



The Daily Bulletin: 2021-03-25

PUBLIC/HOUSE BILLS

H 141 (2021-2022) [PROMOTE NORTH CAROLINA SAWMILLS](#). Filed Feb 23 2021, *AN ACT TO PROMOTE LOCAL SAWMILLS BY ALLOWING THE USE OF UNGRADED LUMBER IN CERTAIN CIRCUMSTANCES*.

House committee substitute to the 1st edition makes the following changes. Adds the following to the conditions that must be met in order for dimension lumber that has not been grade-stamped under the authority of a lumber grading bureau to be used in the construction of one-and two-family dwellings: (1) the lumber conforms with product and inspection standards under American Softwood Lumber Standard PS 20; and (2) the lumber is certified by an inspector who is certified by an accredited independent third-party agency of the American Lumber Standard Committee.

Intro. by Hanig, Sasser, Brody, Greene.

UNCODIFIED

[View summary](#)

Development, Land Use and Housing, Building and Construction

H 366 (2021-2022) [REGULATORY REFORM ACT OF 2021](#). Filed Mar 23 2021, *AN ACT TO PROVIDE FURTHER REGULATORY RELIEF TO THE CITIZENS OF NORTH CAROLINA*.

House committee substitute to the 1st edition makes the following changes.

Amends proposed GS 160D-910(g) to authorize local governments (was, cities) to require by ordinance that manufactured homes be installed in compliance with the Set-Up and Installation Standards adopted by the Commissioner of Insurance, so long as the local government (was, city) does not require a masonry curtain wall or skirting for manufactured homes located on land leased to the homeowner.

Deletes Section 10 of the act, which enacted GS 42-36.1B to provide for relief from a judgment for possession following a tenant's fulfillment of all terms of a *post-judgment relief agreement* with the landlord. Makes conforming organizational changes.

Amends GS 42-39 by deleting the provision that excluded transient occupancy in a hotel, motel, or similar lodging subject to regulation by the Commission for Public Health from the provisions of Article 5, Residential Rental Agreements.

Amends GS 18B-1105 by adding that the holder of a distillery permit may not sell, deliver, or ship spirituous liquor at retail to consumers in jurisdictions that require reciprocity in order to allow such sales, deliveries, or shipments.

Makes additional clarifying changes.

Intro. by Yarborough, Bradford, Moffitt, Riddell.

STUDY, UNCODIFIED, GS 14, GS 18B, GS 42, GS 58, GS 72, GS 130A, GS 159G, GS 160D

[View summary](#)

Alcoholic Beverage Control, Business and Commerce, Insurance, Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Education, Preschool, Environment, Environment/Natural Resources, Government, Ethics and Lobbying, Public Safety and Emergency Management, State Agencies, Department of Environmental

Quality (formerly DENR), Department of Health and Human Services, Department of Public Safety, Department of Revenue, Department of Transportation, Local Government, Health and Human Services, Health, Public Health, Transportation

H 401 (2021-2022) **INCREASE HOUSING OPPORTUNITIES**. Filed Mar 24 2021, *AN ACT TO PROVIDE REFORMS TO LOCAL GOVERNMENT ZONING AUTHORITY TO INCREASE HOUSING OPPORTUNITIES AND TO MAKE VARIOUS CHANGES AND CLARIFICATIONS TO THE ZONING STATUTES.*

Part I.

Section 1.1

Enacts GS 160D-707 to mandate local governments to allow all *middle housing* types, defined to include residential duplexes, triplexes, quadplexes, and townhouses, in areas zoned for residential use, specifically including zoned areas that allow for the development of detached single-family dwellings. Authorizes local governments to regulate middle housing pursuant to the Chapter, so long as regulations do not discourage their development through unreasonable cost or delay. Provides for the statute's effect on contractual agreements among property owners relating to dwelling type restrictions and local governments' authority to permit single-family dwellings in appropriately zoned areas. Excludes areas designated as a local historic district. Restricts the scope of the statute to areas that are served, or through extension may be served, by a local government water system, a local government sewer system, a public water system, or a wastewater collection or treatment works, as described.

Adds *single-family dwelling* to the defined terms set out in GS 160D-102 and defines the term to include all of the types of middle housing as defined in new GS 160D-707.

Effective October 1, 2021.

Section 1.2

Directs the NC Building Code Council to adopt amendments to the NC Residential Code for One- and Two- Family Dwellings (Code) to define and include regulation of triplex and quadplex dwelling units, and for the Council and local governments to regulate the units being sited pursuant to new GS 160D-707 under the amendments.

Section 1.3

Enacts GS 160D-917 to mandate local governments to allow the development of at least one *accessory dwelling unit*, defined as an attached or detached residential structure used in connection with or as an accessory to a single-family dwelling, compliant with the Code for each detached single-family dwelling in appropriately zoned residential area zones. Prohibits local government development and permitting requirements from including owner-occupancy of any dwelling unit, parking restrictions, or conditional use zoning. Further prohibits local governments from (1) prohibiting the connection of the accessory dwelling unit to existing utilities serving the primary dwelling unit, (2) charging any fee other than a building permit that does not exceed the amount charged for any single-family dwelling unit similar in nature, and (3) establishing development setbacks that differ from the development setbacks applicable for a similarly situated lot in the same zoning classification. Effective October 1, 2021.

Section 1.4

Amends GS 42A-3 to exclude accessory dwelling units permitted by new GS 160D-917 from GS Chapter 42A, the Vacation Rental Act. Effective October 1, 2021.

Section 1.5

Directs local governments to adopt land use ordinances and regulations or amend their comprehensive plans to implement the provisions of Part I of this act by October 1, 2021.

Part II.

Section 2.1

Amends GS 160D-108 regarding development permitting. Adds a new subsection to deem a development permit that substantially complies with the provision of information required by ordinance or regulation as sufficient to accept and process a request for a local or State development permit. Prohibits minor application omissions from being sufficient basis to make an application ineligible for vesting. Bars local and State regulations from conditioning the acceptance or processing of a permit application upon the application for or issuance of a local or State permit, respectively, unless specifically statutorily authorized. Modifies the vesting provisions to provide for common law vesting. Expands the provisions applicable to development projects that require multiple development permits by no longer limiting the provisions to projects involving multiple local development permits only. Changes the scope of the provisions governing multiple permits to make the provisions not applicable for subsequent permit applications filed after 18 months of the latter of (1) the date of cessation of work related to the uncompleted development project or (2) the date of issuance of the immediately preceding local development permit (previously limited the scope of the provisions to subsequent development permit applications filed within 18 months of the date following the approval of an initial permit). Makes technical changes.

Section 2.2

Adds the following provisions to GS 160D-702. Prohibits local governments from adopting or enforcing ordinances downzoning property that has access to public water or public sewer without showing a change in circumstances that substantially affects the public health, safety, or welfare. Further bars local governments from adopting or enforcing ordinances that establish a ban or the effect of a ban on use of land that is not an industrial use, a nuisance per se, or does not otherwise pose a serious threat to the public health, safety, or welfare. Clarifies that the statute has no effect on local authority to regulate adult establishments and like facilities. Makes conforming changes.

Section 2.3

Adds the following limitations to local government authority to establish zoning districts under GS 160D-703. Prohibits local governments from: (1) adopting or enforcing ordinances that downzone property in order to evade voluntary consent of landowners or petitioners or other requirements for conditional districts set out in subsection (b) of the statute; (2) allowing a particular land use through conditional zoning; and (3) establishing a threshold on square footage or the number of dwelling units, where to exceed the threshold would require conditional zoning.

Section 2.4

Enacts GS 160D-703.1 to authorize a court to award reasonable attorneys' fees and costs to a party successfully challenging the actions of a local government in violation of the prohibitions set forth in GS 160D-702, as amended, or new GS 160D-703(e). Provides for a permit applicant to choose the zoning designation and use indicated on the application in the event a court invalidates a regulation, as specified.

Section 2.5

Amends GS 160D-706 to no longer provide that either the local regulations made pursuant to the Chapter's authority, or the provisions of any other statute or local ordinance or regulation that imposes higher standards supersedes the other. Adds the following provisions. Prohibits local governments from adopting or enforcing regulations that alter the principle that ambiguities in land development regulations are to be construed in favor of the free use of land. Authorizes local governments to settle any litigation related to the enforcement or compliance with development regulations for a development or development permit applicant through its governing board.

Section 2.6

Regarding petitions for writ of certiorari filed in superior court pursuant to GS 160D-1402 to appeal quasi-judicial decisions of decision-making boards, prohibits persons from intervening as a petitioner or respondent if the motion to intervene is filed after the court has rendered a final judgment on the underlying appeal. Requires the court to hear and decide issues of whether an intervenor has standing (was a petitioner or an intervenor). Adds that failure to object to standing at a hearing does not constitute waiver of a right to assert impermissible conflict involving any member of the quasi-judicial decision-making body. Regarding the exclusion of lay witness testimony as to an increase in vehicular traffic from a proposed development posing danger to public safety not constituting competent evidence but evidence that decision-making boards may rely on, adds that approval by the Department of Transportation of a traffic impact analysis is conclusive evidence that the traffic related to the

project will not pose a danger to public safety and will otherwise preclude using traffic as a basis for denying a development permit. Modifies the effect of an appeal as follows. Allows for an applicant to commence work while a development approval is appealed based on a use not being permitted by regulation, specifying that the applicant does not gain any vested rights if any court of competent jurisdiction determines that the use is not allowed. Adds that an appeal by a party with standing from the granting of a special use permit by a local board or other development permit issued pursuant to a quasi-judicial proceeding is moot if the authorized development substantially commences prior to the issuance of an injunction with appropriate security. Renders moot any appeal related to a special use permit issued by the applicable board after remand from a decision of a court of competent jurisdiction when no injunction is otherwise in place to prevent permit issuance. Makes organizational changes to move the provisions regarding injunctive relief to new subsection (o). Adds that the court must require the party moving for injunctive relief to post an appropriate bond set by the judge or clerk issuing the stay, except local governments cannot be required to post a bond.

Part III.

Section 3.1

Establishes new reporting requirements for local governments engaged in development permitting review, requiring submission of a semiannual report, beginning October 1, 2021, to the specified NCGA committee and division, providing the number of development permit applications received and those denied (including grounds for denial), as well as the number of down-zoning ordinances enacted.

Part IV.

Specifies that Sections 2.1, 2.5, and 2.6 are intended to clarify and restate the intent of existing law.

Intro. by D. Hall, Moffitt, Brody, Richardson.

[GS 160D](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Government, Local Government](#)

H 410 (2021-2022) [REPEAL CERTIFICATE OF NEED LAWS](#). Filed Mar 25 2021, *AN ACT REPEALING NORTH CAROLINA'S CERTIFICATE OF NEED LAWS*.

Identical to [S 309](#), filed 3/16/21.

Repeals GS Chapter 131E, Article 9 (Certificate of Need). Makes conforming changes to GS 6-19.1, GS 113A-12, GS 122C-23.1, GS 131E-13, GS 131E-136, GS 148-19.1, GS 130A-45.02, GS 143B-1292, GS 150B-2, and GS 150B-21.1. Makes further conforming changes to GS 58-50-61 (defining health service facility as it was defined in the repealed Article) and GS 58-55-35 (defining hospice and intermediate care facility for those with intellectual disabilities as they were defined in the repealed Article, and updating language and making technical changes).

Effective January 1, 2022.

Intro. by Kidwell, Hanig, Goodwin, Sasser.

[GS 6](#), [GS 58](#), [GS 113A](#), [GS 122C](#), [GS 131E](#), [GS 148](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health](#)

H 411 (2021-2022) [DRIVING WITHOUT INSURANCE/TOW VEHICLE](#). Filed Mar 25 2021, *AN ACT TO REQUIRE THE TOWING AND STORAGE OF A VEHICLE BEING OPERATED BY A DRIVER WHO IS CHARGED WITH FAILING TO MAINTAIN FINANCIAL RESPONSIBILITY*.

Amends GS 20-313 which makes it a Class 3 misdemeanor for a vehicle owner to operate a vehicle required to be registered in this State, or allow the vehicle to be operated, without the required financial responsibility, by adding the following provisions. Requires that at the time a vehicle owner is charged with such a violation that the charging law enforcement officer have the motor vehicle towed and stored. Allows the vehicle to be released to the owner when: (1) the owner presents proof of the required financial responsibility for a period of at least six months to the charging law enforcement agency or the prosecuting district attorney, who must give the owner documentation acknowledging compliance; and (2) the owner submits to the person in custody of the motor vehicle the documentation of compliance with financial responsibility and payment of any towing and storage fees. Sets out the procedure under which a lienholder is to be notified of where the vehicle is being stored. Requires the person in custody of a towed vehicle, no sooner than 14 days after a vehicle is towed and stored pursuant under the statute, to, upon presentation of a copy of the title or an electronic lien system title to the motor vehicle showing a perfected security interest and without delay during business hours, allow a lienholder access to the motor vehicle. Allows the lienholder to take possession of the vehicle upon paying towing and storage fees, and to thereafter exercise any rights reserved to it under any note, contract, and security agreement. Provides that if neither the vehicle owner nor a lienholder obtain the vehicle, then the person in custody of the vehicle has a lien on the vehicle for the full amount of the towing and storage costs incurred since the motor vehicle was towed and stored and may dispose of the vehicle according to Article 1 of GS Chapter 44A (Possessory Liens on Personal Property). Allows a vehicle owner charged with violating the statute to petition the clerk of superior court of the county where the vehicle was towed to seek a determination that they have not had a lapse in financial responsibility; requires a hearing no later than seven business days or as soon thereafter as feasible. Sets out requirements for providing notice of the hearing. If it is determined that there is no violation of the statute, requires the judge to enter an order releasing the vehicle to the owner upon payment of all towing and storing charges. Defines an innocent owner as an owner of a motor vehicle registered in this State who has maintained financial responsibility as required by law and who has not violated subsection this statute. Provides that if the person charged with a violation of this statute is also charged with a violation of law arising out of the same transaction that requires seizure of the vehicle, nothing in this statute alters or supersedes the law requiring seizure of the vehicle. Provides civil liability for filing charges or for damages arising from the disposition of motor vehicle towed and stored to a law enforcement officer who, acting in good faith, charges a person with a violation of this statute and directs that a motor vehicle be towed and stored. Applies to offenses committed on or after December 1, 2021.

