



## The Daily Bulletin: 2021-03-15

### PUBLIC/HOUSE BILLS

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.*

#### Sections 1 - 4

Requires the North Carolina Division of Social Services (Division), by and through the Social Services Commission (Commission), to prepare and submit for review to the Office of Administrative Hearings (OAH) a comprehensive report of all of its policies, guidelines, and other interpretive statements by May 31, 2022. Specifies that the report must include such policies, guidelines, or other interpretive statements that the Division or any of its subdivisions has sought to implement or enforce that may directly or substantially affect the procedural or substantive rights or duties of persons not employed by the Division or any of its subdivisions. Requires the report to include an explanation for any policies, guidelines, and other interpretive statements not adopted as a rule the Commission believes are not in violation of statutory rule-making requirements. Excludes any emergency, temporary, or permanent rule adopted by the Division in accordance with statutory rule-making requirements.

Requires the Commission and OAH to jointly review the report to identify any policies, guidelines, or other interpretive statements in violation of the statutory rule-making requirements. Requires that if there is disagreement between the Commission and the OAH during the joint review, then OAH must refer the policy, guideline, or interpretive statement in disagreement to the Rules Review Commission (RRC) for a determination. Allows the Commission to file an action for declaratory judgement if the Commission disagrees with the determination of the Rules Review Commission upon referral.

Deems any existing policies, guidelines, and interpretive statements identified through joint review or determined by the RRC as being in violation of statutory rulemaking requirements to be interim rules so long as they do not conflict with any provisions of the General Statutes. Such interim rules become null and void July 1, 2023, if the Commission has failed to adopt the interim rule as a permanent rule by that date in accordance with statutory rulemaking requirements. Provides for a reviewing court to extend the interim rule period pending review of a declaratory judgement action filed by the Commission. Deems any policy, guideline, or other interpretive statement issued by the Division after the date the act becomes law void one year after issuance, with authority granted to the DHHS Secretary to re-issue the policy, guideline, or other interpretive statement for an additional one-year period.

Amends GS 93B-8.1 to expand the defined term applicant to include a person who makes application for licensure from a State agency licensing board.

#### Sections 5 and 6

Amends GS 150B-21.3 regarding the effective dates of permanent rules as follows. Amends subsection (b) to reference new GS 150B-21.3B(b) which establishes procedures for legislative review of rules; deletes subsection (b1) which provided for delayed effective dates of rules; deletes subsection (b2) which established the process by which a person may object to a rule; deletes subsection (c) which authorized the Governor to make a rule effective by executive order; deletes subsection (d) which defined a legislative day and legislative day of adjournment; and amends subsection (f) to include approval of a rule for which no notice or hearing is required by the Codifier of Rules, if applicable, for certain permanent rules.

Enacts GS 150B-23.1B establishing procedures for legislative review of rules as follows. Defines legislative day. Establishes procedures for filing objections to the adoption of permanent rules. Permits any person to object to adoption of a permanent rule by filing written comments with the agency and, if the objection is not resolved, by filing written objections to the RRC clearly requesting review by the NCGA in accordance with instructions posted on the Commission's website. Provides for the rule to become effective under the delayed effective date requirements of subsection (e) if the Commission receives written

objections from 10 or more persons no later than 5:00 P.M. on the day following the day the Commission approves a rule. Requires the Commission to notify the agency that the rule is subject to legislative rule.

Authorizes an agency to adopt as a temporary rule a permanent rule that is subject to legislative review if the rule would have met the criteria of GS 150B-21.1(a) at the time the notice of the rule was published in the North Carolina Register. Allows the agency to make other rules effective under the delayed effective date requirements of subsection (e) by giving written notice to the Commission if a rule under legislative review is among a group of related rules adopted at the same time.

Authorizes any NCGA member to introduce a bill during the first 30 legislative days of the regular session specifically disapproving a rule approved by the Commission or that has not yet become effective or has been made effective by executive order pursuant to subsection (f). Requires the bill to refer to the rule by its Administrative Code citation and state that the rule is disapproved.

Provides for a delayed effective date of rules subject to legislative review as follows. Rules approved by the Commission on or before December 31 become effective on the 31st legislative day of the Regular Session in the following calendar year unless a bill disapproving the rule is introduced before that legislative day. If a bill disapproving the rule is timely introduced, the rule becomes effective on August 1 of the calendar year following the calendar year the Commission approved the rule. Provides that a permanent rule not approved by the Commission or disapproved by a bill that becomes law does not become effective.

Authorizes the Governor to make a permanent rule approved by the Commission effective by Executive Order subject to the delayed effective date requirements of subsection (e) when the Governor finds that the rule is necessary to protect public health, safety, or welfare. Requires the Codifier of Rules to reflect this action when entering the rule in the Administrative Code. Provides for continued effect of a rule made effective by executive order unless disapproved by the NCGA in a bill that becomes law before August 1 of the year following the year in which the executive order is issued, and requires the Codifier of Rules to note in the Administrative Code that the rule was not disapproved by the NCGA.

Sections 5 and 6 are effective January 1, 2022.

**Intro. by Stevens, Moffitt, Riddell, White.**

**UNCODIFIED, GS 93B, GS 150B**

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**Government, APA/Rule Making, General Assembly, State Agencies, Department of Health and Human Services**

H 296 (2021-2022) **EV CHARGING STATION/PARKING**. Filed Mar 15 2021, *AN ACT TO REGULATE PARKING IN AN ELECTRIC VEHICLE CHARGING STATION*.

Adds to GS 20-4.01 to define electric vehicle charging station to mean a public or private parking space that is served by charging equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device in an electric vehicle.

Enacts GS 20-162.4 to prohibit parking a vehicle in an electric vehicle charging station located on public or private property if the vehicle is not connected to the charging equipment, punishable as an infraction. Provides for a \$100 fine for a violation. Details signage required of a space designated as an electric vehicle charging station. Permits municipalities to, by ordinance, prohibit additional conduct and provide higher penalties regarding parking in a space designated as an electric vehicle charging station. Requires enforcement by the State, county, city, and other municipal authorities in their respective jurisdictions in the same manner as other parking laws and ordinances are enforced.

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

**Intro. by Warren, von Haefen, Szoka, Autry.**

**GS 20**

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**Courts/Judiciary, Motor Vehicle**

H 297 (2021-2022) [DMV ACTIVE DUTY MILITARY EXEMPTIONS](#). Filed Mar 15 2021, *AN ACT PROVIDING AN ADDITIONAL DEFENSE TO DRIVING WITH AN EXPIRED LICENSE AND WAIVING THE LATE FEE FOR RENEWING AN EXPIRED LICENSE FOR PERSONS DEPLOYED ON ACTIVE MILITARY DUTY.*

Enacts GS 20-35(d) to establish a defense for the offense of driving without a license if the person was deployed on active military duty when the license expired and has obtained a renewed license within 30 days after returning from deployment. Applies to offenses committed on or after December 1, 2021.

Amends GS 20-88.03 to require the Division of Motor Vehicles to waive the late fee for vehicle registration if the person was deployed as an US Armed Forces member when the registration expired and has obtained renewed registration within 30 days after the deployment has ended. Effective October 1, 2021.

**Intro. by Winslow, Cleveland, Goodwin, Zenger.**

GS 20

[View summary](#)

**Courts/Judiciary, Motor Vehicle, Military and Veteran's Affairs**

H 298 (2021-2022) [2021 CURRENT OPERATIONS APPROPRIATIONS ACT](#). Filed Mar 15 2021, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.*

Blank bill.

**Intro. by Saine, Arp, Lambeth.**

APPROP

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**Government, Budget/Appropriations**

H 299 (2021-2022) [EMISSIONS/EXEMPT LINCOLN COUNTY](#). Filed Mar 15 2021, *AN ACT TO REMOVE LINCOLN COUNTY FROM THE MOTOR VEHICLE EMISSIONS INSPECTION PROGRAM.*

Amends GS 143-215.107A, as title indicates.

Adds a directive for the Department of Environmental Quality (DEQ) to prepare and submit to the US Environmental Protection Agency (EPA) for approval a proposed NC State Implementation Plan amendment based on the change to the motor vehicle emissions testing program provided by the act.

Provide that the changes to GS 143-215.107A are effective on the later of either (1) January 1, 2022, or (2) the first day of the month that is 60 days after the DEQ Secretary certifies that the US EPA has approved an amendment to the NC State Implementation Plan submitted pursuant to the act, whereby the DEQ Secretary must provide notice of the approval and the effective date of the act on its website and directly to certain affected parties, as specified.

**Intro. by Saine.**

Lincoln, GS 143

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**Government, State Agencies, Department of Environmental Quality (formerly DENR)**

H 300 (2021-2022) [2021 PANDEMIC RECOVERY APPROPRIATIONS ACT](#). Filed Mar 15 2021, *AN ACT TO MAKE APPROPRIATIONS TO STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS TO ACCELERATE THE STATE'S RECOVERY FROM THE EFFECTS OF THE CORONAVIRUS PANDEMIC.*

Blank bill.

**Intro. by Lambeth, Saine, Arp.**

APPROP

[View summary](#)**Government, Budget/Appropriations**

H 301 (2021-2022) [2021 OMNIBUS CORONAVIRUS RELIEF ACT](#). Filed Mar 15 2021, *AN ACT MAKING APPROPRIATIONS AND ENACTING RELATED LAW CHANGES TO PROVIDE ADDITIONAL RELIEF FROM THE EFFECTS OF THE CORONAVIRUS PANDEMIC.*

Blank bill.

**Intro. by Lambeth, Saine, Arp.**

APPROP

[View summary](#)**Government, Budget/Appropriations**

H 302 (2021-2022) [2021 CURRENT OPERATIONS APPROPRIATIONS ACT](#). Filed Mar 15 2021, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.*

Blank bill.

**Intro. by Lambeth, Saine, Arp.**

APPROP

[View summary](#)**Government, Budget/Appropriations**

H 304 (2021-2022) [PROTECT PERSONAL INFO/LEOS, JUDGES, DAS](#). Filed Mar 15 2021, *AN ACT TO REQUIRE CITIES AND COUNTIES TO REMOVE PERSONAL INFORMATION FROM WEBSITES MAINTAINED BY COUNTIES AND CITIES WHEN REQUESTED BY CERTAIN LAW ENFORCEMENT PERSONNEL, PROSECUTORS, AND JUDICIAL OFFICERS AND TO CLARIFY CERTAIN PERSONNEL RECORDS OF LAW ENFORCEMENT OFFICERS.*

Enacts GS 153A-148.2 and GS 160A-208.2 to require counties and cities to develop and make available a process by which any named official can request that the county or city remove that individual's personal information from any website maintained by that county or city and available to the general public. Allows for the request to include removal of personal information of the individual's spouse. Limits the right to request removal of personal information to: (1) a federal, State, or local law enforcement officer; (2) a State judge, justice, or magistrate; (3) a district attorney or assistant district attorney; (4) a prosecutor employed by the NC Department of Justice; (5) a US Attorney or Assistant US Attorney; and (6) a federal judge. Details required content of written requests. Requires the county or city to remove the information if properly requested, and prohibits placing the information on the website again without written revocation from the individual. Deems the request or revocation not public record. Specifies that information removed from the website continues to be public record if it would otherwise be subject to disclosure under GS Chapter 132. Grants civil immunity to counties and cities and their officers, officials, employees and agents, past and present, acting within the course and scope of their duties and pursuant to the statute.

Requires counties and cities to develop and implement the above described process by October 1, 2021.

Amends GS 153A-98 and GS 160A-168 to prohibit counties and cities from disclosing county or city law enforcement officer employee's information concerning the officer's residence (previously prohibited from disclosing information that might identify the residence; previously specified the disclosures were prohibited even if considered part of an employee's personnel file).

**Intro. by McNeill, Hardister, Faircloth, Miller.**

GS 153A, GS 160A

[View summary](#)**Courts/Judiciary, Court System, Government, Public Records and Open Meetings, Public Safety and Emergency**

**Management, State Government, State Personnel**

H 305 (2021-2022) [2021 OMNIBUS CORONAVIRUS RELIEF ACT](#). Filed Mar 15 2021, *AN ACT MAKING APPROPRIATIONS AND ENACTING RELATED LAW CHANGES TO PROVIDE ADDITIONAL RELIEF FROM THE EFFECTS OF THE CORONAVIRUS PANDEMIC.*

Blank bill.

