



## The Daily Bulletin: 2021-04-06

### PUBLIC/HOUSE BILLS

H 495 (2021-2022) **REDISTRICTING CRITERIA FOR 2021**. Filed Apr 5 2021, *AN ACT TO ESTABLISH CRITERIA FOR LEGISLATIVE AND CONGRESSIONAL REDISTRICTING FOLLOWING THE RETURN OF THE 2020 DECENNIAL CENSUS*.

Includes whereas clauses. Sets out the following requirements for revising districts and the apportionment among those districts of members of the NCGA House and Senate and US House of Representatives, following the return of the 2020 federal decennial census.

Give priority to baseline criteria over all other redistricting criteria. Provides that baseline criteria refers to the following, set out in order of priority. (1) Equal population, requiring each member of each body to represent, as nearly as may be, an equal number of inhabitants, with the ideal population being the State's population divided by the number of members in a plan for the NCGA House, Senate, or US House. (2) Population deviation, which for Congress, population from ideal is zero or one person, unless a higher deviation is needed for a compelling State interest associated with the baseline, and for NCGA House or Senate, population deviation cannot exceed 10% while population deviation from ideal must not exceed 5% (defines both total population deviation and population deviation from ideal in the act). (3) Contiguity, which requires all districts to be contiguous, specifying that to the extent practicable, areas within a district should be easily accessible to one another without requiring travel through another district. (4) County groupings, which requires legislative districts to be drawn within county groups; prohibits crossing county lines within county groupings, except as authorized in the referenced court decisions. (5) Political boundaries, requiring all districts to minimize the number of split precincts and municipalities. (6) Communities of interest, requiring minimizing the number of split communities of interest, defined as geographically contiguous areas of cohesive populations of people that share common social, cultural, and economic interests that should be included within a single district for purposes of their effective, fair, and equitable representation. (7) Compactness, requiring reasonable efforts to ensure that all districts are compact; sets out measures that are to be used in assessing compactness.

Sets out the following additional criteria. Prohibits making an effort to create a district favorable or unfavorable to any candidate. Prohibits making an effort to maintain or establish an electoral advantage for any party in any plan; prohibits advantaging a political party beyond the most common seat distribution for that plan, except by no more than one district for a congressional plan, no more than two districts for the NCGA Senate, and no more than three districts for the NCGA House. Allows election results data from 2016 and after for Council of State, President, and US Senate to be used only as part of an ensemble analysis of an entire plan, prohibiting using the data to provide any party a disproportionate number of seats in a plan and prohibits using a composite index of election results. Requires a the third-party consultant to produce 10 rank-ordered marginal histograms that show typical vote fractions of all districts in each plan from the district that favors each political party the most to the district that favors each political party the least. Requires the plans to be evaluated based on elections from each general election in at least the previous 10 years for Council of State, President, and US Senate, with different statewide vote counts. Requires a third-party consultant to analyze all districting plans for their probable partisan effects prior to their adoption by any NCGA committee or enactment by the NCGA; sets out analyses and evidence that must be produced by the consultant. Sets out the metrics that must be used in performing the required analysis. Makes the related information no longer confidential and now a public record when a member, committee, officer, or employee of the NCGA hires or consults with any person or entity not employed by the NCGA on the realignment of districts for any plan; requires publishing, within 24 hours, the name of the entity and all communications with that entity. Requires that if any NCGA member, committee, officer, or employee receives a plan to realign districts from any person or entity that is not a member of or employed by the NCGA, within 24 hours, the plan and the name of the person or entity that provided the plan must be published. Specifies that any attorney-client privilege, confidentiality, or other privilege that exists between any member, committee, officer, or employee of the NCGA and any person or entity, including any attorney, regarding the realignment of districts pursuant to this act, dissolves when act establishing the relevant district plan becomes law.

**Intro. by Harrison, Reives, Quick, Martin.**

UNCODIFIED

[View summary](#)[Government, Elections, General Assembly](#)

## PUBLIC/SENATE BILLS

S 476 (2021-2022) [PROTECTING PROPERLY INSURED INDIVIDUALS](#). Filed Apr 1 2021, *AN ACT AMENDING RULE 414 OF THE NORTH CAROLINA RULES OF EVIDENCE AND RELATED STATUTES REGARDING THE VALIDITY OF CERTAIN LIENS FOR MEDICAL CHARGES IN CIVIL ACTIONS*.

Correction: Amends the provisions providing criteria for the invalidity of a lien under GS 44-59, which governs liens on recovery for personal injuries to secure sums due for medical attention, to require the person entitled to the lien to furnish, without charge to the attorney as a condition precedent to the creation of the lien, upon request to the attorney representing the person in whose behalf the claim for personal injury is made, an itemized statement, hospital record, or medical report for the use of the attorney in negotiation, settlement, or trial of the claim arising by reason of the personal injury, and written notice to the attorney of the lien claimed (this provision is the same as current law and does not make any substantive changes).

**Intro. by Britt, Perry, Galey.**

[GS 8, GS 44, GS 58](#)

[View summary](#)

[Business and Commerce, Insurance, Courts/Judiciary, Civil, Civil Law, Evidence, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance](#)

S 506 (2021-2022) [CERTIFICATE OF NEED MODIFICATIONS](#). Filed Apr 5 2021, *AN ACT MODIFYING CERTIFICATE OF NEED LAWS*.

Part I.

Revises defined terms applicable to certificates of need laws in Article 9, set forth in GS 131E-176, as follows. Changes the threshold criteria for *diagnostic center* to include a facility, program, or provider in which the total cost of all medical diagnostic equipment used by the facility which costs more than \$10,000 or more exceeds \$1.5 million (currently, the cost threshold is set at \$500,000). Changes the threshold criteria for *major medical equipment* to include a unit or system used to provide medical or other health services which costs more than \$2 million (currently, the threshold is \$750,000). Changes the threshold criteria for *new institutional health services* to include the obligation of capital expenditures exceeding \$4 million (was, \$2 million) to develop or expand a health service or facility or relates to the provision of health services. Makes conforming changes to reflect the revised threshold amounts in GS 131E-184. Requires the cost threshold amount for *diagnostic center, major medical equipment* and *new institutional health services* to be adjusted annually, beginning September 30, 2022, as specified. Amends *bed capacity* to specify space used exclusively for inpatient care at a *health care facility*. Amends the definition of *health service* to exclude activities performed at a facility that does not meet the definition of a *health service facility*; removes ambulatory surgical facilities from the definition of *health service facility*. Removes the conversion of a specialty ambulatory surgical program to a multispecialty program or the addition of a specialty to an existing program from the term *new institutional health services* (the same provision is deleted again in Section 2(a) of this act, effective 19 months after the act becomes law). Makes conforming and technical changes.

Amends GS 131E-184 by exempting from certificate of need review a new institutional health service if it receives prior written notice from the entity proposing the service for the development, acquisition, construction, expansion, or replacement of a health service facility or service that obtained certificate of need approval before October 1, 2019, as an ambulatory surgical facility. Also exempts a capital expenditure exceeding the \$4 million (was, \$2 million) threshold, when the specified conditions are met. Directs the Department of Health and Human Services (DHHS) to exempt from certificate of need review services or facilities for which a certificate of need has already been issued when those services or facilities are replaced, renovated, or relocated to another site in the same county where need was originally determined. Establishes an exemption from certificate of need review for the construction, development, acquisition, or establishment of an ambulatory surgical facility in a county with a population of 100,000 or more that meets four criteria, including requiring licensed physicians seeking the exemption to make every effort to enter into a joint venture with a licensed hospital as specified, agreement with a

licensed hospital or hospital privileges to ensure inpatient hospital services are available as specified, capability to immediately transfer patients to an adequate emergency room, and compliance with statutory licensure requirements of ambulatory surgical facilities.

Enacts GS 131E-189(d), providing for the expiration of a certificate of need issued for the construction of a health service facility upon the certificate holder failing to initiate authorized construction within four years after the approval becomes final for projects costing over \$50 million or two years after the approval becomes final for projects costing less than \$50 million.

Adds to the requirements for ambulatory surgical facility licensure under GS 131E-147 as follows. Requires all initial application and renewal applications to require statement of the number of procedure rooms on, and the number and type of procedures performed at, the named premises. Bars issuing or renewing a license to operate a facility developed, acquired, or replaced on or after October 1, 2019, unless the application provides (1) a commitment that the Medicare allowable amount for self-pay and Medicaid surgical cases minus all revenue collected from self-pay and Medicaid surgical cases will be the greater of either 4% of the total revenue collected for all surgical cases performed at the facility or the percentage of charity care ambulatory surgery services provided by the affiliated hospital; (2) a commitment to annually report the total number of self-pay, Medicaid, Medicare, commercial insurance, managed care, and other surgical cases to DHHS; and (3) a commitment to report use and payment data for services provided by the facility to the statewide data processor.

Effective January 1, 2022.

#### Part II.

Makes the following changes, effective 18 months after the act becomes law.

Further amends GS 131E-176 to remove "psychiatric facility" and "chemical dependency treatment facility" from the term *health care facility*. Makes conforming changes to the term *health service facility bed*. Amends *new institutional health services* to provide for the new exemption enacted in GS 131E-184(j) for ambulatory surgical facilities that meet specified criteria.

Amends GS 131E-184 regarding the certificate of need review exemption for any conversion of existing acute care beds to psychiatric beds, to eliminate two existing criteria that must be met to qualify for the exemption, including contracting with a division of DHHS and/or specified local authorities and not exceeding a specified limit for the number of beds converted.

Amends Section 12F.4 of SL 2016-94, which directs the DHHS Secretary to select hospitals from the three State regions to receive allocated funding for the construction, conversion, or both of short-term, inpatient behavior health beds in rural areas. Revises the conditions for funding to require selected rural hospitals to reserve at least 25%, rather than 50%, of the constructed or converted beds for purchase by DHHS under the State-administered three-way contract, and referrals by LME/MCOs of individuals who are indigent or Medicaid recipients.

#### Part III.

Includes a severability clause.

#### Part IV.

Makes the act effective on the date the act becomes law, unless otherwise provided.

**Intro. by Krawiec, Burgin, Craven.**

**UNCODIFIED, GS 131E**

[View summary](#)

**Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Public Health, Mental Health**

S 507 (2021-2022) **MODIFY BUSINESS CORPORATION ACT**. Filed Apr 5 2021, *AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA BUSINESS CORPORATION ACT, AS RECOMMENDED BY THE NORTH CAROLINA BAR ASSOCIATION.*

#### Part I.

Makes the following changes to GS 55-7-21 regarding voting entitlement of corporate shares. Clarifies that, absent special circumstances, the shares of a corporation are not entitled to vote if they are owned by or otherwise belong to the corporate, directly or indirectly, through an entity of which a majority of the voting power is held directly or indirectly by the corporation or which is otherwise controlled by the corporation. Enacts the same limitation regarding the corporation's power to vote any shares held directly or indirectly in a fiduciary capacity. Adds that voting power means the current power to vote in the election of directors of a corporation or to elect, select, or appoint managers, managing members, or other members of the governing body of another entity. Effective October 1, 2021.

#### Part II.

Amends GS 55-8-11 to specify that the power of the board of directors to fix the compensation of directors is limited to services in any capacity as a director. Effective October 1, 2021.

#### Part III.

Revises the parameters for a quorum of a board of directors under GS 55-8-24. Now provides that a quorum consists of a majority of the number of directors specified in or fixed in accordance with the articles of incorporation or bylaws, unless the articles of incorporation or bylaws provide otherwise or unless otherwise expressly provided for in GS Chapter 55 (previously, only qualified by the article or bylaws requiring a greater number, and provided for variable board size). Requires the quorum provided in the articles of incorporation or bylaws to consist of at least one-third of the number of directors specified in or fixed in accordance with the articles of incorporation or bylaws. Provides for action by the board by an affirmative vote of the majority of directors present unless a greater number is required by the articles of incorporation or bylaws, or unless otherwise expressly provided in the GS Chapter (previously, only qualified by the articles or bylaws). Makes technical changes. Effective October 1, 2021.

#### Part IV.

Removes the limitations set forth under GS 55-10-02(5) regarding the corporation's board of directors' power to change the corporate name through adoption of an amendment to the articles of incorporation without shareholder approval. Makes technical and clarifying changes. Effective October 1, 2021.

#### Part V.

Adds to the court's jurisdiction under GS 55-13-30 to include determining whether the shareholder demanding payment has complied with the requirements of and is entitled to appraisal rights under Article 13, in addition to determining the fair value of the shares and accrued interest if compliance and entitlement are found. Establishes that the shareholder has the burden of providing compliance with Article 13, and if unsuccessful, requires the court to dismiss the proceeding as to the shareholder. Makes conforming changes regarding entitlement to judgment. Makes technical changes.

#### Part VI.

Revises the recordkeeping requirements of corporations set forth in GS 55-16-01 to now require a corporation to maintain the following: its currently effective articles of incorporation; its currently effective bylaws, all general written communications to shareholders in the past three years; minutes and records of shareholder, board of directors, and board committee meetings, as specified; a list of the contact information for the current board of directors; and its most recent annual report delivered pursuant to State law (previously, provided for permanent records for all meetings of incorporators, shareholders, and board of directors, and records of the board and board committee actions; consolidates subsections (a) and (e), except no longer specifically provides for board resolutions regarding class creation). Requires corporations to maintain all annual financial statements prepared for the corporation for its last three fiscal years or each year of its existence if shorter than three years, and any audit or other reports with respect to the financial statements (previously, more generally required appropriate financial records). Specifies that the corporation or its agent must maintain a record of its current shareholders. Requires a corporation to maintain accounting records in a form that permits preparation of its financial statements (was, written records or a form easily capable of conversion into written form). Requires records to be maintained in a manner so that they can be made available for inspection within a reasonable time.

Enacts GS 55-16-01A to define *qualified shareholder*, defined as a shareholder for at least six months preceding demand for corporate record inspection or holds at least 5% of any class of shares, and *shareholder* as the terms apply to Article 16, which governs corporate records (moved from existing law in GS 55-16-02).

Updates and adds statutory cross-references in GS 55-16-02 to reflect the amendments to and recordkeeping requirements of GS 55-16-01. Excludes from a qualified shareholder's right to inspect corporate records minutes of meetings of, and records of action taken without a meeting by, the corporation's board of directors and board committees; makes conforming changes. Adds financial statements to the records a qualified shareholder is entitled to inspect and copy subject to the notice, time and location requirements specified in existing law. Adds authority for the corporation to impose reasonable restrictions on the confidentiality, use, or distribution of records described in subsection (b) which a qualified shareholder is entitled to inspect and copy once notice, time and location requirements are met. Makes changes to refer to a *qualified shareholder* throughout the statute. Makes language gender neutral. Makes technical changes.

Revises the provisions of GS 55-16-03 regarding the scope of the inspection right. Makes changes to consistently refer to the right of the *qualified shareholder* rather than the *shareholder*. Provides for the right of the qualified shareholder to appoint an agent or attorney to exercise the qualified shareholder's inspection and copying rights under GS 55-16-02, as amended (previously, provided for a shareholder's agent or attorney to have the same inspection and copying rights as the shareholder). Authorizes the corporation to satisfy the rights of the qualified shareholder to copy records, if reasonable, by furnishing copies by photocopy or other means chosen by the corporation, including electronic transmission (previously, framed as the right of the shareholder to include the right to receive copies or electronic transmissions, if reasonable). Authorizes the corporation to impose a reasonable charge to cover the costs of providing copies of documents to the qualified shareholder, which can be based on estimates (previously, provided for costs to cover labor and material for production for inspection or copying records, and prohibited exceeding the estimated cost of production, reproduction, or transmission).

Amends GS 55-16-04 regarding court-ordered record inspection as follows. Makes changes to refer to a qualified shareholder throughout. Qualifies a qualified shareholder's right to apply to a court to order a corporation to permit inspection and copying upon compliance with the notice requirements of GS 55-16-02(b). Makes further clarifying changes. Expands the court's authority to include imposing reasonable restrictions on the confidentiality of inspection and copying of records ordered (was, limited to the use and distribution of the records inspected or copied). Provides for the corporation to establish that it refused inspection in good faith due to its reasonable restrictions on the confidentiality, use, or distribution of the records demanded to which the demanding qualified shareholder had been unwilling to agree (previously, limited to establishing a limited basis for doubt about the right of inspection demanded), in order to avoid the court ordering the corporation to pay the qualified shareholder's costs and reasonable attorneys' fees incurred in obtaining the order.

Replaces the content of GS 55-16-20, which governs financial statements for shareholders, with the following. Directs a corporation to deliver or make available on its website or other generally recognized means, upon request by a shareholder, annual financial statements for the most recent fiscal year in which they have been prepared. Requires delivery of annual financial statement to the requesting shareholder which have been prepared on the basis of generally accepted accounting principles. Also requires delivery or availability of related audits or reports of public accountants for the financial statements to be delivered or made available to the requesting shareholder. Mandates delivery of or notice of the availability of the requested financial statements within five business days of delivery of the shareholder's written request. Allows satisfaction of these responsibilities by delivery or otherwise making financial statements available in any manner permitted by the SEC. Authorizes the corporation to condition delivery or availability of the requested financial statements to the shareholder's agreement to reasonable restrictions on the confidentiality, use, and distribution of the statements. Further authorizes the corporation to refuse the request if it reasonably determines the request is not made in good faith or for a proper purpose. Permits the requesting shareholder to apply to superior court for an order requiring delivery or access to the requested financial statements if the corporation does not respond to the written request within five business days of delivery. Allows the court include in its order reasonable restrictions on the confidentiality, use, or distribution of the statements. Places the burden on the corporation to demonstrate, as appropriate regarding the corporation's basis for denying the request, that its restrictions on confidentiality, use, or distribution were reasonable, or the shareholder's request was not made in good faith or for a proper purpose. Requires a court ordering delivery or access to financial statements to pay the shareholder's costs and attorneys' fees, unless the corporation establishes its refusal was because the shareholder refused to agree to reasonable restrictions or the corporation had reasonably determined the request was not made in good faith or for a proper purpose.