Intro. by Cleveland.

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

H 413 (2021-2022) [IMPROVE DEBT COLLECTION UPON VEHICLE REG.](#) Filed Mar 25 2021, *AN ACT TO IMPROVE CUSTOMER SERVICE WHEN RENEWING VEHICLE REGISTRATIONS BY STREAMLINING THE COLLECTION OF OVERDUE TOLLS AND OTHER OVERDUE AMOUNTS THAT MUST BE PAID BEFORE A VEHICLE'S REGISTRATION IS RENEWED.*

Amends GS 20-54 to require the Division of Motor Vehicles (DMV) to also refuse vehicle registration or issuance of a certificate of title or any transfer of registration if: (1) county and municipal vehicle property taxes and related fees have not been paid; or (2) registration of the owner's vehicle is blocked as a sanction for failure to comply with a child support order or a subpoena. States the NCGA's intent that, when a law enacted after January 1, 2021, imposes a vehicle title or registration stop for failure to pay an amount due to an entity, the stop does not become effective until the DMV's vehicle records state the amount that must be paid to clear the stop and the vehicle owner can clear the stop and obtain a title or renew a registration by paying the required amount to the DMV a DMV commission contractor.

Makes a conforming repeal of GS 20-50.4, which required DMV to (1) refuse to register a vehicle on which county and municipal taxes and fees have not been paid; and (2) refuse to register the vehicle of an owner against whom sanctions are imposed for failure to pay child support or who has failed to comply with the specified subpoena until the payments were no longer delinquent. Makes conforming changes to GS 110-142.2.

Effective July 1, 2022, further amends GS 20-54 by adding that when the DMV imposes a vehicle title or registration stop for an amount owed to the North Carolina Turnpike Authority, the DMV's vehicle records must state the amount required to clear the stop. Allows the vehicle owner to clear the stop and obtain a title or renew a registration by paying the required amount to the DMV or a DMV commission contract agent. Amends this provision, effective January 1, 2023, so that it is applicable to stops for an amount owed to the Department of Transportation instead of to the North Carolina Turnpike Authority.

Requires the DMV, in consultation with the License Plate Agency Advisory Committee, to develop and implement a plan to improve the process for collecting the amounts required to clear vehicle title and registration stops imposed for failure to pay amounts owed to entities other than the Department of Transportation. Requires DMV's vehicle records to set out the amount that must be paid to clear a stop so that DMV or a DMV commission contractor can inform the vehicle owner of the amount required to clear the stop, accept payment, remove the stop, and issue a title or renew a vehicle's registration in the same customer transaction. Requires the plan to be submitted to the specified NCGA committee by March 1, 2023.

Intro. by Shepard.

GS 20, GS 110

[View summary](#)

Courts/Judiciary, Civil, Family Law, Motor Vehicle, Government, State Agencies, Department of Transportation, Tax, Local Government, Transportation

H 414 (2021-2022) **LPA TRANSACTION RATES AND COMPENSATION**. Filed Mar 25 2021, *AN ACT TO ADJUST THE PER TRANSACTION RATES FOR CERTAIN VEHICLE REGISTRATION SERVICES AND TO PROVIDE FOR COLLABORATION BETWEEN THE DIVISION OF MOTOR VEHICLES AND LICENSE PLATE AGENTS WHEN DETERMINING COMPENSATION FOR TASKS NOT SUBJECT TO THE PER TRANSACTION RATES*.

Amends GS 20-63(h) concerning commission contracts entered into by the Division of Motor Vehicles (DMV) for the issuance of plates and certificates. Under the statute, the amount of compensation paid to a commission contractor is determined on a per transaction basis. Provides that the collection of the highway use tax and the removal of a registration stop (was, the removal of an inspection stop) are each considered a separate transaction. Adds that the collection of a civil penalty imposed for a lapse in financial responsibility is a separate transaction, payable at a rate of \$3.50. Amends the list of times, which when performed at the same time, are considered to be a single transaction, to include receiving the restoration fee for registering a fee a vehicle after a lapse in financial responsibility (was, receipt of the civil penalty for lapse in financial responsibility or receipt of the restoration fee). Applies to penalties collected and transactions performed on or after October 1, 2021.

Amends GS 20-63(h1) by adding the requirement that the DMV pay commission contractors at a rate determined in consultation with the License Plate Agent Advisory Committee when the contractors agree to undertake tasks, such as imaging documents, that shift work from the DMV to the contractors and are not listed in the transactions set out in subsection (h) of the statute.

Intro. by Shepard.

GS 20

[View summary](#)

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

H 415 (2021-2022) **UPDATE CHIROPRACTIC LAWS**. Filed Mar 25 2021, *AN ACT TO UPDATE VARIOUS LAWS OF THE PRACTICE AND LICENSURE OF CHIROPRACTIC*.

Makes the following changes to Article 8, GS Chapter 90, which regulates chiropractic licensure.

Adds 12 powers and duties of the NC State Board of Chiropractic Examiners (Board) to those stated in GS 90-142, now totaling 13. Power and duties now include (1) the administration and enforcement of the Article's provisions; (2) adopt, amend, or repeal rules as necessary to carry out and enforce the Article's provisions; (3) issue position statements and interpretive guidelines; (4) establish reasonable fees for examinations, licensure and other Board services; (5) establish certification standards for diagnostic imaging technicians and chiropractic clinical assistants; (6) take disciplinary action; (7) establish a schedule and assess civil penalties; and (8) seek injunctive relief for Article violations.

Amends GS 90-144 to require licensure applicants to comply with GS 90-143, which provides for the Board to examine eligible applicants. No longer provides for the Board to determine at which meetings applicants must be examined under this statute.

Adds the following provisions to GS 90-148, governing records of the Board. Adds new authority for the Board to order that any records concerning the practice of chiropractic and relevant to a complaint received by the Board or an inquiry or investigation conducted by or on behalf of the Board to order production by the custodian of the records to the Board or for inspection and copy by representatives of or counsel of the Board. Adds a new requirement for licensed chiropractors or establishments employing licensed chiropractors to maintain records for at least seven years from the date the chiropractor terminates services to the patient and the patient services record is closed. Requires cooperation with the Board's inquiries or record investigations. Deems all records collected and compiled by or on behalf of the Board public records, with redaction of patient information as appropriate, as well as notices of charges, hearings, and hearing decisions public records, with redaction of patient information as appropriate. Deems records connected with certification, licensure or disciplinary matters to not be public records. Makes the name and office addresses of Board members and licensee public records, with home and email addresses not public record unless written consent is given.

Amends the provisions governing disciplinary action by the Board under GS 90-154 as follows. Adds civil penalties to authorized sanctions the Board can impose for any of the disciplinary grounds stated. Modifies disciplinary grounds to include engaging in any act or practice violative of the Article or rules and regulations adopted by the Board, or aiding, abetting, or assisting another in the violation of the Article (previously not included). No longer includes: (1) advertising services in a false or misleading manner; (2) unethical conduct; (3) not rendering acceptable care in the practice; (4) offering to waive a patient's obligation to pay any insurer required deductible or copayment; (5) failing to honor a patient's request for a copy of any claim form submitted to an insurer; (6) rebating funds received from the patient's insurer; (7) advertising any free or reduced rate service without stating the usual service fee; (8) charging an insurer or third party a fee greater than the fee charged to directly to patients or a fee greater than the advertised fee; (9) violating GS 90-154.1 (concerning collecting prohibited fees) or GS 90-151 (concerning licensure limitations); and (10) committing an act demonstrating a lack of good moral character which would have been the basis of denying a license if committed before licensed.

Repeals GS 90-154.1 which provides for required disclosures in service advertisements and patient billing, and prohibits the collection of certain fees derived from services performed beyond those advertised.

Amends GS 90-154.3 to remove the parameters provided for the Board in adopting rules that establish and define standards of acceptable care.

Repeals GS 90-154.4 which prohibits certain enticements and rebates if the chiropractor knows or has reason to believe the prospective patient's treatment expenses will be paid in whole or in part by an insurer or other third party payor, with four described marketing practices excepted.

Replaces the provisions of GS 90-155, regarding annual licensure fees, as follows. Requires licenses to be renewed annually on or before December 31 with accompany fee as set by the Board not to exceed \$300, and evidence of completion of two days of Board-approved educational sessions or programs unless the Board waives the education requirement due to sickness or other hardship. Allows for licensees not actively practicing to direct the Board to place the licensee on inactive status. Provides for a \$25 late fee, with those failing to renew by January 30 placed on inactive status. Provides for the Board's continued jurisdiction over inactive licensees. Provides for license reinstatement following an interview before the Board.

Enacts GS 90-157.4, authorizing the Board to access civil penalties up to \$500 per violation of the Article or rules of the Board, with proceeds remitted to the Civil Penalty and Forfeiture Fund. Lists four factors the Board must consider before civil assessment, including whether the violation was willful and malicious. Authorizes the Board to charge costs of disciplinary proceedings to the respective licensee. Allows for petition for judicial review of civil penalties imposed.

Effective October 1, 2021.

Intro. by Setzer, Lambeth, Everitt, Moffitt.

GS 90

[View summary](#)

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

H 417 (2021-2022) [THE SERGEANT MICKEY HUTCHENS ACT](#). Filed Mar 25 2021, *AN ACT ALLOWING LAW ENFORCEMENT, PROBATION/PAROLE, AND CORRECTIONAL OFFICERS WHO HOLD AN ADVANCED LAW ENFORCEMENT OR CORRECTIONS CERTIFICATE ISSUED BY THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION OR THE ADVANCED LAW ENFORCEMENT CERTIFICATE ISSUED BY THE NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION TO PURCHASE AT FULL COST UP TO FOUR YEARS' CREDITABLE SERVICE IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OR THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.*

Enacts GS 135-4(k2), concerning the Teachers' and State Employees' Retirement System (TSERS), and GS 128-26(z), concerning the Local Governmental Employees' Retirement System (LGERS), to permit a member of either system who has completed five years of membership service and who has been awarded the Advanced Law Enforcement Certificate by either the NC Criminal Justice Education and Training Standards Commission or the NC Sheriffs' Education and Training Standards Commission, as specified, to purchase up to a total of four years' creditable service at any time on or after receipt of the certificate. Provides for the effect and further parameters of the purchase. Requires lump-sum payment at full cost as specified. Provides for identical purchase provisions by a member of TSERS who has been awarded the Advanced Corrections Certificate by the NC Criminal Justice Education and Training Standards Commission. Effective July 1, 2021.

Intro. by Zenger, Paré, Lambeth, Hardister.

[GS 128, GS 135](#)

[View summary](#)

[Employment and Retirement, Government, Public Safety and Emergency Management, State Government, State Personnel, Local Government](#)

H 418 (2021-2022) [THREATEN LEO OR CORRECTIONAL OFFICER](#). Filed Mar 25 2021, *AN ACT TO MAKE IT A CRIME TO THREATEN TO INFLICT SERIOUS BODILY HARM UPON OR TO KILL A LAW ENFORCEMENT OFFICER, PROBATION OR PAROLE OFFICER, DETENTION FACILITY EMPLOYEE, OR ANOTHER PERSON AS RETALIATION AGAINST THE OFFICER FOR PERFORMING THE OFFICER'S OFFICIAL DUTIES.*

Enacts GS 14-277.7A, making it a Class A1 misdemeanor to make any threat to inflict serious bodily injury upon or kill an officer because of the exercise of the officer's duties if the threat is received and believed by the officer. Makes it a Class I felony to make any threat to inflict serious bodily injury upon or kill any other person as retaliation against an officer because of the exercise of that officer's duties if the threat is received and believed by either the officer or the person being threatened. Defines *officer* to mean any law enforcement officer, probation officer, parole officer, or a person employed at a detention facility operated under State or local government jurisdiction. Applies to offenses committed on or after December 1, 2021.

Intro. by Faircloth, McNeill, Greene, Miller.

