a clean driving record for a subclassification plan to assess no premium surcharge or points for specified traffic violations and convictions, from three to five years immediately preceding, as stated. Effective October 1, 2021.

Directs the Department of Insurance to conduct public outreach regarding the impact to policyholders and both experienced and inexperienced drivers, including publication on the Department's website. Permits coordination with the insurance industry and the Rate Bureau.

Intro. by Johnson, Burgin, Sawyer.

GS 58

[View summary](#)

**Business and Commerce, Insurance, Courts/Judiciary, Motor
Vehicle, Government, State Agencies, Department of
Insurance**

S 272 (2021-2022) [INDEPENDENT AGENT OWNERSHIP OF EXPIRATIONS](#). Filed Mar 11 2021, *AN ACT DEFINING THE OWNERSHIP RIGHTS OF INDEPENDENT INSURANCE AGENTS WITH RESPECT TO POLICYHOLDER INFORMATION AND EXPIRATIONS*.

Enacts GS 58-3-133 to deem expirations to be mutually and exclusively owned by the insured and the insurance producer who compiled them. Defines *expiration* to mean all information and records relating to an insurance application or an insurance policy, both written and electronic. Details specific information and records included in the definition. Defines *exclusive agent*, *financial institution*, *insurance producer*, *personal information*, and *privileged information*.

Provides the following guidelines for use of expirations for the mutual benefit of the insured and the insurance producer. Deems insurance producers to have the exclusive use of expirations they compile for purposes of soliciting, selling, or negotiating the renewal or sale of insurance coverage, insurance products, or insurance services. Requires express written consent of the insurance producer who compiles the expirations for insurance companies, managing general agents, surplus lines insurance brokers, wholesale brokers, or third-party administrators to use the expirations to solicit, sell, or negotiate renewal or sale of insurance coverage, insurance products, or insurance services to the insured.

Identifies nine exceptions to the statute, including (1) an insurance producer with a license that has been revoked by or surrendered to the Commissioner of Insurance; (2) an insurer that creates, develops, compiles, and assembles its own expirations separate from an insurance producer; and (3) a policy providing any health benefit plan.

Effective October 1, 2021.

Intro. by Johnson.

GS 58

[View summary](#)

Business and Commerce, Insurance

S 273 (2021-2022) [CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM ACT](#). Filed Mar 11 2021, *AN ACT AMENDING THE LAW ESTABLISHING THE CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM*.

To be summarized.

Intro. by Marcus, Salvador, Waddell.

[View summary](#)

S 274 (2021-2022) [RESTORE MASTER'S PAY FOR TEACHERS & ISP](#). Filed Mar 11 2021, *AN ACT TO REINSTATE EDUCATION-BASED SALARY SUPPLEMENTS FOR TEACHERS AND INSTRUCTIONAL SUPPORT PERSONNEL*.

Repeals GS 115C-302.10, which set out qualifications to be met in order for certified school nurses, teachers, and instructional support personnel to receive certain education-based salary supplements.

Requires that for 2021-22, the State Board of Education policy TCP-A-006, as it was in effect on June 30, 2013, is to be used to determine if teachers and instructional personnel are paid on the "M" schedule and whether they receive a salary supplement for academic preparation at the six-year or doctoral degree level.

Appropriates \$8 million in recurring funds for 2021-22 from the General Fund to the Department of Public Instruction to reinstate education-based salary supplements for teachers and instructional support personnel according to this act.

Effective July 1, 2021.

Intro. by Waddell, Woodard.

APPROP, GS 115C

[View summary](#)

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

S 275 (2021-2022) **RETIREMENT SERVICE PURCHASE REWRITE PART II.-AB** Filed Mar 11 2021, *AN ACT MAKING TECHNICAL, CLARIFYING, AND ADMINISTRATIVE CHANGES TO LAWS RELATING TO CREDITABLE SERVICE PURCHASES UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, AND THE CONSOLIDATED JUDICIAL RETIREMENT SYSTEM.*

Identical to [H 160](#), filed 2/25/21.

Part I

Recodifies specified subdivisions and subsections of GS 135-4 as subdivisions (1), (2), (4) through (13) and (15) of GS 135-4.5(b). Modifies those subdivisions and adds to GS 135-4.5, concerning creditable service purchases by members of the Teachers' and State Employees' Retirement System (TSERS), as follows.

Adds new subsection (a), stating a general authorization for members who meet the specified applicable eligibility requirements set forth in new subsection (b) to purchase creditable service by paying a lump sum amount to the annuity savings fund equal to the full liability increase due to additional service credits on the basis of the assumptions used for the purposes of the actuarial valuation of the liabilities of TSERS, except for two assumptions provided regarding the calculation of postretirement allowance. Requires the calculation of the amount payable to also include an administrative fee set by the Board of Trustees (TSERS Board). Authorizes employers to pay all or part of the cost of a service purchase of a member in service, subject to subsection (b), with employer paid costs credited to the pension accumulation fund and employee paid costs credited to the member's annuity savings account. Specifies that the provisions in subsection (b) supersede the provisions of subsection (a) in the event of conflict.

As recodified, modifies and adds to subsection (b), which sets forth criteria for 15 various purchases of creditable service authorized. Makes conforming changes throughout to eliminate repetitive guidelines regarding cost and payment for creditable service purchases, now covered in new subsection (a). Enacts new subdivision (3), authorizing members in service with five or more years of membership service on or after January 1, 2023, to purchase creditable service for service as an NCGA member not otherwise creditable, so long as service is not also credited in the Legislative Retirement Fund or the Legislative Retirement System (LRS); caps the amount purchased under new subdivision (3) at five years. Restricts authorized purchases for NCGA creditable service under subdivision (2), which does not require five or more years of membership service or place a five year cap on purchases, to purchases before January 1, 2023. Adds to subdivision (6), concerning the purchase of service credit for prior temporary State employment on or before December 31, 2021, to explicitly state that any inchoate or accrued rights of a member to purchase creditable service that existed prior to December 31, 2021, cannot be diminished and can be purchased as creditable service with TSERS under the same conditions that would have otherwise applied. Amends subdivision (9), concerning the purchase of credit at full cost for federal employment, to no longer provide for purchase of creditable service on or before December 1, 2021, for periods of employment with public community service entities within the State funded entirely with federal funds that are not otherwise covered. Enacts new subdivision (14) to authorize a member in service with five or more years of membership service to purchase creditable service on or after January 1, 2023, for any employment as an employee of a charter school operated by a nonprofit or municipality whose board of directors did not elect to participate in TSERS; caps the amount of service purchased at five years. Restricts authorized purchases for charter school creditable service under subdivision (13), which does not require five or more years of membership service prior to purchase, to purchases before January 1, 2023. Makes technical and organizational changes. Makes language gender neutral.

Amends GS 135-4(ff) to enact identical provisions regarding the cost and payment of creditable service purchases as those enacted in GS 135-4.5(a), making the same general provisions applicable to retroactive membership service credit for reinstated members. Makes technical changes. Makes language gender neutral.

Repeals the following subsections of GS 135-4: subsection (j), which requires creditable service to include any service rendered by a member while on leave of absence to serve as a member or officer of the General Assembly which is not creditable toward retirement under the Legislative Retirement Fund; subsection (k), which allows repayment of withdrawn contributions from the Law Enforcement Officers' Retirement System on or before December 31, 2021, upon return to service

after five years of creditable service; subsection (ll), which authorizes any member and any retired member described to purchase creditable service, on or before December 31, 2021, previously rendered to the federal government or to any state, territory, or other governmental subdivision of the United States other than this State; and (bb), which authorizes a member to purchase creditable service, prior to retirement and on or before December 31, 2021, for employment with any local government employer when considered to be in a probationary or employer-imposed waiting period status, between the date of employment and the date of membership service with the Local Government Employees' Retirement System (LGERS).

Part II

Amends GS 128-24(2), concerning the purchase of creditable service by members of LGERS, to enact identical provisions regarding the cost and payment of creditable service purchases as those enacted for TSERS under GS 134.5(a), for purchases made on or after January 1, 2023. Makes existing provisions regarding the purchase of creditable service restricted to purchases made prior to January 1, 2023.

Amends GS 128-26(h1), regarding the purchase of NCGA creditable service, to now restrict the provisions to purchases prior to January 1, 2023.

Amends GS 128-26 to enact identical provisions regarding the cost and payment of creditable service purchases as those enacted in GS 135-4.5(a) and GS 128-24(2), making the same general provisions applicable to retroactive membership service credit for reinstated members. Makes technical changes. Makes language gender neutral.

Repeals GS 128-26(h), which is identical to that repealed in GS 135-4(j), requiring creditable service to include any service rendered by a member while on leave of absence to serve as a member or officer of the General Assembly which is not creditable toward retirement under the Legislative Retirement Fund.

Part III

Enacts GS 135-56(d1), enacting substantively identical cost and payment provisions regarding creditable service purchases as those enacted in GS 135-4.5(a) and GS 126-24(2) for TSERS and LGERS members, for purchases made on or after January 1, 2023, applicable to member service as a judge, district attorney, or clerk of superior court, and excluding magistrates, justices of the peace, and mayor's court judges. Requires transfers of any accumulated contributions from TSERS and LGERS prior to purchase. Makes existing provisions regarding the purchase of creditable service, set out in subsection (d), restricted to purchases made prior to January 1, 2023.