**Intro. by Saine, Arp, Lambeth.**

**APPROP**

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**Government, Budget/Appropriations**

H 306 (2021-2022) [2021 PANDEMIC RECOVERY APPROPRIATIONS ACT](#). Filed Mar 15 2021, *AN ACT TO MAKE APPROPRIATIONS TO STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS TO ACCELERATE THE STATE'S RECOVERY FROM THE EFFECTS OF THE CORONAVIRUS PANDEMIC.*

Blank bill.

**Intro. by Saine, Arp, Lambeth.**

**APPROP**

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**Government, Budget/Appropriations**

H 307 (2021-2022) [NC TIME ZONE/OBSERVE DST ALL YEAR](#). Filed Mar 15 2021, *AN ACT TO DESIGNATE THE TIME ZONE OF NORTH CAROLINA AND TO ADOPT DAYLIGHT SAVING TIME YEAR-ROUND IF AUTHORIZED BY CONGRESS.*

Identical to [S 39](#), filed 2/1/21.

Enacts Article 8, Standard Time, to GS Chapter 81A. Enacts GS 81A-100, designating the standard time of the State to be the time designated by the US Department of Transportation pursuant to the Uniform Time Act of 1966. Subject to the authorization of Congress, directs the State and its political subdivisions to observe Daylight Saving Time throughout the year.

Directs the Commissioner of Agriculture (Commissioner) to notify the Governor within 60 days of Congressional authorization. Directs the Governor to implement GS 81A-100 by executive order or otherwise upon notification by the Commissioner.

**Intro. by Saine, Szoka, Hardister, Willis.**

**GS 81A**

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**Government, State Government, Local Government**

H 308 (2021-2022) [REINSURANCE FAC. REASONABLE POLICY RED. ACT](#). Filed Mar 15 2021, *AN ACT TO LIMIT CESSION OF INSURANCE PREMIUMS TO THE REINSURANCE FACILITY OVER A FIVE-YEAR PERIOD.*

Amends GS 58-37-40 to require the North Carolina Motor Vehicle Reinsurance Facility's (Facility) plan of operation to provide that for insurers that cede more than 75% of their direct written motor vehicle insurance premiums in North Carolina to the Facility, the ceding expense allowance paid to that member must not exceed 20% of the total North Carolina motor vehicle insurance premiums the member writes on ceded business. Effective January 1, 2026.

Amends GS 58-37-45, which requires when a company receives a risk which it does not elect to retain, that the company must follow the procedures for ceding the risk that was established by the plan of operation. Adds that the plan of operation must limit cession to the Facility to no more than 95% of any company's direct written motor vehicle insurance premiums in the

state unless the company has the specific approval of the Commissioner of Insurance. Effective January 1, 2022. Amends the statute again, effective January 1, 2023, to decrease that percentage to 90%; amends the statute again in 2024 to decrease the percentage to 85%; amends the statute again in 2025 to reduce the percentage to 80%; amends the statute again in 2026 to reduce the percentage to 75%.

Appropriates \$5,000 for 2021-22 from the General Fund to the North Carolina Rate Bureau to support costs associated with notifying insurers in this State who will be affected by this act. Effective July 1, 2021.

**Intro. by Warren, Howard, Moffitt.**

[APPROP, GS 58](#)

[View summary](#)

[Business and Commerce, Insurance, Government, Budget/Appropriations, State Agencies, Department of Insurance](#)

H 309 (2021-2022) [NONCERTIFIED PUBLIC SCHOOL EMPLOYEE RAISES](#). Filed Mar 15 2021, *AN ACT TO INCREASE THE MINIMUM HOURLY COMPENSATION RATE FOR NONCERTIFIED PUBLIC SCHOOL EMPLOYEES TO FIFTEEN DOLLARS PER HOUR AND TO PROVIDE LEGISLATIVE COMPENSATION INCREASES TO NONCERTIFIED PUBLIC SCHOOL EMPLOYEES*.

Sets the minimum hourly compensation rate for all noncertified public school employees at \$15 per hour for the 2021-22 fiscal year, beginning July 1, 2021. Requires the State Board of Education (Board) to increase the minimum of all salary grades and ranges it maintains for noncertified public school employees, as necessary, to achieve the minimum hourly rate of \$15 per hour. Requires that the annual salary for noncertified employees whose salaries are supported by state funds be increased for the 2021-22 fiscal year, beginning July 1, 2021, as follows: (1) for permanent, full-time employees on a 12-month contract, by the greater of 2% or an amount necessary to increase the minimum hourly compensation rate of the employee to \$15 per hour and (2) for the following employees, by a prorated and equitable amount based on the amounts specified in (1): (a) permanent, full-time employees on a contract for fewer than 12 months; (b) permanent, part-time employees; and (c) temporary and permanent hourly employees.

Allows funds provided to raise salaries for noncertified public school employees pursuant to this act to be used to supplement the salaries of noncertified public school employees whose salaries are supported from non-State funds. Specifies that these funds must not be used to supplant State or non-State funds already provided for salaries of noncertified public school employees.

Appropriates \$124 million in recurring funds for 2021-22 from the General Fund to the Department of Public Instruction to implement this act.

Effective July 1, 2021.

**Intro. by Paré.**

[APPROP, UNCODIFIED](#)

[View summary](#)

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

H 310 (2021-2022) [HOUSE BOG ELECTIONS](#). Filed Mar 15 2021, *A HOUSE RESOLUTION ELECTING KELLIE HUNT BLUE, CAROLYN L. COWARD, N. LEO DAUGHTRY, JOHN FRALEY, REGINALD R. HOLLEY, AND WENDY MURPHY TO THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA*.

Includes whereas clauses. Elects the six specified individuals to the UNC Board of Governors for terms commencing July 1, 2021, and ending June 30, 2025.

**Intro. by Hastings.**

[UNCODIFIED](#)

## PUBLIC/SENATE BILLS

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.*

### Section 1

Amends Rule 51 of the Rules of Civil Procedure to require the court to reduce oral jury instructions to writing for civil cases subject to Rule 9(j) of the Rules of Civil Procedure, regarding medical malpractice pleadings. Additionally directs the court to provide the jury a written copy of the oral instructions for the jury to take into the jury room during deliberation. Amends GS 7A-47.3 to direct the Senior Resident Superior Court Judge to designate a specific resident judge or a specific judge assigned to hold court in the district to preside over all proceedings in a case subject to Rule 9(j) of the Rules of Civil Procedure, regarding medical malpractice pleadings. Effective October 1, 2021.

### Section 2

Mandates that the 2022-23 master jury list contain not less than 1.25 times and not more than 3 times as many names as were drawn for jury duty in all courts in the county during the 2018-19 biennium if the jury commission determines that those numbers would be more representative of the required number of jurors than the number of names drawn during the previous biennium. In counties preparing an annual 2022 master jury list, requires the list to contain not less than 1.25 times and not more than 3 times as many names drawn during 2019 if the commission determines that those numbers would be more representative of the required number of jurors than the number of names drawn during the previous biennium. Mandates that a master jury list for the 2022-23 biennium or for the 2022 year have no fewer than 500 names. Places no limit on the number of names that can be placed on the master jury list for the 2022-23 biennium or the 2022 year for counties in which different panels of jurors are selected for each weekday.

### Section 3

Amends GS 1C-1603 regarding the procedure for setting aside property exempt from the enforcement of creditors' claims, which are set forth in GS 1C-1601. Current procedure prohibits a clerk from issuing an execution or writ of possession for property after judgment unless notice from the court has been served on the judgment debtor advising the debtor of the debtor's rights. Adds a new provision to specify that this notice is not required if the property exemptions under GS 1C-1601 are inapplicable based on their exception from the exemption, set forth in GS 1C-1601(e), which enumerates 10 exemptions including claims of the federal government and claims of the State. Further amends GS 1C-1603 to eliminate the provision stating that failure to file a motion to designate exemptions or failure to request a hearing before the clerk within 20 days after notice of the debtor's rights was served results in waiver of the personal property and homestead exemptions of Sections 1 and 2 of Article X of the NC Constitution; maintains that such failures result in waiver of the exemptions provided in Article 16. Applies to motions and petitions filed on or after the date the act becomes law.

### Section 4

Amends GS 7A-38.2 to add a court management staff member to the Dispute Resolution Commission, appointed by the Chief Justice of the Supreme Court, thereby increasing the Commission's membership from 17 to 18 members. Adds a new subsection to grant civil immunity to members of the Dispute Resolution Commission and its employees for conduct undertaken in the course of their official duties.

### Section 5

Makes the following modifications to the Judicial Standards Commission, governed by GS 7A-375. Requires the General Assembly to appoint alternate Judicial Standards Commission members for the Commission members the General Assembly has appointed to serve in the event of scheduling conflicts, conflicts of interest, disability, or other disqualification in a particular case. Deems the alternate members to have the same qualifications of appointment as the original members. Defines vacancy to arise upon the resignation or death of a member, or no longer having the necessary qualifications. Requires vacancies of NCGA appointed members to be filled by the alternate member appointed, or if the alternate member is unable to



serve, then pursuant to the procedures of GS 120-122 (previously, required all vacancies to be filled under GS 120-122). Requires the chair to call upon the alternate member in instances in which NCGA appointed members become disabled or disqualified from participating in a disciplinary proceeding, previously filled as if there were a vacancy under GS 120-122 and limited to disability. Concerning other non-judge members, provides for their replacement with alternates by their respective appointing authority in instances of disability or disqualification from participating in a disciplinary proceeding. Specifies that the Chair, who is the Court of Appeals judge appointed by the Chief Justice, serves at the pleasure of the Chief Justice. Makes conforming changes and organizational changes.

#### Section 6

Amends GS 15A-305 to specify that an order for arrest can only be issued for a defendant's failure to appear as required by a duly executed criminal summons if the summons charged the defendant with a criminal offense. Applies to orders and arrests issued on or after the date the act becomes law.

#### Section 7

Amends GS 15A-1011 regarding pleas in district and superior courts. Expands the types of cases authorized for pleas to be received outside of open court in subdivision (a)(4), which currently includes traffic offenses and hunting, fishing, and boating offenses, to include written pleas for the types of offenses specified in GS 7A-273(2) and GS 7A-273(2a) authorized under GS 7A-148(a) (including misdemeanor or infractions cases for alcohol offenses, traffic offenses, hunting, fishing, State park and recreation area rule offenses, boating offenses, open burning offenses and littering offenses, and misdemeanor dune or beach buggy county ordinance violations). Makes conforming changes to and makes the language in GS 7A-180 gender neutral. Applies to pleas received on or after the date the act becomes law.

#### Section 8

Amends GS 42-34.1 concerning undertaking an appeal in summary ejection cases, to specify that a plaintiff appellee can apply to the clerk of superior court to immediately issue a writ of possession if the defendant appellant fails to make rental payments within five *business* days of the day rent is due under the terms of the residential rental agreement (currently only specifies five days). Applies to applications to the clerk of superior court for writ of possession made on or after October 1, 2021.

#### Section 9

Amends GS 51-5.5 regarding magistrates' right to recuse from performing lawful marriages. Adds a new provision to specify that a magistrate who is an ordained minister otherwise legally authorized to solemnize marriages in the State is not prohibited from performing lawful marriages as a minister based upon a decision of recusal under the statute. Makes further clarifying changes. Applies to marriages performed prior to, on the day of, and after the date the act becomes law.