[GS 14](#)

[View summary](#)

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

H 419 (2021-2022) [DISPOSITION OF UNCLAIMED OR SEIZED FIREARMS](#). Filed Mar 25 2021, *AN ACT TO AUTHORIZE THE COURT TO ORDER THE DESTRUCTION OF A FIREARM IF THE COURT DETERMINES IT IS IN THE BEST INTEREST OF PUBLIC SAFETY AND TO AUTHORIZE A LAW ENFORCEMENT AGENCY TO CONSIGN A SEIZED OR UNCLAIMED FIREARM TO A FEDERALLY LICENSED FIREARM DEALER FOR SALE OR TO ALLOW DESTRUCTION OF THE FIREARM IF IT IS UNABLE TO BE SOLD.*

Amends GS 15-11.1, which provides for the disposition of a seized firearm. Requires rather than permits a judge, after hearing, to order the disposition in one of the specified ways. Adds to the grounds for a judge to order disposition by destruction to include when the court determines it is in the best interest of public safety that the firearm not be returned to the defendant or

anyone with an ownership or possessory interest. Adds a new provision to exclude antique firearms from the court's authority to order disposition by destruction, regardless of the grounds. Expands the court's options for disposition of a firearm to include turning the firearm over to a law enforcement agency in the county of trial to consign to a federally licensed firearm dealer for sale at a reserve of \$150, so long as the firearm cannot be used by the agency, or sold, traded or exchanged to a federally licensed firearm dealer. Authorizes destruction of a firearm when (1) the agency is unable to arrange consignment after a reasonable effort, (2) the firearm is consigned for six months without being sold, or (3) the firearms is consigned and the dealer determines before six months has passed that the dealer is unable to sell the firearm. Allows licensed dealers to retain a reasonable fee from a consignment sale. Provides for remittance of consignment sale proceeds in the same manner as other sales by the agency under the related provisions. Provides that the authority to destroy a firearm excludes antique firearms. Requires the record of firearms inventory of the receiving law enforcement agency to specify which firearms have been destroyed.

Amends GS 15-11.2, which governs the disposition of unclaimed firearms by the head or chief of a law enforcement agency. Enacts identical authorities to allow for the disposition of a firearm under the statute by consignment to a federally licensed firearm dealer, and subsequent destruction (if applicable) in accordance with the enacted provisions of GS 15-11.1. Adds provisions to specify that the authority to destroy a firearm under the statute excludes antique firearms.

Effective July 1, 2021.

Intro. by Faircloth, McNeill, C. Smith, Greene.

GS 15

[View summary](#)

Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure, Government, Public Safety and Emergency Management, Local Government

H 420 (2021-2022) **K-3 READING AND LITERACY IMPROVEMENT ACT**. Filed Mar 25 2021, *AN ACT TO APPROPRIATE FUNDS FOR LOCAL SCHOOL ADMINISTRATIVE UNITS IN ORDER TO PROVIDE THAT EVERY KINDERGARTEN THROUGH SECOND GRADE CLASSROOM HAS A FULL-TIME TEACHER ASSISTANT AND EVERY THREE THIRD GRADE CLASSROOMS HAS A FULL-TIME TEACHER ASSISTANT.*

Appropriates from the General Fund \$271 million in recurring additional funds to the Department of Public Instruction (DPI) for the 2021-22 fiscal year. Provides for allocations of the funds to local school administrative units to provide the dollar equivalent of teacher assistance positions, with one teacher assistant for every class in kindergarten, first, and second grade, and one teacher assistant for every three classes in third grade. Requires distribution based on an estimated statewide average salary and benefits per position and an average class size of 21 students per classroom. Effective July 1, 2021.

Intro. by Hunt, A. Baker, Brown, Cooper-Suggs.

APPROP

[View summary](#)

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

H 424 (2021-2022) **JUVENILES/ELIMINATE LWOP/PAROLE ELIGIBILITY**. Filed Mar 25 2021, *AN ACT TO ELIMINATE LIFE WITHOUT PAROLE FOR JUVENILES AND TO MODIFY PAROLE ELIGIBILITY FOR JUVENILES SENTENCED TO MORE THAN FIFTEEN YEARS IMPRISONMENT.*

Modifies Part 2A of Article 81B, GS Chapter 15A, and retitles the Part Sentencing and Parole Eligibility for Certain Minors (was, Sentencing for Minors Subject to Life Imprisonment Without Parole). Amends GS 15A-1340.19B to establish that a defendant who is convicted of first degree murder and who was under the age of 18 at the time of the offense must be sentenced to life imprisonment with parole and be eligible for parole consideration after serving 25 years. Also establishes that a defendant who was convicted of a crime other than first degree murder and who was under the age of 18 at the time of the offense and sentenced to more than 15 years of imprisonment is eligible for parole consideration after serving 15 years

imprisonment. Eliminates all provisions concerning sentencing juveniles to life without parole and related sentencing hearings and considerations of the court. Makes conforming changes to GS 15A-1340.13 concerning the requirement to serve the minimum term imposed.

Amends GS 15A-1340.19D to subject a defendant eligible for parole consideration under Part 2A to the conditions and procedures set out in Article 85. Makes conforming changes.

Amends GS 15A-1371 to establish that a prisoner who is sentenced under the Fair Sentencing Act and who was under the age of 18 at the time of the offense is eligible for parole consideration after completion of 20 years imprisonment.

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

Intro. by Fairecloth, Hardister, Rogers, K. Baker.

GS 15A

[View summary](#)

Courts/Judiciary, Juvenile Law, Delinquency, Criminal Justice, Corrections (Sentencing/Probation), Criminal Law and Procedure

H 425 (2021-2022) [DEVELOPMENT REGULATIONS/MULTIJURISDICTION](#). Filed Mar 25 2021, *AN ACT TO ESTABLISH A DEFAULT JURISDICTION FOR A PARCEL OF LAND THAT LIES WITHIN THE PLANNING AND DEVELOPMENT REGULATION JURISDICTION OF MORE THAN ONE LOCAL GOVERNMENT*.

Amends GS 160D-203, which provides that if a parcel of land lies within the planning and development regulation jurisdiction of more than one local government, the local governments may, by mutual agreement and with the landowner's written consent, assign exclusive planning and development regulation jurisdiction for the entire parcel to any one of those local governments; expands upon this provision to also allow such an agreement for additional phases identified or proposed future phases. Adds that if a mutual agreement does not exist, then the decision as to which jurisdiction controls an entire project, including utilities; annexation for utility access; if applicable, all proposed and future phases; and other services offered by the controlling jurisdiction are to be made by the developer. Allows the developer or petitioner to enter into an agreement with multiple jurisdictions for any part of the development subject to permission from the controlling jurisdiction. Specifies that this is only applicable to development regulations and that it does not affect taxation or other nonregulatory matters.

Intro. by Brody, Potts, Moffitt, Richardson.

GS 160D

[View summary](#)

Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Local Government

H 426 (2021-2022) [INDEPENDENT REDISTRICTING PROCESS](#). Filed Mar 25 2021, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR AN INDEPENDENT REDISTRICTING PROCESS, TO ESTABLISH THE NORTH CAROLINA CITIZENS REDISTRICTING COMMISSION, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES*.

Subject to voter approval at the November 2022 general election, enacts Section 25 to Article II of the NC Constitution to charge the NCGA with establishing by law an independent process to revise the electoral districts for Congress and the NCGA after return of the decennial census, subject to the following limitations. Prohibits NCGA involvement in revising electoral districts. Requires each NCGA member and US House member to represent equal numbers of inhabitants, as possible. Mandates districts to consist of contiguous territory. Prohibits division of a county for NCGA districts to the extent practicable and consistent with federal law. Mandates that the districts remain unaltered until the return of another decennial census. Grants adopted electoral districts legislative force and effect. Makes conforming changes to Sections 3 and 5 of Article II to charge the NCGA with establishing an independent process to revise legislative districts and the apportionment of legislators among those districts. Makes these constitutional amendments effective upon certification.

Enacts Article 1B, *Redistricting*, to GS Chapter 120. Sets forth 14 defined terms. Establishes the NC Citizen Redistricting Commission (Commission), charged with preparing preliminary, proposed, and alternative plans for legislative and

congressional apportionment and to adopt final plans for the purpose of nominating and electing legislative and congressional members. Details Commission member eligibility, including residency and voter registration requirements, and a number of disqualifications, among them: contributing more than \$2,000 to any candidate for public office, having been a staff member or legal counsel to the NCGA, having served in any public office in the preceding 10 years, having held any political appointment, and having been a member of an organization that advocates overthrowing or attacking any governmental body in the US. Bars a person having served as a member of the Commission from holding any public office for three years following termination of service. Details member application procedures, including applying to the State Auditor with relevant information and disclosures for eligibility review, then to the Human Relations Commission for review and submission of a diverse group of up to 60 applicants to the NCGA, as specified, with eight legislatively appointed members from the pool of candidates and seven randomly selected members by the Human Relations Commission from the pool of candidates. Sets terms at 10 years. Details other parameters of the Commission, including appointment of a chair, removal from office, vacancies, and reimbursement of member expenses. Provides for a \$1,200 stipend for each month the Commission meets. Details Commission staffing and the application of open meetings and public records laws.

Enumerates nine criteria that all redistricting plans must meet, including electoral impartiality and minimization of the number of split communities of interest, as defined. Provides for Commission adoption of preliminary, proposed, alternative, and final plans depending on appointed member affiliations. Directs the State Auditor to submit to the Commission a list of qualified persons who can serve as a special master, who must draw and submit a plan which the Commission must adopt in the event a plan cannot be adopted pursuant to the statute. Provides for appointment of the special master by the Commission, depending on appointed member affiliations. Requires adoption of all plans by October 1 following each federal census. Details the maximum time line the Commission must follow in adoption of a plan, which provides for public hearings following receipt of data from the Census Bureau; release of preliminary plans to the public and further public hearings; release of proposed plans, alternative plans and summaries; and the Commission holding a vote to adopt final plans, or selection of a special master to prepare, release and present a plan to the Commission that the Commission must adopt. Provides for extensions for good cause, as specified.

Mandates the Commission hold a minimum of 20 public hearings across the State, requiring providing the seven enumerated resources for public input, including sufficient time to review the plan, access to demographic data and mapping software.

Authorizes the NCGA to assign to the Commission the duty to prepare district plans for local government if their governing board or an appropriate court so requests.

Provides for Commission member terms to begin on January 1, 2023, and conclude on June 30, 2030, for any redistricting that might occur pursuant to GS 120-2.4 based on data from the 2020 federal census.

Makes the above statutory and uncodified provisions effective January 1, 2023, subject to voter approval of the constitutional amendments set forth in this Part.

Part II.

Makes conforming changes to GS 120-2.3 regarding judgments invalidating apportionment or redistricting acts.

Makes conforming changes to GS 120-2.4, requiring a court to grant the Commission two weeks' time to remedy any defects a court has identified in a plan apportioning or redistricting legislative or congressional districts prior to the court imposing its own substitute plan. Makes further conforming changes.

Repeals GS 120-133 which provides for the confidentiality of NCGA redistricting communications until plans become law.

Effective January 1, 2023, subject to voter approval of the constitutional amendments set forth in Part I of the act.

Intro. by Harrison, Morey, Martin, Reives.

CONST, GS 120

[View summary](#)

**Constitution, Government, Elections, Ethics and Lobbying,
General Assembly, Public Records and Open Meetings, State
Agencies, Office of State Auditor**

H 427 (2021-2022) [FIREARM SAFE STORAGE AWARENESS INITIATIVE](#). Filed Mar 25 2021, *AN ACT TO LAUNCH A STATEWIDE FIREARM SAFE STORAGE AWARENESS INITIATIVE TO EDUCATE THE PUBLIC ABOUT THE IMPORTANCE OF THE SAFE STORAGE OF FIREARMS AND TO FACILITATE THE DISTRIBUTION OF GUN LOCKS.*

Requires the Department of Health and Human Services (DHHS) to launch a two-year statewide firearm safe storage awareness initiative to educate the public about the importance of the safe storage of firearms and to facilitate the distribution of gun locks, which must include the development of a website and toolkit and include an outreach process.

Requires DHHS to develop a website to provide information to the public about six specified issues related to the safe storage of firearms, including access to a toolkit of information that local communities may use to launch firearm safe storage initiatives at the local level. Specifies what is to be included in the toolkit, including the distribution of free or discounted gun locks. Requires the development of the website and toolkit by July 1, 2022.

Requires DHHS, upon development of the website and toolkit, to implement an outreach process for disseminating the information and toolkit to the public and to local communities, and requires providing technical assistance to local communities to assist them in using the toolkit to launch local initiatives.

Allows contracting with a third-party with relevant expertise related to public health and injury prevention to launch the firearm safe storage awareness initiative.

Prohibits the firearm safe storage awareness initiative and any state funds used to launch and maintain the initiative, from being used to advocate, promote, or lobby for the creation of new, or the revision of existing, laws regulating firearms; limits use to the purposes set out in the act and to explaining and promoting existing laws regulating firearms and best practices for firearm storage and safety.

Appropriates \$86,500 for 2021-22 in nonrecurring funds and \$69,200 in nonrecurring funds for 2022-23 from the General Fund to DHHS for costs associated with launching the firearm safe storage awareness initiative, including the purchase and distribution of gun locks.

Requires DHHS to report to the specified NCGA committee on progress in launching the initiative by September 1, 2022.

Effective July 1, 2021.

Intro. by Hanig, Carter, Sasser, C. Smith.