Amends GS 135-56(e), regarding the purchase of NCGA creditable service, to now restrict the provisions to purchases prior to January 1, 2023.

Amends GS 135-56.2, to enact identical provisions regarding the cost and payment of creditable service purchases as those enacted in GS 135-56(d1), making the same general provisions applicable to retroactive membership service credit for reinstated members.

Part IV

Makes the act effective January 1, 2022, and applicable to purchases of creditable service occurring on or after that date.

Intro. by Alexander, Burgin.

[GS 128, GS 135](#)

[Courts/Judiciary, Court System, Employment and Retirement, Government, General Assembly, Public Safety and Emergency Management, State Government, State Personnel, Local Government](#)

[View summary](#)

S 276 (2021-2022) [RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2021.-AB](#) Filed Mar 11 2021, *AN ACT MAKING ADMINISTRATIVE CHANGES RELATED TO CONTRIBUTION-BASED BENEFIT CAP LIABILITIES UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM (LGERS) AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM (TSERS); CLARIFYING WITHDRAWAL LIABILITIES UNDER LGERS AND TSERS; CLARIFYING AND STANDARDIZING THE DEFINITION OF "ACTUARIAL EQUIVALENT" UNDER LGERS AND TSERS; REQUIRING EMPLOYING UNITS TO ADOPT*

WRITTEN POLICIES FOR SPECIAL SEPARATION BUYOUTS FOR LAW ENFORCEMENT OFFICERS; GIVING THE DEPARTMENT OF STATE TREASURER AND THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES LIMITED AUTHORITY TO ADOPT ADMINISTRATIVE FEES UNDER CERTAIN PLANS; AND CLAWING BACK DISABILITY INCOME PLAN OVERPAYMENTS UNDER THE OPTIONAL RETIREMENT PROGRAM.

Identical to [H 168](#), filed 2/25/21.

Part I

Amends GS 159-30.1 to permit a local government, public authority, eligible entity, or local school administrative unit to establish and fund an irrevocable trust to pay contribution-based benefit cap liabilities to the Local Government Employees' Retirement System (LGERS), in addition to the existing authorization to pay post-employment benefits for which the entity is liable.

Enacts GS 128-30(d)(4a) and GS 135-8(f)(5) to require adjusting the required employer contribution rate under LGERS and the Teachers' and State Employees' Retirement System (TSERS) to include an additional amount equal to a rate per centum that is estimated to extinguish the contribution-benefit base cap liability on an amortization schedule selected by the respective Board of Trustees that has been applied to unfunded liabilities in the most recent actuarial valuation; limited to the beginning of the fiscal year following 90 days after the assessment of a contribution-based benefit cap liability is not paid as a lump-sum payment. Applies to assessments imposed on or after July 1, 2021, to reduce an employer's contribution-based benefit cap liability.

Amends GS 128-30(g)(3) and GS 135-8(f)(3), concerning the withholding of State appropriations due to an employer for delinquent contributions to the Retirement Systems Division, to specify that payment is due for contribution-based benefit cap liability under LGERS and TSERS the later of 12 months after the member's effective date of retirement, or the first day of the month coincident with or next following six months after the date of the invoice (previously, 12 months after the member's effective date of retirement). Applies to contribution-based benefit cap liability payments due from an employer on or after July 1, 2021.

Part II

Further amends GS 128-30 and GS 135-8, concerning procedures for withdrawing from LGERS and TSERS, to require employing units which by sale, dissolution, or otherwise changing to a business or legal form not eligible for participation as an employer in the applicable Retirement System under federal law to follow the specified procedures for ceasing participation. Applies to a participation withdrawal by an employing unit on or after July 1, 2021.

Part III

Amends GS 128-21(2) and GS 135-1(2) to define actuarial equivalent, as the term is used in both LGERS and TSERS provisions, to mean a benefit of equal value when computed upon the basis of actuarial assumptions as adopted by the respective Board of Trustees (previously specified calculation based on mortality tables; TSERS definition also included regular interest). Applies to benefit calculations performed on or after July 1, 2021.

Part IV

Amends GS 143-166.43 to require State departments, agencies, or institutions, and local government employers to have written, adopted policies that prohibit employees from choosing between accepting the lump sum separation buyout for law enforcement officers as a cash payment or transferring the lump sum separation buyout to TSERS or LGERS. Applies to lump sum separation buyouts offered to law enforcement officers on or after July 1, 2021.

Part V

Amends GS 135-91 to authorize the Department of State Treasurer and the Board of Trustees of the Supplemental Retirement Plan, the NC Deferred Compensation Plan, and the NC Public School Teachers' and Professional Educators' Investment Plan to adopt a new or amended rule at a public meeting to impose or change administrative fees under the respective Plan. Details notice and comment requirements of the draft rule, and posting requirements of adopted rules. Places caps on administrative fees based on Plan, ranging from 0.05% to 0.25%. Applies to administrative fees established or changed pursuant to rules adopted by the above provisions prospectively to any amounts owed on or after July 1, 2021.

Part VI

Amends GS 135-107 to require a participant of the Optional Retirement Program who owes an overpayment to the Disability Income Plan at the time the beneficiary would first qualify for an unreduced retirement benefit had the member elected to be a TSERS member, to pay the total overpayment amount due to the Disability Income Plan, with failure to pay within six months after the earliest age of retirement on an unreduced income allowance resulting in bar from enrollment in a new year of coverage under the NC State Health Plan for Teachers and State Employees until payment is made in full or the participant makes approved payment arrangements. Applies to overpayments owed on or after July 1, 2021.

Intro. by Alexander, Burgin.

[GS 128, GS 135, GS 159](#)

[View summary](#)

Employment and Retirement, Government, Public Safety and Emergency Management, State Agencies, Department of State Treasurer, State Government, State Personnel, Local Government

[S 277 \(2021-2022\) RET. & TREASURY TECH. CORRECTIONS ACT OF 2021.-AB](#) Filed Mar 11 2021, *AN ACT MAKING TECHNICAL CORRECTIONS AND OTHER CONFORMING AND CLARIFYING CHANGES TO THE LAWS GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENT COMMISSION, AND TO OTHER RELATED STATUTES.*

Identical to [H 175](#), filed 2/25/21.

Part I

Amends GS 84-4.1 to clarify that out-of-state attorneys can be admitted to practice in NC courts, the Utilities Commission, the Industrial Commission, the Office of Administrative Hearings, or any administrative agency, by the respective agency and in that forum alone for the sole purpose of appearing for a client in the proceeding only upon motion to the relevant forum. Further clarifies that the \$225 fee required to accompany the signed motion is to be submitted and made payable to the clerk of court for judicial proceedings, and the presiding administrative agency for administrative proceedings. Makes technical changes.

Amends GS 116D-3 to eliminate the annual reporting requirement of the State Treasurer to the NCGA on issued university improvement general obligations bonds and community college general obligation bonds.

Part II

Amends GS 135-3, concerning the retirement allowance for any member of the Teachers' and State Employees' Retirement System (TSERS) whose membership is terminated but who becomes entitled to benefits by reemployment or otherwise engaging in service performance, to exclude from the provisions compensation earned by NCGA temporary employees under GS 120-32(1).

Amends GS 161-50.2, which requires each County Commission to monthly remit 1.5% of receipts collected by registers of deeds to the Department of State Treasurer, to deem a County Commission's submission of the amount to the Department a certification of the accuracy of the amount.

Part III

Amends GS 159-13 to exclude from financial transactions required to be authorized by budget ordinance (1) transactions accounted for in a custodial fund, rather than agency fund, established to account for moneys held by a local government or public authority as an agent or to account for a retirement, pension, or similar employee benefit system; and (2) representative payee funds received under the Social Security Agency Representative Payee Program which belong to or are used to support minor children and certain adults (previously not included). Makes conforming changes to GS 159-8, GS 159-13, GS 159-14, GS 159-26, and GS 159-28.

Amends GS 159-26 to require local governments and public authorities to maintain an accounting system that includes a ledger or group of accounts in which to record the details relating to capital assets (rather than general fixed assets) of the unit or public authority.

Part IV

Effective July 1, 2021.

Intro. by Alexander, Burgin.