Amends GS 55-13-20(d) regarding notice of appraisal rights, to require the notice or offer regarding proposed corporate action described in GS 55-13-02(a) (listing various corporate actions) or effected mergers to include (1) the latest interim financial statements of the corporation, if any (was, latest available quarterly statements), and (2) a balance sheet as of the end of a fiscal year ending no more than 16 months before the date of the notice, an income statement for that year, and a cash flow statement for that year, in the event annual financial statements that meet the specified requirements are not reasonably available. Eliminates the authority to waive the right to receive the information described in subsection (d) before or after corporate

action. Makes technical changes. Makes identical changes to the financial information required to accompany payment to each shareholder under GS 55-13-25, modified to apply to dates of payment. Makes technical changes.

Revises GS 57D-3-04 to allow each LLC member to inspect or copy, or otherwise obtain from the LLC, a copy of filed income tax returns or financial statements of the LLC described in GS 55-16-20 [was, limited to the statute's subsections (a) and (b)] that pertain to any of the LLC's preceding four fiscal years, at the election of the LLC.

Effective October 1, 2021.

Part VII.

Directs the Revisor to print annotations as specified.

**Intro. by Galey.**

[GS 55, GS 57D](#)

[View summary](#)

**[Business and Commerce, Corporation and Partnerships](#)**

S 518 (2021-2022) [PROTECTING AND SUPPORTING NC'S CHILDREN](#). Filed Apr 5 2021, *AN ACT TO AMEND VARIOUS ABUSE, NEGLECT, AND DEPENDENCY LAWS TO ENSURE THE SAFETY OF CHILDREN IN OUT-OF-HOME PLACEMENTS AND EXPEDITE PERMANENCY PLANNING HEARINGS FOR CHILDREN WHO HAVE BEEN REMOVED FROM THE HOME; TO CLARIFY THE NON-CARETAKER DEFINITION FOR THE RESPONSIBLE INDIVIDUALS LIST; TO INCREASE THE NUMBER OF EMERGENCY JUDGES TO ADDRESS THE CHILD WELFARE CASE BACKLOG; TO HIRE REGIONAL ABUSE AND MEDICAL SPECIALISTS TO IMPROVE THE CHILD WELFARE SYSTEM; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES, TO DEVELOP A PLAN TO IMPLEMENT A CENTRALIZED HOTLINE FOR CHILD WELFARE INTAKE.*

Part I.

Amends the definition of terms as they are used in Subchapter I, Abuse, Neglect, Dependency, of GS Chapter 7B as follows: (1) expands upon the definition of *neglected juvenile* to include any juvenile whose parent, guardian, custodian or caretaker has not provided for or arranged for necessary medical or remedial care (was, provision only), creates or allows to be created an environment that is injurious to the juvenile's welfare (was, allows or lives in such an environment), or has participated or attempted to participate in the unlawful transfer of custody of the juvenile (was, unlawful transfer without specificity as to participation); and (2) defines *relative* as an individual directly related to the juvenile by blood, marriage, or adoption, including, but not limited to, a parent, grandparent, sibling, aunt, or uncle. Makes technical changes. Makes a conforming change to the statutory cross-reference in GS 7B-1001 to the definition of *reunification*.

Enacts GS 7B-302(a3) to authorize legislators and NCGA joint oversight committees to request access to confidential information and records maintained pursuant to Article 3 (governing the screening of abuse and neglect complaints) by the Department of Health and Human Services (DHHS) or county department of social services (dss). Restricts requests to purposes of overseeing programs related to child protective services. Provides for coordination between DHHS and dss in fulfilling a request made to either DHHS or a dss director. Deems the confidential information and records shared the minimum necessary to satisfy the request. Prohibits legislators from retaining, receiving copies of, or taking photos or electronic images of any information or records reviewed. Requires shared information and records to be withheld from public inspection and maintained in a confidential manner. Bars sharing or disclosing the following in response to a request: the identity of the reporter, and the juvenile court records of Article 29, Records and Social Reports of Cases of Abuse, Neglect, and Dependency. Deems violation of the new subsection a Class 1 misdemeanor.

Adds to GS 7B-505 to require dss to use due diligence to identify and notify adult relatives and other persons with legal custody of a sibling of the juvenile within 30 days of the initial order removing custody of the juvenile after finding reasonable basis that the charges in an abuse, neglect or dependency petition are true and criteria of subsection (a) are met. Requires dss to file with the court information regarding such attempts made.

Enacts GS 7B-903(a4), authorizing the court to consider placement of a juvenile following disposition with nonrelative kin or other persons and order placement if the court finds it in the best interest of the juvenile. Allows the court to order dss to notify

the juvenile's State-recognized tribe of the need for nonsecure custody for the purposes of locating relatives or nonrelative kin for placement.

Expands the parameters and requirements of GS 7B-903.1 to permit dss to recommend unsupervised visits with or return of physical custody of the juvenile to the parent, guardian, custodian, or caretaker from whose home the juvenile was removed and placed in the custody or placement responsibility of dss (was, limited to recommendations for the return of physical custody). Makes the existing observation visit requirements applicable to recommendation for unsupervised visits, and adds to the requirements applicable to both types of recommendations, that the observation visits must occur within 30 days of the hearing at which dss makes the recommendation. Makes conforming changes.

Enacts GS 7B-905.1(b1), providing that a parent's positive result from a drug screen alone is insufficient to deny the parent court-ordered visitation with the juvenile. Directs dss to file a motion within 30 days of a parent's positive result from a drug screen for unsupervised visitation for review of the visitation plan to ensure the child's safety. Authorizes cancellation of visitation if, at the time that visitation between the parent and the juvenile occurs, a parent is under the influence of drugs or alcohol, and exhibits behavior that may create an unsafe environment for a child, or the parent appears to be actively impaired.

Revises GS 7B-906.1 as follows. Requires the court to conduct a review or permanency planning hearing within 90 days of the initial disposition hearing, and every six months thereafter, with hearings designated as a review hearing if custody has not been removed from a parent, guardian, caretaker or custodian, or a permanency planning hearing if custody has been removed (previously, provided for permanency planning hearings within six months of the initial order removing custody and every six months thereafter). Adds a new requirement for the court to provide any person providing care for the juvenile the opportunity to address the court regarding the juvenile's well being. Requires the court's written findings at each hearing to include services offered to prevent removal of the juvenile from either parent, and reports on the juvenile's continuation in the home of the parent, guardian, or custodian, the appropriateness of such continuation, and the goals of the family services plan. No longer includes findings regarding when and if termination of parental rights should be considered. Directs the court to schedule a permanency planning hearing within 30 days of a review hearing in which the juvenile is removed from the custody of a parent, guardian or custodian. Establishes three written findings the court must make at any review hearing to order removal of the juvenile, including that the juvenile has experienced substantial risk of experiencing physical or emotional harm as a result of at least one specified factor (which overlap with criteria for nonsecure custody under GS 7B-503(a)), the juvenile has experienced substantial risk of experiencing physical or emotional harm as a result of at least one specified factor has occurred since the initial disposition hearing (which overlap with criteria which make reunification efforts following the initial dispositional hearing not required under GS 7B-901(c)), and the parent, guardian, custodian, or caretaker consents to the order of removal. Describes the purpose of review hearings. Requires the parent, guardian, or custodian to complete court-ordered services within 12 months from the date of the filing of the petition, demonstrate precipitating circumstances of DHHS involvement with the family have resolved to the satisfaction of the court, and provide a safe home for the juvenile. Directs the court to terminate jurisdiction upon completion of court-ordered services and the juvenile residing in a safe home, absent extraordinary circumstances. Requires consideration and written findings regarding when and if termination of parental rights should be considered at permanency planning hearings where the juvenile is not placed with the parent. Relieves the court of its duty to conduct period reviews of placement at any time a juvenile that has been removed from a parent and legal custody has been awarded to either parent (was, upon placement with the parent). Bars a court from waiving or refusing to conduct a review hearing or a permanency planning hearing if a party files a motion seeking the hearing. Makes clarifying changes to subsection (n) regarding the court's authority to waive hearings, require written reports of the agency or person holding custody, or order less-often hearings, making provisions clearly applicable to permanency planning hearings, as specified.

Adds to the training requirements for foster parent licensure under GS 131D-10.6A, a module that is created and made available by DHHS that explains the roles and obligations of foster parents in judicial proceedings conducted under Subchapter I of GS Chapter 7B.

Repeals GS 7B-905(b), which requires dispositional orders removing custody of the juvenile from the parent, guardian, custodian, or caretaker to direct a review hearing to be held within 90 days of the dispositional hearing.

Amends GS 7B-906.2 to allow the court to not include reunification as a primary or secondary plan of the adopted concurrent plans if the court has made written findings under GS 7B-901(c) or GS 7B-906.1(d)(3) (previously, did not specify findings must be written).

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

## Part II.

Enacts GS 7B-320(a1) to require a dss director to cooperate with law enforcement and the district attorney to determine the safest way possible to provide notification to the identified responsible individual if the director determines that the juvenile is the victim of human trafficking by an individual other than the juvenile's parent, guardian, custodian, or caretaker. Requires documentation of the basis for not providing this notification. Bars notification or proceeding further under Article 3A (Judicial Review; Responsible Individuals List) if the notification is likely to cause mental or physical harm or danger to the juvenile, undermine an ongoing or future criminal investigation, or jeopardize the State's ability to prosecute the identified responsible individual. Effective October 1, 2021.

## Part III.

Increases the number of emergency district court judges on the active list described in GS 7A-52 from 25 to 30.

Directs the Chief Justice of the Supreme Court to assign the maximum amount of emergency judges of the district court to hear cases in judicial districts that have a backlog of juvenile cases regarding abuse, neglect, and dependency matters and termination of parental rights hearings. Requires consultation with the Administrative Office of the Courts (AOC), the NC Association of District Court Judges, and the Chief District Court Judge of each judicial district. Directs assignment in order of necessity as determined by the Chief Justice.

## Part IV.

Appropriates \$250,000 in recurring funds from the General Fund to DHHS, Division of Social Services (DSS) for 2021-23 to create seven full-time equivalent regional abuse and medical specialists. Details the responsibilities and focus of these positions. Requires collaboration for hiring, training, and oversight of the positions with the NC Child Medical Evaluation Program in UNC School of Medicine. Directs DSS to report to the specified NCGA committee and committee chairs by June 30, 2022, and annually for three successive years. Effective July 1, 2021.

## Part V.

Directs DHHS to develop an operational plan to create and implement a statewide child protective services (CPS) hotline. Provides for creation and membership of a planning and evaluation team. Identifies seven required components of the plan, including a fiscal analysis and implementation time line. Directs DHHS to submit the operation plan to the specified NCGA committee by September 1, 2022.

## Part VI.

Makes the act effective on the date the act becomes law unless otherwise provided.

**Intro. by Batch, Burgin, Edwards.**

[APPROP, GS 7A, GS 7B, GS 131D](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Court System, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Local Government, Health and Human Services, Social Services, Child Welfare](#)

S 520 (2021-2022) [RESPIRATORY CARE MODERNIZATION ACT](#). Filed Apr 5 2021, *AN ACT TO UPDATE THE GENERAL STATUTES OF NORTH CAROLINA GOVERNING THE PRACTICE OF RESPIRATORY CARE TO BETTER REFLECT THE CHANGES IN EDUCATION, EXPERIENCE, AND PRACTICE OF THE PROFESSION IN ORDER TO ENHANCE THE HEALTH AND WELFARE OF NORTH CAROLINA CITIZENS.*

Includes whereas clauses. Makes the following changes to Article 38, Respiratory Care Practice Act, of GS Chapter 90. Adds and modifies defined terms as follows. Adds *advanced respiratory care practitioner, advanced respiratory care procedures, endorsement, practice of advanced practice respiratory therapy*, and *prescriptive and dispensing authorization* to the Article's defined terms.

Expands *licensure* to include advanced respiratory care practitioners who have met the requirements and have been issued a certificate by the NC Respiratory Care Board (Board). Revises the *practice of respiratory care* to specify the term is as defined by the written order of a licensed physician for respiratory care practitioners, as specified, and the performance of diagnostic testing and therapeutic application of the use of associated respiratory care equipment for medical gases, humidity, and aerosols, except anesthesia. Revises *support activities* to mean tasks that do not require formal academic training, including the delivery, setup, and routine maintenance and repair of respiratory care equipment, and includes giving instructions on the use, fitting, and application of respiratory care equipment, excluding therapeutic evaluation and assessment for an individual patient as defined by Board rules.

Modifies membership of the Board set forth in GS 90-649 to include one member who must be a state resident to represent the Atlantic Coast Medical Equipment Services Association (replaces the member to represent the NC Association of Medical Equipment Services). Amends GS 90-650 to provide for appointment of this member by the Atlantic Coast Medical Equipment Association.

Revises and adds to the Board's powers and duties set forth in GS 90-652. No longer requires the Board to submit a signed form of the licensure applicant consenting to a criminal record check or the use of fingerprints or other identifying information to the Department of Public Safety. Grants authority to establish and adopt rules defining the education and credential requirements for persons seeking *endorsement*, defined to mean a designation issued by the Board recognizing the person named as having met the requirements to perform advanced respiratory care procedures as defined by the Board's rules.

Enacts GS 90-652.1 to authorize the Board to waive the Article's requirements in order to permit the provision of drugs, devices, and professional services to the public in the event of a gubernatorially declared state of emergency; a locally declared state of emergency; or to protect the public health, safety, or welfare of citizens under specified state law.

Distinguishes licensure requirements for respiratory care practitioner licenses and advanced respiratory care practitioner licenses under GS 90-653. Revises respiratory care practitioner licensure requirements to require applicants to submit a completed application that includes a signed form consenting to a criminal background check and the use of fingerprints and other identifying information; submit verification of completion of entry-level degree requirements of a respiratory care education program approved by the Commission on Accreditation for Respiratory Care (CoARC) or its successor through submission of an official transcript to the Board; and submitting written evidence, verified by oath, that the applicant passed the exam requirements defined by Board rules given by the National Board for Respiratory Care Inc. (National Board) or its successor for entry-level care practitioners. Eliminates previous provisions regarding provision of the entry-level exam throughout the year. Establishes licensure requirements for advanced respiratory care practitioners, mirroring those for respiratory care practitioners, except as follows. Requires verification of successful completion of the postgraduate requirements of respiratory care education for the advanced practice respiratory therapist approved by CoARC or its successor through submission of an official transcript to the Board, requires verification of successful completion of the minimal requirements for Basic Cardiac Life Support recognized by the specified national entities, and requires verification that the applicant passed the exam requirements defined by Board rules given by the National Board or its successor for advanced-level respiratory care practitioners defined by Board Rules. Adds a new requirement for the Board to state the terms and conditions of use of the license to the licensee upon issuance.

Revises parameters for issuance of a provisional license under GS 90-656 to provide for issuance to any applicant who has completed the education requirements for respiratory care practitioners set forth in GS 90-653(a)(3), as amended, and passed the written exam required under GS 90-653(a)(5), as amended (was upon making application to take the exam). No longer specifies a 12-month maximum term for the license.

Eliminates the statutory fee set in GS 90-660 for exams. No longer distinguishes a fee for a provisional or temporary endorsement.

Expands the unlawful practices of unlicensed persons under GS 90-661 to include the use of advanced respiratory care practitioner title, letters, or indications.

Repeals GS 90-665, which provides that the Article does not require direct third party reimbursement to licensees.

Makes the above provisions effective October 1, 2022.

Further amends GS 90-652 to grant the Board the authority to appoint and maintain a subcommittee to develop rules to govern the performance of medical acts by advanced respiratory care practitioners. Provides for subcommittee membership and

consultation with the NC Medical Board in developing the rules. Conditions the effect of the rules recommended by the subcommittee upon both the Medical Board and the Board adopting the rules, provided adoption complies with GS Chapter 150B.

Enacts GS 90-18.8, authorizing any advanced respiratory practitioner who is licensed under GS 90-648(9a) (as enacted, effective October 1, 2022) to perform medical acts, tasks, and functions to use such title; provides any other use of the title or indication as such to be a violation of Article 1 (practice of medicine) and 38. Establishes conditions under which advanced respiratory care practitioners are authorized to practice advanced respiratory care as defined by GS 90-648(9a) (as enacted, effective October 1, 2022) under the supervision of a physician, including adoption of governing rules by the Board and the Medical Board, approval of both Boards, and assignment of an identification number that is shown on written prescriptions. Establishes conditions under which advanced respiratory care practitioners that have prescriptive and dispensing authorization under GS 90-648(10a) (as enacted, effective October 1, 2022) can order medications, tests, and treatments, including adoption of governing rules by both Boards, current approval of both Boards, and provision of specified instructions from the supervising physician. Deems written prescriptions or orders of an advanced respiratory care practitioner authorized by the physician approved by the Board as the supervisor, with liability on the supervisor. Authorizes registered nurses or licensed practical nurses to perform orders received from advanced respiratory care practitioners as if received from a licensed physician.