[APPROP, UNCODIFIED](#)

[View summary](#)

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

PUBLIC/SENATE BILLS

S 349 (2021-2022) [INCREASE HOUSING OPPORTUNITIES](#). Filed Mar 24 2021, *AN ACT TO PROVIDE REFORMS TO LOCAL GOVERNMENT ZONING AUTHORITY TO INCREASE HOUSING OPPORTUNITIES AND TO MAKE VARIOUS CHANGES AND CLARIFICATIONS TO THE ZONING STATUTES.*

Identical to [H 401](#), filed 3/24/21.

Part I.

Section 1.1

Enacts GS 160D-707 to mandate local governments to allow all middle housing types, defined to include residential duplexes, triplexes, quadplexes, and townhouses, in areas zoned for residential use, specifically including zoned areas that allow for the development of detached single-family dwellings. Authorizes local governments to regulate middle housing pursuant to the Chapter, so long as regulations do not discourage their development through unreasonable cost or delay. Provides for the statute's effect on contractual agreements among property owners relating to dwelling type restrictions and local governments' authority to permit single-family dwellings in appropriately zoned areas. Excludes areas designated as a local historic district.

Restricts the scope of the statute to areas that are served, or through extension may be served, by a local government water system, a local government sewer system, a public water system, or a wastewater collection or treatment works, as described.

Adds single-family dwelling to the defined terms set out in GS 160D-102 and defines the term to include all of the types of middle housing as defined in new GS 160D-707.

Effective October 1, 2021.

Section 1.2

Directs the NC Building Code Council to adopt amendments to the NC Residential Code for One- and Two- Family Dwellings (Code) to define and include regulation of triplex and quadplex dwelling units, and for the Council and local governments to regulate the units being sited pursuant to new GS 160D-707 under the amendments.

Section 1.3

Enacts GS 160D-917 to mandate local governments to allow the development of at least one accessory dwelling unit, defined as an attached or detached residential structure used in connection with or as an accessory to a single-family dwelling, compliant with the Code for each detached single-family dwelling in appropriately zoned residential area zones. Prohibits local government development and permitting requirements from including owner-occupancy of any dwelling unit, parking restrictions, or conditional use zoning. Further prohibits local governments from (1) prohibiting the connection of the accessory dwelling unit to existing utilities serving the primary dwelling unit, (2) charging any fee other than a building permit that does not exceed the amount charged for any single-family dwelling unit similar in nature, and (3) establishing development setbacks that differ from the development setbacks applicable for a similarly situated lot in the same zoning classification. Effective October 1, 2021.

Section 1.4

Amends GS 42A-3 to exclude accessory dwelling units permitted by new GS 160D-917 from GS Chapter 42A, the Vacation Rental Act. Effective October 1, 2021.

Section 1.5

Directs local governments to adopt land use ordinances and regulations or amend their comprehensive plans to implement the provisions of Part I of this act by October 1, 2021.

Part II.

Section 2.1

Amends GS 160D-108 regarding development permitting. Adds a new subsection to deem a development permit that substantially complies with the provision of information required by ordinance or regulation as sufficient to accept and process a request for a local or State development permit. Prohibits minor application omissions from being sufficient basis to make an application ineligible for vesting. Bars local and State regulations from conditioning the acceptance or processing of a permit application upon the application for or issuance of a local or State permit, respectively, unless specifically statutorily authorized. Modifies the vesting provisions to provide for common law vesting. Expands the provisions applicable to development projects that require multiple development permits by no longer limiting the provisions to projects involving multiple local development permits only. Changes the scope of the provisions governing multiple permits to make the provisions not applicable for subsequent permit applications filed after 18 months of the latter of (1) the date of cessation of work related to the uncompleted development project or (2) the date of issuance of the immediately preceding local development permit (previously limited the scope of the provisions to subsequent development permit applications filed within 18 months of the date following the approval of an initial permit). Makes technical changes.

Section 2.2

Adds the following provisions to GS 160D-702. Prohibits local governments from adopting or enforcing ordinances downzoning property that has access to public water or public sewer without showing a change in circumstances that substantially affects the public health, safety, or welfare. Further bars local governments from adopting or enforcing ordinances that establish a ban or the effect of a ban on use of land that is not an industrial use, a nuisance per se, or does not otherwise

pose a serious threat to the public health, safety, or welfare. Clarifies that the statute has no effect on local authority to regulate adult establishments and like facilities. Makes conforming changes.

Section 2.3

Adds the following limitations to local government authority to establish zoning districts under GS 160D-703. Prohibits local governments from: (1) adopting or enforcing ordinances that downzone property in order to evade voluntary consent of landowners or petitioners or other requirements for conditional districts set out in subsection (b) of the statute; (2) allowing a particular land use through conditional zoning; and (3) establishing a threshold on square footage or the number of dwelling units, where to exceed the threshold would require conditional zoning.

Section 2.4

Enacts GS 160D-703.1 to authorize a court to award reasonable attorneys' fees and costs to a party successfully challenging the actions of a local government in violation of the prohibitions set forth in GS 160D-702, as amended, or new GS 160D-703(e). Provides for a permit applicant to choose the zoning designation and use indicated on the application in the event a court invalidates a regulation, as specified.

Section 2.5

Amends GS 160D-706 to no longer provide that either the local regulations made pursuant to the Chapter's authority, or the provisions of any other statute or local ordinance or regulation that imposes higher standards supersedes the other. Adds the following provisions. Prohibits local governments from adopting or enforcing regulations that alter the principle that ambiguities in land development regulations are to be construed in favor of the free use of land. Authorizes local governments to settle any litigation related to the enforcement or compliance with development regulations for a development or development permit applicant through its governing board.

Section 2.6

Regarding petitions for writ of certiorari filed in superior court pursuant to GS 160D-1402 to appeal quasi-judicial decisions of decision-making boards, prohibits persons from intervening as a petitioner or respondent if the motion to intervene is filed after the court has rendered a final judgment on the underlying appeal. Requires the court to hear and decide issues of whether an intervenor has standing (was a petitioner or an intervenor). Adds that failure to object to standing at a hearing does not constitute waiver of a right to assert impermissible conflict involving any member of the quasi-judicial decision-making body. Regarding the exclusion of lay witness testimony as to an increase in vehicular traffic from a proposed development posing danger to public safety not constituting competent evidence but evidence that decision-making boards may rely on, adds that approval by the Department of Transportation of a traffic impact analysis is conclusive evidence that the traffic related to the project will not pose a danger to public safety and will otherwise preclude using traffic as a basis for denying a development permit. Modifies the effect of an appeal as follows. Allows for an applicant to commence work while a development approval is appealed based on a use not being permitted by regulation, specifying that the applicant does not gain any vested rights if any court of competent jurisdiction determines that the use is not allowed. Adds that an appeal by a party with standing from the granting of a special use permit by a local board or other development permit issued pursuant to a quasi-judicial proceeding is moot if the authorized development substantially commences prior to the issuance of an injunction with appropriate security. Renders moot any appeal related to a special use permit issued by the applicable board after remand from a decision of a court of competent jurisdiction when no injunction is otherwise in place to prevent permit issuance. Makes organizational changes to move the provisions regarding injunctive relief to new subsection (o). Adds that the court must require the party moving for injunctive relief to post an appropriate bond set by the judge or clerk issuing the stay, except local governments cannot be required to post a bond.

Part III.

Section 3.1

Establishes new reporting requirements for local governments engaged in development permitting review, requiring submission of a semiannual report, beginning October 1, 2021, to the specified NCGA committee and division, providing the number of development permit applications received and those denied (including grounds for denial), as well as the number of down-zoning ordinances enacted.

Part IV.

Specifies that Sections 2.1, 2.5, and 2.6 are intended to clarify and restate the intent of existing law.

Intro. by Edwards, Newton, Fitch.

GS 160D

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Government, Local Government

S 350 (2021-2022) **NORTH CAROLINA INNOVATIONS WAIVER ACT OF 2021**. Filed Mar 25 2021, *AN ACT TO INCREASE THE NUMBER OF NORTH CAROLINA INNOVATIONS WAIVER SLOTS, TO PROVIDE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH BENEFITS, THE FLEXIBILITY TO DEVELOP AN ADDITIONAL SYSTEM OF SERVING INDIVIDUALS WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES WHO ARE ON THE REGISTRY OF UNMET NEEDS, AND TO REQUIRE THE DEVELOPMENT OF A TEN-YEAR PLAN TO ADDRESS THE REGISTRY OF UNMET NEEDS.*

Identical to [H 389](#), filed 3/24/21.

Appropriates \$11,301,000 and \$26,243,000 in recurring funds for 2021-22 and 2022-23, respectively, from the General Fund to the Department of Health and Human Services, Division of Health Benefits (DHB) to be used to increase the number of NC Innovation Waiver slots, and provide a match for \$27,334,000 and \$54,880,000 in federal recurring funds for 2021-22 and 2022-23. Appropriates the federal funds to DHB for the same purpose. Directs DHB to amend the NC Innovations Waiver to increase the number of slots by 1,000 under the waiver with (1) 800 slots made available January 1, 2022, and distributed using the allocation formula currently in place as of the date the act becomes law, and (2) 200 slots distributed as provided by the act and available January 1, 2022, unless the distribution requires approval by the Centers for Medicare and Medicaid Services (CMS), then the later of January 1, 2022, or the date that CMS grants or denies approval. Provides for distribution using the allocation formula currently in place as of the date the act becomes law if CMD denies approval. Provides for distribution of the 200 slots on a per capita basis to LME/MCOs, with additional slots made available to counties on a per capita basis. Provides for slots to be filled on a first-come, first-served basis determined by a waiting list.

Appropriates \$13,122,000 in recurring funds from the General Fund to DHB for 2022-23 for the NC Innovations Waiver, as a match for the \$27,440,000 in federal recurring funds. Appropriates those federal funds to DHB for the same purpose. Authorizes DHB to pursue any amendment or change to the current NC Innovations Waiver or additional 1115(c) waivers to serve the maximum number of individuals that are on the State's registry of unmet needs, including pursuing a tiered waiver system, making every effort for individuals to have a seamless transition between tiers or waivers and providing flexibility to LME/MCOs to determine how to maximize distributions. In the event approval is not received from CMS by January 1, 2023, requires using the appropriations of subsection (a) to increase the NC Innovations Waivers slots by at least 1,000 slots to be made available as soon as practicable; requires DHB to continue to pursue approval for implementation in the future.

Directs DHB to convene a working group of stakeholders to develop a 10-year plan to address the registry of unmet needs for the NC Innovations Waiver. Requires considering an alternative waiver program and alternative means of distribution of waiver slots, accompanied by cost analysis. Requires DHB to report to the specified NCGA committee by February 1, 2022.

Intro. by Krawiec, Burgin, Perry.

APPROP, UNCODIFIED

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Insurance, Mental Health

S 351 (2021-2022) **BE PRO BE PROUD NC PILOT PROGRAM**. Filed Mar 25 2021, *AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY COLLEGES SYSTEM OFFICE FOR THE BE PRO BE PROUD NORTH CAROLINA PILOT PROGRAM.*

Appropriates \$5 million for 2021-22 from the General Fund to the Community Colleges System Office for a contract with Be Pro Be Proud to implement the mobile statewide workforce development pilot program. Specifies that funds unexpended at the

end of each fiscal year do not revert to the General Fund but remain available for expenditure for the purposes described by this act until June 30, 2024.

Requires that the Community Colleges System Office use the appropriated funds to contract with Be Pro Be Proud to build, implement, operate, and support a three-year mobile statewide workforce development pilot program focused on generating student, parent, and educator interest in technical professions within the construction, manufacturing, transportation, and utility industries. Requires the program to also support progress towards North Carolina's postsecondary attainment goals to increase postsecondary degrees and certificates in the skilled trade professions. Requires Be Pro Be Proud to provide for at least the following: (1) a custom-built mobile workshop that brings elements of up to 12 skilled professions to middle and high school students through simulators and virtual reality experiences; (2) information and data collection for students by setting up a digital profile on Be Pro Be Proud's national "Join the Movement" partnership; allows the data to be shared, with consent, with specified entities; (3) follow-up opportunities for hands-on leadership opportunities; (4) motivation for interested educators to stay engaged through a combination of scholarship opportunities and incentive programs; and (5) operation of the pilot program to coincide with the public school instructional calendar and various events for students that take place throughout the summer.

Requires a report to the specified NCGA committee and division by April 1, 2024, on the activities described by this act and the use of State funds.

Effective July 1, 2021.

Intro. by Johnson, Sawyer.

APPROP, STUDY, UNCODIFIED

[View summary](#)

Business and Commerce, Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Community Colleges System Office

S 352 (2021-2022) **FAYETTEVILLE MLK PARK/FUNDS**. Filed Mar 25 2021, *AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE MARTIN LUTHER KING, JR., PARK.*

Appropriates \$2 million for 2021-22 from the General Fund to the Fayetteville/Cumberland County Dr. Martin Luther King Jr. Committee to be used as title indicates. Effective July 1, 2021.

Intro. by deViere, Clark.

