



The Daily Bulletin: 2021-03-31

PUBLIC/HOUSE BILLS

H 82 (2021-2022) [SUMMER LEARNING CHOICE FOR NC FAMILIES](#). Filed Feb 15 2021, *AN ACT TO ESTABLISH SCHOOL EXTENSION LEARNING RECOVERY AND ENRICHMENT PROGRAMS IN EACH LOCAL SCHOOL ADMINISTRATIVE UNIT TO MITIGATE THE IMPACTS OF COVID-19 ON AT-RISK STUDENTS*.

Senate committee substitute makes the following changes to the 4th edition.

Part I.

Adds authority for year-round schools to offer a school extension learning recovery and enrichment program (program), as previously described, during vacation periods in the instructional calendar through October 1, 2021. Revises program requirements regarding voluntary participation by at-risk students to require, for students retained for the 2021-22 school year, the student's principal to reassess the student's promotion eligibility upon completion of the program (previously referenced students who are at-risk for retention).

Adds the following provisions to the program's employment provisions. Requires local boards to offer a signing bonus of at least \$1,200 to any teacher who has received a past teaching bonus for reading in grades 3-5 or math in grades 4-8, or has received National Board for Professional Teaching Standards Certification. Encourages local boards to incentivize teachers to participate in the program. Additionally requires local boards to provide a performance bonus of at least \$150 per student for a teacher who provided instruction during the program for each student not demonstrating reading proficiency on the third-grade end-of-grade reading assessment assigned to that teacher who became proficient in reading after completing the program, as demonstrated by an alternative assessment. Changes the sunset of the program's employment provisions to October 1, 2021 (was August 1, 2021).

Eliminates the exemption for the program from class size restrictions.

Authorizes administrative units to use funds allocated for reading camps for the 2020-21 fiscal year to also support the operation of reading instruction for 1-3 grade students in the program (previously more generally authorized to use the funds to support the program's operation). Adds a new provision barring use of the funds for enrichment activities.

No longer limits legislative intent to use reserved ESSER II funds for enrichment programs to those in the summer.

Eliminates the provisions allowing program participation by students not enrolled in the administrative unit.

Adds the following. Directs the State Board of Education (State Board) to make available to administrative units a single competency-based assessment per grade and subject for K-8 grade students that can be taken at the beginning and conclusion of the program. Requires the State Board to use available funds. Requires each local board to ensure that the results of all competency-based assessments administered to a student be provided to all teachers of record for that student for the 2021-22 school year.

Makes technical changes to refer to results of competency-based assessment rather than competency-based assessments at the beginning and conclusion of the program in the required content of administrative unit reports.

Eliminates the provisions of previous Part II., which enacted GS 115C-174.23 to establish innovative benchmark assessments. Makes conforming changes.

Changes the act's long title.

Intro. by Moore, Elmore, Torbett, Zenger.

[View summary](#)

[Development, Land Use and Housing, Education, Elementary](#)

**and Secondary Education, Employment and Retirement,
Government, State Agencies, Department of Public
Instruction, State Government, State Personnel**

H 159 (2021-2022) **EDUCATION LAW CHANGES.-AB** Filed Feb 24 2021, *AN ACT TO MAKE VARIOUS CHANGES TO EDUCATION LAWS.*

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

Eliminates the provisions of previous Part I., which provided for a one time \$350 bonus for teachers employed in a school for students with visual and hearing impairments. Eliminates accompanying appropriations. Makes conforming organizational changes

Further amends GS 115C-302.1 (previously in Part II., now organized as Part I.) to authorize local school administrative units to fulfill the teacher salary installment requirements through a payroll deduction plan.

Amends the act's long title.

Intro. by Torbett, Blackwell.

APPROP, GS 115C

[View summary](#)

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

H 212 (2021-2022) **SOCIAL SERVICES REFORM.** Filed Mar 3 2021, *AN ACT TO IMPLEMENT VARIOUS PROVISIONS RELATED TO SOCIAL SERVICES REFORM AND TO REPEAL CERTAIN CHANGES TO THE ADOPTION LAWS.*

House committee substitute amends the 2nd edition as follows.

Section 5

Further amends Section 1.2 of SL 2017-41, which, as amended, proposes the continuance of the work of the Social Services Regional Supervision and Collaboration Working Group (SSWG) convened by UNC School of Government in October of 2017 at the direction of Section 1.2. Changes the duties of the SSWG during State Two to include developing a vision that identifies general benefits and challenges for counties that choose to transition from a county-administered system to a regionally administered system (no longer including developing a vision for transitioning the State from county-administered to a regionally administered system that includes identifying general benefits and challenges associated with making such a transition).

Intro. by Stevens, Blackwell, White.

APPROP, STUDY, GS 108A

[View summary](#)

**Courts/Judiciary, Civil, Family Law, Court System,
Government, Budget/Appropriations, State Agencies, UNC
System, Department of Health and Human Services,
Department of Justice, Local Government, Health and Human
Services, Social Services, Child Welfare**

H 220 (2021-2022) **ASSURING CHOICE OF ENERGY SERVICE.** Filed Mar 3 2021, *AN ACT TO LIMIT CITIES AND COUNTIES FROM PROHIBITING CONSUMER CHOICE OF ENERGY SERVICE BASED UPON THE TYPE OR SOURCE OF ENERGY TO BE DELIVERED.*

House amendment makes the following changes to the 3rd edition.

Amends proposed GS 160A-205.4, applicable to cities, and GS 153A-145.8, applicable to counties, to refer to "energy source" rather than "power" throughout. Adds to the statutes governing the establishment of territorial rights which electricity distribution under either statute must comply, to include GS 160A-332.

Intro. by Arp, Miller, Saine, Szoka.

[GS 10A, GS 153A, GS 160A](#)

[View summary](#)

Government, Local Government, Public Enterprises and Utilities

H 235 (2021-2022) [EVIDENCE/DIST. CT SPEEDY TRIALS](#). Filed Mar 8 2021, *AN ACT TO ELIMINATE UNNECESSARY DELAY OF CRIMINAL PROCEEDINGS IN DISTRICT COURT BY PERMITTING THE REMOTE TESTIMONY OF CERTAIN WITNESSES USING TECHNOLOGY AND PROCEDURES THAT PROTECT THE RIGHTS OF DEFENDANTS AND ADVANCE THE EFFICIENT ADMINISTRATION OF JUSTICE.*

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

Adds to and modifies the proposed changes to GS 15A-1225.3 regarding forensic analyst remote testimony. Adds *district court proceeding* to the defined terms, defined to mean any hearing or trial in district court in a prosecution of a person charged with violating state criminal law. Restricts the defined term *criminal proceeding* to superior court hearings and trials. Specifies that the existing authority for remote testimony set forth in subsection (b) is limited to criminal proceedings. Makes changes to proposed subsection (b1) to specify that the authorized remote testimony applies to district court proceedings (previously, referred to criminal proceedings in district court). Makes conforming and clarifying changes.

Adds to the proposed changes to GS 20-139.1 regarding chemical analyst remote testimony. Specifies that the authority granted in existing subsection (c5) applies to administrative hearings and superior court proceedings, subject to specified restrictions in existing law. Makes clarifying changes to specify that the authorized remote testimony set forth in new subsection (c6) applies to district court. Makes conforming organizational changes.

Intro. by Arp, Blackwell, C. Smith, Bell.

[GS 8, GS 20](#)

[View summary](#)

Courts/Judiciary, Evidence, Motor Vehicle, Criminal Justice, Criminal Law and Procedure

H 261 (2021-2022) [RAISE MIN. AGE/JUVENILE JURISDICTION](#). Filed Mar 10 2021, *AN ACT TO MODIFY THE DEFINITIONS OF DELINQUENT JUVENILE AND UNDISCIPLINED JUVENILE TO INCLUDE ONLY JUVENILES AT LEAST TEN YEARS OF AGE AND TO MODIFY THE MINIMUM AGE OF JUVENILE JURISDICTION.*

House committee substitute amends the 1st edition as follows.

Eliminates the proposed repeal of GS 7B-1903(f), which prohibits using physical restraints on a juvenile less than 10 years old during transport when the court determines the juvenile needs an evaluation for medical or psychiatric treatment and there is no pending delinquency charge, unless determined to be reasonably necessary for safety (repeal was proposed to be effective four years from the date the act becomes law).

Adds the following content.

Adds the following defined terms to GS 7B-1501 as used in Subchapter II (Undisciplined and Delinquent Juveniles). Defines *child consultation* to mean any child at least 6 years of age and less than 10 who is referred to the Division of Juvenile Justice because it is deemed the child is in need of community resources or services, with provision of services authorized to the child and the child's parent, guardian or custodian. Make child consultation cases subject to Subchapter II's confidentiality provisions. Defines *consultation complaint* to mean a complaint made against a child who is at least 6 years old but less than 10 years old alleged to have committed an offense that would be considered an undisciplined or delinquent offense if

committed by a juvenile over the age of 10; requires service by the juvenile court counselor as a child consultation. Enacts identical terms and definitions to GS 143B-805, applicable to Subpart B, Part 3 of Article 13, which governs the Juvenile Justice Section (Section) of the Division of Adult Correction and Juvenile Justice of the Department of Public Safety.

Enacts GS 7B-308.1 to require a juvenile court counselor to report to the respective county director of the department of social services (director) any time the juvenile court counselor has cause to suspect that a juvenile is abused, neglected, or dependent in the course of the counselor's provision and coordination of multidisciplinary service referrals for juveniles under the age of 10 pursuant to the counselor's duties under GS 143B-831, as amended by the act. Requires the director to immediately begin an assessment and authorizes the director to initiate juvenile proceedings and other appropriate steps authorized under Subchapter I (Abuse, Neglect and Dependency). Allows for the juvenile court counselor to ask the prosecutor to review a director's decision not to file a petition.

Amends GS 7B-1700.1 to require a juvenile court counselor or any person who suspects a juvenile under the age of 10 who is receiving multidisciplinary services pursuant to GS 143B-831, as amended, is abused, neglected, or dependent, or has died as the result of maltreatment, to report to the appropriate county department of social services as required by GS 7B-308.1, as amended.

Adds to the preliminary inquiry requirements of juvenile court counselors under GS 7B-1701 to include inquiring as to jurisdiction of a juvenile under 10 who must be served as child consultation. Allows the juvenile court counselor to accept a complaint or child consultation for a child under the age of 10 that has insufficiencies fatal to other juvenile petitions. Makes conforming and clarifying changes.

Makes the time period set forth under GS 7B-1703 for a juvenile court counselor to evaluate a complaint and decide whether a complaint should be filed as a juvenile petition also applicable to a decision to file or handle as a child consultation complaint for a juvenile under 10. Requires the juvenile court counselor to obtain referral information upon determining the child must proceed to receiving a child consultation. Makes conforming changes.

Enacts GS 7B-1706.1 to require juvenile court counselors to provide case management services (including screenings, assessments, community resources and programming) for a child under age 10 but at least 6 under a child consultation for up to six months, with an extension permitted for up to three months with approval of the chief court counselor.

Makes conforming changes to clarify the application of summons requirements under GS 7B-1806.

Enacts Article 34A to the Chapter to provide as follows. Requires the parent, guardian, or custodian of a child being provided services through a child consultation to attend all scheduled meetings with the juvenile court counselor subject to sufficient notice. Authorizes the juvenile court counselor to direct the parent, guardian, or custodian of a child being provided services through a child consultation to attend evidence-based parenting classes as available in the district of residency. Requires the juvenile court counselor to work with the parent, guardian, or custodian to obtain evaluations or treatment for the child as needed or recommended as part of the child consultation process, and to find means for paying for such services. Requires a juvenile court counselor to advise the parent, guardian, or custodian of the child to be directly involved and participate in the child's evaluation or treatment with written recommendations of a qualified physician, surgeon, or mental health provider if it is determined to be in the best interest of the child. Authorizes the juvenile court counselor to recommend the parent, guardian or custodian to undergo evaluation, treatment, or counseling with written orders or recommendations from a qualified mental or physical health provider directed toward remedying the behaviors or conditions that led or contributed to the child's receipt of a Child Consultation; provides for recommendations to seek funding for such evaluations and treatments.

Authorizes the juvenile court counselor to transport the parent, guardian, or custodian of a child receiving child consultation services and the child receiving services, in cases where the counselor is providing child consultation services, to the extent the counselor is able, in order to keep an appointment or comply with the recommendations of the juvenile court counselor. Requires collaboration with the parent, guardian, or custodian, the Department of Social Services, the LME/MCO, the local education authority, and all other involved community stakeholders, identified as the Child Family Team, who are required to be invited to all meetings scheduled with the child and parent, guardian, or custodian.

Adds to the powers and duties of the Section under GS 143B-806 to include planning, developing, and coordinating comprehensive multidisciplinary services for children under 10 are receiving child consultation services.

Expands the definition of *intensive intervention services* as the term is used in the requirement for an annual evaluation of the services under GS 143B-811, to include evidence-based or research-supported community-based or residential services that are

necessary for a juvenile to prevent further involvement in the juvenile justice system.

Adds to the powers and duties of juvenile court counselors under GS 143B-831 to include the provision and coordination of multidisciplinary service referrals for the prevention of juvenile delinquency and early intervention for juveniles, including children under the age of 10 who are in receipt of child consultation services. Enacts provisions mirroring the duty of a juvenile court counselor to report suspected abuse, neglect, or dependency under GS 7B-308.1 and GS 7B-1700.1, as amended.

Adds to the powers and duties of county Juvenile Crime Prevention Councils to include biennially reviewing and assessing on an ongoing basis the needs of youth in the county who are under the age of 10 who receive child consultation services.

Amends GS 143B-853 to expand the definition of *intensive intervention services* as the term is used in the annual reporting requirement by the Section on the results of the services under GS 143B-853, to include evidence-based or research-supported community-based or residential services that are necessary for a juvenile to prevent deeper involvement in the juvenile justice system.

Maintains the act's effective date of December 1, 2021. Makes conforming changes to the act's long title.

Intro. by Morey, Hardister, Szoka, Clemmons.

[GS 7B, GS 143B](#)

[View summary](#)

Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Delinquency, Court System, Government, State Agencies, Department of Public Safety, Health and Human Services, Social Services, Child Welfare

H 335 (2021-2022) [TIMELY LOCAL PAYMENTS TO CHARTER SCHOOLS](#). Filed Mar 17 2021, *AN ACT TO REVISE REQUIREMENTS REGARDING THE TRANSFER OF FUNDS FROM A LOCAL SCHOOL ADMINISTRATIVE UNIT TO A CHARTER SCHOOL TO INCENTIVIZE THE TIMELY TRANSFER OF FUNDS*.

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

Amends GS 115C-218.105(c) by amending the provisions governing the 5% late fee charged to a local school administrative unit, to specify that the fee is charged on the undisputed amount and is charged if monies are not electronically transferred, or if mailed, not postmarked within 15 days of notice from the charter school (was, charged if not transferred within 15 days of receiving notice from a charter school without specifying differences in time calculation based on delivery method).

Intro. by Bradford, Riddell, Hardister, Saine.

[GS 115C](#)

[View summary](#)

Education, Elementary and Secondary Education

H 340 (2021-2022) [ADVISORY COUNCIL ON PANS & PANDAS](#). Filed Mar 18 2021, *AN ACT TO ESTABLISH AN ADVISORY COUNCIL ON PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC SYNDROME (PANS) AND PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDER ASSOCIATED WITH STREPTOCOCCAL INFECTIONS (PANDAS)*.

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

Amends new GS 130A-33.52 to require the Advisory Council on PANS and PANDAS's first meeting to be no later than October 1, 2021 (was, October 1, 2020).

Modifies new GS 130A-33.53, which requires the Advisory Council on PANS and PANDAS to report on pediatric acute-onset neuropsychiatric syndrome, and its subset pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections to the Secretary of Health and Human Services, the Governor, and the Joint Legislative Oversight Committee on Health and Human Services, changing the initial reporting deadline to January 15, 2022 (was, January 1, 2021).

Changes the act's effective date to July 1, 2021 (was October 1, 2021).

Intro. by Bradford, Carney.

STUDY, GS 130A

[View summary](#)

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

H 351 (2021-2022) **CLIFFORD'S LAW**. Filed Mar 22 2021, *AN ACT DIRECTING THE SECRETARY OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH VISITATION PROTOCOLS FOR NURSING HOMES, COMBINATION HOMES, HOSPICE CARE FACILITIES, AND ADULT CARE HOMES, INCLUDING FAMILY CARE HOMES, DURING DECLARED DISASTERS AND EMERGENCIES AND REQUIRING THESE FACILITIES TO ADHERE TO THE ESTABLISHED VISITATION PROTOCOLS DURING DECLARED DISASTERS AND EMERGENCIES WHEN NORMAL VISITATION POLICIES ARE SUSPENDED OR CURTAILED.*

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

Changes the effective date of the proposed codifications to GS Chapters 131E and 131D to April 1, 2022 (was effective on the date the act becomes law).

Intro. by Dixon, Lambeth, White, Moss.

GS 131D, GS 131E

[View summary](#)

Government, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Public Health

H 356 (2021-2022) **SPEAKER/PPT APPOINTMENTS 2021**. Filed Mar 22 2021, *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE.*

AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE. SL 2021-6. Enacted March 31, 2021. Effective March 31, 2021.

Intro. by D. Hall.

UNCODIFIED

[View summary](#)

Business and Commerce, Occupational Licensing, Government, General Assembly, State Government, Executive

H 461 (2021-2022) **STATE AUDITOR CLARIFYING AMENDMENTS**. Filed Mar 30 2021, *AN ACT TO MAKE CLARIFYING AND TECHNICAL CHANGES IN THE STATE AUDITOR STATUTES.*

Makes the following revisions to Article 5A, GS Chapter 147, regarding the Office of State Auditor.

Modifies the legislative policy and intent concerning auditing State agencies and entities supported by public funds set forth in GS 147-64.2. Adds a statutory cross-reference to define State agencies. Expands the legislative intent stated to subject all State agencies and entities supported by public funds to audits and investigations under the policy guidance of the State Auditor (was, limited to audits only).