Amends GS 90-8.2 to direct the Medical Board to appoint and maintain a subcommittee to work jointly with the Board to develop rules to govern the performance of medical acts by advanced respiratory care practitioners. Provides for membership and mirrors procedure and effect for rulemaking provided in GS 90-652(15), as enacted.

Makes the above provisions effective October 1, 2021.

Directs the Medical Board and the Board to make subcommittee appointments by January 1, 2022, with initial appointees from the Board required to be licensed health care providers currently serving the Board. Further charges the joint subcommittee with developing rules to implement the act, with the approval of both Boards and in compliance with GS Chapter 150B.

**Intro. by Perry, Krawiec, Burgin.**

GS 90

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

S 521 (2021-2022) **RAISE THE ROOF**. Filed Apr 5 2021, *AN ACT TO AUTHORIZE ELIGIBLE COUNTIES TO USE FUNDS FROM THE NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND FOR NEW CONSTRUCTION AND BUILDING RENOVATIONS AND TO ALLOW FOR FUNDS FROM THE PUBLIC SCHOOL BUILDING CAPITAL FUND TO BE USED FOR CERTAIN LEASE AGREEMENTS.*

Amends Section 5.3 of SL 2017-57, as amended, by increasing the cap on the grant amount for recipients of grants from the Needs-Based Public School Capital Fund when the recipient is a county designated as a development tier two area, from \$1 to \$2 for every \$1 in grant funds provided by the county. Expands the allowable uses of grant funds to include school building repairs and renovations in addition to the already allowed construction of new school buildings. Adds that a county designated as a development tier two area that was awarded a grant of \$10 million in 2020 and that was subsequently designated as a development tier one area, is eligible for a grant as a tier one area so long as the county did not use the funds previously awarded. Amends the conditions under which a county may use grant funds for lease agreements, as follows: (1) deletes the requirement that the agreement include a repairs and maintenance provision that required the landlord to pay for specified expenses for the term of the lease and (2) requires the lease agreement to be for a term of at least 15 and more than 40 (was, no more than 25) years. Adds that a county designated as a development tier three area with a population not exceeding 400,000 is eligible for grant funds so long as they are used for a lease agreement that meets the specified requirements; caps the grant amount at \$10 million and includes a matching requirement of \$1 for every \$1 of grant funds.

Amends GS 115C-546.2 to allow a county to use funds from the Public School Building Capital Fund for lease agreements to construct new school facilities if the agreement meets the following requirements: (1) requires the county to retain ownership of the subject property on which the leased school is constructed, (2) requires the lease to be for a term of at least 15 years and

no more than 40 years, and (3) requires the county to provide a copy of the lease agreement to the Department of Public Instruction.

**Intro. by Sawyer, Daniel.**

UNCODIFIED, GS 115C

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**Education, Elementary and Secondary Education,  
Government, Local Government**

S 532 (2021-2022) **LOCAL OPTION SALES TAX FLEXIBILITY**. Filed Apr 5 2021, *AN ACT TO GIVE COUNTIES ADDITIONAL FLEXIBILITY WITH REGARD TO THE LOCAL OPTION SALES AND USE TAX WITHOUT INCREASING THE EXISTING MAXIMUM TAX RATE.*

Amends GS Chapter 105, Article 46 (now, the one-quarter cent or one-half cent county sales and use tax), as follows. Requires that taxes levied under the Article be approved in a referendum, as specified. Requires that the total local sales and use tax rate in the county, including a levy under this Article, does not exceed 2.5% or 2.75%, as specified. Requires the rate to be in an increment of .25%. Prohibits holding a referendum on the levy of taxes under the Article within one year from the date of the last preceding election for the same. Makes conforming changes. Restricts a county's use of the net proceeds of taxes levied under the Article to any public purpose and/or public education purposes, which must be indicated on the ballot question presented at the referendum as specified. Defines *public education purposes* to mean (1) public school capital outlay purposes or to retire any of the county's related indebtedness, (2) classroom teacher salary supplements, or (3) financial support of community colleges.

Enacts new GS 105-506.3 to require that taxes under GS Chapter 105, Article 43 (local government sales and use taxes for public transportation) only be levied when the total local sales and use tax rate in the county, including a levy under this article, does not exceed a specified limit (limit is identical to that in GS 105-537(a), described above).

Amends GS 105-164.3(4a) to amend the definition of *combined general rate* to mean the sum of: the State's general rate in GS 105-164.4(a); the sum of the rates of the local sales and use taxes authorized for every county in GS Chapter 105, Articles 39 & 40, and SL 1967-1096; and half of the maximum rate authorized by GS Chapter 105, Article 46.

**Intro. by Burgin, Foushee.**

GS 105

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**Government, Tax, Local Government**

S 538 (2021-2022) **DHHS CONTRACT/EPIC AT STATE PSYCH. HOSPITALS**. Filed Apr 5 2021, *AN ACT DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF STATE OPERATED HEALTHCARE FACILITIES, IN COORDINATION WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY, TO EXECUTE A CONTRACT THAT PROVIDES FOR THE IMPLEMENTATION OF EPIC SOFTWARE AS THE STANDARD, UNIFORM SOFTWARE PLATFORM FOR ELECTRONIC HEALTH RECORDS WITHIN THE STATE'S PSYCHIATRIC HOSPITALS; AND APPROPRIATING FUNDS FOR THAT PURPOSE.*

Directs the Department of Health and Human Services (DHHS), in conjunction with the Department of Information Technology (DIT), to execute a contract by October 1, 2021, with Epic software to implement Epic software as the uniform platform for electronic health records at the State psychiatric hospitals by January 1, 2022. Also requires the contract to provide for training staff at the State's psychiatric hospitals on the use of Epic. Appropriates \$10.9 million in fiscal year 2021-2022 and \$20 million in fiscal year 2022-2023 from the General Fund to DIT to cover the costs of this contract. Effective July 1, 2021.

**Intro. by Burgin, Krawiec, Perry.**

APPROP, UNCODIFIED

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

**Information Technology, Health and Human Services, Health,  
Health Care Facilities and Providers, Mental Health**

S 539 (2021-2022) **DISCLOSE HUMAN TRAFFICKING CONVICTION/CUSTODY**. Filed Apr 5 2021, *AN ACT TO REQUIRE DISCLOSURE OF A CONVICTION FOR HUMAN TRAFFICKING IN A CHILD CUSTODY PROCEEDING*.

Amends GS 50-13.1, concerning actions or proceedings for child custody, as follows. Amends the convictions that must be disclosed in the pleadings by a person instituting an action or proceeding for custody of a child to include conviction for: (1) sexually violent offenses under GS 14-208.6(5) (previously, limited to ex-parte actions); (2) a human trafficking offense as under GS 14-43.11 through GS 14-43.13; or (3) sexual exploitation of a minor under GS 14-190.16, GS 14-190.17, or GS 14-190.17A. Adds the requirement that any person instituting an action or proceeding for custody who has been granted or denied custody of any minor child in an action under GS Chapter 50B must disclose the filing of the action or proceeding. Makes the willful failure to make any of these required disclosures punishable as perjury. Adds the requirement that a nonparent who is seeking custody of a minor child or being given custody in a consent order, attest in the pleadings or the consent order that nothing of value has been paid or given, offered to be paid or given, or promised, in exchange for the child.

Amends GS 14-43.11 to include in the offense of human trafficking when a person knowingly or in reckless disregard of the consequences, patronizes another person with the intent that the other person be held in involuntary or sexual servitude.

Applies to actions or proceedings commenced on or after October 1, 2021.

**Intro. by Sanderson.**

GS 14, GS 50

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**Courts/Judiciary, Civil, Family Law, Criminal Justice,  
Criminal Law and Procedure**

S 540 (2021-2022) **VARIOUS CHANGES TO NONPROFIT CORPORATIONS ACT**. Filed Apr 5 2021, *AN ACT TO MAKE VARIOUS CHANGES TO THE NORTH CAROLINA NONPROFIT CORPORATIONS ACT*.

Part I.

Amends GS 55A-11-02 to allow a charitable or religious corporation to merge, without prior approval of the superior court, with a limited liability company if (1) its sole member is a domestic or foreign corporation exempt from income tax; and (2) it is disregarded for income tax purposes but would be eligible for an exemption under the specified provision of the Internal Revenue Code if it were not disregarded.

Amends GS 55A-11-09, concerning merger with unincorporated entities, as follows. Expands upon the definition of a business entity to also include a nonprofit association, whether or not it was formed under this State's laws. Provides that if the surviving business entity is not a domestic limited liability company, a domestic business corporation, a domestic nonprofit corporation, or a domestic limited partnership, when the merger takes effect, the surviving business entity is deemed to have agreed that it may be served with process in this State in any proceeding for enforcement of any obligation of any merging nonprofit association that is formed under the laws of this State. Makes additional technical and clarifying changes.

Amends GS 55A-12-02 by excluding dispositions to a charitable or religious corporation authorized under a plan of dissolution from the requirement to give written notice to the Attorney General before it sells, leases, exchanges, or otherwise disposes of its property if the transaction is not in the usual and regular course of its activities. Makes additional clarifying and technical changes.

Effective October 1, 2021.

Part II.

Enacts new GS 55A-16-22.1 requiring domestic and foreign corporations authorized to conduct affairs in the State to submit annual reports electronically to the Secretary of State that include the six specified items, including its principal office address

and telephone number, brief description of the nature of its activities, and specified types of contact information. Requires corporations to also submit annual reports with due date varying based on the type of corporation. Sets out the process for filing late reports and for amending previously filed reports. Sets out actions a corporation may take under which it is deemed to have filed the required annual report.

Amends GS 55A-1-22 by providing that there is no fee for filing the annual report.

Amends GS 55A-14-20 to allow the Secretary of State to commence a proceeding to dissolve administratively a corporation for being delinquent in submitting its annual report. Makes additional technical changes.

Amends GS 55A-14-22 by amending the actions that must be taken before the Secretary of State will cancel a certificate of dissolution and prepare a certificate of reinstatement, to also require the payment of any penalties and payments due. Makes additional clarifying changes.

Allows the Secretary of State, to waive the fee to be paid by a corporation seeking reinstatement following administrative dissolution for delinquent filing of the annual report, until January 1, 2023.

Applies to annual reports due on or after January 1, 2023.

### Part III.

Adds new Article 11B, Domestication, to GS Chapter 55A, providing as follows.

Allows a foreign nonprofit corporation to become a domestic nonprofit corporation by complying with the Article, so long as domestication is allowed by the laws in the foreign corporation's jurisdiction. Also allows a domestic nonprofit corporation to become a foreign nonprofit corporation by complying with the Article, under a plan of domestication, so long as the domestication is allowed by the laws of the jurisdiction of the foreign corporation. Provides that a charitable or religious corporation may only become a foreign nonprofit corporation in accordance with the statutory requirements for mergers involving charitable or religious corporations, and requires the domesticated corporation to meet the same requirements as the survivor in a merger. Provides that any devise, gift, grant, or promise contained in a will or other instrument made to a domesticating corporation that takes effect or remains payable after the domestication becomes effective, inures to the domesticated corporation unless the will or other instrument provides otherwise.

Allows a domestic nonprofit corporation to become a foreign nonprofit corporation by approving a plan of domestication; sets out items that must be included in the plan. Allows the plan's terms concerning the manner and basis of converting the memberships of the domesticating corporation into memberships, obligations, rights to acquire memberships, cash, or other property, to be made dependent upon facts objectionably ascertainable outside the plan.

Sets out the process under which the plan of domestication is to be adopted when the domestic nonprofit corporation is to be the domesticating corporation. Allows a plan of domestication of a domestic nonprofit corporation to be amended before articles of domestication have taken effect. Sets out the procedures that can be used by a domestic nonprofit corporation in approving an amendment of a plan of domestication. Allows a plan of domestication to be abandoned, as provided for in the plan, after it is approved but before articles of domestication have become effective. Sets out the process for abandonment and requires specified information to be included in the articles of abandonment.

Sets out what must be included in the articles of domestication, and requires the articles to be signed by the domesticating corporation and filed with the Secretary of State. Sets out provisions governing when the domestication becomes effective. Sets out six provisions that apply once the domestication becomes effective, including that all debts, obligations, and other liabilities of the domesticating corporation remain the responsibility of the domesticated corporation, allows the name of the domesticated corporation to be substituted for the name of the domesticating corporation in any pending proceeding, and the articles of incorporation and bylaws of the domesticated corporation become effective. Sets out provisions governing the interest holder liability of a member in a foreign corporation that is domesticated into this State who had interest holder liability in respect of the domesticating corporation before the domestication becomes effective. Provides that a member who becomes subject to interest holder liability in respect of the domesticated corporation as a result of the domestication has interest holder liability only in respect of interest holder liabilities that arise after the domestication becomes effective. Specifies that a domestication does not constitute or cause the dissolution of the domesticating corporation.

Amends GS 55A-1-22, by setting a \$25 fee for filing articles of domestication and a \$10 fee for filing articles of abandonment of domestication.

Amends GS 55A-1-60 to allow a judicial order requiring a meeting of a corporation to be held or that requires a method be used to obtain a vote, to also authorize obtaining votes or approvals necessary for domestication. Makes additional clarifying changes.

Amends GS 55A-8-25 to prohibit a committee of the board from recommending to members or approving domestication.

The above provisions are effective October 1, 2021.

Provides that if a protected agreement of a domestic domesticating nonprofit corporation in effect immediately before the domestication becomes effective contains a provision that applies to a merger of the corporation and the agreement does not refer to domestication, then the provision applies to a domestication as if the domestication were a merger until the provision is first amended after October 1, 2021. Sets forth four items that are considered a protected agreement if in effect immediately before October 1, 2021.

Part IV.

Amends GS 55A-1-50, concerning private foundations, by adding that a private foundation's board of directors consists of one or more natural persons, with the number specified in or fixed in accordance with the articles of incorporation or bylaws.

Amends GS 55A-8-03 to require a board of directors of a nonprofit corporation to have three or more persons (was, one or more); makes conforming and clarifying changes. Amends GS 55A-8-11 to allow a board of directors to have fewer than three members due to vacancies until the vacancies are filled.

Effective October 1, 2021.

Part V.

Amends GS 55A-1-70 to allow a nonprofit corporation to conduct a transaction by electronic means, except as limited by its articles of incorporation or bylaws or its board of directors. Requires agreement from the member, delegate, officer, or director of the corporation before conducting the transaction electronically and requires informing the person of how to revoke the agreement. Makes conforming changes.

Amends GS 55A-7-04, to make conforming changes by allowing a member's consent to action taken without a meeting to be in electronic form and delivered electronically, except as limited by the articles of incorporation or bylaws (was, allowed only to the extent the corporation agreed). Makes clarifying changes.

Amends GS 55A-8-21 to allow action required or permitted by GS Chapter 55A to be taken at a board of directors' meeting to be taken without a meeting if the action is taken by all members of the board, except to the extent that the articles of incorporation or bylaws require that action by the board of directors be taken at a meeting. Also allows a director's consent to action taken without meeting to be in an electronic form and delivered electronically, except as limited by the articles of incorporation or bylaws.

Effective October 1, 2021.

Part VI.

Amends GS 55A-8-25 by providing that the number required to approve the creation of a committee of the board and the appointment of its members applies unless the articles of incorporation or bylaws provide otherwise. Effective October 1, 2021.

**Intro. by Woodard, Burgin, Mayfield.**

[GS 55A](#)

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[Nonprofits](#)

S 541 (2021-2022) [NC PROMISE/ADD FAYETTEVILLE STATE](#). Filed Apr 5 2021, *AN ACT TO ADD FAYETTEVILLE STATE UNIVERSITY AS ONE OF THE CONSTITUENT INSTITUTIONS WITH AN ESTABLISHED RATE OF TUITION AS PART OF THE NC PROMISE TUITION PLAN AND TO APPROPRIATE FUNDS FOR THIS PURPOSE.*

Amends GS 116-143.11 as title indicates, with statutorily set tuition of \$500 per academic semester for residents and \$2,500 per academic semester for nonresidents. Makes technical changes. Appropriates \$11.5 million in additional recurring funds from the General Fund to the UNC Board of Governors for the 2022-23 fiscal year to "buy down" any financial obligations resulting from the established tuition rate under GS 116-143.11 incurred by Fayetteville State University. Effective July 1, 2021, and applies beginning with the 2022-23 academic year.