APPROP

[View summary](#)

Government, Budget/Appropriations, Cultural Resources and Museums

S 353 (2021-2022) **MODERNIZATION OF DRUG COURT PROGRAM**. Filed Mar 25 2021, *AN ACT TO ESTABLISH JUDICIALLY MANAGED ACCOUNTABILITY AND RECOVERY COURTS THROUGHOUT THE STATE OF NORTH CAROLINA TO PROVIDE CASE MANAGEMENT AND CONTINUITY OF CARE FOR THOSE ENROLLED IN THE PROGRAM AND TO APPROPRIATE FUNDS FOR AN ONSLOW COUNTY JUDICIALLY MANAGED ACCOUNTABILITY AND RECOVERY COURT PILOT PROGRAM FOCUSED ON VETERANS OF THE UNITED STATES ARMED FORCES.*

Renames Subchapter XIV of GS Chapter 7A as Accountability and Recovery Courts (currently, Drug Treatment Courts). Renames Article 62 of GS Chapter 7A, Judicially Managed Accountability and Recovery Court Act (currently, North Carolina Drug Treatment Court Act). Amends GS 7A-790 to make conforming change, establishing that Article 62 is to be known and cited as the Judicially Managed Accountability and Recovery Act of 2021.

Adds to the purposes of Article 62, set out in GS 7A-791, the need for judicial programs that will reduce the incidence of offenses, delinquent acts, and child abuse and neglect where mental, behavioral, or medical health is a significant factor in commission of the offense or act. Further, provides that it is the intent of the General Assembly to create a program to facilitate the creation and operation of judicially managed accountability and recovery courts (previously, the creation and operation of

local drug treatment court programs and driving while impaired treatment court programs). Replaces references to "drug abuse" with "substance abuse."

Makes conforming changes throughout Article 62 to refer to "judicially managed accountability and recovery courts" and remove all references to "drug treatment courts".

Amends GS 7A-792, setting forth five goals of the judicially managed accountability and recovery courts, to add to and amend the existing goals. Amends the first goal to now provide the goal to reduce alcoholism and other substance abuse and dependencies (previously, and other drug dependencies) among adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect, or both. Amends the third goal to now provide the goal to reduce the alcohol-related and other substance-related (previously, drug-related) court workload. Amends the last goal to now provide the goal to promote effective interaction, collaboration, coordination, and use of resources (previously, to promote effective interaction and use of resources) among criminal and juvenile justice personnel, child protective services personnel, and community agencies. Adds a new goal of reducing the mental, behavioral, or medical health-related court workload.

Amends GS 7A-793, providing that the NC Judicially Managed Accountability and Recovery Court Program is established in the Administrative Office of the Courts (AOC) to facilitate the creation, administration, and funding of local judicially managed accountability and recovery courts. Provides that local judicially managed accountability and recovery courts established and funded pursuant to Article 62 can consist of programs approved by the AOC. Adds that a judicially managed accountability and recovery court can be established with the consent of either the chief district court judge or the senior resident superior court judge.

Deletes the existing provisions of GS 7A-794 and now directs the AOC to administer funding relating to the NC Judicially Managed Accountability and Recovery Court Program (Program).

Amends GS 7A-795 to make conforming changes to the provisions pertaining to the Advisory Committee of the Program. Adds new provision to direct the Advisory Committee to provide minimum standards of judicially managed accountability and recovery courts in developing guidelines for the program for recommendation to the Director of the AOC (previously, directed the Advisory Committee to consider the Substance Abuse and the Courts Action Plan and other recommendations of the Substance Abuse and the Courts State Task Force).

Amends GS 7A-796, concerning the makeup of a local judicially managed accountability and recovery court committee. Amends and adds to the provided list of persons that can be appointed to a local committee as specified. Directs the local committee to develop local guidelines and procedures, not inconsistent with the State guidelines and minimum standards (currently, minimum standards not specified), necessary for the operation and evaluation of the local judicially managed accountability and recovery court. Makes conforming change to direct the Director of AOC, in conjunction with the Advisory Committee, to develop criteria for eligibility, minimum standards, and other procedural and substantive guidelines for judicially managed accountability and recovery court operation.

Amends GS 7A-799 to establish that nothing in the Article confers a right or an expectation of a right to treatment or recovery management for (currently does not specify treatment or recovery management) a defendant or offender within the criminal or juvenile justice system or a respondent in a juvenile petition for abuse, neglect, or both.

Makes conforming changes to GS 7A-800 and GS 7A-801, concerning the payment of costs of a treatment program and monitoring and reporting requirements.

Enacts new GS 7A-802 excluding from the scope of the Article drug treatment courts or judicially managed accountability and recovery courts in existence on or before July 1, 2021, to the extent that compliance with the Article would disqualify the court from specified grant funding.

Directs AOC, in coordination with the Onslow County District Attorney's Office, to establish a pilot program in Onslow County that creates a judicially managed accountability and recovery court. Requires a report on the results of the pilot program by the 2023 Regular Session of the General Assembly upon its convening. Appropriates from the General Fund to the Administrative Office of the Courts \$150,000 for the 2021-22 and 2022-23 fiscal years to fund the court in Onslow County. Provides legislative intent for subsequent funding beyond the 2022-23 fiscal year. Effective July 1, 2021.

[View summary](#)

Courts/Judiciary, Court System, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health

S 354 (2021-2022) **RESTORE FUNDING/STATE CONSERVATION PURPOSES**. Filed Mar 25 2021, *AN ACT TO RESTORE THE USE OF PROCEEDS FROM THE DEED STAMP EXCISE TAX TO THE ORIGINAL PURPOSE OF LAND CONSERVATION*.

Identical to [H 372](#), filed 3/23/21.

Changes the provisions governing funds remitted to the Department of Revenue by registers of deeds collected from taxing real property conveyance instruments under GS 105-228.30. Rather than crediting the required portion of proceeds remitted to DOR to the General Fund, requires DOR to credit remitted funds at the rate of 30% to the Parks and Recreation Trust Fund, 30% to the Land and Water Fund, 30% to the Coastal Storm Damage Mitigation Fund, and 10% to the NC Agricultural Development and Farmland Preservation Trust Fund. Makes conforming changes to the statutes governing those identified Funds: GS 143B-135.56; GS 143B-135.234; and GS 106-744 (does not amend GS 143-215.75M regarding the Coastal Storm Damage Mitigation Fund). Effective July 1, 2021.

Intro. by Lee, Ballard, Lazzara.

[GS 105](#)

[View summary](#)

Agriculture, Courts/Judiciary, Civil, Civil Law, Court System, Development, Land Use and Housing, Property and Housing, Environment, Environment/Natural Resources, Government, Cultural Resources and Museums, State Agencies, Department of Revenue, Tax

S 355 (2021-2022) **GOVERNMENT TRANSPARENCY ACT OF 2021**. Filed Mar 25 2021, *AN ACT TO STRENGTHEN CONFIDENCE IN GOVERNMENT BY INCREASING ACCESSIBILITY TO PUBLIC PERSONNEL HIRING, FIRING, AND PERFORMANCE RECORDS*.

Modifies GS 126-23 regarding required State personnel recordkeeping by each department, agency, institution, commission and bureau of the State, to require records to show the date and general description of the reasons for each promotion, demotion, dismissal, transfer, suspension, separation, or other change in position classification (dismissals, suspensions, and demotions were previously separated and required stated disciplinary reasoning). No longer describes dismissals as disciplinary action, but instead personnel action.

Makes identical changes to the personnel recordkeeping requirements by local boards of education, community colleges, LME/MCOs, local governments, and water and sewer authorities, pursuant to the following governing statutes: GS 115C-320; GS 115D-28; GS 122C-158; GS 153A-98; GS 160A-168; and GS 162A-6.1.

Effective December 1, 2021.

Intro. by Sanderson, Rabon, Krawiec.

[GS 115C](#), [GS 115D](#), [GS 122C](#), [GS 126](#), [GS 153A](#), [GS 160A](#), [GS 162A](#)

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, State Agencies, Community Colleges System Office, State Government, State Personnel, Local Government, Health and Human Services, Health, Public Health, Mental Health

S 356 (2021-2022) [PERMANENCY INNOVATION INITIATIVE/FUNDS](#). Filed Mar 25 2021, *AN ACT TO APPROPRIATE FUNDS TO THE PERMANENCY INNOVATION INITIATIVE*.

Identical to [H 108](#), filed 2/17/21.

Appropriates \$2,250,000 in recurring funds for each year of the 2021-23 fiscal biennium from the General Fund to the Department of Health and Human Services, Division of Social Services, to provide additional funds for the Permanency Innovation Initiative Fund; requires these funds to be supplemented, not supplanted, by all available federal matching funds. Effective July 1, 2021.

Intro. by Burgin, Krawiec.

[APPROP](#)

[View summary](#)

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

S 357 (2021-2022) [HELPING CONSUMERS IN CRISIS ACT](#). Filed Mar 25 2021, *AN ACT TO ENACT THE HELPING CONSUMERS IN CRISIS ACT*.

Enacts Article 94, titled the "Helping Consumers in Crisis Act," to GS Chapter 58. Sets forth 13 defined terms. Authorizes consumer legal funding companies registered under the Article to enter into a consumer legal funding transaction for an amount not exceeding \$500,000. Defines *consumer legal funding transaction* to mean a nonrecourse transaction in which a consumer assigns to a person the consumer's contingent right to receive an amount of potential net proceeds of a settlement of judgment obtained from the consumer's *legal claim* (defined to mean a bona fide civil claim or cause of action); excludes transactions between immediate family members. Provides that a consumer is not required to repay such a company if the consumer obtains no net proceeds from the consumer's legal claim. Provides that transactions that comply with the Article are not loans and therefore not subject to laws governing loans or investment contracts. Deems the Article to supersede conflicting law.

Requires registration with the Commissioner of Insurance (Commissioner) as a consumer legal funding company (company) before entering into a consumer legal funding transaction. Deems legal funding contracts entered into without prior company registration void. Sets a \$1,000 registration and renewal fee, with renewal required every three years. Details registration application content and procedure, requiring application through the Nationwide Mortgage Licensing System and Registry (NMLS). Application requirements include a criminal history background check of applicants or individuals who control entity applicants, and proof of financial stability in the form of a \$50,000 surety bond or irrevocable letter of credit. Provides for abandonment of an application after failure to respond to the Commissioner's written request for information within 30 days.

Details requirements and limitations of legal funding contracts, including that the contract be written in plain language and completed when presented to the consumer for signature. Requires the contract to contain seven attestations by the attorney retained by the consumer for the legal claim, with failure to make the required attestations rendering the contract void. Provides for the contract to remain enforceable if the consumer terminates the consumer's attorney and proceeds pro se or retains a new attorney for the legal claim. Requires contracts to include consumer disclosures on the first two pages, as possible, and contain the 10 specified disclosures such as notification that some or all of the funded amount is taxable, an itemization of charges, and the total amount due from the consumer. Details further require terms of the contract, including defined terms, the consumer's right of rescission, acknowledgement of legal representation and advice, and other standard legal advisories. Requires prompt delivery of a copy of the executed contract to the consumer's attorney.

Identifies 10 prohibited acts of companies, such as (1) paying consideration to attorneys, law firms, and health care providers or their employees for referrals to the company; (2) accepting commissions from attorneys, law firms, or health care providers or their employees; (3) providing legal advice to the consumer regarding the transaction or underlying legal claim; (4) reporting a consumer to a credit reporting agency; and (5) knowingly providing funding to a consumer for a claim in a pending class action lawsuit. Bars attorneys representing consumers in transactions from having a financial interest in the company or

receiving a referral fee or other consideration from the company, its employees or affiliates. Provides for communications with a consumer legal funding company to have no affect on the consumer's statutory or common-law privileges.

Authorizes the Commissioner to examine a company, at cost to the company unless the Commissioner waives the costs and expenses in the interests of justice. Requires registration through the NMLS. Authorizes the Commissioner to participate in the NMLS; establish rules for registration as specified; contract with NMLS or other entities regarding recordkeeping and processing transaction fees; and contract to license the use of the proprietary software of the Department of Insurance to supervisory agencies of other states. Allows the Commission to waive, modify, or add to the Article's requirements for NMLS participation.

Requires reporting enforcement actions to NMLS, with other reporting authorized. Provides for agreements or arrangements with other governmental agencies to share confidential information, with strict confidentiality maintained. Provides for these confidentiality statutes to supersede any conflicting public records law. Excludes from confidentiality employment history and publicly adjudicated disciplinary and enforcement actions against companies that are included in the NMLS for public access.

Grants the Commissioner the Authority to adopt rules necessary to enforce the Article, with notice to companies either registered or pending registration under the Article before proposing a rule.

In addition to other enforcement powers vested in the Commissioner, grants the Commissioner disciplinary authority ranging from disciplinary action on the company's registration, assessing a civil penalty of \$1,000 per violation or \$10,000 for willful violations, and ordering the company to cease and desist from entering into additional transactions or making restitution to an injured consumer. Provide notice and hearing requirements. Deems noncompliance with the Article a fair and deceptive trade practice under GS Chapter 75.

Establishes annual reporting requirements for consumer legal funding companies to report its business and operations during the preceding calendar year to the Commissioner as specified. Authorizes the Commissioner to summarize and analyze relevant submitted data and publish the summary and analysis of the Department of Insurance and the Department of Justice's website.

Provides a severability clause.

Effective October 1, 2021.