#### Section 10

Enacts GS 7A-49.6 granting a general authorization for judicial officials to conduct proceedings of all types using an audio and video transmission in which the parties, the presiding official, and any other participants can see and hear each other. Requires participating parties to be able to communicate fully and confidentially with his or her attorney, if represented. Requires good cause for allowing a witness to testify by audio or video transmission in proceedings involving a jury. Establishes criteria that must be met when the right to confront witnesses or be present is implicated in criminal or juvenile delinquency proceedings, including (1) the court has obtained a knowing, intelligent, and voluntary waiver of the defendant's or juvenile respondent's rights or (2) the court finds that the use of audio and video transmission in the absence of a waiver is necessary to further an important State interest and will not materially prejudice the defendant's or juvenile respondent's rights. Allows parties to object to conducting a proceeding by audio or video transmission, and prohibits holding the proceeding by audio or video transmission if the presiding official finds that the party has demonstrated good cause for the objection. Requires compliance with state and federal laws governing confidentiality and security of confidential information. Provides for public and media access to proceedings and proceeding recordings, if applicable. Specifies that the statute is not intended to limit the court's authority to receive remote testimony under state law. Requires all proceedings to be conducted using videoconferencing applications approved by the Administrative Office of the Courts (AOC). Defines the term judicial official by statutory cross-reference. Applies to proceedings occurring on or after April 1, 2021.

#### Section 11



Repeals language in the following statutes relating to authority to conduct specific proceedings using audio or video technology, as identified, to reflect the new general authorization for judicial officials to conduct any proceeding using audio or video transmission pursuant to GS 7A-49.6: 7B-1906(h) (concerning hearings for continued custody of a juvenile); GS 15A-101.1(2) (defining *document* as used in the provisions regarding electronic technology in criminal process and procedure); GS 15A-245(a)(3) (concerning issuance of search warrants); GS 15A-304(d)(3) (concerning warrants for arrest); GS 15A-511(a1) (concerning initial appearance before a magistrate); GS 15A-532 (concerning conditions for pretrial release); GS 15A-601 (concerning first appearance before a district court judge); GS 15A-941 (concerning arraignment); GS 50B-2(e) (concerning ex parte relief in domestic violation actions); GS 50C-6(e) (concerning temporary civil no-contact orders); GS 50C-7 (concerning permanent civil no-contact orders); and GS 122C-268(g) (concerning inpatient commitment). Applies to proceedings occurring on or after that date. Effective April 1, 2021.

#### Section 12

Authorizes the Chief Justice of the Supreme Court to expand the active list of emergency superior court judges to no more than 25, notwithstanding the limit of 10 set in GS 7A-52(a). Expands the Chief Justice's authority to include assignment of emergency judges to hold regular or special sessions of court to address case management issues created by the COVID-19 pandemic. Sunsets the authorities granted on July 1, 2022.

#### Section 13

Authorizes a justice or judge to administer the required oath prescribed for attorneys remotely using a form of live videoconferencing technology if the individual taking the oath is personally known to the justice or judge or provides satisfactory evidence of identity to the justice or judge, notwithstanding the requirements of GS Chapter 84. Expires December 1, 2021.

#### Section 14

Enacts GS 7A-171.3 to direct AOC to prescribe rules of conduct for magistrates, including standards of professional conduct and timeliness, required duties and responsibilities, methods for ethical decision making. Requires AOC to prescribe the rules by October 1, 2021. Applies to magistrate conduct on or after October 1, 2021.

Sections 15 and 16 include a severability clause and a standard effective date clause.

#### Intro. by Britt, Daniel.

[UNCODIFIED, GS 1A, GS 1C, GS 7A, GS 7B, GS 15A, GS 42, GS 50B, GS 50C, GS 51, GS 122C](#)

[Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Civil Procedure, Juvenile Law, Delinquency, Court System, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Government, Ethics and Lobbying, State Agencies, Department of Justice, Health and Human Services, Mental Health](#)

[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.*

Recodifies GS 58-56A-10 as GS 58-56A-30, which provides for civil penalties and procedure for violations of Article 56A, Pharmacy Benefits Management, of GS Chapter 58. Amends and adds to the Article as follows.

Adds the following defined terms: claim, claims processing service, maximum allowable cost list, out-of-pocket costs, pharmacy services administration organization (PSAO) pharmacist services, and pharmacy benefits manager affiliate. Amends existing defined terms as follows. More specifically defines *pharmacy benefits manager*, which is currently defined to mean an entity who contracts with a pharmacy on behalf of an insurer or third-party administrator to administer or manage prescription drug benefits, to specify three functions the entity can perform under the definition: (1) negotiating rebates with manufacturers

for drugs paid for or procured as described in the Article; (2) processing claims for prescription drugs or medical supplies or providing retail network management for pharmacies or pharmacists; or (3) paying pharmacies or pharmacists for prescription drugs or medical supplies. Changes the statutory cross-reference used to define *health benefit plan*, and no longer explicitly excludes the State Health Plan for Teachers and State Employees from the term. Amends the term *maximum allowable cost price* to define the term to mean the maximum amount that a pharmacy benefits manager will reimburse a pharmacy for the cost of generic or multiple source prescription drugs, medical products, or devices (previously the max per unit reimbursement for multiple source prescription drugs, medical products, or devices).

Prohibits persons or organizations from establishing or operating as a pharmacy benefits manager for health benefit plans in the State without being licensed. Charges the Commissioner of Insurance (Commissioner) with licensing responsibilities. Authorizes the Commissioner to set the initial application fee at \$2,000 and the annual renewal fee at \$1,500. Delineates required application content. Requires applicants or licensees to file notice of material changes to required information.

Bars pharmacy benefit managers from prohibiting a pharmacist or pharmacy from charging a minimal shipping and handling fee for a mailed or delivered prescription if three disclosures are made to the insured by the pharmacist or pharmacy before delivery, including that the fee cannot be reimbursed by the health benefit plan, insurer, or pharmacy benefits manager.

Requires any fee or adjustment charged for the receipt and processing of a claim or the adjudication of a claim be justified on the remittance advice or be set out in contract and agreed upon by the pharmacy or pharmacist for each adjustment or fee. Specifies that the Article does not abridge the right of a pharmacist to refuse to fill or refill a prescription if the pharmacist believes it would be harmful to the patient or is not in the patient's best interest, or if there is no question to the validity of the prescription. Prohibits a pharmacy benefits manager from restricting a licensed pharmacy or pharmacist from dispensing any prescription drug. Bars retaliation against pharmacists or pharmacies exercising rights granted by the Article. Establishes five grounds for retroactive denial or reduction of a claim for pharmacist services after adjudication of the claim, including that the original claim was submitted fraudulently or the adjustments were part of an attempt to limit overpayment recovery efforts by a pharmacy benefits manager. Provides that the statute does not limit overpayment recovery efforts.

Adds a new provision to require pharmacy benefits managers to ensure that dispensing fees are not included in the calculation of a prescription drug's maximum allowable cost price. Additionally requires pharmacy benefits managers to create an administrative appeals procedure for contracted pharmacies or pharmacists, or their designee, to appeal the provider's reimbursement for a prescription drug subject to maximum allowable cost pricing. Restricts appeals to when the reimbursement amount for the drug is less than the net amount that the network provider paid to the drug supplier. Sets forth six requirements of the appeals procedure, including setting up a dedicated number and email address or website to submit appeals, allowing for at least 10 calendar days after the fill date to file an appeal and requiring a decision to be made within 10 days after receipt, and, for denied appeals, to require notification to include the names of the national or regional pharmaceutical wholesalers operating in the State.

Enacts new provisions as follows. Prohibits pharmacy benefits managers from denying licensed pharmacists or pharmacies from participating in a network on the same terms and conditions of other network participants. Entitles pharmacists or pharmacies that are members of a pharmacy service administration organization, as defined, to receive a copy of the contract provisions application to the pharmacy. Provides for continued liability for payment due for services rendered following termination of a pharmacist or pharmacy from a pharmacy benefits manager network, excluding cases of fraud, waste and abuse. Clarifies that pharmacy benefits managers are subject to HIPAA.

Establishes the following enforcement provisions. Authorizes the Commissioner to examine any pharmacy benefits manager's affairs to determine compliance with the Article. Authorizes the Commissioner to retain attorneys, independent actuaries, independent CPAs, or other professional and specialists as examiners, at cost to the pharmacy benefits manager. Provides for confidentiality of examinations. Deems violations of the Article subject to the existing civil penalties under GS 58-56A-30, as recodified, as well as license denial or revocation after notice and hearing. Makes conforming changes to repeal the existing procedure for the Department of Insurance to report any Article violations to the Attorney General.

Directs the Commissioner to adopt implementing rules.

Makes clarifying changes.

Amends GS 58-2-40 to require the Commissioner to report to the Attorney General any violations of pharmacy benefits managers.

Amends GS 58-56-2 to exclude a licensed pharmacy benefits manager from the definition of a *third party administrator* as the term applies to Article 56.

Effective October 1, 2021, and applies to any contracts entered into, renewed, or amended on or after that date.

**Intro. by Perry, Britt, Johnson.**

GS 58

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**Government, State Agencies, Department of Insurance, Health and Human Services, Health, Health 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*.

Amends SL 2001-22, as amended, which concerns the Charlotte Firefighters' Retirement System as follows. Amends Section 2 to specify that the term Basic Benefit refers to the benefit specified in subsection (a) of Section 17; capitalizes the term throughout the act. Makes organizational changes.

Amends Section 4 by amending the calculation of the amount of Membership Service Credit credited to a Member for any periods of workers' compensation, accident and sickness, Family Medical Leave Act, or long-term disability benefits, by providing that for any new periods of leave beginning after July 1, 2021, other percentage rates (the current rate is an amount equal to the Compensation the Member would have earned multiplied by 12.65%) as may be determined from time to time by the City of Charlotte (City) as recommended by the Board of Trustees according to specified procedures.

Amends Section 6 by updating the reference to the Uniformed Services Employment and Reemployment Rights Act of 1994 to clarify that it is as amended.

Amends Section 7, which allows for the purchase of Membership Service Credit for prior military service, to require the amount to be credited upon the payment of the required contributions (no longer requiring the amount to be determined by the Administrator). Adds that for any Member beginning membership on or after July 1, 2021, the required contributions is the full actuarial cost as determined by the System's actuary. Makes an additional clarifying change.

Amends Section 12 by making a clarifying change.

Amends Section 17 by setting the upper limit on the amount of the monthly benefit as not to exceed the limits imposed by section 415 of the Internal Revenue Code (was, not to exceed the Final Average Salary imposed by that section of the IRC). Makes the same change in Section 19 concerning the limit on the monthly benefit for those receiving disability retirement in the line of duty. Makes additional clarifying changes to Section 19 and makes language gender-neutral.

Amends Section 20 to require that an application for Disability Retirement not in the Line of Duty be administered according to Disability Regulations (was, more generally rules and regulations) adopted by the Board of Trustees from time to time and approved by the City. Makes conforming changes. Sets the upper limit on the amount of the monthly benefit for those receiving disability retirement not in the line of duty as not to exceed the limits imposed by section 415 of the Internal Revenue Code (was, not to exceed the Final Average Salary imposed by that section of the IRC).

Amends Section 23 by allowing the Charlotte City Council to, within its discretion and upon the Board of Trustees' recommendation, appropriate funds needed to provide a cost-of-living increase to the Retirees of the System (this authorization was previously found in Section 25).

Amends Section 24 by amending the amount of a member's contribution, to set the amount at an amount equal to the Member's Compensation multiplied by 12.65%, or other percentage rate to be determined from time to time by the City upon the Board of Trustees' recommendation (was, set the percentage at 12.65%).

Amends Section 25 as follows. Amends the amount of the City's contribution, effective July 1, 2020, to require the City contribute an amount equal to the Member's Compensation multiplied by 14% (was, 12.65%) for each payroll. Requires the amount to be increased each Plan Year by 2% for the next five years, up to a maximum contribution rate of 24%. Sets out how to calculate the contribution rate once the maximum has been reached.

Amends Section 29 to require that the members of the Board of Trustees who are members of the Retirement System or a retiree of the Retirement System be elected to the Board of Trustees according to Elections Regulations adopted by the Board (was, according to Charlotte Firefighters' Retirement System Election Regulation). Makes conforming changes in Section 30.

Amends Section 31 to also allow the Mayor's designee to administer the oath of office to the Board of Trustees.

Amends Section 34 by adding that the Board of Trustees may allow a vacancy to remain unfilled for longer than 90 days if it is decided by a vote of a majority of those in attendance, that it would be more practical to wait for the next election to fill the vacancy, due to the timing of the vacancy.