**Intro. by deViere, Blue, Ballard.**

[APPROP, GS 116](#)

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

S 542 (2021-2022) [SHP COMBAT FRAUD AND ABUSE INCENTIVES](#). Filed Apr 5 2021, *AN ACT TO ALLOW THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS AND STATE EMPLOYEES TO ADOPT A PROGRAM TO INCENTIVIZE PLAN MEMBERS TO REPORT ACTIVITIES SUCH AS FRAUD, WASTE, AND ABUSE BY HEALTH CARE PROVIDERS PROVIDING SERVICES TO PLAN MEMBERS.*

Adds the following to GS 135-48.15, which establishes State policies regarding reporting to the State Health Plan for Teachers and State Employees (SHP), Attorney General, or other appropriate authority any evidence of activity related to the SHP involving any violation of State or federal law, rule, or regulation; fraud; misappropriation of State resources; or gross mismanagement, a gross waste of monies, or gross abuse of authority. Authorizes the State Treasurer to adopt rules to assist in the identification and investigation of the described activities undertaken by a health care provider that provides services to SHP members. Requires the SHP, if it adopts a program to encourage its members to report these activities, to expend State funds in furtherance of the policy objectives and adopt rules to offer an incentive for SHP members of up to 2% of any net recovery made by the SHP resulting from the member report.

**Intro. by Burgin.**

[GS 135](#)

[View summary](#)

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

S 543 (2021-2022) [ESTABLISH KEY INDICATORS/INTERNAL AUDITS](#). Filed Apr 5 2021, *AN ACT TO ESTABLISH MINIMUM KEY PERFORMANCE INDICATORS FOR INTERNAL AUDITS.*

Adds the following to GS 143-746, which governs required internal auditing of State agencies. Charges each agency head with the responsibility of ensuring that agency's internal audit unit meets the required key indicators established by the Council of Internal Auditing (Council). Additionally requires each agency head to certify to the Council that the audit plan was developed and the audit reports were conducted and reported in accordance with the required internal auditing standards established by the Council pursuant to the Council's new duty under GS 143-747(c)(3a), as enacted.

Adds two members to the Council of Internal Auditing, whose membership is set forth in GS 143-747, legislatively appointed upon recommendation of one member each by the President Pro Tempore and the Speaker of the House. Adds a new directive for the Council to hire an executive director to serve a four-year term, selected by Council majority. Provides for reappointment and removal of the executive director. Includes the executive director under those supported by the Office of State Budget and Management. Adds to the Council's responsibilities, the duty to establish required minimum key performance indicators or criteria that comply with the Professional Practice of Internal Auditing issued by the Institute for Internal Auditors, and to gather and assess the extent to which agencies have met the minimum key performance indicators required, and report its findings annually to the specified NCGA committee, beginning October 1, 2022.

Effective July 1, 2021.

**Intro. by McInnis, Edwards, Woodard.**

GS 143

[View summary](#)**Government, State Agencies**

S 544 (2021-2022) [2021 WATER SAFETY ACT](#). Filed Apr 5 2021, *AN ACT TO PROVIDE ADDITIONAL FUNDING FOR EXPERTISE AND TECHNOLOGY AVAILABLE IN INSTITUTIONS OF HIGHER EDUCATION LOCATED WITHIN THE STATE TO ADDRESS PER- AND POLY-FLUOROALKYL SUBSTANCES, INCLUDING GENX.*

Directs the NC Policy Collaboratory (Collaboratory) at UNC-Chapel Hill to continue to identify faculty, expertise, technology, and instrumentation located within identified constituent institutions, as well as other public or private institutions in the State, and coordinate with the identified faculty, technology, instrumentation, and other resources, as resources permit, to (1) conduct targeted and nontargeted analysis for per- and poly-fluoroalkyl substances (PFAS) through continuation of the NC PFAS Testing Network (Network); (2) conduct specified sampling, testing, and monitoring, toxicology work, and data management, analysis, and dissemination with regard to PFAS; (3) develop and deploy technologies to mitigate PFAS exposure and health impacts from exposure; and (4) evaluate and pursue other research opportunities with respect to PFAS. Directs the Collaboratory to use UNC-Wilmington faculty and staff to assist with project management of the requirements.

Directs the Collaboratory to continue to report the results of required sampling to the Environmental Review Commission, specified State agencies, the EPA, and the public through the Network's website.

Appropriates \$15 million for 2021-22 from the General Fund to the UNC Board of Governors to be allocated to the Collaboratory to manage and implement the act, with distribution included for three specified purposes. Bars participating institutions from using funds for overhead or other indirect costs. Provides that the funds do not revert. Exempts purchases made with funds under the act from certain State laws governing public contracts and procurement. Requires at least \$10 million of the funds to be directed to development within the UNC System of a technology or technologies that use water filtration or other chemical or physical technologies to remove or mitigate the presence of PFAS from water supplies where it is present, for deployment at three separate water supply locations at which analytical data demonstrates that PFAS contamination exists in order to test the efficacy of the technology or technologies. Describes three water supply locations for deployment, with selection by the Collaboratory in consultation with faculty and staff identified pursuant to the act. Requires cooperation and assistance from State and local government entities.

Directs the Collaboratory to continue to pursue relevant public and private funding opportunities available to address the impacts of PFAS on surface water, groundwater, and air quality.

Directs UNC-Chapel Hill to apportion all gross revenue associated with any intellectual property related to ionic fluorogel water filtration or other technologies developed using research funds provided by the Collaboratory as appropriated by the act, in specified percentages to the General Fund, the inventor of the technology, and UNC-Chapel Hill, with UNC-Chapel Hill's percentage further divided as specified.

**Intro. by Lee, Ballard, Edwards.**

APPROP, UNCODIFIED

[View summary](#)**Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, UNC System, Health and Human Services, Health, Public Health**

S 546 (2021-2022) [UNC BOG/NO LOBBYISTS/SPOUSES](#). Filed Apr 5 2021, *AN ACT TO PROHIBIT LOBBYISTS AND THE SPOUSES OF LOBBYISTS FROM SERVING AS MEMBERS ON THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.*

Amends GS 116-7 to prohibit lobbyists and spouses of lobbyists from being members of the UNC Board of Governors. Makes language gender neutral.

**Intro. by Perry.**

GS 116

[View summary](#)**Government, State Agencies, UNC System**

S 547 (2021-2022) **FIBER NC ACT**. Filed Apr 5 2021, *AN ACT TO FOSTER INFRASTRUCTURE FOR BROADBAND EXPANSION AND RESOURCES IN NORTH CAROLINA BY AUTHORIZING COUNTIES AND CITIES TO BUILD AND LEASE FACILITIES AND EQUIPMENT OF BROADBAND SERVICES TO INCREASE ADEQUATE BROADBAND SERVICES IN RURAL AREAS OF THE STATE WHERE THE NEED FOR BROADBAND IS GREAT DUE TO MANY FACTORS, INCLUDING THE COVID-19 PANDEMIC.*

Enacts new GS 153A-460 to allow a county, and GS 160A-499.5 to allow a city, to build facilities or equipment of a broadband service for the purpose of leasing the facilities or equipment to one or more lessees who are not a governmental unit. Allows the use property taxes, grants, or any other unrestricted funds in exercising this authority. Sets out four steps that must be taken before beginning construction, including conducting a feasibility study and adopting a resolution at a regular meeting after at least 10 days of notice.

Amends GS 153A-149 and GS 160A-209 to allow property taxes to be levied to build facilities and equipment of a broadband service. Effective for taxes imposed for taxable years beginning on or after July 1, 2021.

Amends GS 159-81 to allow facilities or equipment of a broadband service for the purpose of leasing the facility or equipment to be a revenue bond project.

Amends GS 160A-272 to require when a city council considers a resolution at a regular meeting to rent or lease property, that the public notice be given by publication in a newspaper having general circulation in the city or by electronic means or both. Allows the council to approve a lease without treating it as a sale of property when it is for the operation and use of any facilities and equipment of a broadband service (was, operation and use of components of wired or wireless network); maintains the cap on the lease at a term of up to 25 years and makes conforming deletions. Sets out requirements for a lease by a city for facilities and equipment of a broadband service pertaining to the solicitation of proposals. Allows proposals to be rejected for any reason in the city's best interest and requires the governing body to publicly disclose the reason for the rejection. Specifies that for the lease of part of a city-owned public enterprise to be operated and used as facilities or equipment of a broadband service, a city is not required to submit the question of whether the lease should be undertaken to its voters. Sets out requirements for determining the term of a proposed lease. Effective July 1, 2021.

Amends GS 160A-340.2 to exclude from Article 16A, Provision of Communications Service by Cities, of GS Chapter 160A, facilities or equipment of a broadband service built by a city for the purpose of leasing the facility or equipment.

Amends GS 143-128.1C, concerning public-private partnership construction contracts, by adding that for this statute, the term public-private project includes a capital improvement project that includes construction of facilities or equipment of a broadband service in conjunction with, or part of, another construction project undertaken by the city or county.

Effective July 1, 2021.

**Intro. by Lazzara, Corbin, deViere.****GS 143, GS 153A, GS 159, GS 160A**[View summary](#)**Government, Local Government, Public Enterprises and Utilities**

S 548 (2021-2022) **INTERSCHOLASTIC ATHLETICS**. Filed Apr 5 2021, *AN ACT TO PROVIDE FOR OVERSIGHT OF PUBLIC HIGH SCHOOL INTERSCHOLASTIC ATHLETICS.*

Adds the following to GS 115C-12(23), which requires the State Board of Education (State Board) to adopt rules governing interscholastic athletic activities conducted by local boards of education, and authorizes the State Board to designate an organization to apply and enforce its rules governing participation in interscholastic activities at the high school levels. Requires an organization's written consent to the conduct of audits by the State Auditor in order for an organization to be designated by the State Board. Authorizes the State Auditor to conduct audits of any designated organization in the same manner as for State agencies pursuant to Article 5A of GS Chapter 147.

**Intro. by Johnson, McInnis, Sawyer.**

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, State Agencies, Office of State Auditor, State  
Board of Education**

S 549 (2021-2022) **IMPROVE PIPELINE SAFETY**. Filed Apr 5 2021, *AN ACT TO PROTECT THE CITIZENS OF NORTH CAROLINA FROM AGING AND POORLY MAINTAINED PIPELINES*.

Contains several whereas clauses. Directs the Department of Environmental Quality (DEQ), Division of Energy, Mineral, and Land Resources, with assistance from the North Carolina Utilities Commission staff, to study the condition, safety, and environmental impact of petroleum product pipelines in the state in order to recommend legislative changes or additional funding to improve pipeline safety. Appropriates \$100,000 to DEQ in fiscal year 2021-2022 and \$100,000 in fiscal year 2022-2023 be allocated to the Division to fund the study. Authorizes establishing time-limited positions using appropriated funds to support the study. Requires DEQ to report study findings and recommendations to the Joint Legislative Commission on Energy Policy by December 15, 2022. Provisions making appropriations are effective July 1, 2021, and remainder of the bill is effective upon becoming law.

**Intro. by Marcus.**

APPROP, UNCODIFIED

[View summary](#)

**Energy, Government, Budget/Appropriations, State Agencies,  
Department of Environmental Quality (formerly DENR),  
Public Enterprises and Utilities**

S 550 (2021-2022) **MODIFY SURETY/BAIL BOND/BONDSMEN PROVISIONS**. Filed Apr 5 2021, *AN ACT TO MODIFY QUALIFICATIONS AND TESTING PROCEDURES FOR BAIL BONDSMEN AND RUNNERS AND TO MODIFY VARIOUS PROVISIONS RELATED TO BAIL BOND FORFEITURES AND BAIL BOND SURETIES*.

Adds documented US citizenship to the qualifications for licensure of bail bondsmen and runners under GS 58-71-50.

Revises the restrictions regarding reexamination for applicants who fail exams under GS 58-71-70, to allow applicants to retake the exam within 90 days upon payment of an additional exam fee. If the applicant subsequently fails to pass the reexam, requires the applicant to file a new application before the applicant can again be examined, with a one-year waiting period from the date of reexamination and filing a new application (current law requires reexamination with a one-year waiting period, with no further parameters specified).

Amends GS 15A-544.3, which provides for court-ordered forfeiture of a bail bond for failure to appear, to revise and add to the content of the forfeiture. Requires inclusion of the following in the required notice of grounds for setting aside the forfeiture: (1) the defendant's incarceration between the failure to appear and the final judgment date, subject to existing requirements regarding duration and notification of the district attorney regarding the defendant's incarceration, (2) that notice of forfeiture was not provided pursuant to State law, or (3) that the court refused to issue an order for arrest for the defendant's failure to appear, as evidenced by a copy of an official court record, including an electronic record.

Adds to the grounds for setting aside a forfeiture under GS 15A-544.5 to include (1) that the notice of the forfeiture was not provided pursuant to State law, and (2) that the court refused to issue an order for arrest for the defendant's failure to appear, as evidenced by a copy of an official court record, including an electronic record.

**Intro. by Britt, Craven, Lazzara.**

GS 15A, GS 58

[View summary](#)

**Business and Commerce, Occupational Licensing,  
Courts/Judiciary, Court System, Criminal Justice, Criminal  
Law and Procedure**

S 552 (2021-2022) [LIMIT WHO MAY ADVERTISE/ADOPTION LAWS](#). Filed Apr 5 2021, *AN ACT TO LIMIT WHO MAY ADVERTISE FOR THE ADOPTION OF A MINOR CHILD UNDER THE LAWS PERTAINING TO ADOPTIONS*.

Restricts entities that can advertise that any person or entity will place or accept a child for adoption specified in GS 48-10-101 to a county department of social services or a child-placing entity licensed by the Department of Health and Human Services (previously, provided for a county department of social services, an adoption facilitator, or an agency licensed by DHHS).

**Intro. by Sanderson.**

GS 48

[View summary](#)

[Courts/Judiciary, Juvenile Law, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Child Welfare](#)

S 553 (2021-2022) [DAMAGE TO REAL PROPERTY/PUNISHMENT](#). Filed Apr 5 2021, *AN ACT TO INCREASE THE PUNISHMENT FOR WILLFUL AND WANTON INJURY TO REAL PROPERTY*.

Revises the punishment for the offense of willful and wanton injury to real property under GS 14-127, currently punishable as a Class 1 misdemeanor, as follows. Creates punishment tiers based on the damage, injury, or loss of property resulting from the violation. Deems damage, injury, or loss to real property in the amount of less than \$1,000 a Class 1 misdemeanor, in the amount of at least \$1,000 but less than \$10,000 a Class H felony, and over \$10,000 a Class F felony and deemed an aggravated offense. Adds the following. Makes a violation that results in a serious injury to another person a Class A1 misdemeanor, unless covered under another law providing for greater punishment. Makes a violation that results in serious bodily injury to another person a Class F felony, unless covered under law providing for greater punishment. Makes a violation that results in the death of another person a Class D felony, unless covered under law providing for greater punishment. Directs a court to order individuals convicted under the statute to make restitution for the offense pursuant to Article 81C of GS Chapter 15A, in addition to other fines and penalties that can be imposed for the violation. Specifies that the statute does not create or impose an additional duty of care upon the owner of real property. Provides civil immunity for real property owners for injuries to persons committing or attempting to commit a violation, persons injured while a third party is committing or attempting to commit a violation, and a person's injuries caused by a dangerous condition created as a result of a violation when the owner does not know or could not have reasonably known of the dangerous condition.

Enacts GS 15A-534.8 to require a judge to determine the conditions of pretrial release for a defendant charged with willful or wanton injury to real property under GS 14-127. Requires the judge to direct law enforcement or a district attorney to provide a criminal history report for the defendant to be considered by the judge in setting the conditions of release and returned to the providing agency or department. Prohibits unreasonable delay of the determination of conditions of pretrial release for the purpose of reviewing the criminal history report. Provides for the judge to retain the defendant in custody for a reasonable period of time while determining the conditions of release, subject to specified findings, and order the defendant to stay away from the locations or property of the offense in addition to execution of a secured bond. Makes the procedural provisions for setting conditions of pretrial release of GS 15A-534, and the procedures for involuntary commitment under Article 5 of GS Chapter 122C, applicable to the statute. Restricts retention of the defendant to 72 hours from the time of arrest without a determination being made under the statute by a judge, and directs the magistrate to act under the statute in the event the judge has not acted within that period.

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

**Intro. by Burgin, Daniel, Britt.**

GS 14, GS 15A

[View summary](#)

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

S 554 (2021-2022) [ENCOUR. AFFORDABLE HOUSING/SHIPPING CONTAINERS](#). Filed Apr 5 2021, *AN ACT TO PROMOTE AFFORDABLE HOUSING IN NORTH CAROLINA BY ENCOURAGING THE CONVERSION OF SHIPPING CONTAINERS TO HOUSING UNITS*.

Amends GS 143-139.1 to require single-family on-frame modular homes (was, single-family modular homes) to meet the specified construction and design standards to qualify for a label or seal of approval under the statute.

**Intro. by Ballard, Britt, Lee.**

GS 143

[View summary](#)

**Development, Land Use and Housing, Building and Construction, Property and Housing**

S 555 (2021-2022) [SHRA/BAN ON APPLICANT SALARY HISTORY](#). Filed Apr 5 2021, *AN ACT AMENDING THE STATE HUMAN RESOURCES ACT TO PROHIBIT INQUIRIES ABOUT AN APPLICANT'S SALARY HISTORY DURING THE HIRING PROCESS*.

Amends Article 1 of GS Chapter 126 (State Human Resources Act) to add GS 126-6.4 prohibiting inquiry into or review of the salary history of an applicant for State employment. Allows asking a prospective State employee to consent to confirmation of their salary history after an offer of employment with compensation has been made.