Makes organizational changes to the defined terms set forth in GS 147-64.4. Makes changes throughout to refer to "State agency" rather than "government" or "entity." Clarifies that the definition for *accounting system* also applies to *system of*

accounting. Adds the term *investigation*, defining the term to mean an independent review or examination of an allegation of improper governmental activity regarding a State agency organization, program, activity, or function, with the purpose to help ensure full accountability and assist State agency officials and employees in carrying out their responsibilities (similar to the existing purpose stated for the term *audit*). Adds political subdivision to entities included in the defined term *State agency*. Makes a technical change to refer to applicable laws rather than laws and regulations. Makes technical and clarifying changes.

Adds to the stated NCGA policy set forth in GS 147-64.6 to include providing for the investigation of State agencies by the State Auditor. To that end, expands the areas of examination the State Auditor is charged to make findings on to include determining whether or not a State agency is engaging in an improper governmental activity, as set forth in state law, including misappropriation, mismanagement, waste of State resources, fraud, or a violation of State or federal law. Makes changes throughout to refer to applicable federal laws rather than laws and regulations. Makes changes to refer to "State agency" throughout, rather than State agency, department, institution or organization. Regarding the State Auditor's auditing responsibility, specifies the Auditor's duty to audit all or any part of the activities of State agencies comply with the Auditor's overall responsibility contained in the Article (was the act). Expands required reporting to the State Purchasing Officer to include investigations that result in finding that a private person or entity has received public funds as a result of fraud, misrepresentation, or other deceptive acts or practices while doing business with a State agency (previously limited to audits that produce such findings). Makes technical and clarifying changes.

Intro. by Howard, Szoka, Setzer, Bradford.

GS 147

[View summary](#)

Government, State Agencies, Office of State Auditor, State Government, Local Government

H 466 (2021-2022) **ELECTRIC VEHICLE SPECIAL REGISTRATION PLATE**. Filed Mar 31 2021, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE AN ELECTRIC VEHICLE SPECIAL REGISTRATION PLATE*.

Amends GS 20-79.4(b) as title indicates. Establishes a special plate fee of \$10. Makes technical changes. Effective July 1, 2021.

Intro. by von Haefen, Warren.

GS 20

[View summary](#)

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

H 467 (2021-2022) **ALLOW FLEXIBLE SMOKING POLICIES/ECU**. Filed Mar 31 2021, *AN ACT GIVING EAST CAROLINA UNIVERSITY GREATER FLEXIBILITY TO ESTABLISH A SMOKE-FREE CAMPUS*.

Amends the definitions set forth in GS 143-596 that are applicable to the regulation of smoking in public places under Article 64. Expands *smoke, smokes, or smoking* to include the use or possession of a vapor product as defined by state law. Expands the definition of *grounds*, applicable only to East Carolina University, defining the term to mean any area located and controlled by that constituent institution (currently limited to the area located and controlled by State government that is within 100 feet of a State-owned government building, a State-owned building leased to a third party, or a building owned by a third party and leased to State government). Effective October 1, 2021.

Intro. by White, K. Smith, John.

GS 143

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Government, State Agencies, UNC System, Health and Human Services, Health, Public Health

H 468 (2021-2022) [ESTABLISH SURGICAL TECHNOLOGY STANDARDS](#). Filed Mar 31 2021, *AN ACT ESTABLISHING STANDARDS FOR SURGICAL TECHNOLOGY CARE IN HOSPITALS AND AMBULATORY SURGICAL FACILITIES*.

Enacts GS 131E-79.3, applicable to hospitals, and GS 131E-147.2, applicable to ambulatory surgical facilities, establishing required qualifications for surgical technologists employed by hospitals or ambulatory surgical facilities (facilities). Defines *surgical technology* to mean surgical patient care; includes a nonexhaustive list of perioritive tasks or functions directed by the surgeon covered by the term. Bars facilities from employing or contracting for services of a surgical technologist unless the individual (1) provides evidence of successfully completing an accredited training program and holds and maintains the Certified Surgical Technologist credential issued by the National Board of Surgical Technology and Surgical Assisting or its successor, (2) provides evidence of successfully completing an appropriate training program for surgical technology in the US military or the US Public Health Service, or (3) provides documentation of employment to practice surgical technology in a licensed hospital or ambulatory surgical facility on December 31, 2019, or documentation of employment to practice surgical technology during the three years immediately preceding December 31, 2019.

Permits employment or contracting with an individual to practice surgical technology during the 12-month period immediately following successful completion of an accredited educational program, but prohibits further employment or contracting without documentation that the required credential has been obtained. Requires surgical technologists who are credentialed by the National Board of Surgical Technology and Surgical Assisting or its successor to comply with that organization's continuing education requirements, with all other surgical technologists required to complete 30 hours of relevant continuing education every two years. Requires the provision of proof of continuing education completion upon request by an employer.

Permits facilities to employ or contract with individuals who do not meet the statutes' qualifications if the facility has made a diligent and thorough effort but cannot employ or contract with sufficient qualified surgical technologists who satisfy the requirements. Requires the facilities to document and retain records regarding its efforts and ensure that any noncertified surgical technologist employed or contracted by the facility complies with the continuing education requirements of the statute.

Provides that the statute has no effect on a licensed practitioner's ability to perform tasks or functions within the scope of his or her license.

Authorizes the Department of Health and Human Services to take adverse action against facilities for violation of the applicable statute. Authorizes facilities to restrict an employee's eligibility to practice surgical technology if not compliant with the respective statute's requirements.

Effective January 1, 2022.

Intro. by White, Lambeth, Sasser.

[GS 131E](#)

[View summary](#)

[Business and Commerce, Employment and Retirement, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers](#)

H 469 (2021-2022) [CONFIRM WANDA TAYLOR/INDUSTRIAL COMMISSION](#). Filed Mar 31 2021, *A JOINT RESOLUTION CONFIRMING THE APPOINTMENT OF WANDA TAYLOR TO THE NORTH CAROLINA INDUSTRIAL COMMISSION*.

Includes whereas clauses. Confirms the appointment of Wanda Taylor to the North Carolina Industrial Commission, to a term expiring June 30, 2026.

Intro. by D. Hall.

[JOINT RES](#)

[View summary](#)

[Employment and Retirement](#)

H 470 (2021-2022) **MEDICAID EXPANSION**. Filed Mar 31 2021, *AN ACT TO EXPAND MEDICAID TO QUALIFIED INDIVIDUALS IN THE MEDICAID COVERAGE GAP*.

Includes whereas clauses.

Repeals Section 3 of SL 2013-5, which prohibited expanding Medicaid eligibility.

Enacts new GS 108A-54.3B, which considers individuals as part of the Medicaid coverage gap and eligible for Medicaid benefits if: (1) the individual has a modified adjusted gross income that is at or below 133% of the federal poverty level; (2) the individual is 19 or older and under age 65; (3) the individual is not entitled to or enrolled in Medicare benefits under Part A 35 or Part B of Title XVIII of the federal Social Security Act; and (4) the individual is not otherwise eligible for Medicaid coverage under the North Carolina State Plan as it existed on January 1, 2020. Requires these beneficiaries to receive benefits through an Alternative Benefit Plan, unless that beneficiary is exempt from mandatory enrollment in an Alternative Benefit Plan under the specified federal provision. Sets copayments as the same as copayments required for Medicaid beneficiaries not under the Alternative Benefit Plan.

Directs the Department of Health and Human Services to provide coverage for individuals who are eligible for Medicaid benefits under new GS 108A-54.3B in a manner consistent with SL 2015-245, as amended (An Act to Transform and Reorganize North Carolina's Medicaid and NC Health Choice Programs). States the NCGA's intent to impose upon hospital providers paying the supplemental assessment or base assessment under Article 7A of GS Chapter 108A, a Medicaid Coverage Gap Assessment that will pay for the State share of the program and administrative costs associated with Medicaid expansion.

Effective July 1, 2021.

Intro. by Graham, Insko, Pierce, R. Smith.

GS 108A

[View summary](#)

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

H 471 (2021-2022) **TRYON PALACE COMMISSION MODIFICATIONS**. Filed Mar 31 2021, *AN ACT MODIFYING THE LAWS RELATING TO THE POWERS, DUTIES, EMPLOYEES, AND EXPENDITURES OF THE TRYON PALACE COMMISSION, AUTHORIZING THE TRYON PALACE COMMISSION TO USE THIRD-PARTY ONLINE TICKET SALE SERVICES, AND APPROPRIATING FUNDS TO PAY INITIAL THIRD-PARTY CONTRACTOR FEES*.

Identical to [S 422](#), filed 3/31/21.

Modifies the powers of the Tryon Palace Commission (Commission) granted in GS 121-20. Provides that the Commission's power and authority to receive and expend all funds donated and made available for the purpose of restoring, furnishing, and equipping the Palace and grounds, excluding funds provided by will as identified, includes, without limitation, funds in the Tryon Palace Historic Sites and Gardens Fund (Fund). Grants the Commission the authority to authorize the use of third-party online ticket sale services for the purchase of tickets offered for access to the Palace complex or Palace-sponsored events, with receipts credited to the Fund. Makes clarifying and technical changes.

Amends GS 121-21.1 to require all special event receipts and all proceeds from the sale or other disposal of Tryon Palace complex real estate to be credited to the Fund.

Revises and adds to the powers and duties of the Commission, set forth in GS 143B-71. Grants the Commission the power and authority to adopt, amend, and rescind rules and regulations concerning the restoration, supervision, management, and maintenance of the complex, its real estate and collections, with other powers and duties in specified general statutes and session laws (previously limited to regulations concerning restoration and maintenance; adds two session laws and GS 143B statutes to authorities listed). Explicitly grants the Commission the power to (1) make contracts, adopt and use a common seal, employ professionals, consultants and employees with pay fixed by the Commission within available funds; (2) adopt, alter, or repeal its own bylaws and implementing GS Chapter 143B rules; and (3) receive and use appropriations from the State, including those from State general obligation bonds or notes proceeds.

Enacts GS 143B-72.1, authorizing the Department of Natural and Cultural Resources (DNCR) to hire specified personnel as necessary or directed by the Commission in carrying out Article 2, which governs DNCR. Charges DNCR with maintaining Tryon complex in a condition satisfactory for exhibition to the public. Directs DNCR Secretary to select the Executive Director of the Tryon Palace Historic Sites and Gardens from the candidate(s) recruited and approved by the Commission.

Appropriates \$100,000 from the General Fund to DNCR to be allocated to Tryon Palace to pay initial third-party ticket contractor fees and to promote the use of online ticket sales for access to the complex or Palace-sponsored events.

Effective July 1, 2021.

Intro. by Tyson.

[APPROP, Craven, GS 121, GS 143B](#)

[View summary](#)

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

H 472 (2021-2022) [DEPREDAATION PERMIT REPORTING](#). Filed Mar 31 2021, *AN ACT TO REQUIRE FARMERS HOLDING DEPREDAATION PERMITS TO ANNUALLY REPORT TAKINGS OF DEER TO THE WILDLIFE RESOURCES COMMISSION.*

Directs the Wildlife Resources Commission (WRC) to include the following when adopting rules implementing the parameters of depredation permits issued under GS 113-274(c)(1a). Requires inclusion of a requirement that permit holders annually report using an email or other online reporting process the number and sex of all deer taken during the previous year, and authority for permit holders to donate deer meat to a charitable organization. Requires mandatory revocation of permits for taking deer if it finds the permittee has committed wanton waste, as defined. Adds a provision to directing WRC to require that any land owner or lessee who takes deer while committing depredations upon the property be required to annually report the number and sex of all deer taken during the previous year using email or another online reporting process. Directs WRC to annually aggregate the permitted and nonpermitted depredation deer taking reports and report to the specified NCGA committee chairs upon the next convening of the NCGA after the close of the reporting year. Effective October 1, 2021. Authorizes WRC to issue temporary implementing rules.

Intro. by Moss, Sasser.

[GS 113](#)

[View summary](#)

[Animals](#)

H 473 (2021-2022) [REVISE LAWS/SAFE SURRENDER/INFANTS](#). Filed Mar 31 2021, *AN ACT TO REVISE THE LAWS PERTAINING TO THE SAFE SURRENDER OF INFANTS UNDER THE ABUSE, NEGLECT, AND DEPENDENCY LAWS AND TO MAKE CONFORMING STATUTORY CHANGES.*

To be summarized.

Intro. by White, Bradford, Riddell.

[View summary](#)

H 474 (2021-2022) [DRIVE TO EXCELLENCE IN TEACHING](#). Filed Mar 31 2021, *AN ACT TO FUND NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS CERTIFICATION FOR UP TO FIVE HUNDRED TEACHERS OVER THE 2021-2023 FISCAL BIENNIUM.*

Includes whereas clauses. Appropriates \$500,000 from the General Fund to the State Education Assistance Authority (SEAA) for each year of the 2021-23 biennium to provide grants to up to 500 licensed public school personnel who are classified as teachers for the full participation fee for National Board for Professional Teaching Standards (NBPTS) certification. Requires

grant distribution on a first-come, first-served basis by September 1 of each year of the fiscal biennium to teachers who meet the state law requirements to receive State financial assistance for the NBPTS participation fee. Requires teachers receiving grants to also receive up to three days of approved paid leave pursuant to state law. Bars liability for grant repayment for teachers, even if certification is not received. Authorizes the SEAA to use up to \$25,000 in each year of the fiscal biennium from the appropriated funds for administrative costs. Effective July 1, 2021.

Intro. by Ball, Lucas, Hunt, von Haefen.

[APPROP](#)

[View summary](#)

[Education, Elementary and Secondary Education, Employment and Retirement, Government, State Government, State Personnel](#)

H 475 (2021-2022) [RESTORE MASTER'S PAY FOR TEACHERS & ISP](#). Filed Mar 31 2021, *AN ACT TO REINSTATE EDUCATION-BASED SALARY SUPPLEMENTS FOR TEACHERS AND INSTRUCTIONAL SUPPORT PERSONNEL*.

Identical to [S 274](#), filed 3/11/21.

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

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

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

Effective July 1, 2021.

Intro. by Ball, Hurtado, Brown, Clemmons.

[APPROP, GS 115C](#)

[View summary](#)

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

H 476 (2021-2022) [BROADBAND CONSUMER PROTECTION](#). Filed Mar 31 2021, *AN ACT TO ENACT THE NORTH CAROLINA BROADBAND CONSUMER PROTECTION ACT TO PROVIDE OVERSIGHT OF BROADBAND SERVICE BY THE NORTH CAROLINA UTILITIES COMMISSION*.

Titles the act as the "NC Broadband Consumer Protection Act." States legislative findings.

Enacts GS 62-352, authorizing the Public Utilities Commission (Commission) to oversee *broadband service*, defines to mean mass-market retail service that provides the capability to transmit and receive data with transmission speeds at the FCC standard minimum for downloads and uploads. Directs the Commission to adopt rules and regulations to ensure (1) resiliency and reliability of broadband infrastructure, with broadband service providers required to submit reliability-related information, (2) consumer protection, public safety, and adequacy of broadband networks, with oversight over provider emergency preparedness and plan for post-emergency restoration including establishing minimum power backup requirements, and (3) receipt of broadband service provider reports on availability and buildout. Requires the Commission to conduct evaluations and audits of facilities and infrastructure used to provide broadband service, and evaluate their public safety, resiliency, and other relevant standards. Directs the Commission to annually report to the specified NCGA committee and division, beginning December 1, 2021, on outcomes related to achieving goals of resiliency, public safety, and quality of broadband service.

Makes conforming repeal of GS 62-2(b1) which deems broadband service provided by public utilities to be sufficiently competitive, barring regulation by the Commission.

Intro. by Moss, Sasser, R. Smith, Penny.

GS 62

[View summary](#)**Public Enterprises and Utilities**

H 477 (2021-2022) **TEMPORARY EVENT VENUES**. Filed Mar 31 2021, *AN ACT TO AUTHORIZE A LOCAL GOVERNMENT TO PERMIT TEMPORARY EVENT VENUES*.

Enacts GS 160D-915.1 to authorize local governments to establish a process to permit *temporary event venues*, defined as an existing publicly or privately owned building or structure suitable for use as a site for public or private events relating to entertainment, education, marketing, meetings, sales, trade shows, and any other activities or occasions authorized by government ordinance, and limited to 72 hours. Allows the temporary event venue to be considered as a permitted accessory use in any zoning district and not considered a zoning map amendment; bars requiring a special use permit or subjection to other local zoning requirements. Allows only one temporary event venue per lot or parcel of land, and limits permitted venues to 24 temporary events in a calendar year. Details requirements for ordinances authorizing temporary event venues, including prescribing the process for persons seeking a temporary event venue permit or a renewal. Specifies that issuance of a temporary event venue permit is not a quasi-judicial act. Allows local governments to charge up to \$100 for an initial permit and up to \$50 for a renewal. Allows the local government to require any concerns from the required inspection to be addressed with reasonable measures and to require the use of temporary toilet facilities. Exempts permitted temporary event venues from requirements of the Building Code or any local variants. Requires compliance with federal laws and regulations. Directs the Building Code Council to create an inspection checklist for local governments to use. Allows local governments to conduct inspections and issue permits prior to the Council's promulgation of the checklist. Provides parameters for instances in which permittees seek rezoning of the parcel to a zoning district that would allow a permitted use of the venue for events of the type authorized by a temporary event permit. Excludes from the scope of the act municipalities with a population under 100,000. Makes conforming changes to GS 143-138 (concerning the State Building Code) and GS 160D-910 (concerning zoning regulations for manufactured homes). Effective October 1, 2021.

Intro. by Brody, Bradford, Faircloth, Cunningham.

GS 143, GS 160D

[View summary](#)**Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Local Government**

H 478 (2021-2022) **FUNDS FOR ROBESON COUNTY REENTRY PROGRAM**. Filed Mar 31 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE ROBESON COUNTY REENTRY PROGRAM*.

Appropriates \$250,000 in recurring funds for each year of the 2021-23 biennium from the General Fund to the Department of Public Safety to be provided as a directed grant to Robeson County to staff and maintain the Robeson County Reentry Program. Effective July 1, 2021.

Intro. by Graham.