GS 84, GS 116D, GS 135, GS 159, GS 161

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Court System, Education, Higher Education, Government, General Assembly, State Agencies, Department of State Treasurer, State Government, State Personnel, Local Government

S 278 (2021-2022) [PROP./FAM. LAW-REIMBURSE PROP. EXPENDITURES](#). Filed Mar 11 2021, *AN ACT TO CONFORM THE STATUTE RELATING TO REIMBURSEMENT FOR EXPENDITURES MADE BY SPOUSES ON JOINT PROPERTY WITH CURRENT FAMILY LAW PRACTICE, AS RECOMMENDED BY THE FAMILY LAW SECTION OF THE NORTH CAROLINA BAR ASSOCIATION.*

Amends GS 41-61 to specify that neither the surviving spouse nor the personal representative of the deceased spouse is entitled to reimbursement from the other for expenditures made with respect to a subject property during the existence of a tenancy by the entirety after the termination by death (currently provides that neither spouse holding property as tenants by the entirety is entitled to reimbursement from the other for expenditures made). Includes recurring expenses, improvements, and payments made on indebtedness secured by a lien on the subject property (previously only specifically included payments made for indebtedness encumbering the property during the existence). Adds new provisions regarding the statute's construction. Specifies that the statute does not apply in any proceeding for equitable distribution or constitute any limitation on the power of the court in any equitable distribution proceeding. Specifies that the statute does not render unenforceable the terms of any otherwise valid and enforceable provisions in a premarital agreement, postmarital agreement, or promissory note given by one spouse to the other. Finally, specifies that the statute does not affect any otherwise valid and enforceable lien or judgment.

Intro. by Galey, Britt.

GS 41

[View summary](#)

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

S 285 (2021-2022) [EROSION AND SEDIMENTATION PERMITTING CHANGES](#). Filed Mar 11 2021, *AN ACT TO ADDRESS MISUSE OF THE AGRICULTURE EXCEPTION TO SEDIMENTATION AND EROSION CONTROL REQUIREMENTS.*

This act is applicable only in counties that have a stormwater utility and where all or a portion of two water supply watersheds are located within the county's borders.

Amends GS 113A-52.01(1), which specifies that the Sedimentation Pollution Control Act does not apply to activities including those specified, undertaken on agricultural land for the production of plants and animals useful to man. Adds that this exception does not limit the application of the Sedimentation Pollution Control Act by a local erosion and sedimentation control program to the use of agricultural land for disposing of debris more than 30 feet above existing grade or for other nonfarm purposes.

Intro. by Woodard, Murdock.

GS 113A

[View summary](#)

Agriculture, Environment, Environment/Natural Resources

S 289 (2021-2022) [NATIONAL GUARD MODIFICATIONS/OMNIBUS](#). Filed Mar 11 2021, *AN ACT TO TRANSFER THE NORTH CAROLINA NATIONAL GUARD TUITION ASSISTANCE PROGRAM FROM THE STATE EDUCATION ASSISTANCE AUTHORITY TO*

THE DEPARTMENT OF PUBLIC SAFETY, TO CODIFY THE TARHEEL CHALLENGE ACADEMY, TO MAKE CHANGES TO THE BUTNER TIMBER FUND SALE PROCEEDS, AND TO MAKE CHANGES TO THE NORTH CAROLINA NATIONAL GUARD RESERVE JOBS ACT.

To be summarized.

Intro. by Britt, Daniel, Ford.

[View summary](#)

S 290 (2021-2022) [FIRE DEPTS/PROHIBIT CERTAIN CRIMES](#). Filed Mar 11 2021, *AN ACT TO REQUIRE CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS TO FIRE DEPARTMENTS, TO REQUIRE APPLICANTS TO DISCLOSE CERTAIN CRIMINAL CHARGES, AND TO PROHIBIT APPLICANTS CONVICTED OF CERTAIN CRIMES FROM SERVING AS VOLUNTEER OR PAID MEMBERS OF FIRE DEPARTMENTS.*

To be summarized.

Intro. by Britt, McInnis, Johnson.

[View summary](#)

LOCAL/HOUSE BILLS

H 276 (2021-2022) [ADJUST HIGH SCHOOL ATHLETICS CONF./ONslow](#). Filed Mar 11 2021, *AN ACT TO PERMIT CERTAIN HIGH SCHOOLS IN ONSLOW COUNTY TO PARTICIPATE IN A SINGLE CONFERENCE.*

These provisions are applicable to Onslow County only. Amends GS 115C-12 to provide that if the State Board of Education (Board) authorizes a designated organization to apply and enforce the Board's rules governing participation in interscholastic athletic activities at the high school level, that organization must allow for the creation of a conference made up solely of qualifying high schools to be afforded all rights and privileges granted to other conferences within that designated organization if: (1) there are at least six qualifying high schools (meaning those with an average daily membership in the 2019-2020 school year of 800 students or more) within a geographic region; (2) the conference consists of only qualifying high schools; (3) the conference is open to all qualifying high schools in the geographic region; and (4) participation in the conference is optional.

Allows a conference to be created as provided in GS 115C-12 so long as any designated organization is notified at least 30 days before the start of the 2021-22 school year. Allows schools joining a conference by that date to withdraw, without penalty, from any scheduling contracts previously entered into for the 2021-22 season.

Intro. by Shepard.

[Onslow](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 282 (2021-2022) [MOUNT AIRY/EVEN-YEAR ELECTIONS](#). Filed Mar 11 2021, *AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF MOUNT AIRY SHALL BE HELD IN EVEN-NUMBERED YEARS.*

Amends the Mount Airy Charter, SL 2003-281, to require regular municipal elections to be held in each even-numbered (was, odd-numbered) year. Makes conforming changes. Requires elections for the Mayor and the Board to be by the nonpartisan primary and election method in accordance with GS Chapter 163 (was, as provided in GS 163-279(a) and GS 163-294). Extends the terms of the Mayor and all Commissioners serving on the effective date of this act by one year.

Intro. by Stevens.

Surry

[View summary](#)**Government, Elections**

H 287 (2021-2022) [CITY OF RANDLEMAN CHARTER CONSOLIDATION](#). Filed Mar 11 2021, *AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF RANDLEMAN*.

To be summarized.

Intro. by Hurley, McNeill.[View summary](#)

LOCAL/SENATE BILLS

S 239 (2021-2022) [DURHAM/ELECTRONIC SCHOOL ZONES](#). Filed Mar 11 2021, *AN ACT TO AUTHORIZE THE CITY OF DURHAM TO ESTABLISH A PILOT PROGRAM FOR THE USE OF ELECTRONIC SPEED-MEASURING SYSTEMS TO DETECT SPEED LIMIT VIOLATIONS IN SCHOOL ZONES*.

Allows the City of Durham (City), by December 1, 2021, to establish and implement a pilot program to use electronic speed measuring systems to detect speeding in school zones. Defines electronic speed measuring system (system) to mean a mobile or fixed device (1) consisting of an automated traffic camera and sensor and (2) capable of measuring speed and producing one or more digital photographs of a motor vehicle violating the speed limit set in a school zone. Requires that the system produce at least one photo clearly showing a recorded image of the vehicle speeding; the vehicle registration number and state of issuance; the date, time, and location of the violation; and the recorded speed. Requires the posting of signs warning of the presence of the system.

Makes a violation of a speed limit set in a school zone detected by an electronic speed-measuring system a noncriminal violation for which a civil penalty of \$250 is to be assessed and for which no points are to be assigned. Requires the City to issue a notice of violation to the registered owner of a vehicle cited for a speeding violation detected by a system, and sets out requirements for what must be contained in the notice, as well as notice delivery requirements.

Makes the registered owner of a vehicle cited for a violation detected by the system responsible for the penalty unless, within 30 days of service of the notification, the owner submits a sworn affidavit containing information concerning who, other than the owner, had control of the vehicle at the time of the violation. If the registered owner fails to pay the penalty or respond to the notice within 30 days, the owner waives the right to contest responsibility and is subject to an additional \$125 penalty. Sets out provisions concerning assigning liability to the actual operator when the operator was someone other than the registered vehicle owner.

Requires that any photos recorded by a system that captures a speeding violation in a school zone also be provided to the investigating law enforcement agency for use as evidence in any proceeding alleging a violation of GS 20-141.1 (speed limits in school zones).

Sets out notification requirements for when a law enforcement officer cites or arrests a vehicle owner or operator in an area when a system is in use for detecting speeding. Prohibits the City from issuing a notice of violation upon receiving such notice from law enforcement.

Requires the City to establish an administrative nonjudicial hearing process to review challenges to penalties assessed under this act. Allows a person dissatisfied with the City's decision at the hearing to appeal the decision to the district court. Appeal must be made within 30 days of notification of a final decision by the City.

Allows the City and the Durham Public Schools Board of Education to enter into an interlocal agreement necessary and proper to effectuate the purpose and intent of this act. The agreement may include provisions on cost-sharing and reimbursement.

Provides that Durham must pay a one time fee of \$1,000 to the Division of Motor Vehicles before implementing the pilot program on the use of electronic speed-measuring systems to detect speeding in school zones.

Requires the City, no later than three years after implementing the pilot program, to report the results of the pilot program to the chairs of the Joint Legislative Transportation Oversight Committee and the chairs of the Joint Legislative Oversight Committee on Justice and Public Safety.

Sets the pilot program to expire upon the earlier of the submission of the required report or three years after the date of implementation of the pilot program.

Intro. by Woodard, Murdock.