**Intro. by Salvador, Batch, Fitch.**

GS 126

[View summary](#)

**Government, State Government, State Personnel**

S 556 (2021-2022) [APPLIANCE ENERGY EFFICIENCY STANDARDS](#). Filed Apr 5 2021, *AN ACT TO ENACT STATE ENERGY EFFICIENCY STANDARDS FOR CERTAIN APPLIANCES*.

Enacts new Part 32A, North Carolina Appliance Efficiency Standards Act, in Article 7 of GS Chapter 143B, providing as follows. Designates the Department of Environmental Quality, State Energy Office (Office), as the lead State agency in matters pertaining to appliance standards and gives the Office the following powers and duties: (1) to periodically inspect distributors or retailers of new appliances in order to determine compliance, allows working with the the Department of Insurance to coordinate inspections for new products that are also covered by the State Building Code and (2) to investigate complaints received concerning violations of this Part and to report the results to the Attorney General, who may institute proceedings to enforce this Part. Sets out four categories of exemptions, but otherwise makes the new Part applicable to the testing, certification, and enforcement of efficiency standards for lamps and for the following types of new lamps or appliances (many of which are defined in Part) that are sold, offered for sale, or installed in the State: (1) commercial hot food holding cabinets, (2) computers and computer monitors, (3) state-regulated general service lamps, (4) state-regulated incandescent reflector lamps, (5) high CRI (color rendering index) fluorescent lamps, (6) portable electric spas, (7) water coolers, (8) residential ventilating fans, (9) commercial ovens, (10) commercial dishwashers, (11) commercial fryers, (12) commercial steam cookers, and (13) electric vehicle supply equipment. Prohibits the sale or installation of new appliances that are in this list on or after January 1, 2023, unless the energy efficiency of the appliance meets or exceeds the standards in this Part. Prohibits installing a new lamp in the listed items in a building other than a residence on or after January 1, 2024, unless the energy efficiency of the lamp meets or exceeds the standards established by the Office, which is allowed to adopt rules to establish exemptions for certain lamps used for specified purposes.

Prohibits any new commercial dishwasher, commercial fryer, commercial hot food holding cabinet, commercial oven, commercial steam cooker, computer or computer monitor, electric vehicle supply equipment, faucet, high CRI fluorescent lamp, portable electric spa, residential ventilating fan, showerhead, spray sprinkler body, urinal, water closet, or water cooler from being sold or offered for sale, lease, or rent in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in the regulations adopted under this act. Prohibits selling a State-regulated general service or

incandescent reflector lamp unless the efficiency of the new product meets or exceeds the efficiency standards provided under this act. Sets out the minimum efficiency standards for each of these items.

Requires the Office to adopt procedures for testing the energy efficiency of the appliances and lamps covered by this Part if such procedures are not provided for in any other applicable code. Specifies the methods that are to be used by the Office. Requires manufacturers to test samples according to the testing procedures. If products are found to be out of compliance with the efficiency standards, the Office must charge the manufacturer for the cost of product purchase and testing and give the public information on products found not to be in compliance with the standards.

Requires manufacturers of covered appliances and lamps to certify to the Commissioner that such appliances and lamps are in compliance. Requires the Commissioner to develop regulation for certification and publish a list annually of certified appliances and lamps. Sets out requirements for certification and exempts single voltage external AC to DC power supplies. Requires manufacturers to identify products for sale or for installation in the State as in compliance with a mark, label, or tag. Requires the Office to develop rules governing the form of identification and sets out additional parameters governing the identification. Requires the Office, in consultation with other states, product manufacturers, and other interested parties, to study and evaluate the usefulness and effectiveness of markings for incandescent reflector lamps and general service lamps.

Deems failure to comply with this Part to be an unfair or deceptive act, with violations punishable by a civil penalty. Specifies that each violation constitutes a separate offense, and each day such violation continues constitutes a separate offense.

Makes the above provisions effective January 1, 2023, except that the portions regulating lamps become effective January 1, 2024.

Allows the Office to adopt temporary rules and requires the adoption of permanent rules to implement this act.

**Intro. by Salvador, Woodard, Garrett.**

**GS 143B**

[View summary](#)

**Business and Commerce, Environment, Energy, Government,  
State Agencies, Department of Environmental Quality  
(formerly DENR)**

**S 557 (2021-2022) UP SHP PAY & DEATH BENEFITS/DEATH PENALTY.** Filed Apr 5 2021, *AN ACT INCREASING THE PAY AND DEATH BENEFITS OF MEMBERS OF THE STATE HIGHWAY PATROL KILLED OR MURDERED IN THE LINE OF DUTY; AND REQUIRING THAT A JURY DECIDE THE DEFENDANT'S SENTENCE IN EVERY CASE INVOLVING THE MURDER OF A LAW ENFORCEMENT OFFICER.*

#### Section 1

Appropriates \$8.3 million for each fiscal year of 2021-23 from the General Fund to the Department of Public Safety (DPS), State Highway Patrol Division (SHP), to increase the annual compensation of the State Highway Patrol. Sets a pay schedule, with salaries ranging from \$46,228 for 0 years of experience, to \$76,658 for 10 years of experience. Effective July 1, 2021.

#### Section 2

Enacts GS 143-166.3(a1) to provide that when any covered person under the Public Safety Employees' Death Benefits Act, Article 12A, who is a member of the State Highway Patrol is killed in the line of duty, in addition to the \$100,000 award set forth in subsection (a), the Industrial Commission is required to award a death benefit of \$900,000 to be paid to the surviving spouse, the dependent child or children, the surviving dependent parent(s), or the estate of the deceased covered person (in order of distribution, only moving to the next category of persons if the preceding is not applicable, with first rights to the surviving spouse). Makes conforming changes.

Appropriates \$600,000 in recurring funds for each fiscal year of 2021-23 from the General Fund to the Department of State Treasurer to pay benefits provided under Article 12A of GS Chapter 143, as amended.

Effective July 1, 2021, and applies to qualifying deaths occurring on or after that date.

#### Section 3

Enacts GS 15A-2001(b1) to bar the State from agreeing to accept a sentence of life imprisonment if the defendant enters a guilty plea to first degree murder in a case involving the murder of a law enforcement officer, employee of the Division of Adult Correction and Juvenile Justice, jailer, firefighter, judge or justice, former judge or justice, prosecutor or former prosecutor, juror or former juror, or witness or former witness against the defendant, while engaged in the performance of the person's official duties or because of the exercise of the person's official duty. Permits jury recommendation as to the appropriate sentence pursuant to GS 15A-2000. Effective December 1, 2021.

Section 4 includes a severability clause.

Section 5 provides a standard effective date provision.

**Intro. by Burgin, Davis.**

[APPROP, GS 15A, GS 143](#)

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[Courts/Judiciary, Criminal Justice, Corrections \(Sentencing/Probation\), Employment and Retirement, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Public Safety, Department of State Treasurer, State Government, State Personnel](#)

S 558 (2021-2022) [VETERANS BUSINESS PARTICIPATION/TRACKING](#). Filed Apr 6 2021, *AN ACT TO ENCOURAGE AND PROMOTE THE USE OF VETERAN CONTRACTORS IN STATE PURCHASING OF GOODS AND SERVICES, STATE CONSTRUCTION CONTRACTS, AND STATE INFORMATION TECHNOLOGY PROCUREMENT; TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO COLLECT AND COMPILE DATA ON THE USE OF VETERAN BUSINESSES IN STATE CONTRACTS; AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF ADMINISTRATION FOR THESE PURPOSES.*

Amends GS 143-48, to also make it State policy to encourage and promote the use of veteran contractors (in addition to the already specified entities) and to require the State agencies, and institutions and political subdivisions to cooperate in efforts to encourage the use of veteran contractors. Requires the report from every governmental entity required by statute to use the services of the Department of Administration in the purchase of goods and services, every local school administrative unit, and every private, nonprofit corporation other than an institution of higher education or a hospital that receives an appropriation of \$500,000 or more during a fiscal year from the General Assembly, to also include what percentage of its contract purchases of goods and servers were from veteran-owned businesses. Defines the term veteran.

Amends GS 143-135.5 to make it State policy to encourage and promote the use of veteran contractors (in addition to the already named categories of contractors) in State construction projects. Makes conforming changes and defines the term veteran. Adds the requirement that public entities subject to the provisions GS 143-128.2 (minority business participation goals for building projects) report to the Department of Administration on (1) the number of veteran businesses awarded a contract or a portion of a contract for a State building project; (2) a description of the work executed by each veteran business; and (3) details of any outreach efforts made by the Department to identify veteran businesses that can perform State building projects. Requires the data to be reported annually to the specified NCGA committee and division.

Amends GS 143B-1361 to require State agencies to cooperate in efforts to encourage the use of veteran contractors (in addition to those already named categories of contractors) in providing for the effective and economical acquisition, management, and disposition of information technology.

Appropriates \$50,000 for 2021-22 from the General Fund to the Department of Administration to implement the act.

Effective July 1, 2021.

**Intro. by deViere, Davis, Clark.**

[APPROP](#)

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

**Administration, Local Government, Military and Veteran's Affairs**

S 559 (2021-2022) [FUNDS/ORANGE ST SCHOOL/UMOJA GROUP](#). Filed Apr 6 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HISTORIC ORANGE STREET SCHOOL BUILDING IN FAYETTEVILLE AND FOR DIGITALIZATION AND PRESERVATION OF THE AFRICAN AMERICAN PICTORIAL WALL.*

Includes whereas clauses.

Appropriates \$250,000 in nonrecurring funds for 2021-22 from the General Fund to the Orange Street School Restoration and Historical Association Inc. to renovate the school building and further develop the neighborhood.

Appropriates \$150,000 in nonrecurring funds for 2021-22 from the General Fund to the Umoja Group Inc. for digitalization and preservation of the African American pictorial wall.

Effective July 1, 2021.

**Intro. by deViere.**

[APPROP, Cumberland](#)

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[Government, Budget/Appropriations, Cultural Resources and Museums](#)

S 560 (2021-2022) [ELECTRIC VEHICLE SPECIAL REGISTRATION PLATE](#). Filed Apr 6 2021, *AN ACT TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO PRODUCE AN ELECTRIC VEHICLE SPECIAL REGISTRATION PLATE.*

Identical to [H 466](#), filed 3/31/21.

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 Mayfield, Garrett.**

[GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Government, State Agencies, Department of Transportation, Transportation](#)

S 561 (2021-2022) [INCREASE FUNDING FOR RAPE VICTIM ASSISTANCE](#). Filed Apr 6 2021, *AN ACT TO INCREASE THE MAXIMUM AMOUNT PAID BY THE ASSISTANCE PROGRAM FOR VICTIMS OF RAPE AND SEX OFFENSES TO A MEDICAL FACILITY OR MEDICAL PROFESSIONAL FOR FORENSIC MEDICAL EXAMINATIONS.*

Increases the maximum payments that may be made to medical facilities and medical professional who perform forensic medical exams by the Assistance Program for Victims of Rape and Sex Offenses (Program) pursuant to GS 143B-1200. Provides for maximum payments of \$700 (was \$350) for physicians and sexual assault nurse examiners, and \$500 (was \$250) for hospital or facility fees. Makes conforming adjustments to the total maximum amounts paid by the Program.

Appropriates \$1.1 million in recurring funds from the General Fund to the Department of Public Safety for 2021-22 to be used to administer the Program in accordance with the act.

Effective July 1, 2021, and applies to forensic exams conducted on or after that date.

**Intro. by Marcus, Murdock, Mayfield.**

[APPROP, GS 143B](#)

[View summary](#)

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

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

S 562 (2021-2022) **HVAC IMPROVEMENTS FOR PUB. SCHOOLS**. Filed Apr 6 2021, *AN ACT TO ESTABLISH THE CLEAN AIR GRANT PROGRAM*.

Directs the Department of Public Instruction (DPI) to establish the Clean Air Grant Program (program) to provide grants to *qualifying public school units*, defined to mean public school units that are located in a county designated as a development tier one area that has a school with an HVAC unit that was manufactured at least 15 years prior to the date of grant application, to replace aging HVAC systems in schools. States the program's purpose, including reduction of the spread of infectious disease. Provides for qualifying public school units to apply to DPI for one or more grants. Directs DPI to develop criteria and guidelines for grant administration by August 1, 2021, including application deadlines and required application information. Directs DPI to award grants to qualifying public school units by December 31, 2021, based on the minimum criteria specified, which includes restricting use of grant funds to replacement of HVAC systems manufactured at least 15 years from the date of the grant application, and capping grants to \$2.8 million per public school unit for any individual school in the unit. Specifies that grant funds are supplemental to other building maintenance funds.

Directs DPI to survey all public school units by December 31, 2021, to gather the number of HVAC systems manufactured at least 15 and at least 20 years prior to the date of the survey, and their replacement costs.

Further requires DPI to report to the specified NCGA committee and division by March 15, 2022, on the grant program, with specified content, including its survey results.

Appropriates \$150 million from the General Fund to DPI for 2021-22 to provide the grants pursuant to the program.

Effective July 1, 2021.

**Intro. by Salvador, Davis, Mayfield.**

**APPROP, STUDY, UNCODIFIED**

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

S 563 (2021-2022) **RENEWABLE ENERGY TAX CREDIT**. Filed Apr 6 2021, *AN ACT TO REENACT A TAX CREDIT INCENTIVE FOR INVESTING IN RENEWABLE ENERGY PROPERTY*.

Reenacts GS 105-129.16A, which establishes a tax credit for taxpayers that have invested in renewable energy property at 35% of the cost of the property if placed in service in the state during the taxable year. Extends the sunset of the statute, so that the statute is repealed effective for renewable energy placed into service on or after January 1, 2025 (was January 1, 2016).

Repeals subsections (f) through (h), which provide delayed sunsets for certain renewable energy properties. Makes conforming changes. Effective for taxable years beginning on or after January 1, 2021.

**Intro. by Salvador, Garrett, Mayfield.**

**GS 105**

[View summary](#)

**Development, Land Use and Housing, Property and Housing, Environment, Energy, Government, Tax**

S 567 (2021-2022) **ACC BASKETBALL TOURNAMENT HOLIDAY**. Filed Apr 6 2021, *AN ACT DESIGNATING THE FRIDAYS IN MARCH WHEN BOTH THE WOMEN'S AND MEN'S ACC BASKETBALL TOURNAMENTS ARE HELD AS PUBLIC HOLIDAYS IN NORTH CAROLINA*.

Amends GS 103-4, as the title indicates.

**Intro. by Crawford, Murdock, Salvador.**

GS 103

[View summary](#)

**Government, Cultural Resources and Museums, State  
Government, State Personnel**

S 568 (2021-2022) **EXPAND MINORITY BUSINESS CAPACITY**. Filed Apr 6 2021, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF ADMINISTRATION AND CLARIFYING THE DEFINITION OF THE TERM "RESPONSIBLE, RESPONSIVE BIDDER" TO INCREASE THE NUMBER OF MINORITY AND HISTORICALLY UNDERUTILIZED BUSINESSES USED IN STATE CONTRACTS.*

Appropriates \$500,000 for 2020-21 from the General Fund to the Department of Administration, Offices of Historically Underutilized Business (HUB), to improve existing and create new outreach plans to educate minority businesses on State laws that encourage or require minority participation in State contracts. Also requires HUB to improve and create programs to foster interaction between minority and nonminority businesses to increase the number of minority subcontractors used in State contracts. Requires HUB to study whether the current "good-faith efforts" required under GS 143-128.2 (Minority business participation goals) should be expanded or simplified and requires a report on findings and recommendations by February 15, 2022, to the specified NCGA committee and division.

Appropriates \$15 million for 2020-21 from the General Fund to the Department of Administration for the ReTOOLNC grant program to provide assistance to historically underutilized businesses in recovering from the COVID-19 pandemic.

Appropriates \$2 million for 2020-21 from the General Fund to HUB to be allocated to community development financial institutions to support and develop African American and minority-owned businesses.

Appropriates \$1 million for 2020-21 from the General Fund to HUB to be allocated to African American and community-based organizations to aid in outreach to encourage participation in State contracts and to conduct training on the certification process. Requires the Department of Administration to develop a grant process for these funds and requires a report on the criteria and recipients by December 1, 2021, to the specified NCGA committee and division.

Appropriates \$2 million for 2020-21 from the General Fund to HUB to be allocated to local governments to study disparities in the awarding of local public contracts to minority and nonminority contractors and subcontractors. Requires the Department of Administration to develop a grant process for these funds and requires a report on the criteria and recipients by December 1, 2021, to the specified NCGA committee and division.

Appropriates \$250,000 for 2020-21 from the General Fund to HUB to purchase or contract for software to collect compliance data on: (1) the State's policy to encourage and promote the use of small contractors, minority contractors, physically handicapped contractors, and women contractors in State purchasing of goods and services and (2) the State's verifiable 10% goal for participation by minority businesses in the total value of work for each State building project. Also requires HUB to use the software for quarterly reports on data and compliance with GS 143-38 (State policy; cooperation in promoting the use of small contractors, minority contractors, physically handicapped contractors, and women contractors; purpose; required annual reports) and GS 143-128.2 (Minority business participation goals). Requires HUB to report annually on the data and information collected for each of the preceding four quarters to the specified NCGA committee and division.

Part II.