APPROP, Robeson

[View summary](#)**Government, Budget/Appropriations, State Agencies, Department of Public Safety**

H 479 (2021-2022) **EXTENDED GROUP COVERAGE/EMPLOYEE DECEASED**. Filed Mar 31 2021, *AN ACT TO ALLOW THE CONTINUATION OF A GROUP HEALTH INSURANCE POLICY OF A WIDOWED SPOUSE OR SURVIVING DEPENDENT FOR THIRTY-SIX MONTHS AFTER THE DATE THE COVERED EMPLOYEE HAS DECEASED*.

Amends GS 58-53-35 as the title indicate. Applies to group policies in effect on or after October 1, 2021.

Intro. by Ball, A. Baker, Autry.

GS 58

[View summary](#)**Employment and Retirement, Health and Human Services,
Health, Health Insurance****PUBLIC/SENATE BILLS**

S 387 (2021-2022) **EXCELLENT PUBLIC SCHOOLS ACT OF 2021**. Filed Mar 29 2021, *AN ACT TO MODIFY THE IMPLEMENTATION OF THE NORTH CAROLINA READ TO ACHIEVE PROGRAM IN ORDER TO ATTAIN STATEWIDE READING PROFICIENCY BY THE THIRD GRADE.*

Senate amendment makes the following changes to the 1st edition.

Part VII.

Revises proposed GS 115C-83.7A, which establishes requirements for reading camps. Adds minimum amounts for mandated signing bonuses and performance bonuses, setting the minimum for signing bonuses under subsection (b) at \$1,200, and the minimum for performance bonuses provided under subsection (c) at \$150 per student. Changes the criteria for signing bonus eligibility under subsection (b) to require the teacher to have been awarded a reading performance bonus administered by the Department of Public Instruction (DPI), no longer specifically requiring the award during the current school year. Revises the criteria for performance bonus eligibility under subsection (c) to require students assigned to a teacher to demonstrate reading proficiency on an alternative assessment at the end of reading camp (replacing the previous requirement that the assigned child became proficient after completing reading camp).

Now includes federal funds received by local school administrative units for the purpose of responding to the impacts of COVID-19 in the required funding for signing bonuses and reading performance bonuses, in addition to funds provided in Section 7A.1 of SL 2012-142, excluding reading camp funds. Revises the definition of reading performance bonus to mean a bonus awarded to 3-5 grade teachers based on EVAAS student growth index scores (previously references bonus programs in session laws applicable to 3-5 grade teachers).

Intro. by Berger, Ballard, Lee.

GS 115C

[View summary](#)**Education, Elementary and Secondary Education,
Employment and Retirement, Government, State
Government, State Personnel**

S 407 (2021-2022) **COMPACT TO AWARD PRIZES FOR CURING DISEASES**. Filed Mar 30 2021, *AN ACT ENACTING A COMPACT TO AWARD PRIZES FOR CURING DISEASES.*

Enacts Article 23B, Compact to Award Prizes for the Cure of Diseases, to GS Chapter 90, as follows. Sets forth defined terms. Establishes the Solemn Covenant of States Commission (Commission) upon the enactment of the Solemn Covenant of the States to Award Prizes for Curing Diseases (Compact) by six states. Provides for each compacting state to be represented by one member whose qualification, selection and service is determined by each compacting state. Establishes the Commission as a body corporate and politic. Enumerates 23 powers of the Commission, including (1) to receive and review treatments and therapeutic protocols for the cure of diseases submitted to the Commission and to award prizes for submission that meet the Commission's standards for a successful cure treatment or therapeutic protocol, (2) to make successful cure treatments and therapeutic protocols widely available upon prizes claimed by transferring intellectual property necessary for the manufacture and distribution of the cure, and setting a selling price for the cure, (3) to collect royalty fees, (4) to acquire and dispose of property, (5) to monitor and enforce compliance of compacting states, and (6) to take on debt obligations.

Provides for Commission meetings; voting; bylaws; rulemaking; financing; recordkeeping; qualified immunity, defense, and indemnification; and compacting state withdrawal, default, expulsion, and reinstatement.

Sets forth extensive rulemaking requirements and parameters. Requires the Commission to establish at least 10 major diseases for which to create prizes, determined based on the severity, survival rate, and public health and treatment expense of the disease. Directs the Commission to establish qualifying criteria for treatments and protocol to be deemed a cure, including approval by the FDA, a significant increase in survival, with treatment term requiring less than a year to cure. Among other rules the Commission is required to adopt, requires adoption of parameters for defining and classifying diseases; treatment and protocol submission and evaluation; prize amounts for each disease; prize distribution procedures; dispute resolution process; and ethical standards. Provides for rulemaking procedure, amendments, and overreach. Allows for awards on a pro rata basis when awarding for a survival rate that is less than what is established in the cure criteria.

Authorizes the Commission to establish a management committee, and sets forth its membership and authorities. Authorizes the Commission to appoint an advisory committee to advise the Commission prior to approving cure criteria, taking action regarding bylaws or rules, adopting the annual budget, or other significant matters.

Sets forth notice and default procedures for noncompliance of compacting states. Establishes venue for proceedings by or against the Commission in the jurisdiction in which the Commission's principal office is located.

Deems the Compact effective upon legislative enactment by two compacting states, provided that the Commission cannot be established until six states have adopted the Compact. Provides for Compact amendment and funding. Details Compact dissolution procedures and effect.

Includes a severability clause. Details the effect of the Compact on compacting states and other laws. Provides that the act is effective upon the enactment of the compact into law by at least two compacting states.

Intro. by Burgin, Krawiec, Perry.

GS 90

[View summary](#)

Health and Human Services, Health, Public Health

S 414 (2021-2022) [COMPACT FOR BALANCED BUDGET](#). Filed Mar 30 2021, *AN ACT TO ADOPT THE COMPACT FOR A BALANCED BUDGET*.

Enacts new GS Chapter 143F, Compact for a Balanced Budget. States the purpose and objectives of the Compact for a Balanced Budget (Compact) and sets forth 7 defined terms. Sets out the following as the Balanced Budget Amendment (to be presented at a convention, detailed below). Effective when Congress refers the Balanced Budget Amendment to the states for ratification by three-fourths of the State's Legislatures, and adopts and ratifies the Balanced Budget Amendment. Sets out the Amendment as follows. Prohibits US government total outlays from exceeding total receipts at any point in time unless the excess of outlays over receipts is financed exclusively by debt issued according to the Compact's provisions. Prohibits outstanding debt from exceeding authorized debt, which is initially set at an amount equal to 105% of the outstanding debt on the effective date of this article; prohibits increasing the authorized debt unless an increase is approved by the legislatures of the several states. Allows Congress to increase authorized debt to an amount exceeding the initial amount only if it first publicly refers to the legislatures of the several states an unconditional, single subject measure proposing the amount of the increase, and the measure is approved by a simple majority of the legislatures of the several states; prohibits any inducement requiring an expenditure or tax levy from being demanded, offered, or accepted as a quid pro quo for such approval. Deems the measure disapproved if it is not approved in 60 calendar days. Requires the President, when outstanding debt exceeds 98% of the debt limit, to enforce the limit by designating specific expenditures for impoundment, which becomes effective in 30 days unless Congress designates an alternative impoundment; makes the President's failure to designate or enforce the required impoundment an impeachable misdemeanor. Voids any issuance or incurrence of any debt in excess of the debt limit. Requires approval by a two-thirds roll call vote of the whole number of each House of Congress in order to pass any bill that includes a new or increased general revenue tax--excludes a bill that provides for a new end user sales tax that replaces every existing income tax levied by the US government, or for the reduction or elimination of an exemption, deduction, or credit allowed under an existing general revenue tax. Specifies that the above is immediately operative upon ratification, self-enforcing, and Congress may enact conforming legislation to facilitate enforcement.

Provides that this Compact and each of its Articles are contractually binding on each Member State when: (1) at least one other state has become a Member State by enacting substantively identical legislation adopting and agreeing to be bound by this Compact and (2) notice of the state's Member State status is or has been received by the compact Administrator, if any, or by

the executive officer of each other Member State. Sets out additional provisions governing obligations of Member States. Establishes guidelines for determining Member State status. Allows withdrawal from the Compact by enacting appropriate legislation and giving notice, when fewer than three-fourths of the states are Member States. Requires unanimous consent of all Member States for a Member State to withdraw once at least three-fourths of the states are Member States.

Establishes the Compact Commission (Commission) and provides for Commission membership, voting, funding, and meetings. Lists the Commission's seven powers and duties, including appointing and overseeing a Compact Administrator, coordinating the performance of obligations under the Compact, and overseeing the defense and enforcement of the Compact in appropriate legal venues. Gives the Compact Administrator the following powers and duties: (1) timely notify the states of the date, time and location of the Convention; (2) organize and direct the logistical operations of the Convention; (3) maintain an accurate list of all Member States, their appointed delegates, and contact information; and (4) formulate, transmit, and maintain all official notices, records, and communications relating to this Compact. Sets out five instances in which the Compact Administrator must send out notices to the Member States. Sets out additional provisions governing the Compact Administrator's duties.

Effective once at least three-fourths of the states are Member States; applies to Congress to call a convention for proposing amendments limited to the subject matter of proposing for ratification the Balanced Budget Amendment. Also petitions Congress to refer the Balanced Budget Amendment to the States for ratification by three-fourths of their respective Legislatures. Gives each Member State one Convention delegate. Sets out additional provisions governing the delegates and setting out their authority. Sets out rules governing the Convention. Requires the Convention to be entirely focused upon and exclusively limited to introducing, debating, voting upon, and rejecting or proposing for ratification the Balanced Budget Amendment.

Sets out provisions for the construction of the Compact, enforcement of the Compact, Convention date and location, defending against legal challenges and appropriate venue. Provides for termination of the Compact.

Intro. by Edwards, Sanderson, Burgin.

[GS 143F](#)

[View summary](#)

[Constitution, Government, Budget/Appropriations](#)

S 416 (2021-2022) "[BAN THE BOX](#)". Filed Mar 31 2021, *AN ACT REQUIRING THE FAIR ASSESSMENT OF PERSONS WITH CRIMINAL HISTORIES BY "BANNING THE BOX" AND PROVIDING THAT HAVING A PHYSICAL ADDRESS IS NOT A REQUIREMENT FOR PUBLIC EMPLOYMENT.*

Adds a new Article 17, Fair Assessment of Persons for Public Employment, to GS Chapter 126. Defines the following terms as they apply in this Article: (1) criminal history means a state or federal history of conviction for a misdemeanor or felony relevant to an applicant's fitness for public employment but does not include a record of arrest that did not result in a conviction; (2) hiring authority means an agent responsible by law for the hiring of persons for public employment; and (3) public employment means any employment, including seasonal or temporary work, where the State or any local political subdivision of the State is the employer.

Prohibits a hiring authority from (1) asking about or considering the criminal history of an applicant for public employment or (2) including such an inquiry on any initial employment application form until the hiring authority has made a conditional offer of employment to the applicant. Declares that this provision does not apply to public employment in positions where the hiring authority is required by law to consider the applicant's criminal record. Bars a hiring authority from disqualifying an applicant for public employment because the applicant does not have a physical or street address.

Prohibits any person from being disqualified for public employment solely or in part because of a previous conviction except as otherwise required by law or if the conviction is determined to be substantially related to the qualifications, functions, or duties of the position after all of the following factors are considered: (1) the level and seriousness of the crime; (2) the date of the crime; (3) the age of the person at the time of conviction; (4) the circumstances surrounding the commission of the crime; (5) the connection between the criminal conduct and the duties of the position; (6) the prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed; and (7) the subsequent commission of a crime by the person. Clarifies that an arrest record that did not result in a conviction cannot be the basis for disqualification from public employment.

Requires a hiring authority to inform an individual of a potential adverse hiring decision based on the background check and provide the applicant an opportunity to provide evidence that the report is incorrect or inaccurate.

Specifies criteria governing data to be collected by the Office of State Human Resources.

Declares that the provisions of this Article apply to all applicants for public employment and all public employers, except as otherwise provided.

Adds to the duties of the Human Resources Commission under GS 126-4 to establish policies and rules governing recruitment programs to ensure programs are designed to make a fair assessment of individual qualifications and not designed to adversely affect anyone on account of an individual not having a physical or street address.

Makes a conforming change to GS 126-5.

Effective when the act becomes law and applies to applications for public employment made on or after that date.

Intro. by Mohammed, Batch, deViere.

GS 126

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Employment and Retirement, Government, State Government, State Personnel

S 417 (2021-2022) [SET ALLOWABLE STATE BAR MEMBERSHIP FEES](#). Filed Mar 31 2021, *AN ACT TO SET THE MAXIMUM FEE THAT THE NORTH CAROLINA STATE BAR MAY REQUIRE FOR ANNUAL MEMBERSHIP, TO INCREASE THE MAXIMUM ALLOWABLE LATE FEE, TO REQUIRE MEMBERS TO PROVIDE A CORRECT EMAIL ADDRESS TO THE STATE BAR, AND TO CODIFY THE EXEMPTION FOR ACTIVE DUTY MILITARY MEMBERS FROM ANNUAL MEMBERSHIP FEES.*

Amends GS 84-34 to increase the \$300 fee for membership in the North Carolina State Bar by \$25 every other year starting in 2023 so that in 2029 and thereafter the fee will be \$400. Increases the late fee from \$30 to \$50. Requires members to notify the secretary-treasurer of their email address. Exempts a member serving in the Armed Forces from paying dues for any year in which the member is on active duty. No longer specifies a date by which the list of members who are in arrears must be provided to the presiding judge by the superior clerk court (was, at the next term of the superior court after the first day of October), or by which the list must be submitted to the Council (was, at its October meeting). Allows the North Carolina State Bar to adopt temporary rules to implement the act. Effective October 1, 2021.

Intro. by Britt, Galey.

GS 84

[View summary](#)

Business and Commerce, Occupational Licensing

S 418 (2021-2022) [NC TEACHING FELLOWS/HMSIS](#). Filed Mar 31 2021, *AN ACT TO REQUIRE THAT AT LEAST ONE CONSTITUENT INSTITUTION DESIGNATED AS A HISTORICALLY BLACK COLLEGE OR UNIVERSITY AND AT LEAST ONE CONSTITUENT INSTITUTION DESIGNATED AS A HISTORICALLY AMERICAN INDIAN UNIVERSITY BE INCLUDED IN THE NORTH CAROLINA TEACHING FELLOWS PROGRAM.*

Amends GS 116-209.62 by requiring the inclusion of at least one institution that is designated as a Historically Black College or University and one institution that is designated as a Historically American Indian University in the North Carolina Teaching Fellows Program. Makes conforming changes to the number of participating institutions. Effective July 1, 2021, and applies beginning with the 2022-23 academic year.

Intro. by Lee, Ballard, Britt.

GS 116

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, UNC System

S 419 (2021-2022) [CAPITAL & CAMPUS PROJECTS-NCCU](#). Filed Mar 31 2021, *AN ACT TO PROVIDE FUNDING FOR CAPITAL IMPROVEMENTS AND OTHER PROJECTS AT NORTH CAROLINA CENTRAL UNIVERSITY*.

Transfers \$89.1 million for 2021-22 from the General Fund to the State Capital and Infrastructure Fund (Fund). Appropriates those funds from the Fund to the UNC Board of Governors (BOG) to fund the specified capital improvement projects at North Carolina Central University (NCCU). Allocates specified amounts to the following projects: Taylor Education Building Comprehensive Renovation, Master Plan Land and Property Acquisition, Fine Arts Music Building Comprehensive Renovation, C.T. Willis Building Comprehensive Renovation, and University Theater/Farrison-Newton Communications Building Comprehensive Renovation.

Appropriates \$10 million for 2021-22 from the General Fund to the BOG to be used in the specified amounts for the following purposes at NCCU: purchase of lab equipment and instruments for the Biomanufacturing Research Institute and Technology Enterprise and the Julius L. Chambers Biomedical Biotechnology Research Institute, expansion of the doctoral program in integrated biosciences focusing on health disparities in underrepresented populations and for additional external research funding opportunities, and acquisition of ShotSpotter gunshot detection technology to allow campus police to identify the location of shots fired in and around campus that might be directed at dorms.

Effective July 1, 2021.

Intro. by Blue.

[APPROP](#)

[View summary](#)

[Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System](#)

S 420 (2021-2022) [EMPLOYMENT BASED BROKERAGE ACTIVITY](#). Filed Mar 31 2021, *AN ACT ALLOWING INDIVIDUALS UNDER THE EMPLOY OF A LICENSED BUSINESS ENTITY TO ACT AS INSURANCE BROKERS WITHOUT A BROKER'S LICENSE*.

Amends GS 58-33-30 to allow a licensed insurance producer who does not hold a broker's license to act as an insurance broker if: (1) the individual is employed by a business entity licensed as an insurance producer; (2) the employing business entity has no more than six employees acting as insurance brokers without a broker's license at any time; and (3) the employing business entity files with the Insurance Commissioner a bond that meets all the requirements of GS 58-33-30(f)(1) (which sets out requirements for the bond, including that it be in the amount of \$15,000) for any individual under its employ who is acting as an insurance broker without a broker's license.

Amends GS 58-33-125 by increasing the annual broker licensing fee (both nonresident and resident) from \$50 to \$65.

Effective July 1, 2021.

Intro. by Johnson, Sawyer, Burgin.

[GS 58](#)

[View summary](#)

[Business and Commerce, Insurance, Occupational Licensing](#)

S 421 (2021-2022) [CC/IN-STATE TUITION](#). Filed Mar 31 2021, *AN ACT TO AUTHORIZE COMMUNITY COLLEGES TO DETERMINE ELIGIBILITY FOR IN-STATE TUITION FOR RECENT HIGH SCHOOL GRADUATES MEETING CERTAIN CRITERIA*.

Enacts GS 115D-39(e), deeming a US citizen eligible to receive the State resident community college tuition rate for the school year immediately following the student's graduation from high school if the following criteria are met. Requires that (1) the individual satisfied the qualifications for assignment to a public school under state law, (2) the individual was enrolled in a NC public school for the entirety of the final school year before receiving a high school diploma from the public school unit, and (3) the individual was unable to establish residency for tuition purposes through the determination processed administered by the State Education Assistance Authority due to lack of evidence.