[STUDY, Durham](#)

[View summary](#)

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

S 240 (2021-2022) [DURHAM/REDUCE SPEED LIMITS](#). Filed Mar 11 2021, *AN ACT TO REDUCE THE SPEED LIMITS TO TWENTY-FIVE MILES PER HOUR ON RESIDENTIAL STREETS IN DURHAM EXPERIENCING CONGESTION, AS DETERMINED BY THE CITY OF DURHAM'S TRANSPORTATION DEPARTMENT.*

Makes it unlawful to drive in excess of 25 miles per hour on residential streets in Durham that the City of Durham's Transportation Department has determined to be experiencing congestion. Applies to offenses committed on or after December 1, 2021.

Intro. by Woodard, Murdock.

[UNCODIFIED, Durham](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Transportation](#)

S 242 (2021-2022) [SAVE SPRING BREAK ACT](#). Filed Mar 11 2021, *AN ACT TO ALLOW CHARLOTTE-MECKLENBURG SCHOOLS TO USE REMOTE LEARNING IN RESPONSE TO SEVERE WEATHER CONDITIONS AND OTHER EMERGENCY SITUATIONS IN ORDER TO AVOID ADDING IN-PERSON MAKE-UP DAYS TO THE SCHOOL CALENDAR ONCE ALL PREVIOUSLY SCHEDULED MAKE-UP DAYS ARE USED.*

Titles the act as the "Save Spring Break Act." Defines the scope of the act to include Charlotte-Mecklenburg Schools only.

Amends GS 115C-84.2, which allows school days and instructional hours to count towards the required minimum when school is closed early due to inclement weather, to the extent allowed by State Board of Education (State Board) policy. Expands this authority to include schools closing early for other emergency scenarios. Requires school calendars to include a plan for making up days and instructional hours when schools are not opened due to other emergency scenarios, as well as inclement weather. Adds a new provision to permit the plan to include remote instruction for one or more schools to meet the required number of instructional days and hours, subject to four requirements as follows. Requires that the school(s) be closed for in-person instruction due to severe weather conditions, energy shortages, power failures, or other emergency situations. Requires that at least five scheduled in-person instructional make-up days or the equivalent number of banked hours to have already been used prior to using remote instruction. Requires that scheduling additional in-person instructional make-up days would require the school(s) to replace days previously scheduled as holidays or to revise the scheduled closing date. Lastly, requires that the State Board has approved the local school administrative unit's remote instruction plan under GS 115C-84.3, as enacted.

Enacts GS 115C-84.3 authorizing each local board of education to develop an annual remote instruction plan. Requires submission of a plan annually to the State Board for approval by July 1. Includes 13 required considerations of each plan, including training for teachers and staff on the effective use of the remote instruction resources used by the unit and the process for student submission of completed work, surveying student and teacher home connectivity, and tracking and reporting attendance on remote instruction days. Directs the State Board to review and approve or deny each plan based on whether each

required component has been adequately addressed in the State Board's discretion. Requires the Department of Public Instruction (DPI) to notify each unit of the State Board's approval or denial by August 1. Allows for submission of amended plans which were initially denied to DPI by August 15, with DPI required to notify the unit of the amended plan's approval or denial by September 1. Allows the State Board to approve a plan that complies with the requirements at a later date for good cause.

Applies beginning with the 2021-22 school year.

Intro. by Marcus.

[Mecklenburg, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, State Agencies, State Board of Education](#)

S 243 (2021-2022) [DESIGN ELEM.EXEMPT-HISTORIC DOWNTOWN DAVIDSON](#). Filed Mar 11 2021, *AN ACT TO ALLOW CERTAIN DESIGN AND AESTHETIC CONTROLS FOR STRUCTURES LOCATED ALONG NC HIGHWAY 115 IN THE HISTORIC DOWNTOWN OF DAVIDSON*.

Amends GS 160D-702, applicable to the Town of Davidson only, to allow regulation in the building design of the structures located along the portion of NC Highway 115 beginning in the Town of Davidson at the city limit line at the railroad and continuing north until the intersection with Ridge Road in the Town.

Intro. by Marcus.

[Mecklenburg, GS 160D](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning](#)

S 244 (2021-2022) [DAVIDSON HISTORIC DIST. SUBDIVISION EXEMPTION](#). Filed Mar 11 2021, *AN ACT TO EXEMPT DESIGNATED HISTORIC DISTRICTS FROM CERTAIN RESTRICTIONS ON ZONING IN THE TOWN OF DAVIDSON*.

Amends GS 160D-802, applicable to the Town of Davidson only, to no longer exempt a National Register Historic District located within the corporate limits of a municipality from the applicability of subdivision regulations under Article 8.

Intro. by Marcus.

[Mecklenburg, GS 160D](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning](#)

S 245 (2021-2022) [TOWN OF DAVIDSON/TREES ORDINANCES](#). Filed Mar 11 2021, *AN ACT AUTHORIZING THE TOWN OF DAVIDSON TO ADOPT ORDINANCES REGULATING THE PLANTING, REMOVAL, AND PRESERVATION OF TREES, INCLUDING ON PROPERTY TO BE DEVELOPED FOR SINGLE-FAMILY OR DUPLEX RESIDENTIAL USES*.

Amends SL 1997-420, as amended, to remove the Town of Davidson from the scope of Sections 4, 5, and 6 of that act, which authorize regulation of the planting, removal, and preservation of trees on public and private property within the municipality, except for property to be developed for single-family or duplex residential uses subject to proper notice and hearing requirements.

Intro. by Marcus.

[UNCODIFIED, Mecklenburg](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning](#)

S 246 (2021-2022) [DAVIDSON/DEMOLITION OF HISTORIC STRUCTURES](#). Filed Mar 11 2021, *AN ACT AUTHORIZING THE TOWN OF DAVIDSON TO ADOPT ORDINANCES REGULATING THE DEMOLITION OF HISTORIC STRUCTURES IN THE TOWN'S HISTORIC DISTRICTS*.

Amends SL 2007-66, as amended, adding the Town of Davidson to the municipalities authorized to adopt ordinances after proper notice and a public hearing, as specified, to regulate the demolition of historic structures within its municipal corporate limits and extraterritorial jurisdiction.

Intro. by Marcus.

[UNCODIFIED, Iredell, Mecklenburg](#)

[View summary](#)

[Development, Land Use and Housing, Building and Construction](#)

S 247 (2021-2022) [PINEVILLE LOCAL OPTION SALES TAX](#). Filed Mar 11 2021, *AN ACT TO AUTHORIZE THE LEVY OF A MUNICIPAL ONE-QUARTER PERCENT SALES AND USE TAX*.

Applicable only to the Town of Pineville, enacts Article 47 to GS Chapter 105. Subject to voter approval, authorizes the Town to levy a one-quarter cent sales and use tax in addition to any other State and local sales and use taxes levied. Requires the tax to be levied by resolution and only after 10 days' public notice. Sets parameters for an election on the question, and provides ballot language. Provides for the administration of the tax. Requires the Secretary of Revenue to monthly distribute the net proceeds collected from the tax to the Town, and provides for apportionment in situations where proceeds cannot be identified as attributable to a particular taxing municipality. Specifies that amounts collected by electronic funds transfer payments are included in the monthly distribution in which the return that applies to the payment is received. Authorizes the Town to use the net proceeds of the tax levied under Article 47 for public infrastructure and facilities.

Intro. by Salvador.

[Mecklenburg](#)

[View summary](#)

[Government, Tax](#)

S 250 (2021-2022) [CALDWELL COUNTY BD. OF ED/PARTISAN ELECTION](#). Filed Mar 11 2021, *AN ACT TO CHANGE THE ELECTION METHOD OF THE CALDWELL COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN*.

Amends SL 1973-1273 to require that beginning in 2022, all candidates for the Caldwell County Board of Education (Board) be elected on a partisan (was, nonpartisan) basis. Requires the election to be during the general election in each even-numbered year as terms expire. Specifies that candidates are to be nominated at the same time and manner as other county officers. Removes the filing fee. Specifies that members serve until a successor has been elected and qualified. Makes clarifying changes. Requires that beginning in 2022, vacancies for positions elected on a partisan basis be filled by appointment by the remaining members of the Board. Makes conforming changes.

Provides that this act does not affect the terms of office of any member elected to the Board in 2018 or 2020. Specifies that members of the Board elected in 2018 and 2020, or any appointed to fill a vacancy for the remainder of an unexpired term for a member elected in 2018 or 2020, are to serve until a successor has been elected and qualified.

Makes conforming changes, effective on the first Monday in December of 2022, to GS 115C-37.1(d), concerning the vacancies in offices of county boards elected on partisan basis in certain counties.

Intro. by Daniel.

[Caldwell](#)

[View summary](#)

[Education, Government, Elections](#)

S 253 (2021-2022) [TOWN OF CORNELIUS-EXTEND VACATION RENTAL REGS.](#) Filed Mar 11 2021, *AN ACT TO EXTEND THE SUNSET OF AUTHORITY FOR THE TOWN OF CORNELIUS TO REGULATE VACATION RENTALS AND OTHER TRANSIENT OCCUPANCIES.*

Applicable to Cornelius only, recodifies GS 160A-394, as GS 160D-917 (concerning the ability of a city, by ordinance, to establish and enforce zoning regulations for residential dwellings occupied on a vacation rental or other transient occupancy basis). Also makes a technical change to the statute. Sets this act to expire on December 31, 2031. Provides that the act does not affect or repeal any ordinance that was adopted under a city's general police powers or zoning authority prior to the enactment of this act.