Amends GS 143-129, concerning the procedure for the letting of public contracts, to allow proposals to be rejected for failure to comply with GS 143-128.2(c), which sets out requirements for a bidder to identify on its bid the minority businesses that it will use on the project and an affidavit listing the good faith efforts it has made and the total dollar value of the bid that will be performed by the minority businesses. Requires, when awarding the contract, taking into consideration the bidder's compliance with that same provision, and past performance on contracts.

Part III.

Provides that the act's headings do not expand, limit, or define the text of this act.

Part IV.

Effective July 1, 2021.

**Intro. by deViere, Robinson, Foushee.**

APPROP, GS 143

[View summary](#)

**Business and Commerce, Development, Land Use and Housing, Building and Construction, Government, State Agencies, Department of Administration, State Government, State Property**

S 570 (2021-2022) [HOLD HARMLESS STAR RATINGS/ERS ASSESS. RESUME](#). Filed Apr 6 2021, *AN ACT TO HOLD HARMLESS CERTAIN FACILITIES WHEN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RESUMES ENVIRONMENTAL RATING SCALE (ERS) (STAR RATING) ASSESSMENTS FOR LICENSED CHILD CARE FACILITIES AND TO PROVIDE FOR CERTAIN OTHER FLEXIBILITIES WHEN THE ERS ASSESSMENTS RESUME.*

Directs the Department of Health and Human Services (DHHS), Division of Child Development and Early Education (Division), upon resuming environmental rating scale (ERS) assessments, to not require a licensed child care facility to undergo an ERS assessment if conducting the assessment would cause loss of a star rating due to the facility's loss in the educators who enabled the facility to meet the star-rating requirements, and its inability to replace those educators within a reasonable time period with individuals having similar levels of education. Expires six months after the date the Governor signs an executive order rescinding Executive Order No. 116.

Directs the Division to implement the following when resuming ERS assessments: (1) through June 30, 2027, lowering the 75% threshold to 50% for the percentage of lead teachers in the program required to meet the "rated licensed education requirements" criteria to earn quality rating improvement system (QRIS) "education points" towards a licensed facility's star rating (expires June 30, 2027) and (2) recognizing early childhood educators currently enrolled in accredited early childhood education programs working toward an associate degree or a bachelor's or master's degree in early childhood education by awarding one QRIS "education point" for every two staff members enrolled at the time of the assessment to the licensed care facility's cumulative final "education points" earned after all staff members in the program are assessed.

**Intro. by Krawiec, Burgin, Perry.**

UNCODIFIED

[View summary](#)

**Education, Preschool, Government, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services**

S 573 (2021-2022) [EQUAL PAY ACT](#). Filed Apr 6 2021, *AN ACT TO PROHIBIT DISCRIMINATION IN THE PAYMENT OF WAGES ON THE BASIS OF THE GENDER OF THE EMPLOYEE.*

Refers to the act as the "North Carolina Equal Pay Act."

Enacts new GS 95-25.6A (Discrimination in payment of wages on the basis of gender of employee prohibited).

Defines comparable work and working conditions.

Prohibits discrimination on the basis of gender in the payment of salary or wages, including benefits, or payment of salary or wage rates less than the rates paid to employees of a different gender for comparable work. Provides that variations in salary and wages are not prohibited if the variations are based on six listed things, including seniority, merit, and geographic location. Provides that an employer in violation of this statute may not reduce the pay of any employee to comply with this statute.

Prohibits employers from (1) requiring employees to refrain from inquiring about, discussing, or disclosing wages; (2) screening job applicants based on their wage histories; (3) seeking the salary history of prospective employees from current or former employers; or (4) discharging employees for opposing acts made unlawful by this statute, complaining or causing a

proceeding under this statute, testifying or otherwise participating in an investigation or proceeding under this statute, or disclosing wage information.

Provides that employers violating this statute are liable to affected employees in the amount of the employees' unpaid salary or wages, including benefits and reasonable attorneys fees at the court's discretion. Provides a three-year statute of limitations for actions arising from a violation, and includes each separate wage payment in violation of this statute as a violation for purposes of the statute of limitations.

Requires employers to post notice in their workplaces of employees' rights under this statute.

Effective January 1, 2022.

**Intro. by Marcus, deViere, Salvador.**

[GS 95](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Employment and Retirement](#)

S 574 (2021-2022) [LIFE INSURANCE BENEFICIARY CHANGES](#). Filed Apr 6 2021, *AN ACT TO ALLOW A CHANGE OF BENEFICIARY UNDER A LIFE INSURANCE POLICY IF THAT BENEFICIARY WAS SELECTED UNDER FRAUDULENT CIRCUMSTANCES OR FALSE PRETENSES*.

Amends Part 3 of Article 58 of GS Chapter 58 (Life Insurance – Insurable Interests and Other Rights) to add GS 58-58-96 requiring life insurance companies in the state to allow an owner of a life insurance policy to change the beneficiary of the owner's policy if the beneficiary was selected under false pretenses or fraudulent circumstances. Effective upon becoming law and applies to policies issued on or after that date.

**Intro. by Steinburg.**

[GS 58](#)

[View summary](#)

[Business and Commerce, Insurance](#)

S 576 (2021-2022) [RECOVERY REBATE FOR WORKING FAMILIES ACT](#). Filed Apr 6 2021, *AN ACT TO REENACT THE EARNED INCOME TAX CREDIT*.

Includes whereas clauses. Reenacts GS 105-151.31 as it existed immediately before its expiration (expiration effective for taxable years beginning on or after January 1, 2014). Recodifies the statute as GS 105-153.11, with the following changes. Provides for an earned income tax credit in the amount of 20% of the amount of earned income tax credit the individual qualified for under section 32 of the Internal Revenue Code (previously provided for a 4.5% or 5% credit determined by taxable year). Provides for reduction of the credit for nonresident and part-year resident taxpayers under updated statutory cross-reference, as appropriate. Eliminates an outdated provision referencing a since repealed section of the Code. Eliminates the sunset provision. Effective for taxable years beginning on or after January 1, 2021.

**Intro. by deViere, Garrett, Salvador.**

[GS 105](#)

[View summary](#)

[Government, Tax](#)

S 577 (2021-2022) [FUNDS/EST. BLACK WOMEN & GIRLS TASK FORCE](#). Filed Apr 6 2021, *AN ACT TO ESTABLISH THE NORTH CAROLINA BLACK WOMEN AND GIRLS TASK FORCE AND TO APPROPRIATE FUNDS FOR THE TASK FORCE*.

Adds new Part 31, North Carolina Black Women and Girls Task Force, in Article 9 of GS Chapter 143B, which provides as follows. Establishes the 13 member North Carolina Black Women and Girls Task Force (Task Force) within the Department of Administration (for budgetary purposes only). Sets out Task Force membership requirements and sets terms at 2 years,

allowing successive terms. Provides for the selection of cochairs, filling of vacancies, removal of members, meetings, and staffing. Makes the Task Force an advisory committee to study disaggregated findings concerning the well-being of cisgender and transgender black women and girls in the State. Requires the Task Force to examine five specified issues, including topics related to health and wealth disparities, educational justice principals, violence, impacts of the criminal and juvenile justice system, and the effects of political advocacy and engagement, employment, and healthcare. Requires the Task Force to report to the specified NCGA committees prior to the convening of the 2023 General Assembly and biennially thereafter. Specifies the required content of the report. Sunsets the new Part on September 30, 2030.

Requires appointments to the Task Force to be made by October 1, 2021, and for members terms to commence at that point.

Appropriates \$500,000 in recurring funds in each of the 2021-22 and 2022-23 fiscal years from the General Fund to the Department of Administration to be allocated for operation of the Task Force.

Effective July 1, 2021.

**Intro. by Murdock, Waddell, Bazemore.**

[APPROP, STUDY, GS 143B](#)

[View summary](#)

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

S 578 (2021-2022) [STUDY ON FIXED IN-STATE TUITION PLAN FOR UNC](#). Filed Apr 6 2021, *AN ACT TO STUDY THE IMPACT OF ESTABLISHING A REDUCED FIXED FOUR-YEAR TUITION PLAN FOR CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND TO APPROPRIATE FUNDS TO CONDUCT THE STUDY*.

Requires the Friday Institute for Educational Innovation at NC State University (The Friday Institute) to study the impact of establishing an in-state tuition rate for undergraduate students at the constituent institutions of The University of North Carolina, other than those participating in the NC Promise Tuition Plan, at a fixed rate of \$2,500 per semester for four academic years of continuous student enrollment. Sets out seven issues that must be considered in the study, including the economic impact on families and undergraduate students to have an opportunity to attend a constituent institution under the plan, including reduction of student loan debt and long-term financial benefits, the economic impact on enrollment at constituent institutions by each institution and the corresponding effect on their budgets, and the sustainable cost for campuses that are already near or at the tuition rate of \$2,500 per semester for a four-year period. Requires a report on the results of the study to the specified NCGA committees and division by February 1, 2022.

Appropriates \$100,000 in nonrecurring funds for 2021-22 from the General Fund to the UNC Board of Governors to be allocated to The Friday Institute to conduct the study.

Effective July 1, 2021.

**Intro. by Murdock, Waddell, Crawford.**

[APPROP, STUDY](#)

[View summary](#)

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

S 579 (2021-2022) [EXPAND INCOME TAX ASSISTANCE IN NC](#). Filed Apr 6 2021, *AN ACT TO ESTABLISH A GRANT PROGRAM AT NORTH CAROLINA COMMUNITY COLLEGES TO EXPAND INCOME TAX ASSISTANCE IN THE STATE*.

Includes whereas clauses. Requires the State Board of Community Colleges, within funds appropriated under the act, to establish a grant program for community college campuses to offer courses to students to become tax preparers as part of the Volunteer Income Tax Assistance (VITA) program and to facilitate providing VITA services to students and community members. Sets out VITA's work. States that the goal of the grant program is for community colleges to provide work-based opportunities to students while facilitating access to the VITA program in local communities.

Requires participating community colleges to: (1) offer a specified fall curriculum course and a spring work-based learning course to students interested in becoming certified as tax preparers for the VITA program, (2) designate a faculty champion to facilitate the program, and (3) provide VITA services to be offered to all students on campus and community members. Sets out information that a community college must include in its grant application.

Appropriates the following from the General Fund to the Community Colleges System Office: (1) \$755,100 in nonrecurring funds and \$570,100 in recurring funds for 2021-2022 and (2) \$549,000 in nonrecurring funds for 2022-2023 to implement the grant program. Specifies how the funds are to be used and in what amount, including specified faculty bonuses and to hire personnel.

Appropriates \$50,000 in nonrecurring funds and \$100,000 in recurring funds for 2021-22 from the General Fund to the Department of Revenue for community college personnel and student training and technical assistance associated with the grant program; allows the funds to be used to contract with a third-party vendor.

Effective July 1, 2021.

**Intro. by Crawford, deViere.**

[APPROP](#)

[View summary](#)

[Education, Higher Education, Government, Budget/Appropriations, State Agencies, Community Colleges System Office, Department of Revenue, Tax](#)

S 580 (2021-2022) [TITLE V PERMIT FEES/EFFECTIVE DATE](#). Filed Apr 6 2021, *AN ACT TO RECONCILE THE EFFECTIVE DATE OF A CERTAIN RULE ADOPTED BY THE ENVIRONMENTAL MANAGEMENT COMMISSION.*

Establishes effective date of May 1, 2021, for 15A NCAC 02Q .0203 (Permit and Application Fees rule adopted by Environmental Management Commission on January 14, 2021), regardless of the timeline outlined in GS 15B-21.3 (specifying effective date of adopted rules) or other applicable law.

**Intro. by B. Jackson, Sanderson, Edwards.**

[UNCODIFIED](#)

[View summary](#)

[Environment](#)

S 581 (2021-2022) [REDISTRICTING CRITERIA FOR 2021](#). Filed Apr 6 2021, *AN ACT TO ESTABLISH CRITERIA FOR LEGISLATIVE AND CONGRESSIONAL REDISTRICTING FOLLOWING THE RETURN OF THE 2020 DECENNIAL CENSUS.*

Identical to [H 495](#), filed 4/5/21.

Includes whereas clauses. Sets out the following requirements for revising districts and the apportionment among those districts of members of the NCGA House and Senate and US House of Representatives, following the return of the 2020 federal decennial census.

Give priority to baseline criteria over all other redistricting criteria. Provides that baseline criteria refers to the following, set out in order of priority. (1) Equal population, requiring each member of each body to represent, as nearly as may be, an equal number of inhabitants, with the ideal population being the State's population divided by the number of members in a plan for the NCGA House, Senate, or US House. (2) Population deviation, which for Congress, population from ideal is zero or one person, unless a higher deviation is needed for a compelling State interest associated with the baseline, and for NCGA House or Senate, population deviation cannot exceed 10% while population deviation from ideal must not exceed 5% (defines both total population deviation and population deviation from ideal in the act). (3) Contiguity, which requires all districts to be contiguous, specifying that to the extent practicable, areas within a district should be easily accessible to one another without requiring travel through another district. (4) County groupings, which requires legislative districts to be drawn within county groups; prohibits crossing county lines within county groupings, except as authorized in the referenced court decisions. (5)

Political boundaries, requiring all districts to minimize the number of split precincts and municipalities. (6) Communities of interest, requiring minimizing the number of split communities of interest, defined as geographically contiguous areas of cohesive populations of people that share common social, cultural, and economic interests that should be included within a single district for purposes of their effective, fair, and equitable representation. (7) Compactness, requiring reasonable efforts to ensure that all districts are compact; sets out measures that are to be used in assessing compactness.

Sets out the following additional criteria. Prohibits making an effort to create a district favorable or unfavorable to any candidate. Prohibits making an effort to maintain or establish an electoral advantage for any party in any plan; prohibits advantaging a political party beyond the most common seat distribution for that plan, except by no more than one district for a congressional plan, no more than two districts for the NCGA Senate, and no more than three districts for the NCGA House. Allows election results data from 2016 and after for Council of State, President, and US Senate to be used only as part of an ensemble analysis of an entire plan, prohibiting using the data to provide any party a disproportionate number of seats in a plan and prohibits using a composite index of election results. Requires a the third-party consultant to produce 10 rank-ordered marginal histograms that show typical vote fractions of all districts in each plan from the district that favors each political party the most to the district that favors each political party the least. Requires the plans to be evaluated based on elections from each general election in at least the previous 10 years for Council of State, President, and US Senate, with different statewide vote counts. Requires a third-party consultant to analyze all districting plans for their probable partisan effects prior to their adoption by any NCGA committee or enactment by the NCGA; sets out analyses and evidence that must be produced by the consultant. Sets out the metrics that must be used in performing the required analysis. Makes the related information no longer confidential and now a public record when a member, committee, officer, or employee of the NCGA hires or consults with any person or entity not employed by the NCGA on the realignment of districts for any plan; requires publishing, within 24 hours, the name of the entity and all communications with that entity. Requires that if any NCGA member, committee, officer, or employee receives a plan to realign districts from any person or entity that is not a member of or employed by the NCGA, within 24 hours, the plan and the name of the person or entity that provided the plan must be published. Specifies that any attorney-client privilege, confidentiality, or other privilege that exists between any member, committee, officer, or employee of the NCGA and any person or entity, including any attorney, regarding the realignment of districts pursuant to this act, dissolves when act establishing the relevant district plan becomes law.

**Intro. by Clark, Fitch.**

UNCODIFIED

[View summary](#)

[Government, Elections, General Assembly](#)

S 582 (2021-2022) [HIGH SCHOOL ADJUNCT INSTRUCTORS/CC PREP](#). Filed Apr 6 2021, *AN ACT TO EXPAND THE AVAILABILITY OF ADJUNCT INSTRUCTORS IN HIGH SCHOOL AFTER RECEIVING ONE SEMESTER OF COMMUNITY COLLEGE COURSES IN TEACHER PREPARATION.*

Amends GS 115C-157.1 to make individuals with a bachelor's or graduate degree who attend a community college and complete courses concentrating in teacher preparation for at least one semester eligible to contract with a local board of education to teach high school–level courses in a career and technical education career cluster that is in the individual's area of specialized knowledge or work experience. Makes conforming changes.

Amends GS 115C-289.5 to make individuals with a bachelor's or graduate degree who attend a community college and complete courses concentrating in teacher preparation for at least one semester eligible to contract with a local board of education to teach high school–level courses in core academic subjects in the individual's area of specialized knowledge or work experience. Makes conforming changes.

Applies beginning with the 2021-22 school year.

**Intro. by Burgin, Corbin.**

GS 115C

[View summary](#)

[Education, Elementary and Secondary Education](#)

S 584 (2021-2022) [REINSTATE MERCHANT'S DISCOUNT](#). Filed Apr 6 2021, *AN ACT TO REINSTATE A MERCHANT'S DISCOUNT*.

Reenacts GS 105-164.21 and makes the following changes. Increases the "merchant's discount" set forth in GS 105-164.21, now allowing a retailer who pays the retail sales and use tax imposed by Article 5 to deduct from the amount of the tax paid a discount of 3%, not to exceed \$5,000 (was 1%, not to exceed \$500).

Amends the following statutes to exclude the merchant's discount from the taxes specified.

Amends GS 105-474 to exclude the merchant's discount from the scope of Article 39, which provides for a one cent local government sales and use tax subject to the application of Article 5 provisions.