Amends Section 35 by expanding upon the ways in which notice of a special meeting or emergency meeting may be provided, to allow the use of email. Provides that when there is a vacancy, the presence of the majority of the members constitutes a quorum. Makes conforming and clarifying changes.

Amends Sections 36 and 51 by making a clarifying change.

Specifies that this act does not create an additional liability for the Charlotte Firefighters' Retirement System unless sufficient assets are available to pay for the liability.

Effective July 1, 2021.

**Intro. by Marcus, Salvador, Waddell.**

UNCODIFIED, Mecklenburg

[View summary](#)

**Employment and Retirement, Government, Public Safety and  
Emergency Management**

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.*

Part I.

Transfers the North Carolina National Guard Tuition Assistance Program (program) from the State Education Assistance Authority to the Department of Public Safety (DPS), with the elements of a Type I transfer. Recodifies Part 2 of Article 23 (North Carolina National Guard Tuition Assistance Act of 1975) of GS Chapter 116, and GS 116-209.50 through GS 116-209.55, as Article 15 of GS Chapter 127A, and GS 127A-190 through GS 127A-195. Makes changes throughout Article 15 to conform to the recodification and to reflect the transfer to DPS. Defines Secretary to mean the Secretary of Public Safety or his or her designee. Allows the Secretary to delegate administrative tasks to other persons within DPS as deemed best for the orderly administration of the program. Makes the Secretary responsible for duties previously assigned to the State Education Assistance Authority. Effective October 1, 2021.

Part II.

Enacts new Article 18, Tarheel Challenge Academy (Academy), in GS Chapter 127A, providing as follows. Establishes the Academy as a Division of the North Carolina National Guard. Requires that the Academy: (1) be a cost-free program; (2) be housed for administrative purposes within the North Carolina National Guard; (3) be a community-based school that leads, trains, and mentors at-risk youth; (4) be designated as an approved alternative learning program and an innovative school option; (5) create at least a 22-week residential program that requires a 12-month post-residential mentoring period; (6) improve life skills and employment potential of participants by providing quasi-military based training and supervised work experience; (7) teach the "8 Core Components," as specified in the act; (8) increase opportunities for participants to receive a high school diploma or its equivalent; and (9) enjoy the full cooperation of other State and local agencies in carrying out its program.

Sets out seven eligibility requirements for participants, including: be 16-18 years old upon entry into the program, have failed to complete or have left school for any reason before graduation or completion of a program of studies without transferring to

another school and has not received a certificate from a program of equivalency or has not progressed in a traditional high school setting, and not currently on parole or probation and not accused or convicted of a crime that would be considered a felony if the individual was an adult.

Makes the North Carolina National Guard Adjutant General responsible for the the general supervision and administration of the Academy and sets out the duties of the Adjutant General (or his or her designee).

Effective October 1, 2021.

#### Part III.

Amends GS 146-30 by excepting the sale of timber from land owned by the State in the Camp Butner reservation from the Subchapter's requirements and instead requires the net proceeds from the sale to be deposited with the State Treasurer in a capital improvement account to the credit of DPS to be used to support the North Carolina National Guard's Camp Butner Training Center and other North Carolina National Guard-operated Training Centers.

#### Part IV.

Enacts new GS 126-80.5 to make it State policy to give National Guard members who are citizens of the State preference in employment for positions subject to the provisions of GS Chapter 126 (North Carolina Human Resources Act) with every State department, agency, and institution. Specifies that the preference applies to initial employment and extends to other employment events, including a subsequent hiring, promotion, reassignment, or horizontal transfer. Makes conforming changes to GS 128-15. Amends the definitions used in GS Chapter 126, by adding and defining the term *eligible member of the National Guard* as: (1) a resident of the state who is a current member in good standing of either the North Carolina Army National Guard, the North Carolina Air National Guard, or the reserves of the US Armed Forces, (2) a resident of the state who is a former member of one of those same entities whose discharge condition is greater than dishonorable with a minimum of six years of creditable service, (3) a surviving spouse and dependents of members of the North Carolina Army National Guard or the North Carolina Air National Guard who died on State active duty either directly or indirectly as a result of that service, or (4) the surviving spouse or dependent of a member of the North Carolina National Guard who died for service-related reasons during peacetime.

**Intro. by Britt, Daniel, Ford.**

GS 126, GS 127A, GS 128, GS 146

[View summary](#)

**Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, State Agencies, Department of Public Safety, State Government, State Property, Military and Veteran's Affairs**

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.*

Amends the definition of *criminal history* set out in GS 143B-943, concerning the criminal history record checks of applicants to, and current members of, fire departments and emergency medical services, by (1) adding in Article 22, Damages and Other Offenses to Land and Fixtures, of GS Chapter 14, and (2) clarifying that Article 5A of GS Chapter 14 include endangering court offers, as well as Executive and Legislative officers. Allows the local Homeland Security director, local fire chief, county fire marshal, or local law enforcement agency requesting a criminal history to charge an applicant or current member the fee charged by the Department of Public Safety for the criminal history record check. Adds that an applicant is prohibited from serving in a paid or volunteer position with a fire department if the applicant's criminal history record check reveals a conviction of arson or another felony conviction involving burning or setting fire under the articles of GS Chapter 15; requires a local Homeland Security director, local fire chief, county fire marshal, or local law enforcement agency, to request, and requires an applicant to disclose, any pending felony charges involving the same. Prohibits offering the applicant a paid or volunteer position upon learning of those pending felony charges. Now requires, instead of allowing, a local fire department to deny an applicant the position and allows dismissal of a current member who refuses to consent to a criminal history record

check or use of fingerprints or other identifying information required by the State or National Repositories of Criminal Histories; specifies that such refusal is just cause for the denial of the position or the dismissal from a current position. Allows a fire department to extend a conditional offer pending final disposition of felony charges disclosed or otherwise discovered. Makes additional clarifying, technical, and conforming changes.

Amends GS 153A-233 to add the requirement that a county ensure that any entity with whom the county contracts for fire-fighting or prevention services has obtained a criminal history record check of any person applying for a paid or volunteer position providing fire-fighting or prevention services. Makes additional clarifying changes.

Amends GS 153A-234 to require a fire marshal, and GS 160A-292 to require a fire chief, to obtain a criminal history record check of any person who applies for a paid or volunteer position with the fire department.

**Intro. by Britt, McInnis, Johnson.**

[GS 143B](#), [GS 153A](#), [GS 160A](#)

[View summary](#)

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

S 295 (2021-2022) [250TH ANNIV. AM.REV/PRESERVE HIST. PROPERTIES](#). Filed Mar 15 2021, *AN ACT TO COMMEMORATE THE SESTERCENTENNIAL OF THE AMERICAN REVOLUTION BY PROVIDING FOR THE ACQUISITION AND PROTECTION OF HISTORIC PROPERTIES IN ORDER TO PRESERVE NORTH CAROLINA'S HISTORY AND CULTURAL HERITAGE FOR FUTURE GENERATIONS.*

Includes whereas clauses. Appropriates \$9,875,400 from the General Fund to the Department of Natural and Cultural Resources (DNCR), to be allocated for the following purposes: (1) purchase land containing Hayes Manor and the Samuel Johnston Historic Farm in Chowan County, to be added to Edenton State Historic Site; (2) purchase land adjacent to the Moore's Creek National Battlefield in Pender County, with the requirement for DNCR to enter into a Memorandum of Agreement with the National Park Service to manage the site; (3) purchase land near the Alamance Battleground State Historic Site, to be added to the Historic Site; (4) purchase land adjacent to the Charlotte Hawkins Brown State Historic Site in Guilford County, to be added to the Historic Site; (5) purchase land at the Shallow Ford of the Yadkin in Forsyth County, to be managed in conjunction with other nearby historic sites; (6) purchase a conservation and preservation easement for land at the site of the Cherokee settlement of Watauga Town in Macon County; and (7) purchase two sites and a conservation and preservation easement at a third site at the site of the Cherokee settlement of Nikwasi Town in the Town of Franklin in Macon County. Requires DNCR, at each of these sites, to seek to partner with nonprofit organizations to provide funds and in-kind contributions for site development, preservation, or operational support. Requires DNCR to report to the specified NCGA committee and division by April 1, 2022, with an estimate of any additional recurring costs associated with acquisition, maintenance, and operation of these sites. Effective July 1, 2021.

**Intro. by Alexander, McInnis, Steinburg.**

[APPROP](#), [Alamance](#), [Chowan](#), [Forsyth](#), [Guilford](#), [Macon](#), [Pender](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government, Budget/Appropriations, Cultural Resources and Museums, State Agencies, Department of Natural and Cultural Resources \(formerly Dept. of Cultural Resources\)](#)

S 296 (2021-2022) [COLLABORATORY/FISHERIES STUDY](#). Filed Mar 15 2021, *AN ACT TO DIRECT THE NORTH CAROLINA POLICY COLLABORATORY AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL TO STUDY THE COASTAL AND MARINE FISHERIES REGULATED BY THE STATE.*

Requires the North Carolina Policy Collaboratory (Collaboratory) at UNC-Chapel Hill to study the overall status of the coastal and marine fisheries regulated by the State. Requires the study to focus on 13 specified species, including the health and extent of the habitats required by these species, including Blue Crab, Red Drum, Southern Flounder, and Striped Mullet. Requires

analyzing trends through time spanning at least the last few decades to assess the effectiveness of State policies governing the viability of these species and their habitats. Requires the Department of Environmental Quality, Wildlife Resources Commission, other State agencies, and local governments to provide any requested assistance. Requires the Collaboratory to report on the study's results to the Environmental Review Commission by December 31, 2022.

**Intro. by Lee, Sanderson, Lazzara.**

STUDY

[View summary](#)

**Environment, Aquaculture and Fisheries, Government, State Agencies, UNC System, Department of Environmental Quality (formerly DENR), Local Government**

S 297 (2021-2022) **HOMESCHOOL TAX CREDIT**. Filed Mar 15 2021, *AN ACT TO CREATE A TAX CREDIT FOR HOME SCHOOL CHILDREN*.

Enacts new GS 105-153.11 creating a personal income tax credit for homeschool children, in the amount of \$1,000 per qualifying child. Defines a *qualifying child* as a dependent child who attended for the taxable year only a *home school* (as defined by statute) in this state, and meeting the requirements of Part 3 (Home Schools) of Article 39 of GS Chapter 115C. Specifies that the credit may not exceed the amount of personal income tax for the taxable year reduced by the sum of all credits allowable, except for payments of tax made by or on behalf of the taxpayer. Effective for taxable years beginning on or after January 1, 2021.

**Intro. by Edwards, Hise, Sawyer.**

GS 105

[View summary](#)

**Education, Elementary and Secondary Education, Government, Tax**

S 298 (2021-2022) **TEACHER LICENSURE/RETIRED EDUCATOR PROGRAM**. Filed Mar 15 2021, *AN ACT TO MAKE CHANGES TO TEACHER LICENSURE REQUIREMENTS AND TO EXTEND AND EXPAND THE PROGRAM TO ALLOW RETIRED EDUCATORS TO RETURN TO WORK IN HIGH-NEED SCHOOLS*.

Part I.

Amends GS 115C-270.20 to make three-year limited licenses for teachers renewable. Requires for renewal that the local board of education evaluate the teacher's effectiveness every three years. Specifies that for teachers teaching subjects that use the Education Value-Added Assessment System (EVAAS), the data must demonstrate that the teacher meets or exceeds expectations of growth. Applies to any teacher who holds a nonrenewable limited license as of the date this act becomes law and beginning with applications submitted on or after the date this act becomes law.

Requires the State Board of Education (Board), in consultation with the Department of Public Instruction (DPI) and the Professional Educator Preparation and Standards Commission (PEPSC), to develop an alternative to the examination requirements for converting from an initial professional license (IPL) and a residency license (RL) to a continuing professional license (CPL). Requires the alternative to include a process to accommodate different circumstances in which the examination may not be required or be the most appropriate or efficient pathway of evaluating a teacher's readiness or effectiveness. Requires the Board, in consultation with DPI and PEPSC, to examine issues related to licensure classes and teacher salary. Requires the Board, in consultation with those same entities, to report to the specified NCGA committee by February 15, 2022, on (1) the development of the alternative to examination requirements, (2) any proposed salary incentives tied to classes of licensure, and (3) any legislative changes needed for implementation of the recommendations.