Intro. by Marcus.

[Mecklenburg](#)

[View summary](#)

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

S 254 (2021-2022) [HOLLY SPRINGS CHARTER/TREE ORDINANCES.](#) Filed Mar 11 2021, *AN ACT AMENDING THE CHARTER OF THE TOWN OF HOLLY SPRINGS TO ALLOW THE TOWN TO REGULATE THE REMOVAL AND PRESERVATION OF TREES AND SHRUBS AS PART OF DEVELOPMENT PROJECTS, PROVIDING THAT TREE ORDINANCES SHALL BE ENFORCED IN THE SAME MANNER AS ALL OTHER TOWN ORDINANCES, AND MAKING A TECHNICAL AMENDMENT.*

Amends the Holly Springs Charter, SL 2003-73 (as amended), as follows. Allows the Town to adopt ordinances to regulate the removal and preservation of existing trees and shrubs as part of development projects, no longer limiting this to the specified buffer zones. Amends the requirements to be met by such ordinances, to (1) require that the ordinances be enforced as provided in GS 160A-175 (enforcement of ordinances); (2) no longer limit the ordinances to situations where undeveloped property is planned or zoned in accordance with adopted municipal plans and zoning regulations; and (3) no longer require the ordinances to provide that a survey of individual trees is not required. Updates a statutory cross-reference.

Intro. by Batch.

[Wake](#)

[View summary](#)

[Development, Land Use and Housing](#)

S 256 (2021-2022) [STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.](#) Filed Mar 11 2021, *AN ACT TO PERMIT INCREASED ACCESS TO OUTDOOR SPORTING FACILITIES IN PUBLIC AND NONPUBLIC HIGH SCHOOLS IN CERTAIN COUNTIES.*

Includes whereas clauses. Limits the act to Davidson, Davie, Forsyth, Johnston, Jones, Montgomery, Nash, Rowan, and Stanly counties.

Allows all public and nonpublic high schools to limit the number of spectators at outdoor sporting events for the remainder of the scheduled 2020-21 school year, as follows. Defines spectator to exclude athletes, school employees, entertainers, and event support staff. Caps spectators at 50% capacity of an outdoor facility's approved occupancy capacity under the fire code, or no more than seven persons for every 1,000 feet for those without an approved occupancy capacity. Provides that for outdoor sporting facilities allowing spectators to bring their own seats, individuals sitting in their own seats do not count toward the limit on the number of spectators so long as those individuals maintain at least six feet of distance between themselves and anyone outside of their family. Requires high schools to comply with the requirements of the StrongSchoolsNC Public Health Toolkit as it existed on February 2, 2021, and the Interim Guidance for Administrators and Participants of Youth and Amateur Sports Programs as it existed on January 28, 2021, in allowing access to outdoor sporting facilities so long as the requirements are consistent with the act's provisions. Does not prohibit a school's implementation of stricter access to outdoor sporting events at that school.

Intro. by Jarvis, Lazzara, Ford.

[UNCODIFIED, Davidson, Davie, Forsyth, Johnston, Jones, Montgomery, Nash, Rowan, Stanly](#)

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

S 260 (2021-2022) **MOORESVILLE TOURISM DEVELOPMENT AUTH. CHANGE**. Filed Mar 11 2021, *AN ACT TO MODIFY THE MEMBERSHIP OF THE MOORESVILLE TOURISM DEVELOPMENT AUTHORITY*.

Identical to [H 199](#), filed 3/2/21.

Amends the membership of the Mooresville Travel and Tourism Authority (Authority), set by SL 1991-296, as amended. Modifies current requirements to include one member rather than two representing the Mooresville-South Iredell Chamber of Commerce, and three rather than two members representing the motel or travel and tourism industry. Adds the following members: one member representing sites and attractions that increase the use of lodging, meeting, or convention facilities in the area or attract tourists or business travelers to the area, and one member appointed by the Mooresville Town Board (Town Board). Specifies that the Town Board must designate a voting member as chair (was, a member). Authorizes the Town Board to amend the resolution creating the Authority so long as the amendments are consistent with the act. Regarding the Authority's directive to adopt rules of procedure to govern its meetings, adds a new requirement for the rules of procedure to include the rules of membership and attendance that pertain to other boards and committees appointed by the Town Board which are consistent with the act.

Intro. by Sawyer.

Iredell

[View summary](#)**Business and Commerce, Development, Land Use and
Housing, Community and Economic Development**

S 261 (2021-2022) **SCHOOL CALENDAR FLEX./MOORESVILLE GSD**. Filed Mar 11 2021, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO MOORESVILLE GRADED SCHOOL DISTRICT IN ADOPTING THE SCHOOL CALENDAR*.

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 authorize local boards of education to align the calendar of schools in the local school administrative unit with the calendar of a community college serving the city or county in which the unit is located. Applies only to the Mooresville Graded School District. Applies beginning with the 2021-22 school year.

Intro. by Sawyer.

Iredell

[View summary](#)**Education, Elementary and Secondary Education**

S 262 (2021-2022) **SCHOOL CALENDAR FLEX./CERTAIN COUNTIES**. Filed Mar 11 2021, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO CERTAIN COUNTIES IN ADOPTING THE SCHOOL CALENDAR*.

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 authorize local boards of education to align the calendar of schools in the local school administrative unit with the calendar of a community college serving the city or county in which the unit is located. Applies only to the Cleveland County Schools, Iredell-Statesville Schools, and Lincoln County Schools. Applies beginning with the 2021-22 school year.

Intro. by Sawyer, Alexander.

Cleveland, Iredell, Lincoln

[View summary](#)**Education, Elementary and Secondary Education**

S 263 (2021-2022) [SCHOOL CALENDAR FLEX./YADKIN](#). Filed Mar 11 2021, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO YADKIN COUNTY SCHOOLS IN ADOPTING THE SCHOOL CALENDAR.*

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 authorize local boards of education to align the calendar of schools in the local school administrative unit with the calendar of a community college serving the city or county in which the unit is located. Applies only to the Yadkin County Schools. Applies beginning with the 2021-22 school year.

Intro. by Sawyer.

[Yadkin](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 264 (2021-2022) [SCHOOL CALENDAR FLEX./IREDELL](#). Filed Mar 11 2021, *AN ACT TO PROVIDE ADDITIONAL FLEXIBILITY TO IREDELL-STATESVILLE SCHOOLS IN ADOPTING THE SCHOOL CALENDAR.*

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 authorize local boards of education to align the calendar of schools in the local school administrative unit with the calendar of a community college serving the city or county in which the unit is located. Applies only to Iredell-Statesville Schools. Applies beginning with the 2021-22 school year.

Intro. by Sawyer.

[Iredell](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 266 (2021-2022) [14TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Mar 11 2021, *AN ACT RELATING TO THE 14TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Blue.

[Wake](#)

[View summary](#)

S 267 (2021-2022) [LAKE NORMAN WATERCRAFT SAFETY](#). Filed Mar 11 2021, *AN ACT TO REQUIRE PERSONS TOWED BEHIND A VESSEL ON LAKE NORMAN TO WEAR A PERSONAL FLOTATION DEVICE AND TO LIMIT HOURS OF TOWED ACTIVITY ON LAKE NORMAN TO THE PERIOD BETWEEN SUNRISE AND SUNSET.*

Applicable only to the waters of Lake Norman in Catawba, Iredell, Lincoln, and Mecklenburg Counties, amends GS 75A-13 to require persons being towed by a vessel operated on water for water skiing, surfboarding, or similar devices to wear a personal flotation device. Additionally requires the vessel operator to either have a person in the vessel in the position to observe the progress of the person(s) towed or a rear view mirror capable of showing a wide area behind the towing watercraft (current law requires either of these options, or for the person(s) being towed to be wearing a personal flotation device). Additionally prohibits operating a vessel on any water towing a person or persons on water skis, a surfboard, or similar device, or engaging in water skiing, surfboarding, or similar activity between sunset and sunrise (currently restricted from one hour after sunset to one hour before sunrise). Makes the provisions enforceable as water and boat safety provision pursuant to GS 75A-17, punishable as a Class 3 misdemeanor. Applies to offenses occurring on or after October 1, 2021.

Intro. by Sawyer.

Catawba, Iredell, Lincoln, Mecklenburg, GS 75A

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

S 269 (2021-2022) **FLEXIBILITY IN FILLING VACANCIES/DURHAM**. Filed Mar 11 2021, *AN ACT TO PROVIDE FLEXIBILITY IN FILLING VACANCIES ON THE CITY COUNCIL IN THE CITY OF DURHAM*.