Intro. by Craven, Woodard, Barnes.

GS 115D

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Government, State Agencies, Community Colleges System Office

S 422 (2021-2022) **TRYON PALACE COMMISSION MODIFICATIONS**. Filed Mar 31 2021, *AN ACT MODIFYING THE LAWS RELATING TO THE POWERS, DUTIES, EMPLOYEES, AND EXPENDITURES OF THE TRYON PALACE COMMISSION, AUTHORIZING THE TRYON PALACE COMMISSION TO USE THIRD-PARTY ONLINE TICKET SALE SERVICES, AND APPROPRIATING FUNDS TO PAY INITIAL THIRD-PARTY CONTRACTOR FEES.*

Modifies the powers of the Tryon Palace Commission (Commission) granted in GS 121-20. Provides that the Commission's power and authority to receive and expend all funds donated and made available for the purpose of restoring, furnishing, and equipping the Palace and grounds, excluding funds provided by will as identified, includes, without limitation, funds in the Tryon Palace Historic Sites and Gardens Fund (Fund). Grants the Commission the authority to authorize the use of third-party online ticket sale services for the purchase of tickets offered for access to the Palace complex or Palace-sponsored events, with receipts credited to the Fund. Makes clarifying and technical changes.

Amends GS 121-21.1 to require all special event receipts and all proceeds from the sale or other disposal of Tryon Palace complex real estate to be credited to the Fund.

Revises and adds to the powers and duties of the Commission, set forth in GS 143B-71. Grants the Commission the power and authority to adopt, amend, and rescind rules and regulations concerning the restoration, supervision, management, and maintenance of the complex, its real estate and collections, with other powers and duties in specified general statutes and session laws (previously limited to regulations concerning restoration and maintenance; adds two session laws and GS 143B statutes to authorities listed). Explicitly grants the Commission the power to (1) make contracts, adopt and use a common seal, employ professionals, consultants and employees with pay fixed by the Commission within available funds; (2) adopt, alter, or repeal its own bylaws and implementing GS Chapter 143B rules; and (3) receive and use appropriations from the State, including those from State general obligation bonds or notes proceeds.

Enacts GS 143B-72.1, authorizing the Department of Natural and Cultural Resources (DNCR) to hire specified personnel as necessary or directed by the Commission in carrying out Article 2, which governs DNCR. Charges DNCR with maintaining Tryon complex in a condition satisfactory for exhibition to the public. Directs DNCR Secretary to select the Executive Director of the Tryon Palace Historic Sites and Gardens from the candidate(s) recruited and approved by the Commission.

Appropriates \$100,000 from the General Fund to DNCR to be allocated to Tryon Palace to pay initial third-party ticket contractor fees and to promote the use of online ticket sales for access to the complex or Palace-sponsored events.

Effective July 1, 2021.

Intro. by Sanderson.

APPROP, Craven, GS 121, GS 143B

[View summary](#)

Employment and Retirement, Government, Budget/Appropriations, Cultural Resources and Museums, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)

S 423 (2021-2022) **HOUSING FINANCE AGENCY/PED STUDY**. Filed Mar 31 2021, *AN ACT TO MAKE VARIOUS CHANGES TO PROGRAMS AND PROCEDURES WITHIN THE NORTH CAROLINA HOUSING FINANCE AGENCY, AS RECOMMENDED BY THE JOINT LEGISLATIVE PROGRAM EVALUATION OVERSIGHT COMMITTEE.*

Part I

Directs the NC Housing Finance Agency (Agency) to examine and implement modifications to the Community Partners Loan Pool, the Self-Help Loan Pool, the Urgent Repair Program, and the Essential Single-Family Rehabilitation Loan Pool to ensure statewide access to the programs, especially counties with fewer resources. Requires the Agency to report to the specified NCGA committee and division by July 1, 2022. Directs the Agency to discontinue the \$200,000 per-partner cap for the Urgent Repair Program.

Amends GS 122A-5.1 to establish a new requirement for the Agency to develop a strategic plan with goals, objectives, and an environmental assessment and update the strategic plan at least every five years. Additionally requires the Agency to establish a performance management system with annual objectives and established performance measures.

Requires the Agency to contract with an independent entity to assist in developing the initial strategic plan. Requires the initial strategic plan to be completed and implemented by June 1, 2022.

Requires the Agency to transition to the incorporation of cost-benefit analysis for the allocation of programmatic resources and develop its strategic plan to produce the collection of outcome data for that purpose. Further, requires the Agency to incorporate cost-benefit analysis into its allocation of programmatic resources and in requests for legislative funding by January 1, 2026.

Makes changes to the reporting requirements set out in the following statutes and session laws to require the Agency to include the specified reports in the annual report required by GS 122A-16: GS 45-104(f) (concerning the State Home Foreclosure Prevention Project and Fund); GS 122A-5.14(d) (concerning the Home Protection Program and Fund); GS 122A-5.15(d) (concerning the Workforce Housing Loan Program); and Section 20.1(a) of SL 2005-276 (concerning the federal HOME Program). Amends GS 122A-16 regarding oversight of the Agency. Now charges the Joint Legislative Oversight Committee on General Government, rather than the Finance Committee of the each chamber, with continuing oversight of the Agency. Requires the Agency to submit an annual comprehensive report by December 1, rather than by the close of each fiscal year. Adds the Fiscal Research Division to the entities the Agency must submit its annual report to. Establishes six components the annual reports must include and details required components of the operating and financial statement of the Agency (the statement is already required by existing law, but with no guidance as to content). Makes conforming changes.

Directs the Agency to discontinue its funding for the Construction Training Partnership and redirect funding for that program to fund existing affordable housing programs administered by the Agency.

Part II

Amends GS 122A-4 to explicitly state that the Agency and all funds established under GS Chapter 122A are subject to the State Budget Act, GS Chapter 143C. However, provides that unexpended surpluses do not revert to the General Fund. Additionally requires the Board of Directors (Board) to establish a policy governing the contribution of funds to nonprofit entities. Requires the Board to establish criteria to limit contributions of Agency funds to nonprofit entities and require each individual contribution to a nonprofit entity to be approved by the Board. Adds that the Board must provide a copy of the initial policy and subsequent updates in the annual report required by GS 122A-16, as amended.

Directs the Board to submit a copy of the contribution policy to the specified NCGA committee and division within six months of the date the act becomes law.

Directs the Agency to transfer any remaining funds to the NC Housing Trust Fund (Trust Fund) and close the following five funds, with any future monies credited to the closed funds instead credited to the Trust Fund: the Housing Mortgage Insurance Fund; the Homeownership Assistance Fund; the Adult Care Home, Group Home, and Nursing Home Fire Protection Fund; the Home Protection Program Fund; and the Multi-Family Residential Assistance Fund. Makes conforming statutory repeals.

Amends GS 122E-3 to explicitly state that funds reserved to the Trust Fund are available only upon legislative appropriation.

Amends GS 122E-4 to establish the NC Housing Partnership (Partnership) as an advisory board to the Agency, rather than an entity within the Agency removing the power to establish policy, promulgate rules and regulations, oversee the operation of the Trust Fund, and coordinate private enterprise and investment with public efforts. The Partnership is now to assist the Agency. Modifies membership of the Partnership. No longer provides for the appointment of an Executive Director. Adds the Secretary of the Department of Health and Human Services or a designee as an ex officio member. Allows for a designee of the Secretary of the Department of Commerce and the State Treasurer to serve as ex officio members rather than the Secretaries. More specifically provides for member expenses by statutory cross references. Modifies the powers of the Partnership to include

advising the Agency on the promulgation of rules and regulation governing implementation of programs for uses of the Trust Fund, assisting in the development of the housing plan, and obtaining necessary housing information (currently, the Partnership is charged with rule and regulation promulgation, promotion of a housing plan, gathering housing information, and allocation of monies in the Trust Fund). Makes language gender neutral and makes technical changes.

Amends GS 122A-5, regarding the Agency's powers, to explicitly require compliance with the guidelines of the State of North Carolina Budget Manual in its employment of fiscal consultants, engineers, attorneys, real estate counselors, and appraisers.

Directs the Agency to determine the necessity of retaining outside general counsel to serve the Board. Requires compliance with procurement processes and the State Budget Act in selection of outside counsel if the Agency determines that continued use of outside counsel is necessary.

Part III

Directs the Agency to study potential modifications to its administration of the Low-Income Housing Credit program to develop a strategy to maintain the affordability of projects that exit the program. Details five components the study must examine, including establishing longer affordability period requirements for the program and adjusting the amount of credits allocated to nonprofit developers. Also requires tracking incidence of Low-Income Housing Tax Credit units in the State that remain affordable after exiting the affordability period and those that are no longer affordable. Requires submission of the study results and a proposed affordability strategy to the specified NCGA committee, the NC Federal Tax Reform Allocation Committee, and the Fiscal Research Division within one year from the date the act becomes law.

Directs the Agency to study potential modifications to its amenities policies in the Qualified Allocation Plan it uses to establish selection criteria and application requirements for housing credits to allow for siting in high-opportunity neighborhoods and other areas. Details four components the study must examine, including establishing a threshold score to include amenities and measures of opportunity. Requires submission of the study results and proposed modifications to the amenities policies in the Qualified Allocation Plan to the NC Federal Tax Reform Allocation Committee and the Fiscal Research Division within one year from the date the act becomes law. Directs the Tax Allocation Committee to propose any recommended modifications resulting from the study as part of the 2022 Qualified Action Plan.

Directs the Agency to develop policies and procedures that complement existing policies and procedures governing the awarding of Rental Production Program loans to ensure a uniform process for awarding the loans, regardless of whether the project conforms to the parameters of the Qualified Allocation Plan. Requires the Agency to publish the policies online and submit the policies to the specified NCGA committee and division within one year from the date the act becomes law.

Directs the Agency to examine and update the criteria used to administer the Workforce Housing Loan Program to ensure that the income designations in use are specific, measurable, transparently stated, and uniformly applied. Requires the Agency to update the criteria within six months of the date the act becomes law.

Intro. by Edwards, Corbin, Davis.

STUDY, GS 45, GS 122A, GS 122E

[View summary](#)

Development, Land Use and Housing, Community and Economic Development, Property and Housing, Government, Tax, Health and Human Services, Social Services, Public Assistance

S 424 (2021-2022) **PRIVATE PROTECTIVE SRVS. LICENSING MODS.** Filed Mar 31 2021, *AN ACT TO MAKE VARIOUS CHANGES TO THE PRIVATE PROTECTIVE SERVICES BOARD AND THE PRIVATE PROTECTIVE SERVICES PROFESSION.*

Amends GS 74C-3 to include the following in the term *private protective services profession*. Now includes *close personal protection*, defined to mean individuals and other entities that for valuable consideration provide or offer security measures to ensure the safety of business executives, public officials, celebrities, or other individuals with elevated personal risk, and *electronic countermeasures profession*, now defined to mean individuals or other entities discovering, locating, or disengaging devices intended to block the transmission of electronic signals for valuable consideration. Provides that *detection of deception examiner* is limited to those persons who provide the service for a fee or other valuable consideration. Removes

contracts for the protection of individuals from serious bodily harm or death from the definition of *private detective or private investigator*. Adds *digital forensics examination* and defines the term to mean any individual or entity which, for a fee or other valuable consideration, provides or offers to provide examination of digitally stored data to recover, image, analyze, or examine the data by using software to determine responsibility or reconstruct usage of the data for use in court proceedings. Removes persons engaged in computer or digital forensic services from those excluded from *private protective services*, and adds to the exclusion for persons engaged in network or system vulnerability testing to include routine service or repair. Excludes persons under contract or employed by an occupational licensing board or State agency licensing board while performing an investigation solely for that board from the definition of *private protective services*. Modifies the exception regarding attorneys engaged in the practice of law to refer to the attorney's "employee" rather than "agent."

Amends GS 74C-5 to further authorize the Private Protective Services Board (Board) to do three additional listed actions, including conducting investigations regarding unlicensed activity and issuing cease and desist letters with the concurrence of the Secretary of Public Safety; acquiring and dealing with real property subject to the approval of the Governor and Council of State and collateral restrictions; and adopting rules establishing standards for the use of any firearm or other weapon approved by the Board.

Amends GS 74C-7 to authorize the Secretary of Public Safety to investigate complaints, allegations, or suspicions of wrongdoing or violations of GS Chapter 74C involving unlicensed individuals, licensed individuals, or individuals to be licensed (currently, only individuals licensed and to be licensed). Authorizes the Secretary to enforce GS Chapter 74C and impose any authorized penalty against any individual or entity under investigation for and charged with a violation of the Chapter.

Amends GS 74C-8 to extend the time period which a business entity has to find a replacement qualifying agent from 30 to 90 days, and authorizes the Board to extend the 90-day period for an additional 30 days upon the filing of a petition by the business entity and a hearing by the Board. Authorizes the Board to require a late fee of \$100 for missing the deadline. Requires filing of a certificate of liability insurance with the Board to issue a license. Requires applicants to pay the initial license fee and make the required contribution to the Fund within 90 days of the date the applicant receives notice of pending licensure approval unless the Board extends the period by an additional 30 days upon the filing of a petition by the applicant and a hearing by the Board. Also amends the criminal record check requirements and qualifications, adding that conviction of any crime involving the illegal use, carrying, or possession of a firearm or other deadly weapon, and the conviction of a crime involving assault (was felonious assault) or an act of violence, are prima facie evidence that the applicant does not have good moral character or temperate habits as required by the statute. No longer includes offenses involving moral turpitude from convictions identified as prima facie evidence that the applicant does not have good moral character; makes conforming changes to licensee reporting requirements under GS 74C-12.

Amends GS 74C-9 to cross-reference GS 74C-13 (concerning firearm registration permits for licensees) and to make conforming changes. Caps the late fee for entities or applicants subject to background check requirements at \$100.

Amends GS 74C-10 to further require trainees supervised by licensees, carrying a firearm while engaged in private protective services activities, to obtain a liability insurance policy as specified. Authorizes a licensee to provide coverage for a trainee under the licensee's supervision, but failure to do so does not exempt the trainee from this statute. Makes technical and conforming changes.

Amends GS 74C-11 to authorize the deployment of a properly registered or licensed armed security guard from another state by a licensee during a State of Disaster or a State of Emergency declared by the Governor upon satisfaction of specified requirements, including completion of the four-hour training course mandated by specified law and rule, qualification by the Board-certified firearms instructor based on the firearms the armed security guard intends to use, and approval of the employment by the Director of the Board. Deems such qualification valid for a period of 12 months. Prohibits the duration of deployment from exceeding the declared State of Emergency or Disaster.

Amends GS 74C-12 to apply that statute to trainees, and to further authorize the Board to deny, suspend, or revoke a certification under that statute. Revises and adds to the grounds for disciplinary action to include knowingly permitting any employee to engage in a private protective services profession when not properly licensed or registered, and violation of any State or federal firearms laws. Authorizes the Board to also take the disciplinary actions for fraudulently holding oneself out as employed or licensed by the Department of Public Safety (was, State Bureau of Investigation).

Amends GS 74C-13 to require proprietary employers to register individuals carrying a firearm within 30 days of employment. Defines *armed armored car guard*. Directs a proprietary security organization employing an armed security guard to submit to the Board an application for license, and to renew its license every two years. Authorizes the Director of the Board to summarily suspend a firearm registration permit pending resolution of charges for any offenses set out in GS 74C-12, or any crime set forth in GS 74C-8(d), as amended (previously, only for charges involving the illegal use, carrying, or possession of a firearm). Authorizes the Board to suspend, revoke, or deny a firearm registration permit if the holder has been convicted of any crime set forth in GS 74C-8(d), as amended (previously limited to crimes involving moral turpitude and crimes involving deadly weapons). Requires the firearms training program under subsection (h) to cover legal limitations on the use of, and range firing and safety procedures for, firearms (was, hand guns). Makes conforming changes.

Enacts new GS 74C-13.1. Exempts four listed classes of persons from the firearms training requirements of GS 74C-13, including persons who have successfully completed the North Carolina Basic Law Enforcement Training and completed the first year of probationary employment. Requires specified documentation from applicants claiming one of the exceptions. Directs the Board to deny exemptions if the applicant fails to provide documentation. Requires exempted applicants to qualify within the first three attempts on the required firearm qualification course. Failure to qualify on both courses requires the applicant to undergo the entire 20-hour course of instruction. Applicants claiming an exemption must still complete the legal instruction required in GS 74C-13(h)(1).

Amends GS 74C-17 to apply the civil penalty limit of \$2,000 as a limit on each individual violation, instead of as a general limit.

Amends GS 74C-23 to require companies, firms, or corporations licensed under this Chapter to provide the Director with notice of change of ownership within 10 days (was, 60 days) prior to the effective date of the transaction a list of all registrants and licensees affected by the transaction. Requires notice to the Director within 60 days from the effective date of the transaction, written confirmation of the completion of any necessary changes for the acquiring party to comply with this Chapter and applicable Board rules.

Makes language gender neutral throughout the GS Chapter.

Makes the above changes effective October 1, 2021.

Enacts subsection (c) to GS 74C-3, as amended, effective January 1, 2022, permitting a licensed private investigator or permitted trainee to continue to provide services for the protection of individuals from serious bodily harm and exempt from the close personal protection provisions if licensed or permitted on or before December 31, 2021. Requires the exception to be indicated by an endorsement on the existing license or permit. Applies to licensed and permits granted on or after January 1, 2022.

Amends GS 14-269.3, regarding carrying weapons into assemblies and establishments serving alcoholic beverages, to provide that the statute does not apply to persons registered as a security guard, or hired by the owner, lessee, or person or organization sponsoring the event or a person employed by an entity licensed under GS 74C-2 who is hired by the owner, lessee, or person or organization sponsoring the event. Applies to offenses committed on or after December 1, 2021.

Intro. by Daniel.

GS 14, GS 74C

[View summary](#)

Business and Commerce, Occupational Licensing, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, Public Safety and Emergency Management

S 425 (2021-2022) [GAP AND VVPA AGREEMENT CHANGES](#). Filed Mar 31 2021, *AN ACT TO MAKE CHANGES TO THE STATUTES GOVERNING GUARANTEED ASSET PROTECTION WAIVERS AND TO CREATE AN ARTICLE GOVERNING VEHICLE VALUE PROTECTION AGREEMENTS*.