Amends GS 105-187.5 to exclude the merchant's discount from the scope of the statute, which permits a retailer to elect to pay a tax on the gross receipts of the limited possession commitment of a motor vehicle in lieu of the highway use tax imposed under Article 5A.

Amends GS 105-187.17 to exclude the merchant's discount from the scope of Article 5B, which governs the scrap tire disposal tax.

Amends GS 105-187.22 to exclude the merchant's discount from the scope of Article 5C, which governs the white goods (large appliances) disposal tax.

Amends GS 105-187.32 to exclude the merchant's discount from the scope of Article 5D, which governs the dry-cleaning solvent tax.

Amends GS 105-187.52 to exclude the merchant's discount from the scope of Article 5F, which governs taxes on certain machinery and equipment, since repealed effective July 1, 2018.

Applies to returns filed on or after July 1, 2021.

**Intro. by Burgin.**

[GS 105](#)

[View summary](#)

[Business and Commerce, Government, Tax](#)

S 585 (2021-2022) [FUNDS/ELIMINATE NC PRE-K WAITLIST STATEWIDE](#). Filed Apr 6 2021, *AN ACT APPROPRIATING FUNDS TO ELIMINATE THE WAITLIST FOR THE NC PREKINDERGARTEN (NC PRE-K) PROGRAM STATEWIDE*.

Includes whereas clauses. Appropriates \$12.5 million recurring each year of the 2021-23 biennium, from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education, to eliminate the waitlist for the NC Prekindergarten program. Effective July 1, 2021.

**Intro. by Mohammed, Marcus, Waddell.**

[APPROP](#)

[View summary](#)

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

S 586 (2021-2022) [STUDY LIPEDEMA](#). Filed Apr 6 2021, *AN ACT TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY LIPEDEMA*.

Directs the Legislative Research Commission (LRC) to study Lipedema and its impact on women in North Carolina. Topics to be studied include symptoms, number of cases, number of misdiagnoses, causes, cures, availability of effective therapies in the state, disproportionate impact of Lipedema on certain groups of women, and other relevant topics. Directs the LRC to report findings and any proposed legislation to the General Assembly upon the convening of its 2022 regular session.

**Intro. by Salvador, Harrington, Krawiec.**

[STUDY](#)

[View summary](#)**Government, General Assembly, Health and Human Services,  
Health**

S 587 (2021-2022) **CURB UNDERWRITING ABUSES**. Filed Apr 6 2021, *AN ACT TO PROVIDE PROTECTION FOR PROPERTY AND CASUALTY POLICYHOLDERS FROM CERTAIN UNDERWRITING ABUSES*.

Requires the Commissioner of Insurance to adopt permanent rules applicable to insurers writing residential property and casualty insurance policies that are consistent with the following. Requires insurers writing residential property and casualty insurance policies in this state to: (1) with respect to new business, take no more than 90 days from the effective date of the policy to make any underwriting investigation other than review of the initial application and to bill the insured for proper rating and classification, and prohibits denying a claim based on underwriting a risk after the effective date of the policy and the presentment of a claim and (2) with respect to renewal business, prohibits billing for any additional premium after the renewal quotation is made, for any condition which existed at the time of renewal. Requires these measures to be implemented until the effective date of the Commissioner's permanent rules. Defines *residential property and casualty insurance* as insurance against loss to residential real property with no more than four housing units located in this state or any contents thereof or valuable interest therein and other insurance coverages written in connection with the sale of such property insurance. Effective October 1, 2021, and expires when the permanent rules are effective.

**Intro. by Johnson.**

UNCODIFIED

[View summary](#)**Business and Commerce, Insurance, Government, State  
Agencies, Department of Insurance**

S 588 (2021-2022) **LOW-INCOME HOUSING TAX CREDITS**. Filed Apr 6 2021, *AN ACT TO REENACT THE LOW-INCOME HOUSING TAX CREDITS*.

Reenacts Article 3E, Low-Income Housing Tax Credits, of GS Chapter 105, as it existed immediately before its repeal (effective January 1, 2025), and revises the Article as follows. Does not reenact GS 105-129.41, which provided credit for low-income housing awarded federal credit allocation prior to January 1, 2003. Makes conforming changes. Retitles GS 105-129.42 Credit for low-income housing awarded a federal credit allocation (no longer specifying the award on or after January 1, 2003). Extends the sunset of the Article, now effective January 1, 2025, applicable to developments to which federal credits are allocated on or after January 1, 2025. Effective for taxable years beginning on or after January 1, 2021.

**Intro. by J. Jackson, deViere, Clark.**

GS 105

[View summary](#)**Development, Land Use and Housing, Property and Housing,  
Government, Tax**

S 589 (2021-2022) **SMALL BUSINESS CAPITAL IMPROVEMENT ACCOUNT**. Filed Apr 6 2021, *AN ACT TO ALLOW SMALL BUSINESSES TO ELIMINATE STATE INCOME TAXES ON A PORTION OF REVENUE IF USED FOR CAPITAL EXPENDITURES*.

Amends GS 105-153.5 (modifications to adjusted gross income) as title indicates. Adds to subsection (b) (other deductions) new subdivision (7a) allowing small businesses, as defined, to deduct a percentage of revenue used for capital expenditures, also defined, the percentage of which is determined by the amount of adjusted gross income. Adds to subsection (c) (additions to adjusted gross income) new subdivision (7a) requiring a taxpayer to include the amount deducted in a prior taxable year pursuant to (b)(7a) if the amount was withdrawn and not used to pay for capital improvements.

Effective for taxable years beginning on or after January 1, 2021.

**Intro. by Garrett, deViere, Batch.**

GS 105

[View summary](#)**Business and Commerce, Government, Tax**

S 590 (2021-2022) **EASTERN TRIAD WORKFORCE DEV. FUNDS**. Filed Apr 6 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE EASTERN TRIAD WORKFORCE SOLUTIONS COLLABORATIVE*.

Appropriates \$4.5 million for each year of the 2021-23 biennium from the General Fund to Community Foundation of Greater Greensboro, Inc., for the Eastern Triad Workforce Solutions Collaborative to be used for a pilot apprenticeship program in targeted industries throughout the Eastern Triad region. Effective July 1, 2021.

**Intro. by Garrett, Robinson.**

APPROP

[View summary](#)**Business and Commerce, Employment and Retirement, Government, Budget/Appropriations**

S 591 (2021-2022) **BUSINESS INCOME TAX DEDUCTION**. Filed Apr 6 2021, *AN ACT TO ALLOW A BUSINESS INCOME TAX DEDUCTION*.

Amends GS 105-153.5 to allow an individual paying income tax to deduct from the taxpayer's adjusted gross income up to \$75,000 of net business income the taxpayer received during the taxable year. Provides that for a married couple filing jointly, if both spouses receive or incur net business income, the maximum amounts apply separately to each spouse's net business income, not to exceed a total of \$150,000. Excludes from business income any income that is considered passive income. Effective for taxable years beginning on or after January 1, 2021.

**Intro. by Garrett, deViere, Salvador.**

GS 105

[View summary](#)**Business and Commerce, Government, Tax**

S 592 (2021-2022) **PLUG-IN ELECTRIC VEHICLE TAX CREDIT**. Filed Apr 6 2021, *AN ACT TO ALLOW AN INCOME TAX CREDIT FOR THE PURCHASE OF A NEW PLUG-IN ELECTRIC VEHICLE*.

Amends Part 2 of Article 4 of Subchapter I of Chapter 105 of the General Statutes (Individual Income Tax) to add GS 105-153.11 creating a \$3,000 income tax credit for purchasers of a new plug-in electric vehicle. Effective for tax years beginning on or after January 1, 2022.

**Intro. by Garrett, Salvador, Nickel.**

GS 105

[View summary](#)**Government, Tax, Transportation**

S 593 (2021-2022) **SPECIAL EDUCATION DUE PROCESS HEARINGS**. Filed Apr 6 2021, *AN ACT TO ALLOW PARTIES TO SEEK IMMEDIATE JUDICIAL REVIEW OF ADMINISTRATIVE LAW JUDGE DECISIONS IN SPECIAL EDUCATION DUE PROCESS HEARINGS*.

Amends GS 115C-106.3 to revise the definition of *hearing officers*, applicable to Article 9 (regarding the education of children with disabilities) to no longer include hearing review officers, thereby defining the term to mean administrative law judges only.

Repeals GS 115C-109.9, which provides for the appointment of a review officer by the State Board of Education (State Board) to review the findings and decisions of a hearing officer under GS 115C-109.6 (*Impartial due process hearings*) and GS 115C-109.8 (*Procedural issues*) upon appeal of the aggrieved party.

Revises GS 115C-109.6, which governs impartial due process hearings by administrative law judges for the review of issues relating to the identification, evaluation, or education placement of a child, or the provision of free appropriate public education of a child, or a manifestation determination upon the filing of a petition with the Office of Administrative Hearings. Deems the decision of the administrative law judge (ALJ) on the matters at issue final and not subject to further review unless an aggrieved party brings a civil action under new subsection (h2). Modifies the notice requirements for the ALJ's decision to require the notice to inform the parties of the right to file a civil action and the 30-day limitation period for filing the civil action under new subsection (h2). New subsection (h1) permits the State Board to enforce the final decision of the ALJ under the statute by ordering a local educational agency to (1) provide a child with appropriate education; (2) place a child in a private school that is approved to provide special education and can provide the child with an appropriate education; and/or (3) reimburse parents for the reasonable private school placements costs in accordance with the Article and the federal Individuals with Disabilities Education Improvement Act (IDEA) when it is determined that the local educational agency did not offer or provide the child with appropriate education and the private school in which the parent placed the child was an approved school and provided the child an appropriate education. New subsection (h2) provides any aggrieved party the right to bring a civil action in State court within 30 days after receipt of the notice of the decision or in federal court as specified in federal law. Directs that a child must remain in the child's then-current educational placement upon the filing of a petition under the statute and during the pendency of any proceedings under Part 1D (Procedural Safeguards), or, if applying for initial admission to a public school, the child must be placed in the public school upon filing and during pendency. Permits the parties to agree to a different educational placement for the child during the pendency of any proceedings under the statute.

**Intro. by B. Jackson, Ballard, Lee.**

GS 115C

[View summary](#)

**Education, Elementary and Secondary Education, Government, APA/Rule Making**

S 595 (2021-2022) **TASK FORCE ON ADVERSE CHILDHOOD EXPERIENCES**. Filed Apr 6 2021, *AN ACT TO CREATE A TASK FORCE TO STUDY ADVERSE CHILDHOOD EXPERIENCES*.

Includes whereas clauses. Creates the 19-member Task Force to Study Adverse Childhood Experiences (Task Force). Provides for Task Force membership, made of of eight various deputies, directors, and deputy secretaries of the Department of Health and Human Services (DHHS) and the Department of Public Safety (DPS), as well as two pediatricians appointed by the NC Pediatric Society, two child psychologists appointed by the NC Psychology Association, two county social services directors appointed by the Governor, two county commissioners appointed legislatively appointed by the President Pro Tempore and the Speaker of the House, and three members of local boards of education appointed, with one each appointed by the Governor, the President Pro Tempore, and the Speaker. Provides for the Governor to appoint the chair of the Task Force. Provides for Task Force meetings and quorum, vacancies, and member expenses. Provides that the Task Force is housed within DHHS, which is charged with providing meeting space and necessary staff. Directs the Task Force to study the extent, nature, and impact of adverse childhood experiences with particular regard to NC and to make recommendations to address the impacts through State and local government with a particular focus on diversion from the criminal justice system. Requires a report to the specified NCGA committees by December 31, 2022. Terminates the Task Force upon filing its report or December 31, 2022, whichever is later.

**Intro. by J. Jackson, Batch, Salvador.**

STUDY

[View summary](#)

**Education, Elementary and Secondary Education, Government, State Agencies, Department of Health and Human Services, Department of Public Safety, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health, Social Services, Child Welfare**

S 597 (2021-2022) [FUNDS/WATER AND SEWER BONDS FOR PRISON](#). Filed Apr 6 2021, *AN ACT TO APPROPRIATE FUNDS TO PAY OFF THE PRINCIPAL OF WATER AND SEWER BONDS THAT WERE USED TO SET UP INFRASTRUCTURE FOR THE PRISON.*

Appropriates \$3,914,000 for 2021-22 from the General Fund to Tyrrell County to pay off the principal of water bonds that were used to set up the prison's infrastructure.

Appropriates \$2,040,000 for 2021-22 from the General Fund to Columbia to pay off the principal of sewer bonds that were used to set up the prison's infrastructure.

Effective July 1, 2021.

**Intro. by Steinburg.**

[APPROP, Tyrrell](#)

[View summary](#)

[Government, Budget/Appropriations](#)

S 598 (2021-2022) [REQUIRE 20-MINUTE PAID WORK BREAKS](#). Filed Apr 6 2021, *AN ACT AMENDING THE WAGE AND HOUR ACT TO REQUIRE EMPLOYERS TO PROVIDE A TWENTY-MINUTE PAID BREAK TO ANY EMPLOYEE WORKING A SHIFT OF SIX HOURS OR MORE.*

Enacts new GS 95-25.4A requiring employers, during a workday that is six or more hours, to offer each employee at least one voluntary paid break of at least 20 minutes, to be scheduled during the middle of the day. Prohibits using the break to delay the beginning or shorten the duration of the work period without the employer's approval.

Amends GS 95-25.23 to make violations of new GS 95-25.4A punishable by a civil penalty not to exceed \$100 for the first violation and not to exceed \$500 for subsequent violations. Requires consideration of business size and gravity of the violation when setting the penalty amount. Makes the determination final, unless within 15 days after receiving notification, the person charged with the violation takes exception to the violation, to be delivered in one of the specified ways; in such instances, the final determination of the penalty is required to be made in an administrative proceeding under Article 3 (Administrative Hearings) of GS Chapter 150B (the Administrative Procedure Act) and in a judicial proceeding under to Article 4 (Judicial Review) of GS Chapter 150B.

Amends GS 95-241 to prohibit a person from discriminating or taking any retaliatory action against an employee because the employee in good faith does or threatens to file a claim or complaint, initiate any inquiry, investigation, inspection, proceeding or other action, or testify or provide information to any person with respect to new GS 95-25.4A.

**Intro. by Chaudhuri, Nickel.**

[GS 95](#)

[View summary](#)

[Employment and Retirement](#)

S 599 (2021-2022) [CLARIFY TERMINAL GROIN DEFINITION](#). Filed Apr 6 2021, *AN ACT TO CLARIFY THAT A TERMINAL GROIN IS NOT AN EROSION CONTROL STRUCTURE AND THEREFORE IS NOT SUBJECT TO LIMITATIONS ON THOSE STRUCTURES.*

Identical to [H 44](#), filed 2/2/21.

Amends GS 113A-115.1, which regulates erosion control structures, to specify that erosion control structure does not include a jetty that is a terminal groin or a portion of a terminal groin, as those terms are defined. Makes technical changes.

**Intro. by Steinburg.**

[GS 113A](#)

[View summary](#)

[Development, Land Use and Housing, Building and Construction, Environment, Environment/Natural Resources](#)

S 601 (2021-2022) **FUNDS & AMP AUTHORITY/APPOINT NC SURGEON GENERAL**. Filed Apr 6 2021, *AN ACT ESTABLISHING THE POSITION OF NORTH CAROLINA SURGEON GENERAL; AUTHORIZING THE GOVERNOR TO APPOINT A NORTH CAROLINA SURGEON GENERAL TO SERVE AS THE STATE'S CHIEF PUBLIC HEALTH ADVOCATE; AND APPROPRIATING FUNDS TO THE OFFICE OF THE GOVERNOR FOR THE CREATION OF THIS POSITION.*

Enacts Article 3E to GS Chapter 147 to provide the following. Establishes the position of NC Surgeon General, appointed by the Governor to serve a four-year term as the State's chief public health advocate. Provides for the term to run with the term of the Governor. Subjects the appointment to confirmation by the Senate beginning January 1, 2024. Allows for consecutive terms. Provides for the Surgeon General to report directly to the Governor, working closely with the Secretary of the Department of Health and Human Services (DHHS) to ensure compliance with the DHHS strategic plans, policies, and implementation activities. Requires DHHS to provide adequate staffing and support to the position. Charges the Surgeon General with advising the Governor and the DHHS Secretary, and being a key spokesperson for the State on public health issues, providing residents with the best medical and scientific evidence on current health issues through public health reports and other tools of public communication. Establishes qualifications for the position, including being a licensed physician in the State. Provides for the position's salary to be fixed by the Governor.

Appropriates \$150,000 in recurring funds from the General Fund to the Office of the Governor for 2021-22 to create one full-time NC Surgeon General position pursuant to the act.