Part II.

Extends the expiration of SL 2019-110, which allows retired teachers to return to work in high-need schools, until June 30, 2024 (was, 2021). Makes the same extension for the expiration of Section 7 of SL 2019-212, which made a number of clarifying changes to who was considered a high-need retired teacher and to their retirement.



Amends GS 115C-302.4 by amending the definition of *high-need retired teacher* to no longer require that they provide classroom instruction, only that they be reemployed as a teacher. Adds and defines the term *teacher* as licensed personnel who are classified as teachers or instructional support personnel. Amends the salary requirement for high-need retired teachers by adding that a school psychologist, a school speech pathologist licensed as a speech pathologist at the master's degree level or higher, and a school audiologist who is licensed as an audiologist at the master's degree level or higher, must be paid on the sixth step of the teacher salary schedule.

Amends Section 5 of SL 2019-110 by making conforming changes by removing references to teaching.

This part expires June 30, 2024.

**Intro. by McInnis, Johnson, Barnes.**

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,  
Employment and Retirement**

S 299 (2021-2022) [NCDOI NAIC ACCREDITATION.-AB](#) Filed Mar 15 2021, *AN ACT TO MAINTAIN NAIC ACCREDITATION OF THE DEPARTMENT OF INSURANCE BY MAKING REVISIONS TO THE LAWS GOVERNING CREDIT FOR REINSURANCE AND RESERVE FINANCING.*

Identical to [H 150](#), filed 2/24/21.

Part I

Modifies the requirements set out for certified reinsurers in GS 58-7-21(b)(4a) which qualify the domestic ceding insurer for credit as either an asset or a reduction from liability on account of reinsurance ceded. Amends the filing requirements that must be met for the reinsurer to be certified by the Commissioner of Insurance (Commissioner) to require annual filing of the most recent audited financial statements, regulatory filings, and actuarial opinion, with English translation (previously specified accounting principles required of financial statements, and allowed for international financial reporting standards).

Additionally, requires audited financial statements for the last two rather than three years filed with the certified reinsurer's supervisor following initial certification. Makes conforming changes regarding the factors the Commissioner can consider during the evaluation process to assign a rating to each certified reinsurer not domiciled in the US.

Enacts GS 58-7-21(b)(4b) allowing for credit when the reinsurance is ceded from an insurer domiciled in the State to an assuming insurer licensed to transact reinsurance by, or have its head office or be domiciled in, a reciprocal jurisdiction. Defines reciprocal jurisdiction to mean a jurisdiction designated by the Commissioner on the published list of reciprocal jurisdictions which either (1) is a non-US jurisdiction subject to an in-force covered agreement with the US, each within its legal authority, or a member of the EU covered with an agreement between the US and the EU, (2) is a US jurisdiction that meets the requirements for accreditation under the National Association of Insurance Commissioners (NAIC) financial standards and accreditation program, or (3) a qualified jurisdiction that the Commissioner determines to meet four additional specified requirements, consistent with the terms and conditions of in-force covered agreements. Defines covered agreement to mean an agreement entered into pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act that is in effect or in a period of provisional application and addresses the elimination of collateral requirements as a condition for entering into any reinsurance agreement with a ceding insurer domiciled in the State or for allowing the ceding insurer to recognize credit for reinsurance. Details six conditions assuming insurers must meet for credit to be allowed when the reinsurance is ceded, including: (1) having and maintaining minimum capital and surplus calculated on an annual basis at \$250 million, as specified; (2) having and maintaining a minimum solvency and capital ratio on an ongoing basis, as either specified by covered agreement, the Commissioner, the reciprocal jurisdiction, or statute, based on where the assuming insurer is domiciled and whether it is an association; (3) agreement to and provision of adequate assurance to the Commissioner in the form of a properly executed NAIC Form RJ-1 regarding notification of noncompliance with minimum requirements, consent to jurisdiction, consent to payment of final judgments, inclusion of full security provision in each reinsurance agreement, confirmation of no participation in a solvent scheme of arrangement, as defined, and agreement to meet the specified filing requirements; (4) provision of specified documentation requested by the Commissioner; (5) maintaining a practice of prompt payment of claims under reinsurance agreements, as evidenced by specified criteria; and (6) annual confirmation of

compliance with minimum capital and surplus and solvency and capital ratio requirements. Allows for voluntary provision of information to the Commissioner.

Requires the Commissioner to create and publish a list of reciprocal jurisdictions, based on the NAIC published list. Allows for additions and removal of jurisdictions as specified. Also requires the Commissioner to create and publish a list of assuming insurers that have satisfied the conditions and to which cessions must be granted for credit, as specified. Authorizes the Commissioner to revoke or suspend eligibility of the assuming insurer for recognition if the Commission finds that an assuming insurer is no longer compliant. Details the effect of suspension and revocation.

Details procedure the Commissioner must follow before denying statement credit or imposing a requirements to post security, or adopting any similar requirement that will have substantially the same regulatory impact as security, including notice requirements and the opportunity for corrective action by the assuming insurer.

Authorizes seeking a court order requiring the assuming insurer to post security for outstanding ceded liabilities in the event the ceding insurer is subject to a legal process of rehabilitation, liquidation, or conservation. Specifies that parties to a reinsurance agreement can agree on security requirements or other terms unless expressly prohibited by law.

Limits the scope of new subsection (4b) to reinsurance agreements entered into, amended, or renewed on or after September 1, 2021, and only with respect to losses incurred and reserves reported on or after the later of the date on which the assuming insurer has met the eligibility requirements specified and the effective date of the new reinsurance agreement, amendment, or renewal. Specifies that ceding insurers' right to take credit for reinsurance under other applicable laws is not affected; assuming insurers are not authorized to withdraw or reduce the security provided under any reinsurance agreement except as permitted by the terms of the agreement; and the provisions do not limit parties' capacity to renegotiate any reinsurance agreement.

Makes changes to include credit allowed under new subsection (4b) in the existing provisions regarding exceptions for noncompliant assuming insurers, and required trust agreements.

Makes further technical changes.

## Part II

Enacts GS 58-7-22 to establish general requirements for life insurance ceded for reserve financing purposes. Requires some or all of the assets to secure the reinsurance treaty or to capitalize the reinsurer to be either (1) issued by the ceding insurer or its affiliates, (2) not unconditionally available to satisfy the general account obligations of the ceding insurer, or (3) create a reimbursement, indemnification, or other similar obligation on the part of the ceding insurer or any of its affiliates, as specified. States the legislative purpose and intent, and provides nine defined terms. Sets the scope of the statute to include reinsurance treaties that cede liabilities pertaining to covered policies, as defined, issued by an life insurance company domiciled in the State. Defines covered policies to include (1) life insurance policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits, excluding flexible premium universal life insurance policies, and (2) flexible premium universal life insurance policies with provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period. Excludes grandfathered policies, defined as covered policies which were issued prior to January 1, 2015, that were ceded, as of December 31, 2014, as part of a reinsurance treaty that would not have met one of the exemptions set out in the statute had the statute been in effect.

Makes the statute, GS 58-7-21 (regarding credit allowed a domestic ceding insurer) and GS 58-7-26 (regarding asset or reduction from liability for reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of GS 58-7-21) applicable to those reinsurance treaties, with the statute superseding in case of conflict. Identifies six exemptions to the statute. Details the actuarial method to be applied to establish the required level of primary security, as defined, for each reinsurance treaty subject to the statute to be VM-20, as defined. Details valuation to be used for purposes of calculating the required level of primary security and determining the amount of primary security and other security held by or on behalf of the ceding insurer.

Establishes six conditions that must be met for credit to be allowed with respect to ceded liabilities pertaining to covered policies under GS 58-7-21(b) or GS 58-7-26(a), including (1) full establishment of credit reserves with claimed credit not exceeding the proportionate share of reserves ceded under the contract, (2) funds consisting of primary security are held by or on behalf of the ceding insurer on a funds withheld, trust, or modified coinsurance basis, (3) trusts used to satisfy the specified requirements comply with specified state regulation, except as provided, and (4) the Commissioner approves the reinsurance

treaty. Requires satisfaction of the six conditions as of the date the risks under covered policies are ceded if that date is on or after the effective date of the act., and on an ongoing basis thereafter. Provides for deficiencies under the conditions.

Requires each life insurance company that has ceded reinsurance within the scope of the statute to perform an analysis prior to the due date of each quarterly or annual statement, to determine as to each reinsurance treaty whether as of the immediately preceding calendar quarter, the valuation meets the specified security conditions. Provides two exceptions.

Provides a severability clause. Precludes action to avoid the requirements of the statute.

Part III

Provides that the act is effective September 1, 2021, and applies to covered policies entered into, amended, or renewed on or after that date.

**Intro. by Sawyer, Johnson.**

GS 58

[View summary](#)

**Business and Commerce, Insurance, Government, State Agencies, Department of Insurance, Health and Human Services, Health, Health Insurance**

S 300 (2021-2022) **CRIMINAL JUSTICE REFORM**. Filed Mar 15 2021, *AN ACT TO INCREASE PROTECTIONS, TRAINING, AND OVERSIGHT FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS; TO REQUIRE USE OF THE FEDERAL BUREAU OF INVESTIGATION'S RECORD OF ARREST AND PROSECUTION BACKGROUND (RAP BACK) SYSTEM FOR LAW ENFORCEMENT HIRING PURPOSES; TO EXPAND THE ADMINISTRATIVE OFFICE OF THE COURT'S COURT DATE REMINDER SYSTEM; TO DECRIMINALIZE NON-STATUTORY CRIMINAL OFFENSES AND VIOLATIONS; TO INCREASE THE PUNISHMENT FOR RIOT OFFENSES; TO MANDATE MISDEMEANOR FIRST APPEARANCES WHEN A DEFENDANT IS IN CUSTODY; AND TO MANDATE FIRST APPEARANCES FOR ALL CHARGES WHEN A DEFENDANT IS IN CUSTODY TO BE HELD WITHIN FORTY-EIGHT HOURS.*

Part I.

Enacts new GS 114-2.7A requiring the Department of Justice (DOJ), in consultation with the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission (hereinafter referred to as the Commissions), to develop and maintain a statewide database for law enforcement agencies to use to track all disciplinary actions and decertification of the state's law enforcement officers. Requires all of the state's law enforcement agencies to provide DOJ information requested to maintain the database and makes information that is confidential under State or federal law remain confidential.

Enacts the following new statutes directing the named entity to provide DOJ with the information requested regarding disciplinary actions against and decertification of the relevant law enforcement officers in order to maintain the statewide database; specifies that the information collected under the statutes will remain confidential. Enacts GS 20-196.6 (State Highway Patrol), GS 74E-10.1 (company police agency), GS 74G-10.1 (campus policy agency), GS 143B-927.1 (State Bureau of Investigation), GS 153A-213 (counties), GS 160A-290 (cities).

Effective October 1, 2021.

Part II.

Enacts new GS 143B-972.1 requiring the Department of Public Safety (DPS) to give the Commissions information from the State and National Repositories of Criminal Histories concerning the criminal history of any person applying to be certified as a criminal justice officer or justice officer or any other position that requires certification with either Commission. Requires providing the applicant's fingerprints and other requested identifying information. Requires the State Bureau of Investigation (SBI) to search the State's criminal history record file and forward a set of fingerprints to the FBI for a national criminal history record check. Requires the SBI to enroll each individual whose fingerprints are received into the FBI's Record of Arrest and Prosecution Background (Rap Back) Service. Requires the commissions to keep information confidential. Requires the SBI to maintain the fingerprints of the applicant in the Statewide Automated Fingerprint Identification System. Sets out requirements

for removing the fingerprints from the system upon an individual being separated from employment. Effective December 1, 2021.