Revises the definition of a *guaranteed asset protection waiver* set forth in GS 66-440, applicable to Article 46. Adds that the term can alternatively mean a contractual agreement in which a creditor agrees, with or without a separate charge, to cancel or

waive all or part of amounts that may become due under a borrower's lease agreement as a result of excessive wear and use of a vehicle. Requires that this agreement is part of or an addendum to the lease agreement; authorizes excess wear and use waivers can cancel or waive amounts due for excess mileage. Specifies that the existing meaning of the term regarding cancellation or waiver of all or part of amounts due on a borrower's finance agreement in the event of a total physical damage loss or unrecovered theft of the vehicle applies with or without a separate charge for the agreement. Allows these agreements to provide a benefit that waives an amount or provides a borrower with a credit towards the purchase of a replacement vehicle, with or without a separate charge.

Makes clarifications to the miscellaneous provisions of GS Chapter 66-446. Deems the cost of a guaranteed asset protection waiver sold in compliance with Article 46 to be an authorized charge that can be financed under GS Chapter 25A, which governs retail installment sales, and not a part of the finance charge or interest thereunder.

Enacts Article 48, *Vehicle Value Protection Agreements*, to GS Chapter 66. Establishes the purpose of the Article and sets forth 10 defined terms. Authorizes vehicle value protection agreements (VVPAs) which comply with the Article to be offered, sold, or given to consumers. Defines VVPAs to include a contractual agreement that provides a benefit towards either the reduction of some or all of the contract holder's current finance agreement deficiency balance, or towards the purchase or lease of a replacement motor vehicle or purchase of motor vehicle services, upon an adverse event to the motor vehicle, which can also include related agreements; excludes debt waivers. Allows providers to use a third-party administrator or other designee to administer a VVPA.

Requires VVPA holders to be given or provided access to a copy of the agreement. Deems charges or financed amounts for a VVPA an authorized charge, required to be separately stated and not considered a finance charge or interest. Requires providers to have a reimbursement insurance policy by an issuing insurer that meets the specified criteria, or maintain a \$100 million net worth or stockholder's equity, with supporting documentation as specified. Bars any further financial security requirements for VVPAs. Bars conditioning extension of credit, terms of credit, or terms of related motor vehicle sales or leases upon the consumer's payment for or financing of any charge for a VVPA. Authorizes VVPAs to be given at a discount or at no charge with the purchase of other noncredit-related goods or services. Requires disclosure of the right to a full refund upon cancellation during the free-look period, as defined and required to be at least 30 days, so long as no benefit has been provided. Provides procedure for VVPA cancellation by the provider. Authorizes the provider to charge an administrative fee of up to \$75.

Lists eight required disclosures that must be contained in VVPAs, including cancellation rights, parameters, and procedures. Exempts commercial transactions from the required disclosures regarding cancellation after the free-look period and conditioning credit extensions or terms or related motor vehicle sales or leases upon the purchase of the VVPA.

Authorizes the Attorney General to enforce the Article and to protect VVPA consumers. Grants authority to take the following enforcement actions, subject to proper notice and hearing requirements. Authorizes the AG to order noncompliant individuals or entities to cease and desist, and impose a penalty of up to \$500 per violations, capping the aggregate for similar violations at \$10,000, as specified.

Clarifies that VVPAs are not insurance and are exempt from insurance regulations under GS Chapter 58, including VVPAs issued prior to or after the Article's enactment; extends the exemption to persons engaged in the business of VVPAs.

Includes a severability clause.

Applies to agreements entered into on or after January 1, 2022.

Intro. by Woodard, Perry, Johnson.

GS 66

[View summary](#)

Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle

S 426 (2021-2022) **INCLUSIONARY ZONING/AFFORDABLE HOUSING**. Filed Mar 31 2021, *AN ACT TO ALLOW A LOCAL GOVERNMENT TO ENACT ORDINANCES FOR INCLUSIONARY ZONING AND AN IN-LIEU FEE REQUIREMENT FOR DEVELOPMENT TO SUPPLEMENT THE AVAILABILITY OF AFFORDABLE HOUSING*.

Amends GS 160D-102 by adding and defining the term *inclusionary zoning*, as it is used in GS Chapter 160D, as a requirement that a given share of new construction be affordable by persons and families with low and moderate income levels. Amends GS 160D-702 to allow a local government's zoning regulation to provide for inclusionary zoning and to include an in-lieu fee requirement for development.

Intro. by Mayfield, Salvador, Murdock.

[GS 160D](#)

[View summary](#)

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

S 427 (2021-2022) [DISCHARGE OF DISCRIMINATORY COVENANTS](#). Filed Mar 31 2021, *AN ACT TO ESTABLISH A PROCESS FOR THE DISCHARGE OF DISCRIMINATORY COVENANTS IN THE CHAIN OF TITLE FOR REAL PROPERTY*.

Enacts new Article 4, Discriminatory Real Property Restrictions, in GS Chapter 22B. Prohibits from including in any written instrument (an instrument relating to or affecting real property, including a deed, plat, will, or trust) any provision (1) restricting in any manner the conveyance, lease, use, mortgage, or encumbrance of real property or (2) otherwise discriminating against any person's or class of persons' status as a protected class. Also prohibits a provision within a written instrument that is commonly understood as describing or referring to a protected class. Defines protected class as a class of persons identified by their particular race, color, national origin, or religion. Declares void and unenforceable a provision in a written instrument that is prohibited regardless of when the written instrument was executed; however, specifies that the written instrument is valid and enforceable in all other respects and must be given effect as though the written instrument does not contain the prohibited provision.

Allows an owner of a real property interest to discharge and release a provision that is prohibited by recording a form that substantially complies with the description provided in the statute with the register of deeds. While the recorded form discharges and releases a prohibited provision, the written instrument containing the provision otherwise remains in full force and effect and must be construed as though the instrument does not contain the provision. Requires the register of deeds to record the form upon the following: (1) execution of the form by an owner of an interest in the subject real property before a notary, (2) the form contains the legal description of the real property affected by a provision prohibited, (3) the form contains the date of recording and the book and page of the written instrument containing the provision prohibited, (4) the form complies with all statutory recording requirements, and (5) the recording fee has been paid.

Effective October 1, 2021.

Intro. by Mayfield, Murdock.

[GS 22B](#)

[View summary](#)

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

S 428 (2021-2022) [LOCAL GOV'T AUTONOMY/BLDG. STDS](#). Filed Mar 31 2021, *AN ACT TO PERMIT LOCAL GOVERNMENTS AUTONOMY OVER BUILDING AND ENERGY EFFICIENCY STANDARDS*.

Amends GS 143-138(e), which sets out exceptions to the North Carolina State Building Code. Allows any political subdivision of the State to adopt an energy conservation code. Adds that the Building Code Council must approve local modification or replacement for the State Energy Conservation Code if it finds the local modification or replacement is at least as stringent. Deems a submission approved if the Council fails to act on the submission of a local modification or replacement within six months. Makes organizational changes. Makes additional clarifying and technical changes.

Intro. by Mayfield, Woodard.

[GS 143](#)

[View summary](#)

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

S 429 (2021-2022) **COMM. RECEIVERSHIP AND REAL PROPERTY AMENDS**. Filed Mar 31 2021, *AN ACT TO MAKE AMENDMENTS RELATING TO THE NORTH CAROLINA COMMERCIAL RECEIVERSHIP ACT, THE VALIDITY OF NOTARIAL ACTS, AND CERTAIN STATUTES AFFECTING REAL PROPERTY.*

Part I.

Makes a technical change to no longer provide for a receiver to be appointed in cases provided in GS 1-507.1 and in similar cases regarding property within the State of foreign corporations under GS 1-502 (GS 1-507.1 has since been repealed).

Makes the following changes to the Commercial Receivership Act, Article 38A, GS Chapter 1.

Makes technical changes to the definitions set forth in GS 1-507.20. Corrects a statutory cross-reference. No longer qualifies the definitions provided upon context.

Regarding the clerk's duty to provide a copy of an order appointed a receiver for an individual business debtor of a limited receiver appointed for an entity pursuant to GS 1-507.24, requires provision of the copy of the order to the senior resident superior court judge or the chief district court judge (previously referred to the senior district judge) for the court in which the receivership is pending. Makes technical changes.

Makes clarifying changes to the duties of the debtor under GS 1-507.30, to require the debtor to deliver to the receiver, immediately upon the receiver's appointment and demand, all receivership property in the debtor's possession, custody, or control, and all related papers and documents (previously did not specify the duty is also conditioned upon the demand of the receiver). Makes technical changes.

Makes technical changes to GS 1-507.40 regarding turnover of receivership property and GS 1-507.42 regarding stays resulting from entry of orders appointing a receiver. Corrects a federal statutory reference in GS 1-507.42.

Adds orders relating to the appointment of a receiver pursuant to GS 1-502(6) for the real property under Article 38A of GS Chapter 1, as amended, to the orders a court is explicitly authorized to make in the best interest of the parties before final determination of a proceeding to partition real property, subject to application of the parties, under GS 46A-28.

Revises GS 53C-9-401 to make the provisions of Article 38A of GS Chapter 1, as amended, relating to receivers, applicable to the liquidation of banks under Article 9 of GS Chapter 53C, to the extent the provisions are consistent with Article 9 (previously specifically referenced GS 1-507.1 through GS 1-507.11, since repealed, rather than Article 38A in its entirety).

Part II.

Amends GS 10B-65 to validate notary acknowledgements performed before July 1, 2013 (was, December 1, 2005), that bear a notary seal. Specifies that the statute, which validates acts of notaries public in a number of specified instances, applies to notarial acts performed on or before April 1, 2021 (was, April 1, 2013). Makes additional clarifying changes.

Amends GS 10B-9 to deem a notarial certificate that was contained in a form issued by a State agency before April 1, 2021 (was, April 1, 2013), to be valid so long as the certificate complied with the law at the time the form was issued.

Amends GS 10B-71, which validates any acknowledgment taken and any instrument notarized by a person who after recommissioning failed to again take the oath as a notary public, to make the statute applicable to notarial acts performed on or after May 15, 2004, and before April 1, 2021 (was, April 1, 2013). Makes clarifying changes.

Amends GS 47-48 (clerks' and register of deeds' certificate failing to pass on all prior certificates), to make the statute applicable to all instruments recorded in any of the State's counties before April 1, 2021 (was, April 1, 2013). Makes clarifying changes. Makes language gender neutral.

Amends GS 47-51 to provide that all deeds executed before April 1, 2021 (was, April 1, 2013) by an officer authorized to execute a deed by virtue of the office or appointment, in which the officer has omitted to affix a seal after the officer's signature, are not invalid on account of the omission of the seal. Makes clarifying changes. Makes language gender neutral.

Amends GS 47-53, concerning validation when seals have been omitted in the execution of any deed, mortgage, or other instrument required to be registered, to make the statute applicable to acknowledgements, private examinations, or proofs

taken before April 1, 2021 (was, April 1, 2013). Makes additional clarifying changes.

Amends GS 47-53.1, concerning the validation of an acknowledgement that lacks the required seal, to make the statute applicable to deeds and other instruments acknowledged before April 1, 2021 (was, April 1, 2013). Makes clarifying changes.

Amends GS 47-72 to provide that in all cases before April 1, 2021 (was, April 1, 2013), where a deed conveying lands purported to be executed by a corporation fails to include the corporate name, but the deed contains the required signatures and has been registered in the appropriate county, the defective execution is considered valid. Makes clarifying changes.

Amends GS 47-97, concerning the validation of a corporate deed when there is a mistake as to the officers' names, to apply to deed executed before April 1, 2021 (was, April 1, 2013).

Amends GS 47-97.1, concerning the validation of deeds of a corporation that include an error in the acknowledgement or probate, to apply to cases where deed was filed for registration before April 1, 2021 (was, April 1, 2013). Makes clarifying changes.

Amends GS 47-108.6, concerning the validation of certain conveyances of foreign dissolved corporations, to apply to cases before April 1, 2021 (was, April 1, 2013). Makes clarifying changes.

Amends GS 47-108.11, concerning the validation of recorded instruments where seals have been omitted, to make the statute applicable to instruments recorded or registered before April 1, 2021 (was, April 1, 2013). Makes additional clarifying changes.

Amends GS 47-108.20, concerning the validation of certain recorded instruments that were not acknowledged, to make the statute applicable to instruments recorded before April 1, 2021 (was, April 1, 2013). Makes conforming changes.

Repeals GS 10B-72, which validated any acknowledgment taken and any instrument notarized by a person who after recommissioning failed to again take the oath as a notary public if the act was performed on or after August 28, 2010, and before January 12, 2012.

Amends GS 47-2.2 to provide that if the proof or acknowledgment of any instrument before a notary public of any state other than North Carolina and the instrument does not state, as part of the proof or acknowledgement or as part of the notary's seal, (previously did not require that be a part of the proof or acknowledgement or a part of the seal) that the notary's commission does not expire or is a lifetime appointment, then the certificate of proof or acknowledgment must be accompanied by the certificate of the county official before whom the notary qualifies for office or of a state officer authorized to issue certificates regarding notary commission status, stating that the notary public was at the time the certificate bears date an acting notary public of such that state, and that it is the notary's genuine signature. Makes clarifying changes. Makes language gender neutral.

Amends GS 47-37.1 to deem a notarial certificate that complies with the provisions of Part 5 (Certificate Forms) of Article 2 of GS Chapter 10B as a sufficient from of probate or acknowledgment for the purposes of GS Chapter 47 (Probate and Registration). Makes conforming and clarifying changes.

Effective October 1, 2021.

Part III.

Revises GS 41-56 regarding the creation of tenancy by the entirety in real property. Makes a clarifying change to refer to a grantor rather than an individual. Makes joinder of spouses subject to the provisions of GS 52-10.1, which governs separation agreements, rather than GS 52-11, which governs antenuptial contracts and torts. Makes technical and clarifying changes.

Revises the exemptions set forth in GS 41-75, exempting from the provisions governing joint tenancy of Article 6, accounts established under GS 41-2.1 (governs right of survivorship in bank deposits created by written agreement) or GS 41-2.2 (governing joint ownership of securities) to the extent the provisions are inconsistent with Article 6 (previously erroneously referenced statutes in GS Chapter 42, which provides landlord/tenant law).

Expands GS 47-18 to deem no rights of first refusal, rights of first offer, and options to purchase valid to pass any property interest as against lien creditors or purchasers for valuable consideration from the donor, bargainor, or lessor except from the time of the rights or option's registration in the specified county (previously only specified land conveyances, contracts to convey, and options to convey). Makes technical changes.

Makes the following changes to GS 93A-12 regarding disputed monies in real property transactions. Adds a new provision defining an escrow agent to mean a licensed real estate broker, a title insurance company or a title insurance agent licensed to conduct business in the State, or an attorney licensed to practice in the State. Makes changes throughout the statute to replace references to licensed real estate brokers and attorneys with "escrow agent," thereby expanding the statute by making the authorities and requirements regarding disputed monies applicable title insurance companies or title insurance agents licensed to practice in the State. Makes technical changes.

Amends SL 2017-110 to revise the scope of the act to apply to instruments filed on or after August 31, 2018 (was curative affidavits; SL 2017-110 provided for changes in correcting nonmaterial errors in recorded instruments of title, created a curative procedure for obvious descriptions errors in title documents, and created a seven-year curative provision for certain defects in records title instruments).

Effective October 1, 2021.

Part IV.

Provides that the act is effective when it becomes law unless otherwise provided.

Intro. by Galey, Edwards.

UNCODIFIED, [GS 1](#), [GS 10B](#), [GS 41](#), [GS 46A](#), [GS 47](#), [GS 53C](#), [GS 93A](#)

[View summary](#)

[Banking and Finance](#), [Business and Commerce](#), [Corporation and Partnerships](#), [Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Development](#), [Land Use and Housing](#), [Property and Housing](#)

S 430 (2021-2022) [REGIONAL FIRE TRAINING CENTER FUNDS](#). Filed Mar 31 2021, *AN ACT APPROPRIATING FUNDS FOR A REGIONAL FIRE AND RESCUE TRAINING CENTER ON THE CAMPUS OF FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE.*

Includes whereas clauses. Appropriates \$20 million for 2021-22 from the General Fund to the Community Colleges System Office to be allocated to Fayetteville Technical Community College to construct a Regional Fire and Rescue Training Center. Effective July 1, 2021.

Intro. by deViere, Clark, Johnson.

[APPROP](#), [Cumberland](#)

[View summary](#)

[Education](#), [Higher Education](#), [Government](#), [Budget/Appropriations](#), [Public Safety and Emergency Management](#)

S 431 (2021-2022) [PERMANENT DV PROTECTIVE ORDERS](#). Filed Mar 31 2021, *AN ACT TO ALLOW PERMANENT DOMESTIC VIOLENCE PROTECTIVE ORDERS THAT SHALL REMAIN IN EFFECT FOR THE LIFETIME OF THE PERSON SUBJECT TO THE ORDER.*

Enacts new GS 50B-3.2 allowing the issuance of a permanent protective order that remains in effect for the respondent's lifetime. Allows a permanent protective order to be issued concurrently with a fixed-time protective order. Allows the issue of a permanent protective order when the court finds: (1) an act of domestic violence has occurred, (2) reasonable grounds exist for the victim to fear future contact with the respondent, (3) process was properly served on the respondent, and (4) the respondent answered the complaint and notice of hearing was given or the respondent failed to answer the complaint and is in default. Specifies six forms of relief that the court may grant in the order, including order the respondent not to threaten, visit, assault, molest, or otherwise interfere with the victim; order the respondent not to abuse or injure the victim; and order the respondent not to contact the victim by telephone, written communication, or electronic means. Allows the victim to make a motion to rescind the order anytime after it has been issued; allows the court to rescind the order if reasonable grounds for the victim to fear any future contact with the respondent no longer exist. Makes conforming changes to GS 50B-3.