Amends Sections 13.2 and 13.3 of the Charter of the City of Durham, SL 1975-671, as amended. Authorizes the City Council to appoint a qualified person to fill a vacancy occurring in the office of Mayor or a member of City Council. Requires the City Council to adopt a resolution calling a special election to fill the vacancy if the City Council chooses not to appoint an individual to fill such vacancy and chooses to call a special election (current law requires the City Council to choose a person within 60 days of the vacancy, and if the Council fails to do so within that time period, the Council is barred from choosing and must call a special election by adopting a resolution within seven days of the 60-day period).

Intro. by Murdock, Woodard.

Durham

[View summary](#)**Government, Elections, Local Government**

S 279 (2021-2022) **LOCAL GOVERNMENTS/REGULATE NAVIGABLE WATERS**. Filed Mar 11 2021, *AN ACT AUTHORIZING THE CITY OF NEW BERN AND THE TOWNS OF BRIDGETON, ORIENTAL, AND TRENT WOODS TO REGULATE NAVIGABLE WATERS WITHIN THEIR CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION*.

Allows New Bern, Bridgeton, Oriental, and Trent Woods to do the following.

Allows making, adopting, and enforcing ordinances for the navigable waters within its municipal limits and within its extraterritorial jurisdiction as to: (1) operation of boats and vessels and types of activities conducted on the navigable waters within the municipal limits; (2) restriction of the anchoring and mooring of boats and vessels as to location and generally to regulate the anchoring and mooring of vessels within the navigable waters within the municipal limits; (3) placing and maintaining channel aids and markers, anchoring aids and markers, and navigational aids and markers; (4) making all reasonable rules and regulations necessary for the safe and proper use of the navigable waters; and (5) providing for the enforcement of ordinances adopted under this act.

Provides that the State or federal rule or regulation prevails over the local ordinances to the extent of the conflict when there is a conflict between any local ordinance adopted under this act and rules or regulations of the Wildlife Resources Commission, the Department of Environmental Quality, the US Coast Guard, or the US Army Corps of Engineers.

Gives fully sworn municipal law enforcement officers authority to enforce any local ordinances adopted under this act and allows municipalities to appropriate funds to carry out the act.

Intro. by Sanderson.

Craven, Pamlico

[View summary](#)**Environment, Government, Public Safety and Emergency Management**

S 280 (2021-2022) **SCHOOL CALENDAR FLEXIBILITY/GUILFORD COUNTY**. Filed Mar 11 2021, *AN ACT TO PROVIDE FLEXIBILITY FOR THE GUILFORD COUNTY BOARD OF EDUCATION IN ADOPTING THE SCHOOL CALENDAR*.

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

board of education for the Guilford County Schools with additional flexibility in adopting the school calendars. Requires all first semester exams to be given before winter break. Applies beginning with the 2021-22 school year.

Intro. by Garrett, Robinson.

Guilford

[View summary](#)

Education, Elementary and Secondary Education

S 281 (2021-2022) [FAIR TREATMENT FOR JOURNALISM/GUILFORD COUNTY](#). Filed Mar 11 2021, *AN ACT RESTORING FAIR TREATMENT FOR JOURNALISM IN GUILFORD COUNTY BY REPEALING A PILOT PROGRAM AUTHORIZING GUILFORD COUNTY AND MUNICIPALITIES LOCATED WHOLLY OR PARTLY IN GUILFORD COUNTY TO PUBLISH REQUIRED NOTICES ELECTRONICALLY AND AUTHORIZING GUILFORD COUNTY TO PUBLISH LEGAL NOTICES VIA A COUNTY-MAINTAINED WEBSITE FOR A FEE.*

Repeals SL 2017-210, which (1) authorized Guilford County and its municipalities to electronically publish required notices upon adoption of an ordinance by the appropriate governing body and (2) authorized Guilford County to publish legal notices on the county-maintained website for a fee.

Intro. by Garrett, Robinson.

Guilford

[View summary](#)

S 282 (2021-2022) [MODIFY WILMINGTON CIVILIAN CRASH INVESTIGATOR](#). Filed Mar 11 2021, *AN ACT TO EXPAND THE AUTHORITY OF CIVILIAN TRAFFIC INVESTIGATORS IN THE CITY OF WILMINGTON.*

Amends SL 2007-218 to allow Civilian Traffic Investigators in Wilmington to issue citations for infractions under GS Chapter 20 (Motor Vehicles) related to the traffic crashes they investigate. Makes conforming changes.

Intro. by Lee.

New Hanover

[View summary](#)

Courts/Judiciary, Motor Vehicle

S 283 (2021-2022) [17TH SENATORIAL DISTRICT LOCAL ACT](#). Filed Mar 11 2021, *AN ACT RELATING TO THE 17TH SENATORIAL DISTRICT.*

Blank bill.

Intro. by Batch.

Wake

[View summary](#)

S 284 (2021-2022) [GREENSBORO/SCHOOL ZONE ELEC. ENFORC.](#) Filed Mar 11 2021, *AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO ESTABLISH A PILOT PROGRAM FOR THE USE OF ELECTRONIC SPEED-MEASURING SYSTEMS TO DETECT SPEED LIMIT VIOLATIONS IN SCHOOL ZONES.*

To be summarized.

Intro. by Garrett, Robinson.

[View summary](#)

S 286 (2021-2022) [GREENSBORO/LOCAL SPEED LIMIT](#). Filed Mar 11 2021, *AN ACT TO AUTHORIZE THE CITY OF GREENSBORO TO REDUCE BY ORDINANCE THE SPEED LIMIT ON RESIDENTIAL STREETS.*

Allows Greensboro to pass an ordinance prohibiting operating a vehicle in excess of 25 miles per hour on residential streets in the city. Provides that the speed restrictions are not effective until signs are posed on affected streets. Sets out requirements for the signs. Applies to offenses committed on or after December 1, 2021.

Intro. by Garrett, Robinson.[Guilford](#)[View summary](#)[Courts/Judiciary, Motor Vehicle](#)

S 287 (2021-2022) [DELAY CMS BOARD ELECTIONS/CENSUS DELAY](#). Filed Mar 11 2021, *AN ACT TO AUTHORIZE THE DELAY OF THE 2021 ELECTIONS FOR THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION IF CENSUS DATA IS NOT AVAILABLE TO THE BOARD OF EDUCATION BY A DATE CERTAIN.*

Provided that the federal decennial census information for 2020 has not been received by the Charlotte-Mecklenburg Board of Education (Board) by July 19, 2021, bars holding elections for the Board in 2021. Requires members elected to the Board in 2017 and any persons filling vacancies for those terms to hold over in office until their successors are elected and qualified. Requires elections for the Board to be held at the general election for county offices in 2022, with candidates filing their notices of candidacy between noon on July 25, 2022, and noon on August 12, 2022. Provides for terms of members elected in 2022 to commence on December 6, 2022, and expire on December 25, 2025. Requires the Board to adopt a resolution prior to July 26, 2021, stating its failure to receive the federal census information and that the next election for the Board will occur at the 2022 election as provided by this act. Requires the Board to publish notice of the delay on its website and at least once in a newspaper of general circulation within seven days of adoption of the resolution. Requires the resolution be submitted to the Mecklenburg Board of Elections and the State Board of Elections prior to July 26, 2021.

Intro. by Marcus, Salvador.[Mecklenburg](#)[View summary](#)[Education, Elementary and Secondary Education, Government, Elections](#)

S 288 (2021-2022) [EVEN-YR ELECTIONS/CITIES & AMP BD. OF ED/BURKE CO.](#) Filed Mar 11 2021, *AN ACT TO PROVIDE THAT ELECTIONS FOR MUNICIPALITIES IN BURKE COUNTY AND THE BURKE COUNTY BOARD OF EDUCATION SHALL BE HELD IN EVEN-NUMBERED YEARS.*

To be summarized.

Intro. by Daniel.[View summary](#)

S 291 (2021-2022) [CITIZENS REVIEW BOARD/SPECIAL LEGISLATION](#). Filed Mar 11 2021, *AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO ESTABLISH A CITIZENS REVIEW BOARD TO INVESTIGATE OR REVIEW ALLEGATIONS OF CERTAIN POLICE MISCONDUCT.*

Includes whereas clauses.

Enacts GS 160A-289.3, applicable only to the City of Fayetteville, as follows. Sets forth six defined terms.

Authorizes the City to establish a citizens review board, by ordinance, to review appeals of disciplinary action involving allegations of misconduct by law enforcement officers employed by the City. Defines misconduct to be limited to excessive use of force, abuse of power, and discriminatory profiling. Requires each member to sign a confidentiality agreement upon accepting the appointment, with failure to sign or to breach the agreement a Class 1 misdemeanor punishable by a fine of up to \$1,000 and cause for removal. Requires the head of the law enforcement agency, as defined, to make available an officer's personnel file and any other material deemed necessary by the governing body of the city for the citizens review board to complete its investigation or review, subject to the officer's consent and federal law. Requires the citizens review board to maintain confidentiality of any information provided to it under the statute. Applies to any misconduct completed on or after December 1, 2021.

Intro. by deViere, Clark.

