



The Daily Bulletin: 2021-04-08

PUBLIC/HOUSE BILLS

H 498 (2021-2022) [AUTHORIZE ATV AND UTILITY VEHICLE TITLING](#). Filed Apr 8 2021, *AN ACT AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO ISSUE A CERTIFICATE OF TITLE FOR ALL-TERRAIN VEHICLES AND UTILITY VEHICLES*.

Enacts GS 20-53.6, allowing an owner of an all-terrain vehicle or a utility vehicle to apply to the Division of Motor Vehicles (DMV) for a certificate of title. Details application form requirements. Requires payment of the \$52 fee statutorily set for certificate of title applications.

Makes conforming changes to GS 20-54, which requires the DMV to refuse to register or issue a certificate of title for a utility vehicle, to provide for the DMV to issue a certificate of title pursuant to new GS 20-53.6. Further directs that the DMV cannot transfer registration of a utility vehicle.

Effective October 1, 2021.

Intro. by Yarborough.

GS 20

[View summary](#)

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

H 499 (2021-2022) [RECOVERY REBATE FOR WORKING FAMILIES ACT](#). Filed Apr 8 2021, *AN ACT TO REENACT THE EARNED INCOME TAX CREDIT*.

Identical to [S 576](#), filed 4/6/21.

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 Eliminates an outdated provision referencing a since repealed section of the Code.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 Harris, Cooper-Suggs, Farkas, Lofton.

GS 105

[View summary](#)

Government, Tax

H 501 (2021-2022) [PFAS MANUFACTURE/USE/SALE BAN](#). Filed Apr 8 2021, *AN ACT TO BAN THE MANUFACTURE, USE, AND DISTRIBUTION OF PFAS AND PFAS-CONTAINING PRODUCTS WITHIN THE STATE IN ORDER TO PROTECT PUBLIC HEALTH*.

Identical to [S 638](#), filed 4/6/21.

Enacts Part 8, Ban Manufacture, Use, and Distribution of Certain Toxic Chemicals, of Article 21A, GS Chapter 143.

Makes it unlawful to knowingly manufacture, use, process or distribute polyfluoroalkyl and its substances (PFAS). Excludes the use and distribution of products specifically authorized or required to contain PFAS by federal law.

Permits the Secretary of the Department of Environmental Quality (DEQ, Secretary) to assess penalties up to \$5,000 for a violation of a requirement of Part 8, or up to \$25,000 if the violation involved a hazardous waste, and up to \$10,000 for repeat offenses, with penalties for multiple occurrences capped at \$200,000 for any month. Provides for considerations to be considered in determining penalty amounts, and procedures for civil penalties, including notice. Allows for contested case petitions within 30 days following the receipt of notice of the assessment.

Provides for remission requests within 30 days of receipt of the notice assessment, which must be accompanied by a waiver of the right to a contested case hearing and a stipulation to the facts on which the assessment is based. Allows for remission requests to be resolved by the Secretary and the violator, and if they are unable to resolve the request, then the Secretary must deliver the request and recommended action to the Committee on Civil Penalty Remissions of the Environmental Management Commission.

Requires the Secretary to request the Attorney General to begin a civil action in specified superior court for penalties not paid within 30 days of notice of the assessment, or 30 days after a final agency decision or order has been served if the violator contests the case or requests remission. Sets a three year statute of limitations on civil actions from the date of the final agency decision or court order service.

Appropriates \$100,000 in nonrecurring funds from the General Fund to DEQ for the 2021-22 fiscal year to fund additional monitoring and enforcement activities to address PFAS contamination.

Includes a severability clause.

Intro. by Harrison, Butler, Autry, Morey.

[APPROP, GS 143](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality \(formerly DENR\)](#)

H 502 (2021-2022) [PFAS CONTAMINATION MITIGATION MEASURES](#). Filed Apr 8 2021, *AN ACT TO IMPLEMENT MEASURES TO PREVENT AND ADDRESS CONTAMINATION FROM THE DISCHARGE OF PFAS IN THE STATE IN ORDER TO PROTECT PUBLIC HEALTH.*

Part I

Expands the water pollution control measures set out in GS 143-215.1 as follows. Directs the Department of Environmental Quality (DEQ) to require applicants for a new or renewed individual National Pollutant Discharge Elimination System (NPDES) permit to disclose each pollutant in the person's discharge reasonably expected to be at or above the pollutant's practical quantitation limit (PQL), including concentration discharged and either the chemical abstracts service (CAS) number or a detailed characteristic description. Additionally, mandates that when any person is required to obtain a NPDES permit that receives waste from an industrial user: (1) the industrial user must disclose in the user's application for a new or renewed pretreatment permit each pollutant in the user's discharge that is at or above the pollutant's PQL and (2) must eliminate, either by the permittee or the industrial user, any perfluoroalkyl or its substances (PFAS) prior to discharge into State waters, as specified.

Part II

Directs DEQ to begin identifying technology-based limits for detectable PFAS, as defined, in new and renewed NPDES permits with treatment sufficient to reduce detectable PFAS in effluent to non-detect levels, as defined. Requires DEQ to begin this action by June 1, 2022.

Directs DEQ to study the presence of PFAS in land-applied biosolids, including identification of the most common PFAS, likely categories of sources, the propensity for migration off-site, and accumulation and persistence in soil and water downgradient from land application sites. Requires DEQ to report to the Environmental Management Commission (EMC) and the Environmental Review Commission (ERC) by September 1, 2022. Directs the EMC to adopt rules to prevent PFAS migration or accumulation off-site from land application sites if DEQ finds PFAS are likely to migrate and accumulate at detectable levels in soil and water that are downgradient from sites in its study.