Amends GS 50B-2 to allow fixed-time domestic violence protective orders to be filed electronically. Prohibits holding hearings to consider fixed-time relief via video conference.

Applies to actions or motions filed on or after October 1, 2021.

Intro. by Edwards.

GS 50B

[View summary](#)

Courts/Judiciary, Civil, Family Law

S 432 (2021-2022) **MODIFY EDPNC LEGAL OBLIGATIONS**. Filed Mar 31 2021, *AN ACT TO ELIMINATE THE PUBLIC RECORDS LAWS AND OPEN MEETINGS LAWS REQUIREMENTS APPLICABLE TO A NONPROFIT CORPORATION WITH WHICH THE DEPARTMENT OF COMMERCE CONTRACTS FOR ECONOMIC DEVELOPMENT PURPOSES*.

Revises GS 143B-431.01 to no longer specify that the nonprofit corporation with which the Department of Commerce contracts pursuant to the statute is subject to the public records laws of GS Chapter 132, or public meetings laws of Article 3C, GS Chapter 143. Maintains that a contracted nonprofit corporation's officers, employees and governing board members are public servants and subject to GS Chapter 138A, the State Government Ethics Act.

Amends GS 132-6 to no longer provide for treatment of records relating to the proposed expansion or location of a specific business or industrial projects that are in the custody of an entity with which the Department contracts under GS 143B-431.01. Additionally, regarding the prescribed treatment of records relating to the proposed expansion or location of specific business or industrial projects in the Department's custody, prohibits disclosure of the records if no discretionary incentives are requested for the project under GS Chapter 143, no longer also requiring that the specific business has decided to expand or locate the project in the State to prohibit disclosure of the records.

Intro. by Edwards.

GS 132, GS 143B

[View summary](#)

Business and Commerce, Government, Public Records and Open Meetings, State Agencies, Department of Commerce, Nonprofits

S 433 (2021-2022) **PROHIBIT ONLINE IMPERSONATIONS**. Filed Mar 31 2021, *AN ACT TO PROHIBIT THE USE OF ANOTHER PERSON'S NAME OR PERSONA WITHOUT THE PERSON'S CONSENT FOR THE PURPOSE OF HARMING, DEFRAUDING, INTIMIDATING, OR THREATENING THE PERSON*.

Enacts GS 14-459, making it unlawful to use the name or persona of another person without their consent and with the intent to harm, defraud, intimidate, or threaten any person, to create a webpage on a commercial social networking site, as defined, or other website, or post or send one or more messages on or through a commercial social networking site or other website, excluding messages posted or sent through email or a message board. Makes violations a Class D felony punishable by a fine of up to \$10,000. Also makes it unlawful to send an email, instant message, text message, or similar communication that references a name, domain address, phone number, or other identifying item belonging to a person, if the communication was sent without the person's consent with the intent to cause the recipient to reasonably believe that the person authorized or transmitted the communication, as well as the intent to harm or defraud the person. Makes violations a Class D felony punishable by a fine of up to \$10,000 if the offense was committed with the intent to solicit a response by law enforcement or other emergency personnel; otherwise makes violations a Class A1 misdemeanor, punishable by a fine of up to \$4,000.

Establishes another offense, providing that if a person uses information resulting from the commission of the other stated offenses to commit a separate crime against the victim, the offender in violation of this statute is also guilty of aiding and abetting the commission of the separate crime, and punishable in accordance with the applicable statute governing the separate crime. Allows as a defense that the person is one of the following or that the person's conduct was solely take as an employee of: commercial networking sites, internet service providers, interactive computer services, telecommunications service providers, video service providers, and cable services providers. Includes defined terms. Applies to offenses committed on or after December 1, 2021.

Intro. by Perry.

GS 14

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

S 434 (2021-2022) **FUNDS FOR NC TROOPERS ASSOC. CAISSON UNIT.** Filed Mar 31 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA TROOPERS ASSOCIATION CAISSON UNIT.*

Appropriates \$250,000 for 2021-22 from the General Fund to the Department of Public Safety, State Highway Patrol Division, to assist the North Carolina Troopers Association Caisson Unit with upkeep and maintenance. Effective July 1, 2021.

Intro. by Perry.

APPROP

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

S 435 (2021-2022) **TERMINATIONS OF STATES OF EMERGENCY.** Filed Mar 31 2021, *AN ACT TO PROVIDE NOTICE FOR EXPIRATIONS AND TERMINATIONS OF LOCAL PROHIBITIONS, RESTRICTIONS, AND STATES OF EMERGENCY.*

Amends GS 166A-19.31 by adding that when prohibitions and restrictions imposed under the statute (power of municipalities and counties to enact ordinances to deal with states of emergency) and states of emergency under GS 166A-19.22 (Municipal or county declaration of state of emergency) expire or terminate, the municipality or county must: (1) post a notice of the expiration or termination of the prohibition or restriction on the municipality or county's website (if there is one) and (2) submit a notice of expiration or termination of the prohibition or restriction to the Department of Public Safety WebEOC critical incident management system.

Intro. by Edwards.

GS 166A

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

S 436 (2021-2022) **LOCAL TREE ORDINANCES AUTHORIZED.** Filed Mar 31 2021, *AN ACT AUTHORIZING COUNTIES AND CITIES TO ADOPT ORDINANCES PROVIDING STANDARDS FOR THE PRESERVATION OR REPLACEMENT OF TREES.*

Enacts new GS 160D-1321 allowing a city or county (after holding a public hearing after providing the specified notice of the hearing) to adopt ordinances to provide standards for the preservation or replacement of trees on public and private property within its jurisdictional limits because of their contribution to (1) the health of its citizens in improved air and water quality; (2) the control of flooding, noise, glare, and soil erosion; (3) the protection of urban wildlife; (4) the maintaining and increasing of property values; and (5) the beauty of its overall landscape. Specifies that for cities, the ordinance also applies in the city's extraterritorial jurisdiction.

Intro. by Mayfield, Woodard.

GS 160D

[View summary](#)**Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Local Government**

S 437 (2021-2022) [LOCAL GOVERNMENTS/IMPACT FEES AUTHORIZED](#). Filed Mar 31 2021, *AN ACT AUTHORIZING COUNTIES AND CITIES TO IMPOSE IMPACT FEES*.

Enacts new GS 160D-1321, providing as follows. Allows a city or county to adopt an ordinance (after public hearing) to impose impact fees on all new construction within its corporate limits. Requires cities imposing the fee to also impose impact fees on all new construction in its extraterritorial jurisdiction. Requires the amount of each fee to be uniform and based upon the capital costs to be incurred by the city/county because of the new construction. Defines *capital costs* as costs spent for developing community service facilities (as defined in the act); limits these costs to capital outlay items listed in the "Uniform Accounting System for Local Government in North Carolina" procedural manual. Also defines *new construction* and *developer*. Allows the creation of zones within which the costs of providing community service facilities are estimated. Requires funds for each community service facility for which an impact fee is collected to be placed in a separate capital reserve fund. Requires the ordinance to include credits against the required impact fees when a developer installs improvements that are of a type that generally would be paid for by the city/county out of a capital reserve account funded by impact fees. Sets out the process under which a developer may challenge an impact fee. Effective July 1, 2021.

Intro. by Mayfield, Bazemore.

[GS 160D](#)

[View summary](#)

[Development, Land Use and Housing, Building and Construction, Land Use, Planning and Zoning, Government, Local Government](#)

S 438 (2021-2022) [FULL REPEAL OF HB2](#). Filed Mar 31 2021, *AN ACT TO REPEAL HOUSE BILL 2 IN ITS ENTIRETY BY REPEALING ARTICLE 81A OF CHAPTER 143 OF THE GENERAL STATUTES*.

Identical to [H 451](#), filed 3/30/21.

Repeals Article 81A, Preemption of Regulation of Access to Multiple Occupancy Restrooms, of GS Chapter 143.

Intro. by Mayfield, Murdock, Nickel.

[GS 143](#)

[View summary](#)

[Government, State Government, Local Government](#)

S 439 (2021-2022) [HATE CRIMES PREVENTION ACT](#). Filed Mar 31 2021, *AN ACT TO INCREASE THE SCOPE AND PUNISHMENT OF HATE CRIMES; TO REQUIRE THE STATE BUREAU OF INVESTIGATION TO CREATE AND MAINTAIN A HATE CRIMES STATISTICS DATABASE; TO REQUIRE THE NORTH CAROLINA JUSTICE ACADEMY TO DEVELOP AND PROVIDE LAW ENFORCEMENT OFFICERS WITH TRAINING ON IDENTIFYING, RESPONDING TO, AND REPORTING HATE CRIMES; AND TO REQUIRE THE CONFERENCE OF DISTRICT ATTORNEYS OF NORTH CAROLINA TO DEVELOP AND PROVIDE TRAINING TO PROSECUTORS ON HOW TO PROSECUTE HATE CRIMES*.

Part I.

Entitles this act "The Hate Crimes Prevention Act."

Part II.

Amends GS 14-3 by expanding the categories under which a crime will be elevated to a higher level offense as a hate crime under subsection (c) to include crimes committed because of the actual or perceived race, ethnicity, color, religion, nationality, country of origin, gender, gender identity, gender expression, disability, or sexual orientation of the victim or a person or group associated with the victim (previously did not specify actual or perceived characteristics included). Class 2 or Class 3 misdemeanors committed for these reasons will be elevated to a Class 1 misdemeanor. Class A1 or Class 1 misdemeanors committed for these reasons will be elevated to a Class H felony. Adds new subsection (d), permitting a person who is injured or whose property is damaged as a result of a hate crime as defined in subsection (c) or an immediate family member of that person to bring an action for appropriate relief, including actual damages, punitive damages, reasonable attorneys' fees, and

any other litigation costs reasonably incurred. Deems the burden of proof to be the same as in other civil actions for similar relief. Actual damages under this subsection includes damages for emotional distress. Makes conforming changes to the statute's caption. Adds a new subsection (e), authorizing ordering a person convicted of or who has pleaded no contest to having engaged in conduct in violation of subsection (c) to participate in a restorative justice session with the victim at the victim's request, to be conducted as specified at the cost of the defendant.

Amends GS 14-401.14, changing the title to Intimidation by hate crime; teaching any technique to be used in the commission of a hate crime. Expands the categories covering hate crime identical to the above changes to GS 14-3. Adds new subsection (c), allowing for the person who is injured or whose property is damaged as a result of a hate crime or their immediate family member to seek civil damages, identical to the above changes to GS 14-3. Deems the burden of proof to be the same as in other civil actions for similar relief. Adds new subsection (d), authorizing ordering a person convicted of or who has pleaded no contest to having engaged in conduct in violation of subsection (a) to participate in a restorative justice session with the victim at the victim's request, to be conducted as specified at the cost of the defendant. Includes gender-neutral pronoun change.

Amends GS 15A-1340.16(d)(17), expanding the definition of an *aggravating factor* identical to the above definition of hate crime.

Amends GS Chapter 14, Article 8, adding new GS 14-34.11, titled *Felonious assault as a hate crime*. Creates the crime *felonious assault as a hate crime*, defined as assaulting and inflicting serious bodily injury or attempting an assault inflicting serious bodily injury because of, in whole or in part, the actual or perceived race, ethnicity, color, religion, nationality, country of origin, gender, gender identity, gender expression, disability, or sexual orientation of that person or a person or group associated with that person. Punishable as a Class F felony, elevated to a Class E felony if death results from the offense, or the offense includes the commission or attempted commission of kidnapping, first- or second-degree forcible rape, or first- or second-degree forcible sexual offense. Permits the person injured or whose property is damaged as a result of a hate crime or the person's immediate family to seek civil damages, identical to the above changes to GS 14-3. Deems the burden of proof to be the same as in other civil actions for similar relief. Authorizes ordering a person convicted of or who has pleaded no contest to having engaged in conduct in violation of subsection (b) to participate in a restorative justice session with the victim at the victim's request, to be conducted as specified at the cost of the defendant. Defines *gender identity* as actual or perceived gender-related characteristics.

This Part becomes effective December 1, 2021, and applies to offenses committed on or after that date.

Part III.

Amends GS Chapter 143B, Article 13, enacting new GS 143B-907, titled Hate crime statistics. Directs the State Bureau of Investigation (SBI) to collect, analyze, and disseminate information regarding the commission of offenses punishable under GS 14-3(c), 14-401.14, or 14.34.11. This information must include the total number of offenses committed for each type, personal protected characteristics of the offender and victim from each offense, and the disposition of each offense. Requires all State and local law enforcement agencies to report monthly to the SBI on offenses committed in their jurisdictions that meet the criteria for a hate crime. Requires the SBI to report to the General Assembly on a yearly basis on the information gathered. The SBI must also publish this report on its website. Requires the SBI to share any information collected under this section upon request of any local law enforcement agency, unit of local government, or State agency. Effective January 1, 2022.

Directs the SBI to develop guidelines for the information on hate crimes required to be submitted by local law enforcement agencies. Requires the first report by the SBI to the General Assembly to be submitted by January 15, 2023.

Appropriates \$1.89 million in nonrecurring funds for the 2021-22 fiscal year from the General Fund to the SBI to cover any costs incurred in establishing the hate crime statistics database. Appropriates \$530,000 in recurring funds for the 2021-22 fiscal year from the General Fund to the SBI to hire an additional employee to manage the database.

Effective July 1, 2021.

Part IV.

Amends GS 17D-2(c), adding new subdivision (5), requiring the North Carolina Justice Academy to develop and provide training to law enforcement officers on how to identify, respond to, and report hate crimes.

Amends GS 17C-6(a) and GS 17E-4(a), requiring the minimum educational, training, in-service training, and continuing education standards for criminal justice officers and sheriffs established by the Training Standards Commission to include

education and training on how to identify, respond to, and report a hate crime.

Effective July 1, 2021.

Part V.

Amends GS 7A-413 to add new subsection (c), requiring the Conference of District Attorneys to develop and provide training to prosecutors on prosecuting hate crimes.

Effective July 1, 2021.

Part VI.

Except as otherwise provided, this act is effective when it becomes law.

Intro. by Chaudhuri, Foushee, Mohammed.

[APPROP, GS 7A, GS 14, GS 15A, GS 17C, GS 17D, GS 17E, GS 143B](#)

[View summary](#)

[Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Justice](#)

S 440 (2021-2022) [NONPROFIT FUNDRAISING SALES TAX EXEMPTION](#). Filed Mar 31 2021, *AN ACT TO EXEMPT CERTAIN FUNDRAISING EVENTS BY NONPROFITS FROM SALES TAX*.

Amends GS 105-164.4G, which taxes gross receipts derived from an admission charge to an entertainment activity, to exempt from the tax events held by a nonprofit exempt from tax under Article 4 (income tax) of GS Chapter 105 solely for fundraising purposes for the entity. Applies to admission charges for entertainment activities held on or after July 1, 2021.

Intro. by Davis, Burgin.

[GS 105](#)

[View summary](#)

[Government, Tax, Nonprofits](#)

S 441 (2021-2022) [NONPROFIT SALES TAX EXEMPTION](#). Filed Mar 31 2021, *AN ACT TO PROVIDE A SALES TAX EXEMPTION FOR CERTAIN NONPROFIT ENTITIES*.

Repeals GS 105-164.14(b), authorizing tax refunds for certain nonprofit entities and hospital drugs.

Amends GS 105-164.13 to add a new sales tax exemption for tangible personal property, digital property, and services for use in carrying on the work of seven specified entities, so long as the entity is not owned or controlled by the State.

The exemption applies to (1) nonprofit hospitals, including hospitals and medical accommodations operated by an authority or other public hospital described in Article 2 of GS Chapter 131E; (2) organizations exempt from income tax under 501(c)(3) of the Internal Revenue Code (Code) and not classified in the National Taxonomy of Exempt Entities major group areas of Community Improvement and Capacity Building, Public and Societal Benefit, or Mutual and Membership Benefit; (3) volunteer fire departments and volunteer emergency medical services squads exempt from income tax under the Code, financially accountable to a city as defined in GS 160A-1, a county, or a group of cities and counties, or both; (4) organizations that are single member LLCs disregarded for income purposes so long as the owner of the LLC is an organization exempt from income tax under 501(c)(3) of the Code, the LLC is a nonprofit entity that would be eligible for an exemption under 501(c)(3) of the Code if it were not disregarded for income tax purposes, and the LLC is not an organization that would be properly classified in the National Taxonomy of Exempt Entities major group areas of Community Improvement and Capacity Building, Public and Societal Benefit, or Mutual and Membership Benefit; (5) qualified retirement facilities whose property is excluded from property tax under GS 105-278.6A; (6) university-affiliated nonprofit organizations, including an entity exempt from

taxation as a disregarded entity of the nonprofit organization, that procures, designs, constructs, or provides facilities to or for use by a constituent UNC institution; and (7) over-the-counter drugs purchased for use in carrying out the work of a hospital not listed in one of the above entities.

Specifies this exemption includes indirect sales to a nonprofit entity of digital property and tangible personal property purchased by a real property contractor that becomes a part of or permanently installed or applied to any building or structure owned or leased by the nonprofit entity and is being erected, altered, or repaired for use by the nonprofit entity for carrying on its nonprofit activities. Further specifies that a sale to fulfill a real property contract with an entity that holds an exemption certificate is exempt to the same extent as if purchased directly by the entity that holds the exemption certificate. Requires a real property contractor that purchases an item allowed an exemption to provide (1) an exemption certificate to the retailer that includes the name of the nonprofit entity holding the exemption certificate, (2) the exemption certificate number issued to that holder, and (3) the information required pursuant to GS 105-164.28.

Specifies that this exemption does not apply to (1) purchases of electricity, telecommunications service, ancillary service, piped natural gas, video programming, a prepaid meal plan, aviation gasoline and jet fuel, and spirituous liquor or (2) sales and use tax liability indirectly paid by a nonprofit entity through reimbursement to an authorized person of the entity for tax incurred by the person on an item or transaction subject to tax under Article 5 of GS Chapter 105.