Cumberland

[View summary](#)

Government, Public Safety and Emergency Management

S 292 (2021-2022) **GREENSBORO SMALL BUSINESS ENTERPRISE**. Filed Mar 11 2021, *AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY AND TO ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN CITY CONTRACTS.*

Enacts the following provisions to Chapter VII of the Charter of the City of Greensboro, SL 1959-1137, as amended. Authorizes the City to establish a race- and gender-neutral small business enterprise program to promote the development of small businesses and enhance the opportunities for small businesses to participate in City contracts. Provides the City flexibility to establish bid and proposal specifications and define the term "small business enterprise" as appropriate and consistent with the City's contracting practices. Authorizes the City to refuse to award a contract to a bidder who was considered based on its efforts to comply with the program requirements but is determined to have failed to do so. Provides that the program is intended to supplement specified public contract requirements. Requires goals or efforts established to achieve veteran, minority, and women's business participation pursuant to state law to take precedence over the goals of the program. Deems the program consistent with State policy to promote and utilize small business enterprises consistent with state law.

Intro. by Garrett, Robinson.

Guilford

[View summary](#)

Business and Commerce

S 293 (2021-2022) **INCREASE WILKESBORO OCCUPANCY TAX**. Filed Mar 11 2021, *AN ACT TO INCREASE THE OCCUPANCY TAX AUTHORIZATION FOR THE TOWN OF WILKESBORO.*

Makes the following changes to Part IX of SL 2001-439, which authorizes the Town of Wilkesboro (town) to levy a room occupancy tax of up to 3%. Changes the grant of authority to levy the tax from the Board of Town Commissioners to the Town Council. No longer excludes accommodations furnished by nonprofits, educational, or religious organizations when furnished in furtherance of their nonprofit purpose. Enacts a new provision authorizing the Town Council to levy an additional room occupancy tax of up to 3%, contingent upon the levy of the initial room occupancy tax authorized. Modifies the membership of the Wilkesboro Tourism Development, Convention, and Visitors Bureau, required to be created when the Town levies a tax under the act, to require at least one-half (was three-fourths) of the members to be individuals who are currently active in the promotion of travel and tourism in the town. Makes conforming changes.

Intro. by Ballard.

Wilkes

[View summary](#)

Government, Tax

S 294 (2021-2022) [FAYETTEVILLE PWC/SMALL BUSINESS ENTERPRISE](#). Filed Mar 11 2021, *AN ACT AUTHORIZING THE FAYETTEVILLE PUBLIC WORKS COMMISSION TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM.*

Amends Chapter VIA of the Charter of the City of Fayetteville, set out in SL 1979-557, as amended, by adding a new section to authorize the Fayetteville Public Works Commission to establish a small business enterprise program to promote small business development as prescribed.

Intro. by deViere, Clark.

Cumberland

[View summary](#)

Business and Commerce

ACTIONS ON BILLS

PUBLIC BILLS

H 48: CONCEALED CARRY/EMERGENCY MEDICAL PERSONNEL.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 49: CONCEALED CARRY PERMIT LAPSE/REVISE LAW.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 53: EDUC. CHANGES FOR MILITARY-CONNECTED STUDENTS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 61: LOCAL COMMUNICABLE DISEASE PROGRAMS/FUNDS.

House: Serial Referral To Rules, Calendar, and Operations of the House Stricken

House: Withdrawn From Com

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

H 62: GOV. IMMIGRATION COMPLIANCE/ENJOIN ORDINANCES.

House: Regular Message Sent To Senate

H 82: SUMMER LEARNING CHOICE FOR NC FAMILIES.

Senate: Withdrawn From Com

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

H 89: SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

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

House: Reptd Fav Com Sub 2

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

H 110: INCREASE BUILDING PERMIT EXEMPTION THRESHOLD.

House: Reptd Fav

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

H 134: 2ND AMENDMENT PROTECTION ACT.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 184: SUPPORT PRIVATE PROPERTY RIGHTS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 193: 2020-2021 SCHOOL TRANSPORTATION FLEXIBILITY.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Amend Adopted A1

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

H 196: 2021 COVID-19 RESPONSE & RELIEF.

House: Signed by Gov. 3/11/2021

House: Ch. SL 2021-3

H 217: UTILITIES COMM'N TECH. AND ADD'L CHANGES.

House: Reptd Fav

House: Re-ref Com On Energy and Public Utilities

H 255: FUNDS/NEW PEMBROKE LADDER FIRE TRUCK.

House: Passed 1st Reading

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

H 256: SMART SCH. BUS SAFETY PILOT/CERTAIN COUNTIES.

House: Passed 1st Reading

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

H 257: JOINT MUNICIPAL POWER AGENCIES/INVESTMENTS.

House: Passed 1st Reading

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

H 258: OCEAN ISLE MUSEUM FOUNDATION FUNDS.

House: Passed 1st Reading

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

H 259: PROTECT VOTING SYSTEMS/FOREIGN INTERFERENCE.

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 260: FEES FOR ADVANCED COURSES/UNC.

House: Passed 1st Reading

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

H 261: RAISE MIN. AGE/JUVENILE JURISDICTION.

House: Passed 1st Reading

House: Ref to the Com on Families, Children, and Aging Policy, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

H 262: SMART START FUNDS.

House: Passed 1st Reading

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

H 264: EMERGENCY POWERS ACCOUNTABILITY ACT.

House: Passed 1st Reading

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

H 266: URGING CONGRESS/NATIONAL INFRASTRUCTURE BANK.

House: Passed 1st Reading

House: Ref to the Com on Federal Relations and American Indian Affairs, if favorable, Transportation, if favorable, Rules, Calendar, and Operations of the House

H 267: CONCEALED HANDGUN PERMIT/PHOTO.

House: Passed 1st Reading

House: Ref to the Com on Judiciary 3, if favorable, State Government, if favorable, Rules, Calendar, and Operations of the House

H 272: REVISE HEALTH STANDARD FOR LEAD.

House: Filed

H 273: MODIFY BUILDERS INVENTORY TAX EXCLUSION.

House: Filed

H 274: 2021 CURRENT OPERATIONS APPROPRIATIONS ACT.

House: Filed

H 275: FUNDS/ELIZABETH CITY HOMELESS SHELTER.

House: Filed

H 277: THE SAVE ACT.

House: Filed

H 278: SUNSET ABC BOARD PARTICIPATION IN LGERS.

House: Filed

H 279: 2021 REVENUE LAWS CHANGES.

House: Filed

H 280: MENTAL HEALTH FACILITY/WESTERN NC/FUNDS.

House: Filed

H 281: LOGGERHEAD TURTLE/STATE SALTWATER REPTILE.

House: Filed

H 283: INCREASE TROOPERS IN MECKLENBURG COUNTY.

House: Filed

H 284: REPEAL RIGHT OF ACTION/CAPITAL OUTLAY FUND.

House: Filed

H 285: ENS RAILROAD TRAIN/DRIVER ED CURRICULUM.

House: Filed

H 286: URGE CONGRESS/PROPOSE "KEEP NINE" AMENDMENT.

House: Filed

H 288: BENNETT COLLEGE ACCREDIT./PRIVATE NEED-BASED.

House: Filed

H 289: DIT/BROADBAND MAPPING -- FUNDS.

House: Filed

H 290: MAKE CERTAIN DRUG OFFENSES INFRACTIONS.

House: Filed

H 291: BLDG. PLAN APPROVAL - CERTAIN COMMERCIAL PROP.

House: Filed

H 292: HOWARD HUNTER, JR., EASTERN CRIME LAB.

House: Filed

H 293: SUPPLEMENTARY GREAT GRANT CLARIFICATIONS.

House: Filed

H 294: SALE OF SALVAGE VEHICLES.

House: Filed

H 295: DSS REVIEW OF PROCEDURES/OAH.

House: Filed

S 56: TRYON PALACE - CAPITAL PROJECT.

House: Passed 1st Reading

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

S 101: REQUIRE COOPERATION WITH ICE 2.0.

Senate: Amend Adopted A1

Senate: Amend Adopted A2

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

S 113: MODIFY TERMINATION OF PARENTAL RIGHTS APPEALS.

House: Passed 1st Reading

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

S 114: DES COVID MODIFICATIONS AND TECHNICAL CHANGES.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 126: CLEAN UP OBSOLETE BOARDS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 135: IMPROVE ANATOMICAL GIFT DONATION PROCESS.

House: Passed 1st Reading

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

S 138: ALLOW REMOTE SHAREHOLDER MEETINGS.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 146: TELEDENTISTRY/RDH ADMIN. LOCAL ANESTHETIC.

Senate: Withdrawn From Com

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

S 207: VARIOUS RAISE THE AGE CHANGES/JJAC RECS.

Senate: Withdrawn From Com

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

S 209: UTILITIES COMM'N TECH. AND ADD'L CHANGES.

Senate: Withdrawn From Com

Senate: Re-ref to Agriculture, Energy, and Environment. If fav, re-ref to Finance. If fav, re-ref to Rules and Operations of the Senate

S 211: AMEND WATER/SEWER RATE ADJUSTMENT MECHANISMS.

Senate: Withdrawn From Com

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

S 217: EARLY CHILDHOOD DATA ANALYTICS/PILOT/GUILFORD.