#### Part III.

Enacts new GS 114-2.7B requiring DOJ to consult with the Commissions in developing and maintaining a statewide database for use by law enforcement agencies that tracks all critical incident data of law enforcement officers in the state. Defines *critical incident* as an incident involving any use of force by a law enforcement officer resulting in death or serious bodily injury to a person. Requires all law enforcement agencies in the state to provide DOJ with information requested to maintain the database. Makes information that is confidential under State or federal law remain confidential.

Enacts the following statutes to require the named entity to give DOJ the requested information on the use of force by the relevant law enforcement agencies in order to maintain the statewide database. Makes information that is confidential under State or federal law remain confidential. Enacts 20-196.7 (State Highway Patrol), GS 74E-10.2 (company police agency), GS 74G-10.2 (campus police agency), GS 143B-927.2 (SBI), GS 153A-213.1 (county), and GS 160A-290.1 (city).

Effective October 1, 2021.

#### Part IV.

Enacts GS 114-2.7C to require DOJ to consult with the Commissions and report annually beginning March 1, 2022, to the specified NCGA committee on law enforcement officers in the state that were notified by a judge or district attorney in the year prior to the report of an action of misconduct or untruthfulness on the part of the law enforcement officer that requires the disclosure of misconduct or untruthfulness to a criminal defendant against whom the law enforcement officer will serve as a witness. Requires all law enforcement officers in the state certified under GS Chapters 17C (North Carolina Criminal Justice Education and Training Standards Commission), 17E (North Carolina Sheriffs' Education and Training Standards Commission), 74E (Company Police Act), and 74G (Campus Police Act) to report to DOJ if the officer receives such a notification; requires the report to be made within 30 days of the notification. Effective October 1, 2021, and applies to notifications received by law enforcement officers on or after that date.

#### Part V.

Requires the Commissions to jointly develop uniform, statewide minimum standards for law enforcement officers and adopt these standards as rules. Requires each commission to report on the standards to the specified NCGA committee by October 1, 2021. Allows each commission to adopt temporary rules and requires adopting permanent rules to comply with this act by October 1, 2022.

#### Part VI.

Amends GS 122C-251 to also allow a clerk, magistrate, or district court judge to allow a respondent's health care provider (was, limited to a respondent's immediate family or friend) to transport the respondent for involuntary commitment. Makes conforming changes. Applies to custody orders issued on or after October 1, 2021.

#### Part VII.

Amends GS 17C-6 (North Carolina Criminal Justice Education and Training Standards Commission) and GS 17E-4 (North Carolina Sheriffs' Education and Training Standards Commission) by expanding upon the Commissions' powers to also include: (1) establishing minimum mental health screening protocols that must be met in order to qualify for entry level employment and retention as a criminal justice officer in temporary or probationary status or in a permanent position; specifies that this must include a psychological screening within one year prior to certification and (2) establishing minimum annual mental health screening protocols for officers, including a psychological screening. Further amends the existing power to create minimum educational and training standards that must be met in order to qualify for entry level employment and retention as a criminal justice officer, by adding that those standards must also include: (1) crisis intervention training regarding best practices when a criminal justice officer encounters an individual experiencing a behavioral health crisis and (2) education and training on current and former trends and examples of civil unrest in the state and nation. Effective January 1, 2022.

Requires the Commissions to jointly study the benefits of requiring physical fitness testing throughout a law enforcement officer's career and whether that testing, if required, should be incrementally adjusted for age. Requires a report on their

findings to the specified NCGA committee by December 1, 2021.

#### Part VIII.

Enacts the following statutes requiring the specified entity to develop and implement an early warning system to document and track the relevant category of law enforcement officer actions and behaviors to help that entity manage personnel by intervening to correct the officers performance. Requires the system to include information on (1) instances of the discharge of a firearm, (2) instances of use of force, (3) vehicle collisions, and (4) citizen complaints. Makes information collected under this section that is confidential under State or federal law remain confidential. Enacts GS 20-196.8 (State Highway Patrol), GS 74E-10.3 (company police agency), GS 74G-10.3 (campus police agency), GS 143B-927.3 (SBI), GS 153A-213.2 (county), and GS 160A-290.2 (city).

#### Part IX.

Requires the Commissions to jointly develop a best practices guide to help law enforcement agencies recruit and retain a diverse workforce. Requires a report to the specified NCGA committee by March 1, 2022.

#### Part X.

Amends GS 143B-919 to require the SBI, when requested by the Governor, to investigate and prepare evidence in the event of: (1) a sworn law enforcement officer with the power to arrest discharging the officer's firearm in the performance of the officer's duties, excluding during training exercises; (2) a sworn law enforcement officer with the power to arrest using force against an individual in the performance of the officer's duties that results in the death of, or serious bodily injury to, the individual; or (3) an individual in the custody of DPS, a State prison, a county jail, or a local confinement facility, regardless of the individual's physical location, dies or suffers serious bodily injury. Effective October 1, 2021.

#### Part XI.

Amends GS 17C-6, and GS 17E-4, as amended above, to amend the Commission's duties to establish minimum standards for in-service training for criminal justice officers, to require the inclusion of training on: ethics, mental health for justice officers, community interaction, implicit bias and racial equity, use of force, and the duty to intervene and report. Effective January 1, 2022.

#### Part XII.

Amends GS 150B-1 to exempt from rulemaking the Criminal Justice Education and Training Standards Commission with respect to establishing minimum standards for in-service training for criminal justice officers and the Sheriffs' Education and Training Standards Commission with respect to establishing minimum standards for in-service training for justice officers.

#### Part XIII.

Requires the Administrative Office of the Courts (AOC) to automatically enroll all criminal defendants into its court date reminder system. Allows opting out using a process developed by AOC; requires the opt-out process to be developed and implemented by December 1, 2021. Effective December 1, 2021, and applies to criminal defendants arrested on or after that date.

#### Part XIV.

Amends GS 14-4 to make it an infraction, instead of a Class 3 misdemeanor, to violate an ordinance of a county, city, town, or metropolitan sewerage district, punishable of a fine of no more than \$50. Specifies that the statute does not restrict the authority of a county, city, town, or metropolitan sewerage district to impose civil penalties for the violation of any ordinance pursuant to the specified statutory authority to enforce ordinances. Makes conforming changes.

Enacts GS 14-4.2 prohibiting convicting a person of a criminal offense unless the offense appears in GS Chapter 14 (Criminal Law), GS Chapter 20 (Motor Vehicles), or Article 5 (Controlled Substances Act) of GS Chapter 90 or the offense is a common law offense. Specifies that this does not apply to a person who has actual knowledge that the behavior which is the basis for being charged with the offense constitutes a crime. Applies to offenses enacted on or after September 1, 2021.

#### Part XV.

Amends GS 14-288.2 to make it a Class H (was, Class I) felony to willfully engage in a riot. Makes it a Class G felony (was, Class H) to willfully engage in a riot if: (1) in the course and as a result of the riot there is property damage in excess of \$1,500 or serious bodily injury or (2) the participant in the riot has in his or her possession any dangerous weapon or substance. Applies to offenses committed on or after December 1, 2021.

Part XVI.

Amends GS 15A-601 to add the requirement that a defendant charged in a magistrate's order under GS 15A-511 or criminal process under Article 17 of GS Chapter 15A with a misdemeanor offense and held in custody must be brought before a district court judge in the district court district in which the crime is charged to have been committed. Specifies that this first appearance is not a critical stage of the proceedings against the defendant. Also amends the statute to require that first appearance before a district court judge be held within 48 hours (was, 96 hours) after the defendant is taken into custody or at the first regular session of the district court in the county, whichever occurs first. Makes conforming changes. Makes language gender-neutral. Applies to criminal processes served on or after December 1, 2021.

Part XVII.

Includes a severability clause.

**Intro. by Britt, Daniel, Lee.**

STUDY, GS 14, GS 15A, GS 17C, GS 17E, GS 20, GS 74E, GS 74G, GS 114, GS 122C, GS 143B, GS 150B, GS 153A, GS 160A

**Courts/Judiciary, Motor Vehicle, Court System, Criminal Justice, Corrections (Sentencing/Probation), Criminal Law and Procedure, Government, APA/Rule Making, Public Safety and Emergency Management, State Agencies, Department of Justice, Department of Public Safety, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Public Health, Mental Health**

[View summary](#)

S 301 (2021-2022) **EXPAND EXPUNCTION ELIGIBILITY**. Filed Mar 15 2021, *AN ACT TO ALLOW FOR THE EXPUNCTION OF UP TO TWO NONVIOLENT FELONIES, TO EXPAND THE DEFINITION FOR THE TERM "NONVIOLENT FELONY," AND TO ALLOW THE PUBLIC DEFENDER OR PRIVATE COUNSEL TO FILE A PETITION FOR EXPUNCTION ON BEHALF OF A PERSON ELIGIBLE TO EXPUNGE CERTAIN OFFENSES COMMITTED UNDER THE AGE OF EIGHTEEN.*

Amends GS 15A-145.5, concerning the expunction of certain misdemeanors and felonies, as follows. For the purposes of the statute, excludes from the definition of *nonviolent misdemeanor or nonviolent felony* an offense under GS 14-56 (breaking or entering into or breaking out of railroad cars, motor vehicles, trailers, aircraft, boats, or other watercraft), unless 20 years have passed from the later of (1) the date of conviction or (2) the date when any active sentence, period of probation, or post-release supervision has been served (was, offense under GS 14-56 no matter how much time had passed). Allows a person to petition for expunction of one or more nonviolent misdemeanor convictions or up to two (was, one) nonviolent felony convictions from the person's criminal record. Requires a petition for expunction of two nonviolent felonies to be filed no earlier than 20 years after the date of the person's last conviction, other than a traffic offense not listed in the petition for expunction, or 20 years after any active sentence, period of probation, or post-release supervision has been served, whichever occurs later. Amends the eight findings that must be made before a court that is hearing a petition for expunction may order that the petitioner be restored, to (1) require that the petitioner have no misdemeanor convictions, other than a traffic violation not listed in the petition for expunction, in the five years preceding the petition, and no other felony convictions not listed in the petition during the applicable 10-year or 20-year waiting period; (2) adds that for a petition for expunction of two nonviolent felonies, the two nonviolent felony convictions were obtained within the same 24-month period. Makes additional conforming changes.

Amends GS 15A-145.8A to expand upon who may file a petition for expunction from the person's criminal record, persons convicted of any misdemeanor or Class H or I felony that was not excluded under the statute, that was committed prior to December 1, 2019, and while the person was less than 18 years of age, but at least 16 years of age, to allow the petition to be filed by a person eligible for expunction under the statute or, at the request of the person eligible for expunction, the district attorney, the public defender, or private counsel (was, the person or district attorney could make file the petition).

Effective December 1, 2021, and applies to petitions filed on or after that date.

**Intro. by Britt, Daniel, Lee.**

[GS 15A](#)

[View summary](#)

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

S 302 (2021-2022) [CJIN CHANGES](#). Filed Mar 15 2021, *AN ACT TO PROVIDE BUDGETARY AND ADMINISTRATIVE AUTHORITY IN ACCORDANCE WITH THE POWERS AND DUTIES OF THE CRIMINAL JUSTICE INFORMATION NETWORK GOVERNING BOARD.*

Amends GS 143B-1393 to expand upon the Criminal Justice Information Network Governing Board's (Board) duties to include exercising administrative control over the transportation and subsistence budget, and establishing qualifications, classification, and salary levels for its employees and determining appropriate methods of screening for candidates, interviewing, hiring, and day-to-day management of Board employees.

Amends GS 143B-1394 to add the requirement that the Department of Information Technology provide technical assistance to the Board when requested.

**Intro. by Steinburg, Burgin, Ford.**

[GS 143B](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Government, State Agencies, Department of Information Technology](#)

S 303 (2021-2022) [RETIREMENT SERVICE PURCHASE REWRITE PART II.-AB](#) Filed Mar 15 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.**

GS 128, GS 135

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**Courts/Judiciary, Court System, Employment and Retirement, Government, General Assembly, Public Safety and Emergency Management, State Government, State Personnel, Local Government**

## LOCAL/HOUSE BILLS

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*.

Revises and consolidates the Charter of the City of Randleman to now provide the following.

Provides for the City of Randleman (City)'s incorporation, grants the City municipal corporate powers conferred by general law, and provides parameters for the City's corporate limits.