Caps the aggregate annual exemption allowed to an entity under this provision for a fiscal year at \$31,700,000. Directs the real property contractor who pays local sales and use taxes on property qualifying for an exemption under this provision on behalf of an entity to give the entity for whose project the property was purchased a signed statement with the date the property was purchased, the type of property purchased, the project for which the property was used, and the county in which the property was purchased in this State or used if purchased in another State. Directs the real property contractor to attach a copy of the sales or purchase receipt to the statement if the property was purchased in this State.

Enacts GS 105-164.29C, requiring a nonprofit entity to obtain a sales tax exemption number from the Department of Revenue (Department) to be eligible for the exemption provided in GS 105-164.13(52a), enacted above. Directs the Department Secretary to assign a sales tax exemption number to a nonprofit entity that submits a proper application, as specified. Requires a nonprofit entity that does not use the items purchased with its exemption number to pay the tax that would have been paid on the items purchased, plus interest from the date the tax would otherwise have been paid.

Amends GS 105-467(b), concerning exemptions and refunds for local sales and use tax. Provides that the State exemptions and exclusions contained in Article 5 of GS Chapter 105 (Sales and Use Tax) apply to the local sales and use tax authorizes to be levied and imposed under Article 39 (currently, specifies only exemptions and exclusions in GS 105-164.13 and GS 105-164.57A apply). Caps the aggregate annual local exemption amount allowed an entity under new GS 105-164.13(52a) for a fiscal year at \$13,300,000 in tax.

Makes conforming changes to GS 105-467(b).

Amends GS 105-236(a)(5a) to add that the offense of misusing of an exemption certificate under this subdivision, penalized by a \$250 penalty, includes improper use of a certificate of exemption issued to a nonprofit entity pursuant to GS 105-164.29C, as enacted, for direct and indirect purchases by the entity or another person.

Effective October 1, 2021, and applies to sales and purchases made on or after that date. Does not affect the rights or liabilities of the State, a taxpayer, or another person arising under a statute amended or repealed by this act before the effective date of its amendment or repeal, and does not affect the right to any refund or credit of a tax that accrued under the amended or repealed statute before the effective date of its amendment or repeal.

Intro. by Davis, Burgin.

GS 105

[View summary](#)

Government, Tax, Nonprofits

S 442 (2021-2022) [FUNDS FOR VETERANS/HBOT](#). Filed Mar 31 2021, *AN ACT TO APPROPRIATE FUNDS TO PROVIDE FOR HYPERBARIC OXYGEN THERAPY TREATMENT FOR NORTH CAROLINA VETERANS SUFFERING FROM TRAUMATIC BRAIN INJURY (TBI) AND POSTTRAUMATIC STRESS DISORDER (PTSD)*.

Includes whereas clauses. Requires the Community Foundation of NC East, Inc., within funds provided in this act, to provide free hyperbaric oxygen therapy treatment to veterans who are residents of the state with a diagnosis of traumatic brain injury (TBI) or posttraumatic stress disorder (PTSD). Appropriates \$150,000 for 2021-22 from the General Fund to the Office of State Budget and Management to provide a grant to the Community Foundation of NC East, Inc., to provide the hyperbaric oxygen therapy treatment. Requires the Community Foundation of NC East, Inc., to report to the specified NCGA committee by March 1, 2023. Effective July 1, 2021.

Intro. by Davis.

APPROP, UNCODIFIED

[View summary](#)

Government, Budget/Appropriations, State Agencies, Office of State Budget and Management, Health and Human Services, Health, Health Care Facilities and Providers, Military and Veteran's Affairs

S 443 (2021-2022) [2021 SAFE DRINKING WATER ACT](#). Filed Mar 31 2021, *AN ACT TO PROTECT NORTH CAROLINA CITIZENS FROM HARMFUL TOXINS IN DRINKING WATER BY REQUIRING THE COMMISSION FOR PUBLIC HEALTH TO ESTABLISH MAXIMUM CONTAMINANT LEVELS FOR CHEMICALS THAT ARE PROBABLE OR KNOWN CARCINOGENS OR ARE OTHERWISE TOXIC.*

Requires the Commission for Public Health (Commission) to, no later than October 15, 2021: (1) commence rulemaking to establish maximum contaminant levels (MCLs) for probable or known carcinogens and other toxic chemicals that are likely to pose a substantial hazard to public health, requiring at least the establishment of MCLs for the five specified contaminants, including per- and poly-fluoroalkyl substances (PFAS); and (2) for any other contaminants where at least two other states have set MCLs or issued guidance, the Commission must consider establishing MCLs for such contaminants. Requires the Commission to do the following when establishing the MCLs: (1) review MCLs adopted by other states, the studies and scientific evidence reviewed by those states, material in the Agency for Toxic Substances and Disease Registry, and the latest peer-reviewed science and independent or government agency studies on appropriate MCLs for such contaminants; and (2) adopt MCLs protective of public health, including vulnerable subpopulations, which state MCLs must not exceed any MCL or health advisory established by the US Environmental Protection Agency.

Requires the Commission to annually review the latest peer-reviewed science and independent or government agency studies and undertake additional rulemaking, as necessary to establish or revise MCLs for contaminants likely to pose a substantial threat to public health.

Appropriates \$6 million in recurring funds for 2021-22 from the General Fund to the Department of Health and Human Services to carry out the act's requirements. Allows DHHS to establish up to 37 FTE positions with these funds.

Effective July 1, 2021.

Intro. by Batch, Salvador, deViere.

APPROP, UNCODIFIED

[View summary](#)

Environment, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Public Health

S 444 (2021-2022) [EXPAND CIRCUIT BREAKER PROPERTY TAX BENEFIT](#). Filed Mar 31 2021, *AN ACT TO MODIFY THE PROPERTY TAX HOMESTEAD CIRCUIT BREAKER.*

Amends who qualifies for the property tax homestead circuit breaker under GS 105-277.1B, as follows. No longer requires the owner to be at least 65 years old or totally or permanently disabled; makes conforming changes. Allows a subsequent owner to count the previous owner's ownership and occupancy in order to meet the requirements for owning the property as a permanent residence for at least five consecutive years and occupying the property as a permanent residence for at least five years, if the

subsequent owner: (1) is the previous owner's surviving spouse and has not remarried or (2) inherits the property upon the previous owner's death and continues to use the property as a permanent residence. Effective for taxable years beginning on or after July 1, 2021.

Intro. by Mayfield, Murdock, Salvador.

GS 105

[View summary](#)

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

S 445 (2021-2022) **DOMESTIC VIOLENCE VICTIMS' SEPARATION WAIVER**. Filed Mar 31 2021, *AN ACT TO WAIVE THE REQUIRED ONE-YEAR PERIOD OF SEPARATION FOR ABSOLUTE DIVORCE WHEN A PERSON IN THE MARRIAGE IS A VICTIM OF DOMESTIC VIOLENCE AND TO APPROPRIATE FUNDS FOR AN AWARENESS CAMPAIGN.*

Amends GS 50-6 to allow the victim of domestic violence committed by the victim's spouse to seek a divorce without having to meet the required one year separation period. Sets out information that must be included in the divorce application that substantiates the domestic violence. Makes organizational changes to the statute.

Appropriates \$30,000 in nonrecurring funds for 2021-22 from the General Fund to the Governor's Crime Commission to implement an awareness campaign about this separation waiver. Effective July 1, 2021.

Applies to actions commenced on or after the date that this act becomes law.

Intro. by deViere, Marcus, Sawyer.

APPROP, GS 50

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Family Law, Government, State Government, Executive

S 446 (2021-2022) **WAGE THEFT ACT**. Filed Mar 31 2021, *AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO END WAGE THEFT.*

Makes clarifying and organizational changes to the defined terms set out in GS 95-25.2, applicable to Article 2A, the Wage and Hour Act. Adds the terms employment status, intentional, and willful.

Amends GS 95-25.13 to now require every employer to notify its employees in writing at the time of hire and upon any material change, of: (1) the promised wages and the basis upon which wages will be calculated; (2) the method, day, and place for payment; (3) the specified contact information and tax identification numbers for the employer; and (4) the employment status of the employee (previously, did not require written notification and limited notification to promised wages and the day and place for payment, and only required the notification upon hire). Also requires employers to furnish each employee with the information required by 13 NCAC 12 .0801(6) and 13 NCAC 12 .0801(8) through (13) for each pay period (concerning the employee's rate of pay, total hours worked each workweek, total straight-time earned each workweek, total overtime earnings each workweek, total additions or deductions from wages, total gross wages paid each pay period, and the date of payment).

Amends GS 95-25.22, regarding recovery of unpaid wages by employees from employers who violate GS 95-25.3 (Minimum Wage), GS 95-25.4 (Overtime), or GS 95-25.6 through GS 95-25.12 (Wage Payment). Now provides for the award of liquidated damages equal to twice the amount (was equal to the amount) found to be due under subsection (a) (which provides for unpaid amounts plus interest at the legal rate (provided in GS 24-1) from the date each amount first came due). Adds a new provision to require employers to be liable to the affected employee(s) for actual damages for violations of GS 95-25.13 (regarding employee notifications, postings, and records) or any rule adopted under the statute. Additionally authorizes a court that finds an intentional violation of the Article or any regulation issued under the Article to award statutory damages of up to \$500 per employee per violation. Requires the court to consider the nature and persistence of the violations and the extent of the employer's culpability when setting the amount of statutory damages. Further, now requires the court to order costs and fees of the action and reasonable attorneys' fees to be paid by the defendant (previously permissible). Allows an action arising out of a willful violation to be brought within three years, and allows for actions to be brought within one year after

notification to the employee of final disposition by the State of a complaint for the same violation (currently, requires all actions to be brought within two years).

Amends GS 95-25.23, which provides for civil penalties for certain violations of up to \$500 for the first violation and up to \$1,000 for subsequent violations. Adds to the scope of the statute employer violations of GS 95-25.3 (Minimum Wage), GS 95-25.4 (Overtime), GS 95-25.6 (Wage Payment), and GS 95-25.13 (Notification) (previously only included violations of GS 95-25.5, Youth Employment). Subjects the assessment of penalties under the statute to a three-year (was two-year) statute of limitations, commencing at the time of the occurrence of the violation.

Enacts GS 95-25.23D, establishing, for an employee for purposes of wage claims and collections, entitlement to a lien upon (1) all property of the employer located in the State and (2) all property upon which the employee has performed work, as specified, for the full amount of the wages and any statutory penalties owed. Allows a wage claim or action to enforce a lien under the statute to be brought by the employee individually or by the Commissioner, or by any representative of the employee, including collective bargaining representatives. Directs the Commissioner to record and provide notice of the lien on behalf of the employee if no lien has been recorded at the time the employee files a complaint with the Commissioner. Provides for joinder of wage claims or wage deficiencies against the same employer, and proportionate payments whether or not claims have been joined in the case of the sale of property subject to the lien being insufficient to pay all claimants. Limits liens to personal property to that which can be subject to a security interest under the Commercial Code by filing a financing statement. Provides for recordation and perfection of a claim of lien. Details the procedure and requirements for filing notice of the lien with the Secretary of State and service of the employer. Allows the lien to be filed at any time prior to the expiration of the statute of limitations for a wage claim on the same wages pursuant to GS 95-25.22(f), as amended. Specifies that mistakes and errors do not invalidate the claim unless made with intent to defraud. Provides for foreclosure upon any property subject to the properly recorded lien if an action to recover unpaid wages has been filed, as specified. Extinguishes the lien upon a judgment in favor of the employer or dismissal of the action for unpaid wages. Specifies that the lien continues in force until all issues on appeal have been decided, if applicable. Extinguishes the lien created by the statute if an action to recover the wages is not brought within one year of the filing of the lien. Establishes priority of the lien over all other interests regardless of the date of origination or perfection, and provides that the lien is effective against the employer, the estate of the employer, or a subsequent bona fide purchaser of the property subject to the employee's lien. Entitles the employee, the Commissioner, or the employee's representative to court costs and reasonable attorneys' fees for filing a successful action to foreclose a lien under the act.

Intro. by Mohammed, Foushee, Robinson.

[GS 95](#)

[View summary](#)

[Employment and Retirement](#)

S 447 (2021-2022) [LIVING WAGE FOR NC WORKERS](#). Filed Mar 31 2021, *AN ACT INCREASING THE STATE'S MINIMUM WAGE TO FIFTEEN DOLLARS PER HOUR OVER FIVE YEARS, THEN ANNUALLY ADJUSTING THE MINIMUM WAGE AUTOMATICALLY BY INCREASES IN THE COST OF LIVING; ENDING THE SUBMINIMUM WAGE FOR INDIVIDUALS WITH DISABILITIES; AMENDING THE SUBMINIMUM WAGE FOR TIPPED WORKERS; AND ENDING THE EXEMPTION FOR DOMESTIC WORKERS.*

Current law, GS 95-25.3(a), sets the minimum wage that every employer must pay to each employee who performs any work during any workweek at the higher of \$6.15 per hour or the minimum wage set forth in 29 USC 206(a)(1) (the Fair Labor Standards Act, which may change with time), except as otherwise provided in the statute.

This act increases the state's minimum wage in the five phases. Effective January 1, 2022, sets the minimum wage at the higher of \$8.80 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2023, sets the minimum wage at the higher of \$10.35 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2024, sets the minimum wage at the higher of \$12 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2025, sets the minimum wage at the higher of \$13.50 per hour or the minimum wage set forth in 29 USC 206(a)(1). Effective January 1, 2026, sets the minimum wage at the higher of \$15 per hour or the minimum wage set forth in 29 USC 206(a)(1). Directs the Commissioner of Labor to calculate an adjusted minimum wage rate, beginning September 30, 2022, and on each September 30 thereafter, using the Consumer Price Index , CPI-U, or its successor index, as calculated by the US Department of Labor for the 12-month period preceding the previous September 1. Requires each adjusted minimum wage rate calculated to be published on September 30 and take effect on the following January 1.

Further amends GS 95-25.3 to eliminate the statute's provisions regarding lower wage rates for students, learners, apprentices, and messengers; persons whose earning or productive capacity is impaired by age or physical or mental deficiency or injury; persons economically disadvantaged or unemployed; and persons employed by seasonal food service establishments.

Current law, GS 95-25.3(f), authorizes tips earned by tipped employees to be counted as wages up to the amount permitted in section 3(m) of 29 USC 203(m) (the Fair Labor Standards Act) if certain notice and recording requirements are met.

This act eliminates the reference to the Fair Labor Standards Act and instead establishes a statutory cap on the amount of tips earned by a tipped employee which can be counted as wages. Increases the cap in phases, eventually ending the practice of counting tips as wages and effectively establishing a minimum wage for tipped employees. Effective January 1, 2022, sets the initial cap at \$5 per hour. Effective January 1, 2023, sets the cap at \$6.50 per hour. Effective January 1, 2024, sets the cap at \$8 per hour. Effective January 1, 2025, sets the cap at \$9.50 per hour. For all of these phases, maintains the existing provision authorizing tip pooling so long as no employee's tips are reduced by more than 15% under the arrangement.

Amends GS 95-25.14(a), removing domestic employees from persons exempt from minimum wage, overtime, youth employment, and record keeping laws, as specified. Makes clarifying and technical changes.

Intro. by Mohammed, Murdock, Mayfield.

[GS 95](#)

[View summary](#)

[Employment and Retirement](#)

LOCAL/SENATE BILLS

S 51 (2021-2022) [EVEN-YEAR ELECT/TRENT WOODS & RIVER BEND. \(NEW\)](#) Filed Feb 3 2021, *AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWNS OF RIVER BEND AND TRENT WOODS SHALL BE HELD IN EVEN-NUMBERED YEARS AND TO EXTEND THE TERMS OF TOWN OFFICERS ELECTED IN 2019 BY ONE YEAR.*

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

Makes technical changes to the lead-in language of Section 1 to reflect subsequent amendments to SL 1959-718 and the correct existing language.

Adds the following. Amends Section III of the Charter of the Town of River Bend as filed with the Secretary of State. Provides for nonpartisan, runoff municipal elections to be held in even-numbered years in accordance with GS Chapter 163 (currently provides for elections in odd-numbered years and references specific GS Chapter 163 statutes to govern). Makes language gender neutral. Makes technical changes. Bars elections in the Town in 2021; provides for the terms of the Mayor and City Council members serving as of the effective date of the act to be extended by one year. Directs municipal elections to be held in 2022 and every two years thereafter. Makes conforming changes to the act's titles.

Intro. by Sanderson.

[Craven](#)

[View summary](#)

[Government, Elections](#)

S 233 (2021-2022) [MODIFY FOX/COYOTE TAKING FOR CERTAIN COUNTIES. \(NEW\)](#) Filed Mar 10 2021, *AN ACT TO MODIFY THE LIST OF COUNTIES THAT HAVE AN OPEN SEASON FOR TAKING FOXES AND COYOTES DURING CERTAIN ANNUAL TRAPPING SEASONS.*

Senate committee substitute to the 1st edition makes the following changes. Instead of amending Section 1 of SL 2018-10, amends GS 113-291.4B, which contains the same language as Section 1 of SL 2018-10. Also adds Onslow County to the scope of the act. Amends the act's short and long titles.

Intro. by Craven, Burgin.

[UNCODIFIED, Cumberland, Guilford, Harnett, Onslow,](#)

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

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

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

Eliminates the proposed changes to Sections 13.2 and 13.3 of the Charter of the City of Durham, SL 1975-671, as amended, and replaces them with the following. Authorizes the City Council to appoint a qualified person to fill a vacancy in the office of Mayor or a member of City Council within 120 days of the vacancy (current law requires appointment and grants a 60 day period). Requires the City Council to adopt a resolution calling a special election to fill the vacancy, barring the City Council from making the appointment, if the City Council does not appoint an individual within 120 days (similar to existing procedure). Makes conforming changes.

Intro. by Murdock, Woodard.