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 220: THE REOPEN OUR SCHOOLS ACT OF 2021. (NEW)

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Enrolled

Senate: Ratified

Senate: Pres. To Gov. 3/11/2021

Senate: Signed by Gov. 3/11/2021

Senate: Ch. SL 2021-4

S 224: STEVE TROXLER AGRICULTURAL SCIENCES CENTER.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 226: AMEND HIE MANDATORY PARTICIP. & AMP ENFORCEMENT.

Senate: Passed 1st Reading

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

S 227: CITIES/FLOOD REDUCTION TECHNIQUES.

Senate: Passed 1st Reading

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

S 228: ALLOW EMPLOYERS TO OFFER EPO BENEFIT PLANS.

Senate: Passed 1st Reading

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

S 229: SOUTH PIEDMONT CC/ASEPTIC TRAINING FACILITY.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 230: INCREASE TROOPERS IN MECKLENBURG COUNTY.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 231: MILITARY FAMILY SPORTS ACT.

Senate: Passed 1st Reading

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

S 235: FUNDS/KERNERSVILLE STATE VETERANS HOME.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 237: REINSURANCE FACILITY BOARD OF GOV. APPOINTEES.

Senate: Passed 1st Reading

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

S 238: LIFE & PROPERTY PROTECTION ACT.

Senate: Passed 1st Reading

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

S 241: MODIFY UTILITY VEHICLE DEFINITION.

Senate: Filed

S 248: DENTAL PATIENT TRANSPARENCY ACT.

Senate: Filed

S 249: THE SAVE ACT.

Senate: Filed

S 251: CAIN CENTER FOR THE ARTS FUNDS.

Senate: Filed

S 252: CORNELIUS AFFORDABLE HOUSING FUNDS.

Senate: Filed

S 255: 2021 AOC LEGISLATIVE CHANGES.-AB

Senate: Filed

S 257: MEDICATION COST TRANSPARENCY ACT.*Senate: Filed***S 258: SENATE BOG VACANCY ELECTION.***Senate: Filed***S 259: ADDITIONAL MAGISTRATES TO MECKLENBURG COUNTY.***Senate: Filed***S 265: BOND REFERENDUM TRANSPARENCY.***Senate: Filed***S 268: FILM GRANT FUND APPROPRIATION.***Senate: Filed***S 270: INSURANCE TECHNICAL CHANGES.***Senate: Filed***S 271: RATE-MAKING LEGISLATION.***Senate: Filed***S 272: INDEPENDENT AGENT OWNERSHIP OF EXPIRATIONS.***Senate: Filed***S 273: CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM ACT.***Senate: Filed***S 274: RESTORE MASTER'S PAY FOR TEACHERS & ISP.***Senate: Filed***S 275: RETIREMENT SERVICE PURCHASE REWRITE PART II.-AB***Senate: Filed***S 276: RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2021.-AB***Senate: Filed***S 277: RET. & TREASURY TECH. CORRECTIONS ACT OF 2021.-AB***Senate: Filed***S 278: PROP./FAM. LAW-REIMBURSE PROP. EXPENDITURES.***Senate: Filed***S 285: EROSION AND SEDIMENTATION PERMITTING CHANGES.***Senate: Filed***S 289: NATIONAL GUARD MODIFICATIONS/OMNIBUS.***Senate: Filed***S 290: FIRE DEPTS/PROHIBIT CERTAIN CRIMES.***Senate: Filed***LOCAL BILLS****H 24: STANLEY/REMOVE SATELLITE ANNEXATION CAP.***House: Passed 3rd Reading*

H 50: CALYPSO ANNEXATION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 162: CITY OF MORGANTON/CHARTER AMENDMENTS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 263: HIGH POINT/COUNCIL DELEGATE REZONING POWERS.

House: Passed 1st Reading

House: Ref to the Com on Local Government - Land Use, Planning and Development, if favorable, Rules, Calendar, and Operations of the House

H 265: REINSTATE MTN ISLAND LAKE MARINE COMMISSION.

House: Passed 1st Reading

House: Ref to the Com on Marine Resources and Aqua Culture, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

H 268: DURHAM/GRANTS TO BUSINESSES & NONPROFITS.

House: Passed 1st Reading

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

H 276: ADJUST HIGH SCHOOL ATHLETICS CONF./ONSLOW.

House: Filed

H 282: MOUNT AIRY/EVEN-YEAR ELECTIONS.

House: Filed

H 287: CITY OF RANDLEMAN CHARTER CONSOLIDATION.

House: Filed

S 41: REMOVE CERTAIN SATELLITE ANNEXATION CAPS.

House: Passed 1st Reading

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

S 150: CITY OF MORGANTON/CHARTER AMENDMENTS.

Senate: Reptd Fav

S 169: MODIFY KINSTON-LENOIR COUNTY TDA MEMBERSHIP.

Senate: Reptd Fav

S 170: STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.

Senate: Reptd Fav

S 171: BELVILLE/WINGATE SAT. ANNEX./OTHER DEANNEX. (NEW)

Senate: Reptd Fav

S 221: DURHAM - BOARD OF ADJUSTMENT VIRTUAL MEETINGS.

Senate: Passed 1st Reading

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

S 222: DURHAM/NONMUNICIPAL UTILITY RELOCATION COSTS.

Senate: Passed 1st Reading

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

S 223: DURHAM/GRANTS TO BUSINESSES & NONPROFITS.

Senate: Passed 1st Reading

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

S 225: AUTRYVILLE ANNEXATION.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to State and Local Government. If fav, re-ref to Finance. If fav, re-ref to Rules and Operations of the Senate

S 232: STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 233: LOCAL FOX TRAPPING OMNIBUS.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 234: LINCOLN CO. BD. OF ED./PARTISAN ELECTION.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 236: REQ. CONSENT/EARLY VOTING/CHAR-MECK. SCHOOLS.

Senate: Passed 1st Reading

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

S 239: DURHAM/ELECTRONIC SCHOOL ZONES.

Senate: Filed

S 240: DURHAM/REDUCE SPEED LIMITS.

Senate: Filed

S 242: SAVE SPRING BREAK ACT.

Senate: Filed

S 243: DESIGN ELEM.EXEMPT-HISTORIC DOWNTOWN DAVIDSON.

Senate: Filed

S 244: DAVIDSON HISTORIC DIST. SUBDIVISION EXEMPTION.

Senate: Filed

S 245: TOWN OF DAVIDSON/TREES ORDINANCES.

Senate: Filed

S 246: DAVIDSON/DEMOLITION OF HISTORIC STRUCTURES.

Senate: Filed

S 247: PINEVILLE LOCAL OPTION SALES TAX.

Senate: Filed

S 250: CALDWELL COUNTY BD. OF ED/PARTISAN ELECTION.

Senate: Filed

S 253: TOWN OF CORNELIUS-EXTEND VACATION RENTAL REGS.

Senate: Filed

S 254: HOLLY SPRINGS CHARTER/TREE ORDINANCES.

Senate: Filed

S 256: STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.

Senate: Filed

S 260: MOORESVILLE TOURISM DEVELOPMENT AUTH. CHANGE.

Senate: Filed

S 261: SCHOOL CALENDAR FLEX./MOORESVILLE GSD.

Senate: Filed

S 262: SCHOOL CALENDAR FLEX./CERTAIN COUNTIES.

Senate: Filed

S 263: SCHOOL CALENDAR FLEX./YADKIN.

Senate: Filed

S 264: SCHOOL CALENDAR FLEX./IREDELL.

Senate: Filed

S 266: 14TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 267: LAKE NORMAN WATERCRAFT SAFETY.

Senate: Filed

S 269: FLEXIBILITY IN FILLING VACANCIES/DURHAM.

Senate: Filed

S 279: LOCAL GOVERNMENTS/REGULATE NAVIGABLE WATERS.

Senate: Filed

S 280: SCHOOL CALENDAR FLEXIBILITY/GUILFORD COUNTY.

Senate: Filed

S 281: FAIR TREATMENT FOR JOURNALISM/GUILFORD COUNTY.

Senate: Filed

S 282: MODIFY WILMINGTON CIVILIAN CRASH INVESTIGATOR.

Senate: Filed

S 283: 17TH SENATORIAL DISTRICT LOCAL ACT.

Senate: Filed

S 284: GREENSBORO/SCHOOL ZONE ELEC. ENFORC.*Senate: Filed***S 286: GREENSBORO/LOCAL SPEED LIMIT.***Senate: Filed***S 287: DELAY CMS BOARD ELECTIONS/CENSUS DELAY.***Senate: Filed***S 288: EVEN-YR ELECTIONS/CITIES & AMP BD. OF ED/BURKE CO.***Senate: Filed***S 291: CITIZENS REVIEW BOARD/SPECIAL LEGISLATION.***Senate: Filed***S 292: GREENSBORO SMALL BUSINESS ENTERPRISE.***Senate: Filed***S 293: INCREASE WILKESBORO OCCUPANCY TAX.***Senate: Filed***S 294: FAYETTEVILLE PWC/SMALL BUSINESS ENTERPRISE.***Senate: Filed*

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