**Intro. by Nickel.**

[APPROP, GS 147](#)

[View summary](#)

[Government, Budget/Appropriations, State Government, Executive, Health and Human Services, Health, Public Health](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **S 502: INTERDISCIPLINARY HEALTH ED TEACHING PILOT.**

*Senate: Passed 1st Reading*

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

#### **S 503: END YOUTH NICOTINE DEPENDENCE ACT OR END ACT.**

*Senate: Passed 1st Reading*

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

#### **S 504: STANDARD DEDUCTION CHARITABLE CONTRIBUTIONS.**

*Senate: Passed 1st Reading*

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

#### **S 505: MEDICAL BILLING TRANSPARENCY.**

*Senate: Passed 1st Reading*

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

#### **S 506: CERTIFICATE OF NEED MODIFICATIONS.**

*Senate: Passed 1st Reading*

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

#### **S 507: MODIFY BUSINESS CORPORATION ACT.**

*Senate: Passed 1st Reading*

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

**S 508: LOCAL CONTROL OF HUMANE CANINE DESIGNATION.**

*Senate: Passed 1st Reading*

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

**S 509: AN ENERGY RESILIENT NC.**

*Senate: Passed 1st Reading*

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

**S 510: RELEASE BODY-WORN/DASHBOARD CAMERA VIDEO.**

*Senate: Passed 1st Reading*

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

**S 511: REDISTRICTING COUNTY CLUSTER PROCESS.**

*Senate: Passed 1st Reading*

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

**S 512: HIRE NC WORKERS.**

*Senate: Passed 1st Reading*

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

**S 513: VARIOUS ADMINISTRATIVE LAW CHANGES.-AB**

*Senate: Passed 1st Reading*

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

**S 514: YOUTH HEALTH PROTECTION ACT.**

*Senate: Passed 1st Reading*

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

**S 515: HEALTH CARE HEROES CONSCIENCE PROTECTION ACT.**

*Senate: Passed 1st Reading*

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

**S 516: EXTENDED GROUP COVERAGE/EMPLOYEE DECEASED.**

*Senate: Passed 1st Reading*

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

**S 517: INNOVATIVE STATEWIDE BROADBAND INFRASTRUCTURE.**

*Senate: Passed 1st Reading*

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

**S 518: PROTECTING AND SUPPORTING NC'S CHILDREN.**

*Senate: Passed 1st Reading*

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

**S 519: YELLOW BRICK ROAD.**

*Senate: Passed 1st Reading*

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

**S 520: RESPIRATORY CARE MODERNIZATION ACT.**

*Senate: Passed 1st Reading*

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

**S 521: RAISE THE ROOF.**

*Senate: Passed 1st Reading*

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

**S 522: DRIVING INTO THE FUTURE.**

*Senate: Passed 1st Reading*

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

**S 523: BROADBAND AFFORDABILITY PROG./DIGITAL EQUITY.**

*Senate: Passed 1st Reading*

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

**S 524: SMALL BUSINESS ASSISTANCE.**

*Senate: Passed 1st Reading*

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

**S 525: NC STOP HUMAN TRAFFICKING FUNDS.**

*Senate: Passed 1st Reading*

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

**S 526: A TIME FOR SCIENCE FUNDS.**

*Senate: Passed 1st Reading*

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

**S 527: LOST SHEEP RESOURCE FOUNDATION FUNDS.**

*Senate: Passed 1st Reading*

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

**S 528: FUNDS FOR VARIOUS GREENE CO. ORGANIZATIONS.**

*Senate: Passed 1st Reading*

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

**S 529: COUNTY WASTE MANAGEMENT ASSISTANCE.**

*Senate: Passed 1st Reading*

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

**S 530: MEDICAID FOR TWELVE MONTHS POSTPARTUM.**

*Senate: Passed 1st Reading*

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

**S 531: PUBLIC BODIES/MODS TO REMOTE MEETING REQS.**

*Senate: Passed 1st Reading*

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

**S 532: LOCAL OPTION SALES TAX FLEXIBILITY.**

*Senate: Passed 1st Reading*

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

**S 533: REQUIRE ELIMINATION OF VACANT POSITIONS.**

*Senate: Passed 1st Reading*

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

**S 534: LEGISLATIVE REFORM COMMISSION.**

*Senate: Passed 1st Reading*

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

**S 535: SAFE SURRENDER INFANTS.**

*Senate: Passed 1st Reading*

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

**S 536: JUNK AND SALVAGE VEHICLE AMENDMENTS.**

*Senate: Passed 1st Reading*

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

**S 537: EXPAND NC INFANT SAFE SLEEP PROGRAM/FUNDS.**

*Senate: Passed 1st Reading*

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

**S 538: DHHS CONTRACT/EPIC AT STATE PSYCH. HOSPITALS.**

*Senate: Passed 1st Reading*

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

**S 539: DISCLOSE HUMAN TRAFFICKING CONVICTION/CUSTODY.**

*Senate: Passed 1st Reading*

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

**S 540: VARIOUS CHANGES TO NONPROFIT CORPORATIONS ACT.**

*Senate: Passed 1st Reading*

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

**S 541: NC PROMISE/ADD FAYETTEVILLE STATE.**

*Senate: Passed 1st Reading*

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

**S 542: SHP COMBAT FRAUD AND ABUSE INCENTIVES.**

*Senate: Passed 1st Reading*

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

**S 543: ESTABLISH KEY INDICATORS/INTERNAL AUDITS.**

*Senate: Passed 1st Reading*

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

**S 544: 2021 WATER SAFETY ACT.**

*Senate: Passed 1st Reading*

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

**S 545: UNIVERSAL LICENSURE RECOGNITION ACT.**

*Senate: Passed 1st Reading*

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

**S 546: UNC BOG/NO LOBBYISTS/SPOUSES.**

*Senate: Passed 1st Reading*

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

**S 547: FIBER NC ACT.**

*Senate: Passed 1st Reading*

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

**S 548: INTERSCHOLASTIC ATHLETICS.**

*Senate: Passed 1st Reading*

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

**S 549: IMPROVE PIPELINE SAFETY.**

*Senate: Passed 1st Reading*

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

**S 550: MODIFY SURETY/BAIL BOND/BONDSMEN PROVISIONS.**

*Senate: Passed 1st Reading*

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

**S 551: SUPPORT VETERAN TEACHERS.**

*Senate: Passed 1st Reading*

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

**S 552: LIMIT WHO MAY ADVERTISE/ADOPTION LAWS.**

*Senate: Passed 1st Reading*

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

**S 553: DAMAGE TO REAL PROPERTY/PUNISHMENT.**

*Senate: Passed 1st Reading*

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

**S 554: ENCOUR. AFFORDBLE HOUSING/SHIPPING CONTAINERS.**

*Senate: Passed 1st Reading*

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

**S 555: SHRA/BAN ON APPLICANT SALARY HISTORY.**

*Senate: Passed 1st Reading*

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

**S 556: APPLIANCE ENERGY EFFICIENCY STANDARDS.**

*Senate: Passed 1st Reading*

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

**S 557: UP SHP PAY & DEATH BENEFITS/DEATH PENALTY.**

*Senate: Passed 1st Reading*

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

**S 558: VETERANS BUSINESS PARTICIPATION/TRACKING.**

*Senate: Filed*

**S 559: FUNDS/ORANGE ST SCHOOL/UMOJA GROUP.**

*Senate: Filed*

**S 560: ELECTRIC VEHICLE SPECIAL REGISTRATION PLATE.**

*Senate: Filed*

**S 561: INCREASE FUNDING FOR RAPE VICTIM ASSISTANCE.**

*Senate: Filed*

**S 562: HVAC IMPROVEMENTS FOR PUB. SCHOOLS.**

*Senate: Filed*

**S 563: RENEWABLE ENERGY TAX CREDIT.**

*Senate: Filed*

**S 564: NC PAID FAMILY LEAVE INSURANCE ACT.**

*Senate: Filed*

**S 565: SUPPORTING LAW ENFORCEMENT.**

*Senate: Filed*

**S 566: INVESTING IN LAW ENFORCEMENT.**

*Senate: Filed*

**S 567: ACC BASKETBALL TOURNAMENT HOLIDAY.**

*Senate: Filed*

**S 568: EXPAND MINORITY BUSINESS CAPACITY.**

*Senate: Filed*

**S 569: CONSUMER PRIVACY ACT.**

*Senate: Filed*

**S 570: HOLD HARMLESS STAR RATINGS/ERS ASSESS. RESUME.**

*Senate: Filed*

**S 571: CODIFY/EXPAND RENEWAL SCHOOL SYSTEM.**

*Senate: Filed*

**S 572: COAL ASH/STRUCTURAL FILL MODIFICATIONS.**

*Senate: Filed*

**S 573: EQUAL PAY ACT.**

*Senate: Filed*

**S 574: LIFE INSURANCE BENEFICIARY CHANGES.**

*Senate: Filed*

**S 575: PHARMACISTS IMPROVE PUBLIC HEALTH NEEDS.**

*Senate: Filed*

**S 576: RECOVERY REBATE FOR WORKING FAMILIES ACT.**

*Senate: Filed*

**S 577: FUNDS/EST. BLACK WOMEN & GIRLS TASK FORCE.**

*Senate: Filed*

**S 578: STUDY ON FIXED IN-STATE TUITION PLAN FOR UNC.**

*Senate: Filed*

**S 579: EXPAND INCOME TAX ASSISTANCE IN NC.**

*Senate: Filed*

**S 580: TITLE V PERMIT FEES/EFFECTIVE DATE.**

*Senate: Filed*

**S 581: REDISTRICTING CRITERIA FOR 2021.**

*Senate: Filed*

**S 582: HIGH SCHOOL ADJUNCT INSTRUCTORS/CC PREP.**

*Senate: Filed*

**S 583: STANDARD DEDUCTION; LATE PENALTIES; SALT CAP.***Senate: Filed***S 584: REINSTATE MERCHANT'S DISCOUNT.***Senate: Filed***S 585: FUNDS/ELIMINATE NC PRE-K WAITLIST STATEWIDE.***Senate: Filed***S 586: STUDY LIPEDEMA.***Senate: Filed***S 587: CURB UNDERWRITING ABUSES.***Senate: Filed***S 588: LOW-INCOME HOUSING TAX CREDITS.***Senate: Filed***S 589: SMALL BUSINESS CAPITAL IMPROVEMENT ACCOUNT.***Senate: Filed***S 590: EASTERN TRIAD WORKFORCE DEV. FUNDS.***Senate: Filed***S 591: BUSINESS INCOME TAX DEDUCTION.***Senate: Filed***S 592: PLUG-IN ELECTRIC VEHICLE TAX CREDIT.***Senate: Filed***S 593: SPECIAL EDUCATION DUE PROCESS HEARINGS.***Senate: Filed***S 594: MEDICAID ADMIN. CHANGES & TECH. CORRECTIONS.-AB***Senate: Filed***S 595: TASK FORCE ON ADVERSE CHILDHOOD EXPERIENCES.***Senate: Filed***S 596: REMOVE DRIVERS LIC. REVOCATION/FEE/PENALTIES.***Senate: Filed***S 597: FUNDS/WATER AND SEWER BONDS FOR PRISON.***Senate: Filed***S 598: REQUIRE 20-MINUTE PAID WORK BREAKS.***Senate: Filed***S 599: CLARIFY TERMINAL GROIN DEFINITION.***Senate: Filed***S 600: STUDY AUTOMATION AND THE WORKFORCE.***Senate: Filed***S 601: FUNDS & AUTHORITY/APPOINT NC SURGEON GENERAL.**

*Senate: Filed*

**S 602: FLOOD RESILIENCY AND PREVENTION ACT.**

*Senate: Filed*

**S 603: INDIVIDUALS AND FAMILIES RECOVERY ACT.**

*Senate: Filed*

**S 604: ADDRESSING NONACADEMIC BARRIERS TO SUCCESS.**

*Senate: Filed*

**S 605: NORTH CAROLINA FARM ACT OF 2021.**

*Senate: Filed*

**S 606: PUBLIC SCHOOLS PPA ELIGIBILITY.**

*Senate: Filed*

**S 607: SUBSTANCE USE DISORDER SAFETY ACT.**

*Senate: Filed*

**S 608: STATE IT/PROCUREMENT PROTEST PROCEDURES.**

*Senate: Filed*

**S 609: INNOVATIVE SCHOOL DISTRICT/COVID-19.**

*Senate: Filed*

**S 610: ADDRESS DIRECT SUP. STAFFING CRISIS/MEDICAID.**

*Senate: Filed*

**S 611: SEDIMENT/EROSION CONTROL STOP-WORK ORDERS.**

*Senate: Filed*

**S 612: STATE APPROVING AGENCY/VETERANS & AMP MILITARY ED.**

*Senate: Filed*

**S 613: NORTH CAROLINA ANIMAL ABUSE REGISTRY ACT.**

*Senate: Filed*

**S 614: FEMININE HYGIENE PRODUCT SALES TAX EXEMPTION.**

*Senate: Filed*

**S 615: DIRECT CARE WORKER WAGE PASSTHROUGH/MEDICAID.**

*Senate: Filed*

**S 616: PROTECT LAW ENFORCEMENT ACT.**

*Senate: Filed*

**S 617: SCHOLARSHIPS TO CHILDREN OF WAR VETERANS.**

*Senate: Filed*

**S 618: DRAINAGE IMPROVEMENT FUNDS.**

*Senate: Filed*

**S 619: PROTECT OUR MILITARY INSTALLATIONS ACT.**

*Senate: Filed*

**S 620: MILITARY SPOUSE APPRECIATION DAY.***Senate: Filed***S 621: NC MILITARY BUSINESS CENTER FUNDS.***Senate: Filed***S 622: 2021 GOVERNOR'S BUDGET.***Senate: Filed***S 623: RENT MY RIDE.***Senate: Filed***S 624: AMEND NC CONST./RIGHT TO WORK.***Senate: Filed***S 625: A TAX PLAN FOR A JUST RECOVERY.***Senate: Filed***S 626: CONCUSSION PROTOCOL/COUNTY RECREATION.***Senate: Filed***S 627: STATE SURPLUS PROP. COMPUTERS FOR NONPROFITS.***Senate: Filed***S 628: NATIVE PLANTS RIGHT TO WORK ACT.***Senate: Filed***S 629: NORTH CAROLINA DERBY ACT.***Senate: Filed***S 630: IMPROVE BOATING SAFETY.***Senate: Filed***S 631: CLARIFY VEHICLE REPAIR/DEALERS/INSPECTION.***Senate: Filed***S 632: NORTH CAROLINA MOMNIBUS ACT.***Senate: Filed***S 633: NC HEALTHY PREGNANCY ACT.***Senate: Filed***S 634: FUNDS FOR EQUITY BEFORE BIRTH.***Senate: Filed***S 635: FUNDS FOR MAAME.***Senate: Filed***S 636: DONOR PRIVACY.***Senate: Filed***S 637: GUILFORD COUNTY MENTAL HEALTH FACILITY/FUNDS.***Senate: Filed***S 638: PFAS MANUFACTURE/USE/SALE BAN.**

*Senate: Filed*

**S 639: COMMUTER RAIL STUDY/PIEDMONT TRIAD.**

*Senate: Filed*

**S 640: POST-COVID-19 DEVELOPMENT FUNDING.**

*Senate: Filed*

**S 641: REMOVE MH/IDD/ODD FACILITIES FROM CON REVIEW.**

*Senate: Filed*

**S 642: TECHNOLOGY AND DATA INSTITUTE FUNDS/PILOT.**

*Senate: Filed*

**S 643: INVEST NC BOND ACT OF 2021.**

*Senate: Filed*

**S 644: LANDLORD/TENANT CHANGES.**

*Senate: Filed*

**S 645: SBI EMERGENCY PEN REGISTER/TRAP AND TRACE.**

*Senate: Filed*

**S 646: MARIJUANA JUSTICE AND REINVESTMENT ACT.**

*Senate: Filed*

**S 647: END RACIAL PROFILING IN TRAFFIC STOPS ACT.**

*Senate: Filed*

**S 648: STATE EMPLOYEES/PAID PARENTAL LEAVE.**

*Senate: Filed*

**S 649: NORTH CAROLINA VENTURE FUND.**

*Senate: Filed*

**S 650: CLARIFY AUTO DEALER LAWS GOVERN RV SALES.**

*Senate: Filed*

**S 651: AMEND VETERINARY PRACTICE ACT.**

*Senate: Filed*

**S 652: EXPAND FIRE GRANT FUND.**

*Senate: Filed*

**S 653: UNC/CC FINANCIAL AID PROGRAM CONSOLIDATION.**

*Senate: Filed*

**S 654: K-12 COVID-19 PROVISIONS.**

*Senate: Filed*

**S 655: STATE IMPLICIT BIAS TRAINING INITIATIVE.**

*Senate: Filed*

**S 656: EQUITY IN JUSTICE ACT OF 2021.**

*Senate: Filed*

**S 657: SNAP ELIGIBILITY/DRUG FELONY CONVICTIONS.***Senate: Filed***S 658: REVISE SNAP ELIGIBILITY/DRUG FELONY OFFENSES.***Senate: Filed***S 659: FUNDS/ELIMINATE NC PRE-K WAITLIST STATEWIDE.***Senate: Filed***S 660: REGULATE DISSEMINATION OF BOOKING PHOTOGRAPH.***Senate: Filed***S 661: NEED-BASED SCHOLARSHIPS/PRIVATE INSTITUTIONS.***Senate: Filed***S 662: COVID-19/PARENT-INITIATED PEP.***Senate: Filed***S 663: NC PROMISE FUND RESERVE.***Senate: Filed***S 664: HBCU SUCCESS ACT.***Senate: Filed***S 665: PREVENT UNLICENSED MENTAL HEALTH FACILITIES.***Senate: Filed***No local actions on bills**

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