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

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

Senate committee substitute to the 1st edition makes the following changes. Deletes the proposed changes to Chapter VIA of the Charter of the City of Fayetteville, set out in SL 1979-557, as amended, and replaces it with the following. Allows the Fayetteville Public Works Commission (Commission) to establish a race- and gender-neutral small business enterprise program to promote the development of small businesses in the Fayetteville Metropolitan Statistical Area and to enhance opportunities for small businesses to participate in Commission contracts. Allows *small business enterprise* to be defined as appropriate and consistent with the Commission's contracting practices. Allows the Commission to establish bid and proposal specifications that include subcontracting goals and good-faith effort requirements to enhance participation by small business enterprises in Commission contracts. Allows considering a bidder's efforts to comply with small business enterprise program requirements in its award of Commission contracts and allows refusal to award a contract if a bidder is determined to have failed to comply with the requirements. Specifies that the program supplements and does not replace the requirements of GS 143-128.2 (minority business participation goals), 143-131(b) (all public entities shall solicit minority participation in contracts for the erection, construction, alteration, or repair of any building awarded under the statute), or 143-135.5 (making it the policy of this state to encourage and promote the use of small, minority, physically handicapped, and women contractors in State construction projects). Gives precedence to any goals or efforts established to achieve veteran, minority, and women's business participation consistent with those same statutes over goals for small business enterprise participation established under this program. Deems a small business enterprise program established under this act as consistent with the State's public policy to promote and use small and underutilized business enterprises as set forth in those same specified statutes. Includes a severability clause.

Intro. by deViere, Clark.

[Cumberland](#)[View summary](#)[Business and Commerce](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 2: BOTTLENOSE DOLPHIN AS STATE MARINE MAMMAL.*House: Reptd Fav**House: Cal Pursuant Rule 36(b)**House: Added to Calendar**House: Passed 2nd Reading**House: Passed 3rd Reading***H 11: REGULATE ALCOHOL CONSUMABLES.***House: Reptd Fav**House: Cal Pursuant Rule 36(b)**House: Added to Calendar**House: Passed 2nd Reading***H 18: LOCAL SCHOOL ADMIN. UNIT CASH MANAGEMENT.***House: Reptd Fav**House: Cal Pursuant Rule 36(b)**House: Added to Calendar**House: Passed 2nd Reading**House: Passed 3rd Reading***H 46: SHRA/STRONGER WHISTLEBLOWER PROTECTION.***House: Reptd Fav**House: Cal Pursuant Rule 36(b)**House: Added to Calendar**House: Passed 2nd Reading**House: Amendment Withdrawn AI**House: Passed 3rd Reading***H 53: EDUC. CHANGES FOR MILITARY-CONNECTED STUDENTS.***House: Cal Pursuant 36(b)**House: Added to Calendar**House: Concurred In S Com Sub**House: Ordered Enrolled***H 82: SUMMER LEARNING CHOICE FOR NC FAMILIES.***Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted**Senate: Re-ref Com On Pensions and Retirement and Aging***H 86: INCREASE IN-SERVICE DEATH BENEFITS/LRS.***House: Reptd Fav**House: Re-ref Com On Rules, Calendar, and Operations of the House***H 142: UNC BUILDING RESERVES/CERTAIN PROJECTS.***House: Reptd Fav**House: Re-ref Com On Rules, Calendar, and Operations of the House***H 156: UNCLAIMED PROP. DIV. AMEND./DMV TECH CHNGS-AB. (NEW)***Senate: Special 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 to Pensions and Retirement and Aging. If fav, re-ref to Transportation. If fav, re-ref to Rules and Operations of the Senate***H 157: PROPERTY FINDER DEFINITION AND GOVERNANCE.-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 159: EDUCATION LAW CHANGES.-AB

House: Reptd Fav Com Sub 2
House: Cal Pursuant Rule 36(b)
House: Placed On Cal For 04/01/2021

H 203: EXTEND DEADLINE FOR POLICE TELECOMMUNICATORS.

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 212: SOCIAL SERVICES REFORM.

House: Reptd Fav Com Sub 2
House: Re-ref Com On Appropriations

H 220: ASSURING CHOICE OF ENERGY SERVICE.

House: Reptd Fav
House: Cal Pursuant Rule 36(b)
House: Added to Calendar
House: Amend Adopted A1
House: Amend Failed A2
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Engrossed

H 228: ATTRACTIVE NUISANCES.

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

H 233: APPLICATION FOR A CONVENTION OF THE STATES.

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

H 235: EVIDENCE/DIST. CT SPEEDY TRIALS.

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

H 261: RAISE MIN. AGE/JUVENILE JURISDICTION.

House: Reptd Fav Com Substitute
House: Re-ref Com On Judiciary 2

H 264: EMERGENCY POWERS ACCOUNTABILITY ACT.

House: Passed 2nd Reading
House: Passed 3rd Reading

H 270: PROHIBIT RENAMING OF FAYETTEVILLE STATE.

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 285: ENS RAILROAD TRAIN/DRIVER ED CURRICULUM.

House: Reptd Fav

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

H 289: DIT/BROADBAND MAPPING -- FUNDS.

House: Reptd Fav

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

H 296: EV CHARGING STATION/PARKING.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 328: ALLOW TRADE OR EXCHANGE OF SPIRITUOUS LIQUOR.

House: Reptd Fav

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

H 335: TIMELY LOCAL PAYMENTS TO CHARTER SCHOOLS.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 04/01/2021

H 340: ADVISORY COUNCIL ON PANS & PANDAS.

House: Reptd Fav Com Substitute

House: Re-ref Com On Health

H 351: CLIFFORD'S LAW.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

H 356: SPEAKER/PPT APPOINTMENTS 2021.

House: Ratified

House: Ch. SL 2021-6

H 379: FULL DISCLOSURE OF PRINTER COSTS.

House: Reptd Without Prejudice

House: Re-ref Com On Commerce

H 446: SAFEGUARDING VOTING RIGHTS.

House: Passed 1st Reading

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

H 447: THE JEFF RIEG LAW/PATIENTS RELIGIOUS RIGHTS.

House: Passed 1st Reading

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

H 448: AUTH. USE OF BLUE LIGHTS ON FIRE APPARATUS.

House: Passed 1st Reading

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

H 449: PROHIBIT DEFENSE BASED ON SEX OR GENDER.

House: Passed 1st Reading

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

H 450: EQUALITY FOR ALL.

House: Passed 1st Reading

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

H 451: FULL REPEAL OF HB2.

House: Passed 1st Reading

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

H 452: MENTAL HEALTH PROTECTION ACT.

House: Passed 1st Reading

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

H 453: HUMAN LIFE NON-DISCRIMINATION ACT/NO EUGENICS.

House: Passed 1st Reading

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

H 454: FUNDS FOR TEXFI REMEDIATION PILOT.

House: Passed 1st Reading

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

H 455: UNC BOG/LEGISLATIVE MEMBERS.

House: Passed 1st Reading

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

H 456: JUSTICE FOR RURAL CITIZENS.

House: Passed 1st Reading

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

H 457: AIRBORNE SPECIAL OPS MUSEUM FUNDS.

House: Passed 1st Reading

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

H 458: FOOD DESERT AGRICULTURE INCENTIVE ZONES.

House: Passed 1st Reading

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

H 459: PERM. REG. PLATES FOR WATER AND SEWER AUTH.

House: Passed 1st Reading

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

H 460: ELK CONSERVATION LICENSE AUCTION/RAFFLE.

House: Passed 1st Reading

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

H 466: ELECTRIC VEHICLE SPECIAL REGISTRATION PLATE.

House: Filed

H 467: ALLOW FLEXIBLE SMOKING POLICIES/ECU.

House: Filed

H 468: ESTABLISH SURGICAL TECHNOLOGY STANDARDS.*House: Filed***H 469: CONFIRM WANDA TAYLOR/INDUSTRIAL COMMISSION.***House: Filed***H 470: MEDICAID EXPANSION.***House: Filed***H 471: TRYON PALACE COMMISSION MODIFICATIONS.***House: Filed***H 472: DEPREDATION PERMIT REPORTING.***House: Filed***H 473: REVISE LAWS/SAFE SURRENDER/INFANTS.***House: Filed***H 474: DRIVE TO EXCELLENCE IN TEACHING.***House: Filed***H 475: RESTORE MASTER'S PAY FOR TEACHERS & ISP.***House: Filed***H 476: BROADBAND CONSUMER PROTECTION.***House: Filed***H 477: TEMPORARY EVENT VENUES.***House: Filed***H 478: FUNDS FOR ROBESON COUNTY REENTRY PROGRAM.***House: Filed***H 479: EXTENDED GROUP COVERAGE/EMPLOYEE DECEASED.***House: Filed***S 146: TELEDENTISTRY/RDH ADMIN. LOCAL ANESTHETIC.***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***S 148: WASTEWATER SYSTEM PERMIT EXTENSION.***House: Passed 1st Reading**House: Ref To Com On Rules, Calendar, and Operations of the House***S 173: OCCUPATIONAL THERAPY INTERSTATE COMPACT.***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***S 183: BEGIN MODERNIZING IGNITION INTERLOCK LAWS.***Senate: Withdrawn From Com**Senate: Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate***S 196: GSC SALE OF PROPERTY AMENDMENTS.***Senate: Reptd Fav*

S 197: GSC TRUSTS & AMP ESTATES AMENDMENTS.

Senate: Reptd Fav

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

Senate: Reptd Fav

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

House: Passed 1st Reading

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

S 211: AMEND WATER/SEWER RATE ADJUSTMENT MECHANISMS.

House: Passed 1st Reading

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

S 212: BENNETT COLLEGE ACCREDIT./PRIVATE NEED-BASED.

Senate: Reptd Fav

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

S 224: STEVE TROXLER AGRICULTURAL SCIENCES CENTER.

House: Passed 1st Reading

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

S 255: 2021 AOC LEGISLATIVE CHANGES.-AB

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

S 296: COLLABORATORY/FISHERIES STUDY.

Senate: Reptd Fav

S 301: EXPAND EXPUNCTION ELIGIBILITY.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 308: BUILDING CODE INSPECTION REFORM.

Senate: Reptd Fav

S 317: MARINE FISHERIES REFORM.

Senate: Reptd Fav

S 321: AMEND NC CONTROLLED SUBSTANCES ACT.

Senate: Reptd Fav

S 350: NORTH CAROLINA INNOVATIONS WAIVER ACT OF 2021.

Senate: Withdrawn From Com

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

S 351: BE PRO BE PROUD NC PILOT PROGRAM.

Senate: Withdrawn From Com

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

S 352: FAYETTEVILLE MLK PARK/FUNDS.

Senate: Withdrawn From Com

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

S 354: RESTORE FUNDING/STATE CONSERVATION PURPOSES.

Senate: Withdrawn From Com

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

S 355: GOVERNMENT TRANSPARENCY ACT OF 2021.

Senate: Withdrawn From Com

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

S 356: PERMANENCY INNOVATION INITIATIVE/FUNDS.

Senate: Withdrawn From Com

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

S 360: PROHIBIT COLLUSIVE SETTLEMENTS BY THE AG.

Senate: Withdrawn From Com

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

S 361: AUTHORIZE ANIMAL SHELTER TRANSFERS.

Senate: Withdrawn From Com

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

S 366: GROW PERFORMING ARTS.

Senate: Withdrawn From Com

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

S 368: TRANSFER ON DEATH DEEDS.

Senate: Withdrawn From Com

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

S 387: EXCELLENT PUBLIC SCHOOLS ACT OF 2021.

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Amend Adopted A1

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Engrossed

Senate: Special Message Sent To House

House: Special Message Received From Senate

House: Passed 1st Reading

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

House: Reptd Fav

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

S 390: UNC LAW ENFORCEMENT RECRUITMENT.

Senate: Passed 1st Reading

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

S 391: MEDICAID MODERNIZED HOSPITAL ASSESSMENTS.

Senate: Passed 1st Reading

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

S 392: MENTAL HEALTH PROTECTION ACT.

Senate: Passed 1st Reading

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

S 393: ANALYSIS DOULA SUPP. SERVICES/MEDICAID COV.

Senate: Passed 1st Reading

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

S 394: HBCU PROGRAMS/PROJECT FUNDS.

Senate: Passed 1st Reading

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

S 395: DOT & COUNCIL OF INTERNAL AUDIT/PED STUDY.

Senate: Passed 1st Reading

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

S 396: EQUALITY FOR ALL.

Senate: Passed 1st Reading

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

S 397: CONFIRM MACHELLE SANDERS/SEC. OF COMMERCE.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

Senate: Re-ref to Commerce and Insurance. If fav, re-ref to Select Committee on Nominations

S 398: REQ. DOT TO INDEMNIFY WILMINGTON FOR MAP ACT.

Senate: Passed 1st Reading

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

S 399: ESSENTIAL HEALTH BENEFITS/ASSOC. HEALTH PLANS.

Senate: Passed 1st Reading

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

S 400: RESTORE BENEFITS TO EDUCATORS/STATE EMPLOYEES.

Senate: Passed 1st Reading

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

S 401: CODIFY THE NC COLLABORATORY.

Senate: Passed 1st Reading

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

S 402: CLOSE THE MEDICAID COVERAGE GAP.

Senate: Passed 1st Reading

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

S 403: EAST COAST GREENWAY/STATE TRAILS.

Senate: Passed 1st Reading

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

S 404: A SECOND CHANCE FOR LIFE.

Senate: Passed 1st Reading

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

S 405: BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT.

Senate: Passed 1st Reading

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

S 406: EDUCATION FUNDING TRANSPARENCY.

Senate: Passed 1st Reading

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

S 407: COMPACT TO AWARD PRIZES FOR CURING DISEASES.

Senate: Passed 1st Reading

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

S 408: STOP ADDICTION FRAUD ETHICS ACT OF 2021.

Senate: Passed 1st Reading

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

S 409: PROHIBIT DEFENSE BASED ON SEX OR GENDER.

Senate: Passed 1st Reading

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

S 410: NONPROFIT ELECTRONIC BUSINESS/REMOTE MEETINGS.

Senate: Passed 1st Reading

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

S 411: PRESCRIPTION DRUG PRICING.

Senate: Passed 1st Reading

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

S 412: \$15/HOUR MIN. PAY FOR NONCERT. SCH. EMPLOYEES.

Senate: Passed 1st Reading

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

S 413: FUNDS/LOUISBURG MAIN STREET REVITALIZATION.

Senate: Passed 1st Reading

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

S 414: COMPACT FOR BALANCED BUDGET.

Senate: Passed 1st Reading

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

S 415: GREATER TRANSPARENCY IN HEALTH CARE BILLING.

Senate: Passed 1st Reading

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

S 416: "BAN THE BOX".

Senate: Filed

S 417: SET ALLOWABLE STATE BAR MEMBERSHIP FEES.

Senate: Filed

S 418: NC TEACHING FELLOWS/HMSIS.

Senate: Filed

S 419: CAPITAL & CAMPUS PROJECTS-NCCU.

Senate: Filed

S 420: EMPLOYMENT BASED BROKERAGE ACTIVITY.

Senate: Filed

S 421: CC/IN-STATE TUITION.*Senate: Filed***S 422: TRYON PALACE COMMISSION MODIFICATIONS.***Senate: Filed***S 423: HOUSING FINANCE AGENCY/PED STUDY.***Senate: Filed***S 424: PRIVATE PROTECTIVE SRVS. LICENSING MODS.***Senate: Filed***S 425: GAP AND VVPA AGREEMENT CHANGES.***Senate: Filed***S 426: INCLUSIONARY ZONING/AFFORDABLE HOUSING.***Senate: Filed***S 427: DISCHARGE OF DISCRIMINATORY COVENANTS.***Senate: Filed***S 428: LOCAL GOV'T AUTONOMY/BLDG. STDS.***Senate: Filed***S 429: COMM. RECEIVERSHIP AND REAL PROPERTY AMENDS.***Senate: Filed***S 430: REGIONAL FIRE TRAINING CENTER FUNDS.***Senate: Filed***S 431: PERMANENT DV PROTECTIVE ORDERS.***Senate: Filed***S 432: MODIFY EDPNC LEGAL OBLIGATIONS.***Senate: Filed***S 433: PROHIBIT ONLINE IMPERSONATIONS.***Senate: Filed***S 434: FUNDS FOR NC TROOPERS ASSOC. CAISSON UNIT.***Senate: Filed***S 435: TERMINATIONS OF STATES OF EMERGENCY.***Senate: Filed***S 436: LOCAL TREE ORDINANCES AUTHORIZED.***Senate: Filed***S 437: LOCAL GOVERNMENTS/IMPACT FEES AUTHORIZED.***Senate: Filed***S 438: FULL REPEAL OF HB2.***Senate: Filed***S 439: HATE CRIMES PREVENTION ACT.**

Senate: Filed

S 440: NONPROFIT FUNDRAISING SALES TAX EXEMPTION.

Senate: Filed

S 441: NONPROFIT SALES TAX EXEMPTION.

Senate: Filed

S 442: FUNDS FOR VETERANS/HBOT.

Senate: Filed

S 443: 2021 SAFE DRINKING WATER ACT.

Senate: Filed

S 444: EXPAND CIRCUIT BREAKER PROPERTY TAX BENEFIT.

Senate: Filed

S 445: DOMESTIC VIOLENCE VICTIMS' SEPARATION WAIVER.

Senate: Filed

S 446: WAGE THEFT ACT.

Senate: Filed

S 447: LIVING WAGE FOR NC WORKERS.

Senate: Filed

LOCAL BILLS

H 190: VACANCIES/ROWLAND & MAYOR'S TERM/RED SPRINGS.

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 229: EXTEND MAYOR'S TERM TO 4 YRS./CAROLINA SHORES.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 287: CITY OF RANDLEMAN CHARTER CONSOLIDATION.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

H 322: LIMIT ABC LICENSE REQUIREMENTS.

House: Reptd Fav

House: Re-ref Com On Local Government

H 445: SCHOOL CALENDAR FLEXIBILITY/CHATHAM COUNTY.

House: Passed 1st Reading

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

S 51: EVEN-YEAR ELECT/TRENT WOODS & RIVER BEND. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 194: RE-STAGGER TERMS/ALDERMEN/N.TOPSAIL BEACH.

Senate: Reptd Fav

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

S 233: MODIFY FOX/COYOTE TAKING FOR CERTAIN COUNTIES. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 269: FLEXIBILITY IN FILLING VACANCIES/DURHAM.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 279: LOCAL GOVERNMENTS/REGULATE NAVIGABLE WATERS.

Senate: Reptd Fav

S 294: FAYETTEVILLE PWC/SMALL BUSINESS ENTERPRISE.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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