Establishes the five-member Board of Alderman (Board) and the Mayor as the City's governing body. Sets forth the duties of the Mayor. Requires the Board to elect a Mayor Pro Tempore from among its members and details the procedure for conferring mayoral powers and duties upon the Mayor Pro Tempore in either the Mayor's absence or if the Mayor is declared psychically or mentally incapacitated. Provides for Board meetings, quorum, voting, compensation and vacancies.

Provides for nonpartisan municipal elections in odd-numbered years. Regarding Board elections, requires one member be elected from each of the four wards to serve four-year staggered terms and one member to be elected at-large to serve a four-year term. Provides for a the Mayor to be elected to four-year terms. Establishes a petition procedure to remove an elected officer, which must be signed by at least 30 % of the total number of registered voters in the City. Limits cause for removal by petition to misfeasance, malfeasance, or nonfeasance, or personal conduct that brings the office into dispute, with superior court jurisdiction granted for issues related to whether cause is sufficient. Details requirements for petition signatures, filing, and amendment. Requires an election within 90 days of the City Clerk's certification of the petition. Provides further requirements and restrictions regarding recall elections. Authorizes special elections and referenda to be held as provided by statutory law and general law.

Establishes the City's operation under the council-manager form of government in accordance with Part 2 of Article 7 of GS Chapter 160A. Deems the City manager the chief City administrator, with eight specified powers and duties. Provides for acting and interim city managers. Requires the Board to appoint a City Attorney.

Specifies the legislative purpose and intent of the act to revise and consolidate the City Charter. Provides for interpretation and effect of the act.

Repeals the following SL Chapters and Sections, either consolidated in this act or no longer necessary: SL 1905-209; SL 1907-292; SL 1935-89; Sections 2 through 7 of SL 1947-470; SL 1947-965; Sections 2 through 5 of SL 1959-701; SL 1967-402; and SL 2000-94.

Provides for currently elected officials serving on the date the act becomes law to serve out their terms. Provides for the continued validity of all existing ordinances, resolutions, and other provisions of the City not inconsistent with the act. Includes a severability clause. Provides a savings clause for pending actions and proceedings.

**Intro. by Hurley, McNeill.**

Randolph

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

H 303 (2021-2022) **GREENSBORO SBE/RESIDENTIAL STREETS SPEED**. Filed Mar 15 2021, *AN ACT AMENDING 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 AND AUTHORIZING THE CITY OF GREENSBORO TO REDUCE THE SPEED LIMIT ON RESIDENTIAL STREETS TO 25 MILES PER HOUR.*

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.

Authorizes the City of Greensboro to adopt an ordinance to make it unlawful to operate a vehicle in excess of 25 miles per hour on residential streets in the city. Conditions such speed restrictions upon erection of signs upon affected streets which conform to federal Department of Transportation standards. Applies to offenses committed on or after December 1, 2021.

**Intro. by Clemmons, Faircloth, Hardister, Quick.****Guilford**[View summary](#)**Business and Commerce, Courts/Judiciary, Motor Vehicle**

## LOCAL/SENATE BILLS

S 170 (2021-2022) **STUDENTS, PARENTS, COMMUNITY RIGHTS ACT**. Filed Mar 1 2021, *AN ACT TO PERMIT INCREASED ACCESS TO OUTDOOR SPORTING FACILITIES IN PUBLIC AND NONPUBLIC HIGH SCHOOLS IN CERTAIN COUNTIES.*

Senate amendment makes the following changes to the 1st edition. Amends the act's effective date by adding that the act applies at any time when the occupancy capacity of outdoor sporting events is limited to less than 50% by an executive order, secretarial order, or directive authorized under Article 1A (the North Carolina Emergency Management Act) of GS Chapter 166A and related to the COVID-19 pandemic.

**Intro. by Corbin, Alexander, Proctor.****UNCODIFIED, Alexander, Catawba, Cherokee, Clay, Cleveland, Graham, Haywood, Jackson, Lincoln, Macon, Swain**[View summary](#)**Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management**

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.*

This act applies to Greensboro only. Allows Greensboro, by December 1, 2021, to establish and implement a pilot program to use electronic speed-measuring systems to detect speeding violations in school zones. Defines *electronic speed-measuring*

*system (system)* to mean a mobile or fixed device consisting of an automated traffic camera and sensor, that is capable of measuring speed and producing digital photos of a vehicle violating the speed limit set in a school zone. Requires the system to produce at least one photo that clearly shows the speeding vehicle; the vehicle registration number and state of issuance; the date, time, and location of the violation; and the recorded speed. Requires posting signs giving notice of the presence of the system to be located no more than 1,000 feet from the location of the system. Makes speeding violations detected by the system noncriminal violations for which a civil penalty of \$250 must be assessed but for which no points are to be assigned. Sets out the process for delivering the citation to the registered owner of a motor vehicle; sets out required contents of the notice. Makes the registered owner of a vehicle cited for a speeding violation detected by the system be responsible the penalty unless the owner, within 30 days of service of the notification of violation, provides a sworn affidavit that either provides the name and address of the person who had actual physical control of the vehicle at the time of the violation, or that at the time of the violation the vehicle was under the control of a person unknown to the owner without the owner's permission. Sets out the procedure for notifying the operator identified in such an affidavit. Allows for imposing an additional penalty for failure to respond by the registered owner or identified operator. Requires photos captured by the system to be provided to the investigating law enforcement agency for use as evidence. Requires a law enforcement officer who cites or arrests an owner or operator of a vehicle in an area where a system is in use to notify the City so that the City does not issue a notice of violation. Requires establishment of an administrative nonjudicial hearing process to review challenges to penalties. Sets out an appeals process for those dissatisfied with the hearing decision.

Allows Greensboro and the Guilford County Board of Education to enter into an interlocal agreement to carry out this act's purpose and intent, including provisions on cost-sharing and reimbursement. Specifies that the act does not alter or supersede Section 7 of Article IX of the North Carolina Constitution (County school fund; State fund for certain moneys). Requires the Greensboro Police Department to select the school zones for the system, requiring written approval of the Superintendent of Guilford County Schools or his or her designee. Requires Greensboro to pay a \$1,000 fee to the Division of Motor Vehicles before implementing the system.

Requires Greensboro to report the results of the pilot program no later than three years after implementing the program. Require the report to be submitted to the specified NCGA committee chairs. Sets the program to expire upon the earlier of the submission of the report or three years after the date of implementation of the pilot program.

**Intro. by Garrett, Robinson.**

**STUDY, Guilford**

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**Courts/Judiciary, Motor Vehicle, Education, Elementary and Secondary Education**

S 288 (2021-2022) [EVEN-YR ELECTIONS/CITIES & 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.*

#### Section 1.1

Amends the Charter of the City of Morganton, SL 1975-180 as amended, to provide for municipal elections to be held in even-numbered years rather than odd-numbered years. Provides for the election of the mayor and two council members for four-year terms in 2024 and quadrennially thereafter, and the election of two council members in 2026 and quadrennially thereafter. Makes conforming changes. Specifies that elections are to be conducted in compliance with state law.

Directs regular municipal elections to be conducted in 2021 with two council members elected in 2021 to serve five-year terms. Extends the terms of the mayor and two council members elected in 2019 by one year.

#### Section 1.2

Similarly amends the Charter of the Town of Connelly Springs, SL 1989-528 as amended, to provide for municipal elections to be held in even-numbered years rather than odd-numbered years. Provides for the election of the three council members for four-year terms in 2024 and quadrennially thereafter, and the election of three council members and the mayor in 2026 and quadrennially thereafter. Makes conforming changes. Specifies that elections are to be conducted in compliance with state law and sets the election day.

Directs regular municipal elections to be conducted in 2021 with the mayor and three council members elected in 2021 to serve five-year terms. Extends the terms of the three council members elected in 2019 by one year.

### Section 1.3

Similarly amends the Charter of the Town of Drexel, SL 1913-24 as amended, to provide for municipal elections to be held in even-numbered years rather than odd-numbered years. Changes the governing body of the Town to include the mayor and four aldermen rather than three commissioners. Provides for the election of the mayor and aldermen for four-year terms in 2024 and quadrennially thereafter. Makes conforming and technical changes. Specifies that elections are to be conducted in compliance with state law and sets the election day.

Directs regular municipal elections to be conducted in 2021 with the mayor and aldermen elected in 2021 to serve three-year terms.

### Section 1.4

Amends the Charter of the Town of Glen Alpine, SL 1883-61 as amended, to provide for municipal elections to be held in even-numbered years rather than odd-numbered years. Provides for the election of two aldermen for four-year terms in 2024 and quadrennially thereafter, and the election of the mayor and three aldermen in 2026 and quadrennially thereafter. Makes conforming changes. Specifies that elections are to be conducted in compliance with state law and sets the election day.

Directs regular municipal elections to be conducted in 2021 with the mayor and three aldermen elected in 2021 to serve five-year terms. Extends the terms of the two aldermen elected in 2019 by one year.

### Section 1.5

Amends the Charter of the Town of Hildebran, SL 1899-212 as amended, to provide for municipal elections to be held in even-numbered years rather than odd-numbered years. Provides for the election of the two commissioners for four-year terms in 2024 and quadrennially thereafter, and the election of three commissioners and the mayor in 2026 and quadrennially thereafter. Makes conforming changes and technical changes. Specifies that elections are to be conducted in compliance with state law and sets the election day.

Directs regular municipal elections to be conducted in 2021 with the mayor and three commissioners elected in 2021 to serve five-year terms. Extends the terms of the two commissioners elected in 2019 by one year.

### Section 1.6

Amends the Charter of the Town of Rutherford College, SL 1977-452 as amended, to provide for municipal elections to be held in even-numbered years rather than odd-numbered years. Provides for the election of the three council members for four-year terms in 2024 and quadrennially thereafter, and the election of three council members and the mayor in 2026 and quadrennially thereafter. Makes conforming changes. Specifies that elections are to be conducted in compliance with state law and sets the election day.

Directs regular municipal elections to be conducted in 2021 with the mayor and three council members elected in 2021 to serve five-year terms. Extends the terms of the three council members elected in 2019 by one year.

### Section 1.7

Amends the Charter of the Town of Valdese, SL 1977-847 as amended, to provide for municipal elections to be held in even-numbered years rather than odd-numbered years. Provides for the election of the two council members representing election wards four and five for four-year terms in 2024 and quadrennially thereafter, and the election of three council members representing election wards one, two, and three, and the mayor, in 2026 and quadrennially thereafter. Makes conforming changes. Specifies that elections are to be conducted in compliance with state law, including adding a statutory cross-reference for nonpartisan plurality election provisions, and sets the election day.

Directs regular municipal elections to be conducted in 2021 with the mayor and three council members elected in 2021 to serve five-year terms. Extends the terms of the two council members elected in 2019 by one year.

### Section 2.1

Notwithstanding the plan to establish one administrative unit for all three of the Burke County School Units, as identified, directs that the Burke County Board of Education is to be elected on a nonpartisan basis for four-year terms at the general election in each even-numbered year as terms expire, beginning in 2024. Provides for the election of four members in 2024 and quadrennially thereafter, and three members in 2026 and quadrennially thereafter. Details office qualification and expiration.

Extends the terms of members elected in 2019 or 2021, or any appointees to fill vacancies thereof, by one year.