Intro. by Johnson, Craven, Alexander.

[GS 58](#)

[View summary](#)

[Business and Commerce, Consumer Protection, Courts/Judiciary, Civil, Civil Law, Government, State Agencies, Department of Insurance](#)

S 358 (2021-2022) **C-PACE PROGRAM**. Filed Mar 25 2021, *AN ACT TO ADVANCE BUILDING RESILIENCY AND UTILITY EFFICIENCY IN NORTH CAROLINA BY AUTHORIZING A STATEWIDE PROGRAM TO UTILIZE ASSESSMENTS TO REPAY NONPUBLIC FINANCING OF COMMERCIAL BUILDING IMPROVEMENTS THAT WILL PROMOTE ECONOMIC DEVELOPMENT, REDUCE UTILITY BILL COSTS, AND HARDEN COMMERCIAL BUILDINGS AGAINST STORM AND FLOOD DAMAGE.*

Enacts Article 10B, titled the "Commercial Property Assessed Capital Expenditure and Resilience Act (C-PACE)," to GS Chapter 160A. Sets forth legislative findings and 12 defined terms. Authorizes the establishment of a statewide commercial property assessed clean energy program that local governments can voluntarily join to allow free and willing owners of certain properties to obtain low-cost, long-term financing from private capital providers for qualifying improvements, secured by a recorded assessment and lien pursuant to the Article. Authorizes the State Energy Office (Office) to serve as program administrator with oversight responsibility; requires the Office to develop a process to select a third party administrator to handling C-PACE applications and promote the program. Defines *qualified projects* to mean a project approved by the statewide administrator which involves the installation or modification of a qualified improvement, including new and existing commercial properties, multifamily properties of five or more units per dwelling, nonprofit properties, industrial properties, and agricultural properties. Defines *qualified improvement* to mean a permanent improvement that is affixed to a qualified

project and includes one of the following characteristics approved by the statewide administrator, as described: energy efficiency measure; increased resilience; renewable energy resource; and/or water conservation measure.

Details program administration by the administrator, including (1) preparing a Program Toolkit prior to accepting applications; (2) preparing a set of C-PACE documents as specified; (3) imposing administration fees as specified, with an authorized application fee up to \$150; (4) prescribing the form and manner for financing applications and establishing the process for reviewing and evaluating financing applications that include six specifications regarding certification of proposed improvements, execution and recordation of the C-PACE assessment and lien, responsibilities of the capital provider including enforcement of the special assessment and lien, and situations of foreclosure and priority of liens; (5) requiring specified certifications from commercial property owners seeking C-PACE financing; and (6) recording the C-PACE documentation as specified.

Requires local governments seeking to participate in the program to adopt a resolution with specified content included, such as (1) an authorization for the C-PACE program to operate within its jurisdictional boundaries and to offer C-PACE financing to willing and qualified property owners, (2) its intent to participate in the program and take associated actions, (3) designation of the department or employee that will execute the C-PACE documentation set, and (4) notice of the public hearing on the proposed program. Requires the local government to adopt a resolution stating participation in the program following a public hearing.

Details procedures governing special assessment under the C-PACE program, including State and local government immunity. Places sole enforcement responsibility upon the private capital provider. Further provides for foreclosure procedure, parameters, and lien priority, with the C-PACE lien being superior to all non-governmental liens on the property from the date on which the notice of the C-PACE lien was recorded, subject to mortgage holder consent. Details the effect of a C-PACE lien, deeming the lien to run with the land and reign superior to all non-governmental liens from the date of recordation, with other liens providing for accelerated payment deemed unenforceable as provided. Bars contesting matters regarding whether the improvement or project is a qualified improvement or qualified project, or financing procedural or substantive irregularities, following assessment recordation.

Provides a non-exhaustive list of permissible financing for assessments, including material and labor costs, permit fees, inspections fees, and capitalized interest. Restricts the term of financing to the useful life of an improvement or the weighted average useful life if multiple improvements are approved. Provides for financing negotiations and enforcement responsibilities.

Provides for prior consent of each holder of a mortgage or deed on the property securing indebtedness, required to be submitted to the administrator, which also acknowledges that the assessment is not an event of default under the terms of the mortgage or deed.

Prohibits the use of public funds pursuant to the Article. Prohibits local governments from conditioning local government permitting, licensing or other authorities upon the person entering into contract to repay the financing of a qualified project under the Article, or otherwise compel a property owner within the jurisdiction to do the same.

Specifies that financing arrangements can include direct purchases or contractual agreements.

Includes a severability clause.

Effective July 1, 2021.

Intro. by Johnson, Lazzara, Woodard.

[GS 160A](#)

[View summary](#)

[Agriculture, Banking and Finance, Business and Commerce, Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Local Government, Nonprofits](#)

GRADE CLASSROOM HAS A FULL-TIME TEACHER ASSISTANT AND EVERY THREE THIRD GRADE CLASSROOMS HAS A FULL-TIME TEACHER ASSISTANT.

Identical to [H 420](#), filed 3/25/21.

Appropriates from the General Fund \$271 million in recurring additional funds to the Department of Public Instruction (DPI) for the 2021-22 fiscal year. Provides for allocations of the funds to local school administrative units to provide the dollar equivalent of teacher assistance positions, with one teacher assistant for every class in kindergarten, first, and second grade, and one teacher assistant for every three classes in third grade. Requires distribution based on an estimated statewide average salary and benefits per position and an average class size of 21 students per classroom. Effective July 1, 2021.

Intro. by Nickel, Foushee, Robinson.

[APPROP](#)

[View summary](#)

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

S 360 (2021-2022) [PROHIBIT COLLUSIVE SETTLEMENTS BY THE AG](#). Filed Mar 25 2021, *AN ACT TO REQUIRE JOINT APPROVAL FROM THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE BEFORE THE ATTORNEY GENERAL MAY ENTER INTO A CONSENT JUDGMENT OR SETTLEMENT AGREEMENT IN A DISPUTE, CLAIM, OR CONTROVERSY IN WHICH THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE HAVE INTERVENED OR ARE OTHERWISE NAMED PARTIES.*

Enacts GS 114-2.2(a2) and GS 114-2.4(a2) to require joint approval of the Speaker of the House and the President Pro Tempore of the Senate before entry of a consent judgment, or proposed settlement agreements or other like agreements, when a dispute, claim, or controversy is challenging a statute or State constitutional provision and the Speaker and the President Pro Tempore have jointly intervened on behalf of the NCGA, or are otherwise jointly named in their official capacities as parties. Provides for joint consent by and through counsel of their choice. Effective October 1, 2021.

Intro. by Hise, Daniel, Newton.

[GS 114](#)

[View summary](#)

[Constitution, Courts/Judiciary, Civil, Civil Law, Government, General Assembly, State Government, Executive](#)

S 361 (2021-2022) [AUTHORIZE ANIMAL SHELTER TRANSFERS](#). Filed Mar 25 2021, *AN ACT TO AUTHORIZE TRANSFERS TO OTHER SHELTERS OR ANIMAL WELFARE ORGANIZATIONS AS A PERMISSIBLE DISPOSITION OF LOST OR SURRENDERED ANIMALS.*

Makes clarifying changes regarding the required actions of an Animal Control Officer under GS 130A-192 regarding animals not wearing required rabies vaccination tags. Allows for transfer of an animal to another animal shelter or animal welfare nonprofit organization when the animal is not reclaimed by its owner during the respective board of commissioner's impoundment period, which is statutorily required to be no less than 72 hours.

Similarly expands GS 19A-32.1 to allow for disposition of an animal surrendered to an animal shelter by an owner and not subsequently reclaimed during the minimum holding period by transfer to another animal shelter or animal welfare nonprofit organization.

Effective October 1, 2021.

Intro. by Lazzara, Perry, Sawyer.

[GS 19A, GS 130A](#)

[View summary](#)

[Animals, Government, Local Government, Health and Human Services, Health, Public Health, Nonprofits](#)

S 362 (2021-2022) [IIANC SPECIAL REGISTRATION PLATE](#). Filed Mar 25 2021, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE AN "INDEPENDENT INSURANCE AGENTS OF NORTH CAROLINA" SPECIAL REGISTRATION PLATE*.

Enacts new GS 20-79.4(b) as title indicates. Establishes a special plate fee of \$10 to be transferred to the Special Registration Plate Account. Makes a technical change to GS 20-79.7. Effective July 1, 2021.

Intro. by Johnson.

GS 20

[View summary](#)

[Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle](#)

S 363 (2021-2022) [UNIFORM PARTITION OF HEIRS PROPERTY ACT](#). Filed Mar 25 2021, *AN ACT TO ENACT THE UNIFORM PARTITION OF HEIRS PROPERTY ACT*.

Identical to [H 367](#), filed 3/23/21.

Adds new Part 4, Uniform Partition of Heirs Property Act, to Article 2 of GS Chapter 46A, providing as follows. Defines heirs property as real property held in tenancy in common that satisfies all of the following as of the filing of a partition proceeding: (1) there is no agreement in a record binding all the cotenants which governs the partition of the property; (2) one or more of the cotenants acquired title from a relative, whether living or deceased; and (3) 20% or more of the interests are held by cotenants who are relatives, 20% or more of the interests are held by an individual who acquired title from a relative, or 20% or more of the cotenants are relatives.

Requires a court, in a proceeding to partition real property under Article 2 of GS Chapter 46A to determine whether the property is heirs property; if such a determination is made, then the property must be partitioned under this Part unless all of the cotenants agree otherwise in a record. Sets out the procedure for notice by posting when a petitioner in a partition proceeding seeks authorization for notice by publication and the court decides that the property may be heirs property.

Requires any commissioners appointed to partition the property by the court to be disinterested and impartial and not a party to or a participant in the proceeding.

Requires the court, if it determines that the property that is the subject of a partition proceeding is heirs property, to determine the fair market value of the property by ordering an appraisal. Requires the court, however, to adopt a valuation or use another method of valuation when it has been agreed to by all cotenants. Provides that if the court determines that the evidentiary value of an appraisal is outweighed by the cost of the appraisal, the court must determine the fair market value of the property, after an evidentiary hearing, and send notice to the parties. Sets out the procedure to be followed when an appraisal is conducted.

Requires the court, when any cotenant requested partition by sale, after the determination of value, to send notice that any cotenant except one requesting partition by sale, may buy all of the interests of the cotenants making the request. Allows any cotenant, except the one requesting partition by sale, to give notice to the court no later than 45 days after the notice is sent stating that they elect to buy all interest of the cotenant requesting partition by sale. Sets out the process for determining the purchase price. Sets out procedures that apply at the end of the 45 days, varying based on how many of the cotenants (including, none) elect to buy the interests of the cotenant requesting partition by sale, including setting deadlines by which the electing cotenants must pay their apportioned price. Allows a cotenant who is entitled to buy an interest to request, no later than 45 days after the court sends notice to the parties, that the court authorize the sale as part of the pending proceeding of the interests of cotenants named as respondents and served with the complaint but that did not appear in the proceeding; allows the court to deny the request or authorize the requested additional sale on fair and reasonable terms, subject to the stated limitations.

Provides that when all the interests of all cotenants that requested partition by sale are not purchased by other cotenants, or if, after conclusion of the buyout, a cotenant remains that has requested partition in kind, the court must order partition in kind unless the court, after consideration of all seven listed factors, finds that partition in kind will result in substantial injury to the cotenants as a group. Requires that when the court does not order partition in kind, the court must order partition by sale or, if

no cotenant requested partition by sale, the court is required to dismiss the proceeding. Sets out the processes to be followed when the court orders partition in kind.

Requires that when the court orders a sale of heirs property, the sale must be an open-market sale unless the court finds that a sale by sealed bids or an auction would be more economically advantageous and in the best interest of the cotenants as a group. Sets out the procedures to be followed for an open-market sale, including the appointment of a real estate broker when one is not agreed upon; procedures to be followed depending on whether or not the broker receives an offer to purchase in a reasonable time; and requirements for the broker to report to the court. Sets out requirements for when the court orders a sale by sealed bids or an auction.

Provides that in applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it. Sets out how this new Part relates to the Electronic Signature in Global and National Commerce Act.

Makes conforming changes to GS 46A-26.

Applies to petitions for partition filed on or after January 1, 2022.

Intro. by McInnis, Perry, Woodard.

[GS 46A](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Property and Housing](#)

S 364 (2021-2022) [AUTOMATIC VOTER REGISTRATION](#). Filed Mar 25 2021, *AN ACT TO PROVIDE FOR AUTOMATIC VOTER REGISTRATION AT DRIVERS LICENSE OFFICES, PUBLIC AGENCIES, COMMUNITY COLLEGES, AND COLLEGES AND UNIVERSITIES OF THE UNIVERSITY OF NORTH CAROLINA AND TO REQUIRE THE STATE BOARD OF ELECTIONS TO IMPLEMENT AN OUTREACH CAMPAIGN INFORMING CITIZENS ABOUT AUTOMATIC VOTER REGISTRATION.*

Amends GS 163-82.3 and GS 163-82.6 authorizing county boards of elections to accept automatic voter registration.

Amends GS 163-82.19 to require, beginning January 1, 2022, the Division of Motor Vehicles, in consultation with the State Board of Elections, to develop and implement a method by which eligible individuals shall be automatically registered to vote. Requires DMV officials taking driver's license applications to affirmatively inquire whether the applicant wishes to register to vote or update their registration, note the applicant's response, and register the applicant to vote if the applicant wishes. The applicant must attest to the information provided for voter registration. Confidentiality of voter information must be maintained by the State Board of Elections.

The above provisions are effective January 1, 2022.

Amends GS 163-82.20 to require, beginning January 1, 2023, voter registration agencies (which include state offices that accept applications for public assistance, services for persons with disabilities, and unemployment benefits) to provide, in consultation with the State Board of Elections, an application process for automatic voter registration with each recertification, renewal, or change of address relating to the service or assistance of the agency. Specifies certain procedural requirements substantially similar to those provided for in GS 163-82.19, as amended. Does not require an agency to provide automatic voter registration to a person with a disability at the person's home. Requires electronic transmittal of applications to the appropriate board of elections.

Amends GS 163-82.20A to authorize automatic voter registration at the time of restoration of citizenship, effective January 1, 2022. Further amends the statute to authorize online voter registration at the time of restoration of citizenship, effective January 1, 2023.

Amends GS 115D-5 and GS 116-11 to require, beginning January 1, 2023, the State Board of Community Colleges and the UNC Board of Governors, in consultation with the State Board of Elections, to provide each person enrolled and registering for courses as a student at a State community college or a State college or university in the UNC System the option for automatic voter registration. Specifies certain procedural requirements substantially similar to those provided for in GS 163-82.19 and GS 163-82.20, as amended. Provides that applications to register accepted by a State community college or

constituent institution of UNC entitles a registrant to vote in any primary, general, or special election unless the registrant made application later than the 25th calendar day immediately preceding the election; permits continuing acceptance of applications during that period.

The above provisions are effective January 1, 2023.

Requires the State Board of Elections to develop education and outreach programs to inform voters of automatic registration procedures established by the act.

Intro. by Woodard, Batch, Clark.

GS 115D, GS 116, GS 163

[View summary](#)

Government, Elections, State Agencies, Community Colleges System Office, UNC System, Department of Health and Human Services, State Board of Elections, Local Government, Health and Human Services, Social Services, Public Assistance, Transportation

S 365 (2021-2022) [OPEN VENUES FOR RECEPTIONS AND PARTIES](#). Filed Mar 25 2021, *AN ACT TO AUTHORIZE MEETING SPACES, MEETING OR RECEPTION VENUES, AND ENTERTAINMENT FACILITIES, FOR RECEPTIONS OR PARTIES, TO RESUME OPERATIONS.*

Authorizes meeting spaces, meeting or reception venues, and entertainment facilities, for receptions or parties, to open and resume operations notwithstanding a state of emergency declared by the Governor or a city or county related to the COVID-19 public health emergency.

Establishments allowed to open and resume operation are subject to the following requirements: (1) the establishment was in existence and lawfully operating on March 10, 2020; (2) capacity is limited to 50% of authorized fire capacity, 12 people per 1,000 square feet, or 300 people, whichever is less; (3) employees must have daily temperature checks; employees with fevers of 100.4 degrees or higher are prohibited from entering the establishment; (4) all guests must have temperature checks; guests with fevers of 100.4 or higher are prohibited from entering the establishment; (5) employees must wear face masks and gloves; guests are encouraged to wear face masks; (6) food self-service or buffet options prohibited; (7) hand sanitizer must be available throughout the establishment; (8) the establishment must maintain and enforce social distancing recommended by the CDC and NC Department of Health and Human Services; (9) the establishment must comply with all NC Division of Public Health rules applicable to restaurants; (10) employees conduct frequent cleaning at specified intervals; (11) signage must be posted to remind guests and employees of social distancing and sanitizing requirements; and (12) the establishment must collect and retain guest contact information for 15 days after the event.

Effective when the act becomes law and expires when any applicable state of emergency affecting establishment operations expires or are otherwise terminated to permit venues for receptions and parties to open for full unrestricted use.

Intro. by Alexander, Perry, Johnson.

UNCODIFIED

[View summary](#)

Government, Public Safety and Emergency Management, State Government, Executive, Health and Human Services, Health, Public Health

LOCAL/HOUSE BILLS

H 412 (2021-2022) [HAYWOOD COUNTY/BRYSON CITY OCCUPANCY TAXES](#). Filed Mar 25 2021, *AN ACT TO INCREASE THE OCCUPANCY TAX RATE AUTHORIZED FOR HAYWOOD COUNTY AND TO AUTHORIZE THE TOWN OF BRYSON CITY TO LEVY AN OCCUPANCY TAX.*

Amends Part V of SL 1983-908, as amended, which concerns the Haywood County occupancy tax as follows. No longer excludes accommodations furnished by nonprofit charitable, educational, benevolent, or religious organizations from the occupancy tax. Adds that the Haywood County Board of Commissioners may levy a room occupancy and tourism development tax of 2% of the gross receipts derived from the rental of accommodations taxable under Sections 10 (2% occupancy tax), 10.1 (first additional 1% occupancy tax), and 10.2 (second additional 1% occupancy tax). Prohibits levying this tax unless it also levies those other three taxes. Requires that the levy, collection, administration, and repeal of this tax and the use of revenue from this tax be in accordance with Part V. Requires that the tax proceeds be used to construct one or more of the following: sports parks, a new amphitheater, or a convention center.

Authorizes the Bryson City Town Board of Aldermen to levy a room occupancy tax of up to 2%. Provides that the tax must be levied, administered, collected, and repealed as provided in GS 160A-215 (uniform provisions for room occupancy taxes). Requires the Bryson City Tourism Development Authority (TDA) to use at least two-thirds of the occupancy tax proceeds to promote travel and tourism in Bryson City and the remainder for tourism related expenditures. Requires the Bryson City Town Board of Aldermen to adopt a resolution creating the TDA when it adopts the resolution levying the tax. Makes the TDA a public authority under the Local Government Budget and Fiscal Control Act. Requires at least one-third of the TDA's members be affiliated with businesses that collect the tax in the town, and at least one-half of the members be currently active in the promotion of travel and tourism in the town. Sets out the TDA's duties and reporting requirements.

Intro. by Pless, Clampitt.

[Haywood, Swain](#)

[View summary](#)

[Government, Tax](#)

H 416 (2021-2022) [PARK SOUTH STATION TRAFFIC CITATIONS](#). Filed Mar 25 2021, *AN ACT TO ALLOW SWORN LAW ENFORCEMENT OFFICERS CONTRACTED BY THE PARK SOUTH STATION RESIDENTIAL COMMUNITY TO ISSUE CITATIONS FOR TRAFFIC VIOLATIONS OCCURRING WITHIN THE COMMUNITY*.

Allows sworn law enforcement officers contracted by the Park South Station residential community in Charlotte, to issue citations under GS 15A-302 (allowing a law enforcement officer to issue a citation to any person the officer has probable cause to believe has committed a misdemeanor or infraction) for violations under GS Chapter 20 (Motor Vehicles) that occur on the community's private roadways.

Intro. by Autry, Howard, Belk.

[UNCODIFIED, Mecklenburg](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle](#)

H 421 (2021-2022) [CHARLOTTE CITIZENS REVIEW BRD SUBPOENA POWER](#). Filed Mar 25 2021, *AN ACT TO GRANT CERTAIN SUBPOENA POWER TO THE CITY OF CHARLOTTE CITIZENS REVIEW BOARD*.

Identical to [S 193](#), filed 3/8/21.

Amends GS 160A-168 to authorize the chair, vice-chair acting as the chair, or majority of the Board to subpoena witnesses and compel the production of evidence in the police disciplinary process, as title indicates. Applies to Charlotte only.

Intro. by Autry, Harris, Belk, Brown.

[Mecklenburg](#)

[View summary](#)

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

H 422 (2021-2022) [2ND AMENDMENT PROTECTION ACT/CERTAIN COUNTIES](#). Filed Mar 25 2021, *AN ACT TO PROVIDE THAT A PERSON WHO HAS A CONCEALED CARRY HANDGUN PERMIT MAY CARRY A HANDGUN ON EDUCATIONAL*

PROPERTY THAT IS THE LOCATION OF BOTH A SCHOOL AND A PLACE OF RELIGIOUS WORSHIP AND TO ENACT THE 2ND AMENDMENT PROTECTION ACT OF 2021.

Part I.

Amends GS 14-269.2, which prohibits weapons on campus or other educational property, with listed exceptions. Adds a new subsection providing that the statute does not apply to a person with a valid concealed handgun permit, or a person who is exempt from obtaining a permit, if: (1) the person possesses and carries a handgun on educational property other than an institution of higher education or a nonpublic, postsecondary education institution; (2) the educational property is the location of both a school and a building that is a place of religious worship; (3) the weapon is a handgun; (4) the handgun is only possessed and carried on educational property outside of the school operating hours; and (5) the person(s) in legal possession or control of the premises must not have posted a conspicuous notice prohibiting the carrying of a concealed handgun on the premises in accordance with GS 14-415.11(c). Deems property owned by a local board of education or county commission not a building that is a place of worship as the term is used under the new subsection. Adds to the statute's defined terms school operating hours, defined to include any time when the premises are being used for curricular or extracurricular activities, are being used for educational, instructional, or school-sponsored activities, or being used for programs for minors or entities not affiliated with the religious institution.

Makes conforming changes to GS 14-415.11(c) to provide for the exception to GS 14-269.2(k1). Adds to GS 14-415.11(c) to prohibit concealed carry permit holders from carrying in areas prohibited by GS 14-269.3 (*Carrying weapons into assemblies and establishments where alcoholic beverages are sold and consumed*) and GS 14-277.2 (*Weapons at parades, etc., prohibited*).

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

Part II.

Amends GS 14-415.16 to require rather than allow sheriffs to waive the requirement of taking another firearms safety and training course if a concealed carry permittee applies for permit renewal no more than 60 days after permit expiration. Adds new provisions to require sheriffs to waive the same requirement if the permittee applies for permit renewal after 60 days but within 180 days of permit expiration, if the permittee completes and submits documentation of completion of a refresher course on the state laws governing firearm use and safety certified or sponsored by the NC Criminal Justice Education and Training Standards Commission (Commission), the National Rifle Association (NRA), or a law enforcement agency, college, institution or organization, or firearms training school, taught by instructors certified by the Commission or the NRA.

Applies to renewal applications submitted on or after October 1, 2021.

Part III.

Amends GS 14-415.27 to allow a person with a concealed handgun permit to carry a concealed handgun in a law enforcement facility if the person is employed by a law enforcement agency who (1) is not a law enforcement officer sworn and certified pursuant to Article 1 of GS Chapter 17C or GS Chapter 17E, (2) has been designated in writing by the head of the law enforcement agency in charge of the facility, (3) has in the person's possession written proof of the designation, and (4) has not had the designation rescinded. Applies to offenses committed on or after July 1, 2021.

Part IV.

Amends GS 14-269 to add to the persons exempted from the prohibition against carrying concealed weapons. Exempts emergency medical services personnel while on duty who are deployed as part of their official duties providing tactical medical assistance to law enforcement in a SWAT operation. Qualifies the exemption of medical services personnel upon the completion of an approved tactical medical assistance course for supporting law enforcement operations. Details course requirements and also requires the course to be certified or sponsored by at least one of the following: the NC Criminal Justice Education and Training Standards Commission (Commission); the National Rifle Association (NRA); or a law enforcement agency, college, institution or organization, or firearms training school taught by instructors certified by the Commission or the NRA. Requires every instructor of an approved course to file course information, including proof of certification, annually with the Commission, or following any course modification.

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

Part V.

Limits the scope of the act to the following counties only: Iredell, Lenoir, Beaufort, Craven, Pender, Columbus, Lincoln, and Yadkin.

Intro. by McNeely.

Beaufort, Columbus, Craven, Iredell, Lenoir, Lincoln, Pender, Yadkin, GS 14

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, Health and Human Services, Health, Health Care Facilities and Providers

H 423 (2021-2022) [EMER. MGT./POWERS/YADKIN/IREDELL COUNTIES](#). Filed Mar 25 2021, *AN ACT TO RESTRICT THE APPLICATION OF CERTAIN EMERGENCY MANAGEMENT ACT POWERS TO THE COUNTIES OF YADKIN AND IREDELL.*

Requires concurrence from the Council of State or a majority vote of Yadkin County Board of Commissioners for the application of powers to Yadkin County, or by a majority vote of the Iredell County Board of Commissioners for the application of powers to Iredell County, in order for the Governor to exercise his powers under GS 166A-19.30(c), which sets out specified additional powers of the Governor during a gubernatorially or legislatively declared state of emergency when the Governor has determined that local control of the emergency is insufficient to assure adequate protection for lives and property. Defines concurrence of Council of State to mean consensus, within 48 hours of contact, of a majority of the Council of State prior to the Governor exercising a power or authority requiring a concurrence of the Council of State. Requires the county board of commissioners to adopt a resolution introduced by a member of the Board during a regular or special Board meeting that states those powers as exercised under GS 166-19.30(c) by the Governor apply to that county. Allows a person who resides in the jurisdiction of a county that brings an action for declaratory or injunctive relief arising from a case or controversy from the application of this act to a county to file the action and be heard in the superior court of the county in which the claim for relief arises. Applies to the exercise of power under a state of emergency declared by the Governor or North Carolina General Assembly existing on or after the date that the act becomes law. Sets any power exercised under a state of emergency by the Governor existing on that date and applicable to Yadkin and Iredell Counties to expire two calendar days after this act becomes law, unless a concurrence of the Council of State is sought and received in accordance with this act or approved by a majority of the members of the Yadkin or Iredell County Board of Commissioners (as the powers relate to that county).