**Intro. by Daniel.**

Burke

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, Elections**

## ACTIONS ON BILLS

### PUBLIC BILLS

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

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 62: GOV. IMMIGRATION COMPLIANCE/ENJOIN ORDINANCES.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 134: 2ND AMENDMENT PROTECTION ACT.**

*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.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

#### **H 240: STANDARDS OF STUDENT CONDUCT.**

*House: Withdrawn From Com*

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

#### **H 269: GIVE STATE RETIREES 2% COLA/FUNDS.**

*House: Passed 1st Reading*

*House: Ref to the Com on State Personnel, if favorable, Pensions and Retirement, if favorable, Rules, Calendar, and Operations of the House*

#### **H 270: PROHIBIT RENAMING OF FAYETTEVILLE STATE.**

*House: Passed 1st Reading*

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

#### **H 271: EMINENT DOMAIN.**

*House: Passed 1st Reading*

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

**H 272: REVISE HEALTH STANDARD FOR LEAD.**

*House: Passed 1st Reading*

*House: Ref to the Com on Environment, if favorable, Health, if favorable, Rules, Calendar, and Operations of the House*

**H 273: MODIFY BUILDERS INVENTORY TAX EXCLUSION.**

*House: Passed 1st Reading*

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

**H 274: 2021 CURRENT OPERATIONS APPROPRIATIONS ACT.**

*House: Passed 1st Reading*

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

**H 275: FUNDS/ELIZABETH CITY HOMELESS SHELTER.**

*House: Passed 1st Reading*

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

**H 277: THE SAVE ACT.**

*House: Passed 1st Reading*

*House: Ref to the Com on Health, if favorable, Insurance, if favorable, Rules, Calendar, and Operations of the House*

**H 278: SUNSET ABC BOARD PARTICIPATION IN LGERS.**

*House: Passed 1st Reading*

*House: Ref to the Com on Alcoholic Beverage Control, if favorable, Pensions and Retirement, if favorable, Rules, Calendar, and Operations of the House*

**H 279: 2021 REVENUE LAWS CHANGES.**

*House: Passed 1st Reading*

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

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

*House: Passed 1st Reading*

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

**H 281: LOGGERHEAD TURTLE/STATE SALTWATER REPTILE.**

*House: Passed 1st Reading*

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

**H 283: INCREASE TROOPERS IN MECKLENBURG COUNTY.**

*House: Passed 1st Reading*

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

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

*House: Passed 1st Reading*

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

**H 285: ENS RAILROAD TRAIN/DRIVER ED CURRICULUM.**

*House: Passed 1st Reading*

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

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

*House: Passed 1st Reading*



*House: Ref to the Com on Federal Relations and American Indian Affairs, if favorable, Judiciary 1, if favorable, Rules, Calendar, and Operations of the House*

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

*House: Passed 1st Reading*

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

**H 289: DIT/BROADBAND MAPPING -- FUNDS.**

*House: Passed 1st Reading*

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

**H 290: MAKE CERTAIN DRUG OFFENSES INFRACTIONS.**

*House: Passed 1st Reading*

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

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

*House: Passed 1st Reading*

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

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

*House: Passed 1st Reading*

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

**H 293: SUPPLEMENTARY GREAT GRANT CLARIFICATIONS.**

*House: Passed 1st Reading*

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

**H 294: SALE OF SALVAGE VEHICLES.**

*House: Passed 1st Reading*

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

**H 296: EV CHARGING STATION/PARKING.**

*House: Filed*

**H 297: DMV ACTIVE DUTY MILITARY EXEMPTIONS.**

*House: Filed*

**H 298: 2021 CURRENT OPERATIONS APPROPRIATIONS ACT.**

*House: Filed*

**H 299: EMISSIONS/EXEMPT LINCOLN COUNTY.**

*House: Filed*

**H 300: 2021 PANDEMIC RECOVERY APPROPRIATIONS ACT.**

*House: Filed*

**H 301: 2021 OMNIBUS CORONAVIRUS RELIEF ACT.**

*House: Filed*

**H 302: 2021 CURRENT OPERATIONS APPROPRIATIONS ACT.**

*House: Filed*

**H 304: PROTECT PERSONAL INFO/LEOS, JUDGES, DAS.**

*House: Filed*

**H 305: 2021 OMNIBUS CORONAVIRUS RELIEF ACT.**

*House: Filed*

**H 306: 2021 PANDEMIC RECOVERY APPROPRIATIONS ACT.**

*House: Filed*

**H 307: NC TIME ZONE/OBSERVE DST ALL YEAR.**

*House: Filed*

**H 308: REINSURANCE FAC. REASONABLE POLICY RED. ACT.**

*House: Filed*

**H 309: NONCERTIFIED PUBLIC SCHOOL EMPLOYEE RAISES.**

*House: Filed*

**H 310: HOUSE BOG ELECTIONS.**

*House: Filed*

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

*Senate: Reptd Fav*

**S 114: DES COVID MODIFICATIONS AND TECHNICAL CHANGES.**

*House: Passed 1st Reading*

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

**S 241: MODIFY UTILITY VEHICLE DEFINITION.**

*Senate: Passed 1st Reading*

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

**S 248: DENTAL PATIENT TRANSPARENCY ACT.**

*Senate: Passed 1st Reading*

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

**S 249: THE SAVE ACT.**

*Senate: Passed 1st Reading*

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

**S 251: CAIN CENTER FOR THE ARTS FUNDS.**

*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 252: CORNELIUS AFFORDABLE HOUSING FUNDS.**

*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 255: 2021 AOC LEGISLATIVE CHANGES.-AB**

*Senate: Passed 1st Reading*

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

**S 257: MEDICATION COST TRANSPARENCY ACT.**

*Senate: Passed 1st Reading*

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

**S 258: SENATE BOG VACANCY ELECTION.**

*Senate: Passed 1st Reading*

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

*Senate: Withdrawn From Com*

*Senate: Re-ref Com On Select Committee on Nominations*

**S 259: ADDITIONAL MAGISTRATES TO 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 265: BOND REFERENDUM TRANSPARENCY.**

*Senate: Passed 1st Reading*

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

*Senate: Withdrawn From Com*

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

**S 268: FILM GRANT FUND APPROPRIATION.**

*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 270: INSURANCE TECHNICAL CHANGES.**

*Senate: Passed 1st Reading*

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

**S 271: RATE-MAKING LEGISLATION.**

*Senate: Passed 1st Reading*

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

**S 272: INDEPENDENT AGENT OWNERSHIP OF EXPIRATIONS.**

*Senate: Passed 1st Reading*

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

**S 273: CHARLOTTE FIREFIGHTERS' RETIREMENT SYSTEM ACT.**

*Senate: Passed 1st Reading*

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

**S 274: RESTORE MASTER'S PAY FOR TEACHERS & ISP.**

*Senate: Passed 1st Reading*

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

**S 275: RETIREMENT SERVICE PURCHASE REWRITE PART II.-AB**

*Senate: Passed 1st Reading*

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

**S 276: RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2021.-AB**

*Senate: Passed 1st Reading*

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

**S 277: RET. & TREASURY TECH. CORRECTIONS ACT OF 2021.-AB**

*Senate: Passed 1st Reading*

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

**S 278: PROP./FAM. LAW-REIMBURSE PROP. EXPENDITURES.**

*Senate: Passed 1st Reading*

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

*Senate: Withdrawn From Com*

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

**S 285: EROSION AND SEDIMENTATION PERMITTING CHANGES.**

*Senate: Passed 1st Reading*

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

**S 289: NATIONAL GUARD MODIFICATIONS/OMNIBUS.**

*Senate: Passed 1st Reading*

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

**S 290: FIRE DEPTS/PROHIBIT CERTAIN CRIMES.**

*Senate: Passed 1st Reading*

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

**S 295: 250TH ANNIV. AM.REV/PRESERVE HIST. PROPERTIES.**

*Senate: Filed*

**S 296: COLLABORATORY/FISHERIES STUDY.**

*Senate: Filed*

**S 297: HOMESCHOOL TAX CREDIT.**

*Senate: Filed*

**S 298: TEACHER LICENSURE/RETIRED EDUCATOR PROGRAM.**

*Senate: Filed*

**S 299: NCDOI NAIC ACCREDITATION.-AB**

*Senate: Filed*

**S 300: CRIMINAL JUSTICE REFORM.**

*Senate: Filed*

**S 301: EXPAND EXPUNCTION ELIGIBILITY.**

*Senate: Filed*

**S 302: CJIN CHANGES.**

*Senate: Filed*

**S 303: RETIREMENT SERVICE PURCHASE REWRITE PART II.-AB**

*Senate: Filed*

**LOCAL BILLS**

**H 24: STANLEY/REMOVE SATELLITE ANNEXATION CAP.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

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

*House: Passed 1st Reading*

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

**H 282: MOUNT AIRY/EVEN-YEAR ELECTIONS.**

*House: Passed 1st Reading*

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

**H 287: CITY OF RANDLEMAN CHARTER CONSOLIDATION.**

*House: Passed 1st Reading*

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

**H 303: GREENSBORO SBE/RESIDENTIAL STREETS SPEED.**

*House: Filed*

**S 122: TOWN OF SPRUCE PINE/DEANNEXATION.**

*Senate: Reptd Fav*

**S 150: CITY OF MORGANTON/CHARTER AMENDMENTS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 169: MODIFY KINSTON-LENOIR COUNTY TDA MEMBERSHIP.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 170: STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

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

*Senate: Passed 2nd Reading*

**S 239: DURHAM/ELECTRONIC SCHOOL ZONES.**

*Senate: Passed 1st Reading*

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

**S 240: DURHAM/REDUCE SPEED LIMITS.**

*Senate: Passed 1st Reading*

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

**S 242: SAVE SPRING BREAK ACT.**

*Senate: Passed 1st Reading*

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

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

*Senate: Passed 1st Reading*

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

**S 244: DAVIDSON HISTORIC DIST. SUBDIVISION EXEMPTION.**

*Senate: Passed 1st Reading*

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

**S 245: TOWN OF DAVIDSON/TREES ORDINANCES.**

*Senate: Passed 1st Reading*

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

**S 246: DAVIDSON/DEMOLITION OF HISTORIC STRUCTURES.**

*Senate: Passed 1st Reading*

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

**S 247: PINEVILLE LOCAL OPTION SALES TAX.**

*Senate: Passed 1st Reading*

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

**S 250: CALDWELL COUNTY 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 253: TOWN OF CORNELIUS-EXTEND VACATION RENTAL REGS.**

*Senate: Passed 1st Reading*

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

*Senate: Withdrawn From Com*

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

**S 254: HOLLY SPRINGS CHARTER/TREE ORDINANCES.**

*Senate: Passed 1st Reading*

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

**S 256: 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 260: MOORESVILLE TOURISM DEVELOPMENT AUTH. CHANGE.**

*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 261: SCHOOL CALENDAR FLEX./MOORESVILLE GSD.**

*Senate: Passed 1st Reading*

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

**S 262: SCHOOL CALENDAR FLEX./CERTAIN COUNTIES.**

*Senate: Passed 1st Reading*

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

**S 263: SCHOOL CALENDAR FLEX./YADKIN.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 264: SCHOOL CALENDAR FLEX./IREDELL.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

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

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 267: LAKE NORMAN WATERCRAFT SAFETY.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 269: FLEXIBILITY IN FILLING VACANCIES/DURHAM.**

*Senate: Passed 1st Reading*

*Senate: RefTo 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 279: LOCAL GOVERNMENTS/REGULATE NAVIGABLE WATERS.**

*Senate: Passed 1st Reading*

*Senate: RefTo 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 280: SCHOOL CALENDAR FLEXIBILITY/GUILFORD COUNTY.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 281: FAIR TREATMENT FOR JOURNALISM/GUILFORD COUNTY.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 282: MODIFY WILMINGTON CIVILIAN CRASH INVESTIGATOR.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 283: 17TH SENATORIAL DISTRICT LOCAL ACT.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 284: GREENSBORO/SCHOOL ZONE ELEC. ENFORC.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 286: GREENSBORO/LOCAL SPEED LIMIT.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 287: DELAY CMS BOARD ELECTIONS/CENSUS DELAY.**

*Senate: Passed 1st Reading*

*Senate: RefTo Com On Rules and Operations of the Senate*

**S 288: EVEN-YR ELECTIONS/CITIES & BD. OF ED/BURKE CO.**



*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 291: CITIZENS REVIEW BOARD/SPECIAL LEGISLATION.**

*Senate: Passed 1st Reading*

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

**S 292: GREENSBORO SMALL BUSINESS ENTERPRISE.**

*Senate: Passed 1st Reading*

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

**S 293: INCREASE WILKESBORO OCCUPANCY TAX.**

*Senate: Passed 1st Reading*

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

**S 294: FAYETTEVILLE PWC/SMALL BUSINESS ENTERPRISE.**

*Senate: Passed 1st Reading*

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

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