Intro. by McNeely.

Iredell, Yadkin

[View summary](#)

Government, Public Safety and Emergency Management, State Government, Executive

ACTIONS ON BILLS

PUBLIC BILLS

H 36: PROTECT THOSE WHO SERVE AND PROTECT ACT.

House: Passed 2nd Reading

House: Passed 3rd Reading

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

Senate: Reptd Fav

H 68: GSC LICENSING BOARDS AND COMM'NS/RULE CRIMES.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 70: HISTORIC SCHOOL PRESERVATION ACT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 73: TEMPORARILY WAIVE ABC PERMIT RENEWAL FEES.

Senate: Withdrawn From Com

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

H 110: INCREASE BUILDING PERMIT EXEMPTION THRESHOLD.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 130: EAST COAST GREENWAY/STATE TRAILS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 132: JUVENILE CODE REV'S/CIP RECOMMENDATIONS.-AB

House: Passed 2nd Reading

House: Passed 3rd Reading

H 136: ENCOURAGE HEALTHY NC FOOD IN SCHOOLS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 141: PROMOTE NORTH CAROLINA SAWMILLS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Judiciary 1

H 148: SBI EMERGENCY PEN REGISTER/TRAP AND TRACE.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 161: ADDRESS ABANDONED AND DERELICT VESSELS.-AB

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 181: WILDLIFE RESOURCES COMM'N. AMENDMENTS.-AB

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

House: Serial Referral To Finance Added

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

H 183: JUV. COURT COUNSELORS/SENSITIVITY TRAINING.-AB

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 205: ABUSE & NEGLECT RESOURCES IN PUBLIC SCHOOLS.

House: Passed 2nd Reading

House: Passed 3rd Reading

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

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 219: AMEND WATER/SEWER RATE ADJUSTMENT MECHANISMS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 224: OCCUPATIONAL THERAPY INTERSTATE COMPACT.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 238: PROHIBIT POSSESSION OF SKIMMING DEVICE.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 243: UNC LEGISLATIVE PRIORITIES/COVID-19 IMPACTS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 270: PROHIBIT RENAMING OF FAYETTEVILLE STATE.

House: Reptd Fav

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

H 271: EMINENT DOMAIN.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 320: MODERNIZE REMOTE BUSINESS ACCESS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 356: SPEAKER/PPT APPOINTMENTS 2021.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref Com On Select Committee on Nominations

H 366: REGULATORY REFORM ACT OF 2021.

House: Reptd Fav Com Substitute

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

H 374: MAKE LEGISLATORS' DOCS PUBLIC RECORDS.

House: Passed 1st Reading

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

H 376: SCHOOL CALENDAR FLEXIBILITY.

House: Passed 1st Reading

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

H 377: RESTORE EDUCATIONAL SALES TAX HOLIDAY.

House: Passed 1st Reading

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

H 379: FULL DISCLOSURE OF PRINTER COSTS.

House: Passed 1st Reading

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

H 380: MODIFY CERTAIN DV PROTECTIVE ORDER PROVISIONS.

House: Passed 1st Reading

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

H 382: HOSPITAL ED CARE/MEDICAID BEHAV. HEALTH SER.

House: Passed 1st Reading

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

H 383: MEDICAID MODERNIZED HOSPITAL ASSESSMENTS.

House: Passed 1st Reading

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

H 384: FIBER NC ACT.

House: Passed 1st Reading

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

H 389: NORTH CAROLINA INNOVATIONS WAIVER ACT OF 2021.

House: Passed 1st Reading

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

H 391: DENTAL PATIENT TRANSPARENCY 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 392: RET. SVC. PURCHASE/OMITTED MEMBERSHIP SERVICE.

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 395: EXTEND DEADLINES FOR MANDATORY HIE PARTICIP.

House: Passed 1st Reading

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

H 398: PISTOL PERMIT PURCHASE MODIFICATIONS.

House: Passed 1st Reading

House: Ref to the Com on Judiciary 4, if favorable, Rules, Calendar, and Operations of the House

H 401: INCREASE HOUSING OPPORTUNITIES.

House: Passed 1st Reading

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

H 402: BEGIN MODERNIZING IGNITION INTERLOCK LAWS.

House: Passed 1st Reading

House: Ref to the Com on Judiciary 2, if favorable, Transportation, if favorable, Rules, Calendar, and Operations of the House

H 403: CLARIFY MOTOR VEHICLE FRANCHISE LAWS.

House: Passed 1st Reading

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

H 404: IMMUNITY FOR 911 DISPATCHERS.

House: Passed 1st Reading

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

H 410: REPEAL CERTIFICATE OF NEED LAWS.

House: Filed

H 411: DRIVING WITHOUT INSURANCE/TOW VEHICLE.

House: Filed

H 413: IMPROVE DEBT COLLECTION UPON VEHICLE REG.

House: Filed

H 414: LPA TRANSACTION RATES AND COMPENSATION.

House: Filed

H 415: UPDATE CHIROPRACTIC LAWS.

House: Filed

H 417: THE SERGEANT MICKEY HUTCHENS ACT.

House: Filed

H 418: THREATEN LEO OR CORRECTIONAL OFFICER.

House: Filed

H 419: DISPOSITION OF UNCLAIMED OR SEIZED FIREARMS.

House: Filed

H 420: K-3 READING AND LITERACY IMPROVEMENT ACT.

House: Filed

H 424: JUVENILES/ELIMINATE LWOP/PAROLE ELIGIBILITY.

House: Filed

H 425: DEVELOPMENT REGULATIONS/MULTIJURISDICTION.

House: Filed

H 426: INDEPENDENT REDISTRICTING PROCESS.

House: Filed

H 427: FIREARM SAFE STORAGE AWARENESS INITIATIVE.

House: Filed

S 114: DES COVID MODIFICATIONS AND TECHNICAL CHANGES.

House: Withdrawn From Cal

House: Added to Calendar

House: Passed 2nd Reading

House: Placed On Cal For 03/30/2021

S 146: TELEDENTISTRY/RDH ADMIN. LOCAL ANESTHETIC.

Senate: Reptd Fav

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

S 148: WASTEWATER SYSTEM PERMIT EXTENSION.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 173: OCCUPATIONAL THERAPY INTERSTATE COMPACT.

Senate: Reptd Fav

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

S 191: THE NO PATIENT LEFT ALONE ACT.

Senate: Withdrawn From Com

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

S 196: GSC SALE OF PROPERTY AMENDMENTS.

Senate: Withdrawn From Com

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

S 197: GSC TRUSTS & ESTATES AMENDMENTS.

Senate: Withdrawn From Com

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

S 198: GSC GOOD FUNDS SETTLEMENT/COMM. RECEIVERSHIP.

Senate: Withdrawn From Com

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

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 211: AMEND WATER/SEWER RATE ADJUSTMENT MECHANISMS.

Senate: Reptd Fav

S 224: STEVE TROXLER AGRICULTURAL SCIENCES CENTER.

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 248: DENTAL PATIENT TRANSPARENCY ACT.

Senate: Withdrawn From Com

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

S 255: 2021 AOC LEGISLATIVE CHANGES.-AB

Senate: Reptd Fav

S 257: MEDICATION COST TRANSPARENCY ACT.

Senate: Withdrawn From Com

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

S 270: INSURANCE TECHNICAL CHANGES.

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

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

Senate: Withdrawn From Com

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

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 301: EXPAND EXPUNCTION ELIGIBILITY.

Senate: Reptd Fav

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

Senate: Withdrawn From Com

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

S 312: CLARIFY EMERGENCY POWERS.

Senate: Withdrawn From Com

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

S 315: ALLOW SELF-INSURANCE AS PROOF OF FIN. RESP.

Senate: Withdrawn From Com

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

S 323: JOINT MUNICIPAL POWER AGENCIES/INVESTMENTS.

Senate: Withdrawn From Com

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

S 328: CONFIRM LT. GEN. WALTER GASKIN/SEC. DMVA.

Senate: Reptd Fav

Senate: Re-ref Com On Select Committee on Nominations

S 342: CLARIFY MOTOR VEHICLE FRANCHISE LAWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 343: REVISE VEHICLE SALE LAWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 344: FUNDS/WORKFORCE DEVELOPMENT HOSPITALITY.

Senate: Passed 1st Reading

Senate: RefTo 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 345: PA - TEAM-BASED PRACTICE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 346: EMERGENCY MANAGEMENT ACT REVISIONS.

Senate: Passed 1st Reading

Senate: RefTo 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 347: CAPTIVE INSURANCE AMENDMENTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

Senate: Withdrawn From Com

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

S 348: REGULATION OF RAILROAD CREWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 349: INCREASE HOUSING OPPORTUNITIES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 350: NORTH CAROLINA INNOVATIONS WAIVER ACT OF 2021.

Senate: Filed

S 351: BE PRO BE PROUD NC PILOT PROGRAM.

Senate: Filed

S 352: FAYETTEVILLE MLK PARK/FUNDS.

Senate: Filed

S 353: MODERNIZATION OF DRUG COURT PROGRAM.

Senate: Filed

S 354: RESTORE FUNDING/STATE CONSERVATION PURPOSES.

Senate: Filed

S 355: GOVERNMENT TRANSPARENCY ACT OF 2021.

Senate: Filed

S 356: PERMANENCY INNOVATION INITIATIVE/FUNDS.

Senate: Filed

S 357: HELPING CONSUMERS IN CRISIS ACT.

Senate: Filed

S 358: C-PACE PROGRAM.

Senate: Filed

S 359: K-3 READING AND LITERACY IMPROVEMENT ACT.

Senate: Filed

S 360: PROHIBIT COLLUSIVE SETTLEMENTS BY THE AG.

Senate: Filed

S 361: AUTHORIZE ANIMAL SHELTER TRANSFERS.

Senate: Filed

S 362: IIANC SPECIAL REGISTRATION PLATE.

Senate: Filed

S 363: UNIFORM PARTITION OF HEIRS PROPERTY ACT.

Senate: Filed

S 364: AUTOMATIC VOTER REGISTRATION.

Senate: Filed

S 365: OPEN VENUES FOR RECEPTIONS AND PARTIES.

Senate: Filed

LOCAL BILLS

H 94: GRAHAM COUNTY OCCUPANCY TAX.

House: Passed 3rd Reading

H 143: SWAIN COUNTY SHERIFF VACANCIES.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 164: GREENSBORO/DEANNEXATION.

House: Passed 3rd Reading

H 375: FRANKLINVILLE/LIBERTY/RAMSEUR/ANNEXATIONS.

House: Passed 1st Reading

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

H 378: DURHAM/REDUCE SPEED LIMITS.

House: Passed 1st Reading

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

H 381: EQUAL ACCESS FOR EQUESTRIANS/CERTAIN LANDS.

House: Passed 1st Reading

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

H 385: TOWN OF SUNSET BEACH/DEANNEXATION.

House: Passed 1st Reading

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

H 386: SUNNY POINT RAILROAD RESTRICTIONS.

House: Passed 1st Reading

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

H 387: FLEXIBILITY IN FILLING VACANCIES/DURHAM.

House: Passed 1st Reading

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

H 388: DURHAM/ELECTRONIC SCHOOL ZONES.

House: Passed 1st Reading

House: Ref to the Com on Local Government, if favorable, Judiciary 1, if favorable, Transportation, if favorable, Education - K-12, if favorable, Rules, Calendar, and Operations of the House

H 390: SCHOOL CALENDAR FLEXIBILITY/CERTAIN SYSTEMS.

House: Passed 1st Reading

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

H 393: HEALTH INS./FORMER CITY COUNCIL/GREENSBORO.

House: Passed 1st Reading

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

H 394: DELAY CMS BOARD ELECTIONS/CENSUS DELAY.

House: Passed 1st Reading

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

H 396: ADDRESS PANDEMIC LEARNING LOSS/SELECT SYSTEMS.

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 397: YANCEY COUNTY OCCUPANCY TAX INCREASE.

House: Passed 1st Reading

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

H 399: ASHEVILLE/LAW ENFORCEMENT CIVILIAN REVIEW BOARD.

House: Passed 1st Reading

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

H 400: ASHEVILLE CITY SCH. BD. APPT/ELECTIONS.

House: Passed 1st Reading

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

H 412: HAYWOOD COUNTY/BRYSON CITY OCCUPANCY TAXES.

House: Filed

H 416: PARK SOUTH STATION TRAFFIC CITATIONS.

House: Filed

H 421: CHARLOTTE CITIZENS REVIEW BRD SUBPOENA POWER.

House: Filed

H 422: 2ND AMENDMENT PROTECTION ACT/CERTAIN COUNTIES.

House: Filed

H 423: EMER. MGT./POWERS/YADKIN/IREDELL COUNTIES.

House: Filed

S 225: AUTRYVILLE ANNEXATION.

Senate: Withdrawn From Com

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

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