Directs DEQ to study the presence of PFAS in leachate collected and disposed of from municipal solid waste landfills and construction and demolition debris landfills, including identification of the most common PFAS and the effectiveness of treatment technologies. Requires DEQ to report to the EMC and ERC by September 1, 2022. Directs the EMC to adopt rules to prohibit the disposal of leachate containing detectable PFAS, as defined, at wastewater treatment plants if DEQ finds practical removal from wastewater prior to discharge impracticable.

Requires DEQ to approve a US EPA-validated lab method by January 1, 2022, if the US EPA has not certified a lab method for the identification and measurement of PFAS in wastewater.

Part III

Appropriates \$5 million in nonrecurring funds from the General Fund to DEQ for the 2021-22 fiscal year for the Bernard Allen Drinking Water Fund to fund drinking water treatment systems for covered wells, as defined.

Appropriates \$5 million in recurring funds from the General Fund to DEQ to expand DEQ's ambient water quality monitoring activities to identify emerging and other pollutants in State waters at locations upstream from surface drinking water intakes.

Appropriates \$1 million in nonrecurring funds from the General Fund to DEQ for the 2021-22 fiscal year to develop a strategy to address persistent toxic chemicals in the State's environment. Requires development of a PFAS Chemical Action Plan pursuant to criteria provided, and consultation with stakeholders with opportunities for public comment. Requires the Final PFAS Chemical Action Plan to identify recommendation for legislative and administrative action. Requires finalization of the Plan by January 1, 2023, with implementation by April 1, 2023.

Appropriates \$1 million in nonrecurring funds from the General Fund to DEQ for the 2021-22 fiscal year to study PFAS destruction and disposal techniques to identify a safe (as defined), effective, and scalable technology, including an analysis of current technologies. Allows for coordination of research with other entities. Requires DEQ to report to the EMC and ERC by September 1, 2022.

Appropriates \$80 million in nonrecurring funds from the General Fund to the State Water Infrastructure Authority for the 2021-22 fiscal year to issue matching grants to water systems to build or improve drinking water treatment systems to substantially reduce public exposure to detectable PFAS.

Directs the Attorney General to develop and maintain a record of cumulative expenses of State agencies and local governments relating to the grants for drinking water treatment systems for covered wells, the study of PFAS destruction and disposal techniques, and the grants to water systems to build or improve drinking water treatment systems to reduce public exposure of detectable PFAS, as required by the act.

Defines detectable PFAS for purposes of the appropriations provisions of the act.

Effective July 1, 2021.

Part IV

Contains a severability clause.

Intro. by Harrison, Butler, Hunt, von Haefen.

APPROP, STUDY, GS 143

[View summary](#)

Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of Environmental Quality (formerly DENR), Department of Justice, Local Government, Health and Human Services, Health, Public Health

H 503 (2021-2022) [PFAS STUDIES](#). Filed Apr 8 2021, *AN ACT TO DIRECT VARIOUS AGENCIES TO STUDY MATTERS ASSOCIATED WITH PFAS CONTAMINATION.*

Part I

Directs the Department of Health and Human Services (DHHS) to implement a program to study the estimated human exposure to per- and poly-fluoroalkyl substances (PFAS) in the Cape Fear River Basin, and to conduct an epidemiological study of populations of the Cape Fear River Basin to identify disparities in disease prevalence that are consistent with long-term exposures to PFAS. Requires consultation with the Department of Environmental Quality (DEQ). Requires DHHS to report to the Environmental Review Commission (ERC) by December 31, 2022, with quarterly reporting to the ERC until a final report is issued, beginning January 1, 2022.

Part II

Directs the Wildlife Resources Commission (WRC) to study the estimated ecological exposures and impacts from PFAS contamination in the Cape Fear River Basin. Requires WRC to report to the ERC by December 31, 2022, with quarterly reporting to the ERC until a final report is issued, beginning January 1, 2022.

Part III

Directs the Office of State Budget and Management (OSBM) to study the estimated costs to the State, local governments, businesses, and individuals in response to human and ecological exposure to PFAS. Requires consultation with DEQ and the Attorney General to estimate costs attributable to each source of PFAS identified in the state. Requires OSBM report to the Environmental Review Commission (ERC) by December 31, 2022, with quarterly reporting to the ERC until a final report is issued, beginning January 1, 2022.

Part IV

Requires DEQ to create an inventory of ongoing discharges of PFAS to the air and surface waters and likely instances of soil and groundwater PFAS contamination, with specified information for each. Allows coordination with the NC PFAS Testing Network, organized by the NC Policy Collaboratory (Collaboratory), or any other entity. Requires DEQ to report to the ERC by September 1, 2022, with quarterly updates on new discharges thereafter.

Requires the DEQ Science Advisory Board to conduct a risk assessment of the risks to human health by PFAS exposure in various NC media, based on the best scientific available information, and report to the specified NCGA committee and the ERC by September 1, 2022.

Part V

Directs the Collaboratory to study the ongoing and anticipated future costs of the aggregate impact of the discharge, emission, and contamination of PFAS in North Carolina, as specified, and to report to the specified NCGA committees by September 1, 2022.

Part VI

Directs the ERC to study all statutory and regulatory requirements for disclosing the discharge or release of PFAS or other emerging contaminants to DEQ and the public, and report to the 2022 Regular Session of the NCGA.

Directs the ERC to study actions taken by other states to promote the practice of green chemistry to reduce the generation and use of hazardous chemicals and to drive sustainable alternatives to the use and manufacture of PFAS and other emerging contaminants. Requires the ERC to also study relevant tax incentives, regulatory changes and other approaches other states have adopted. Requires the ERC to report to the 2022 Regulation Session of the NCGA.

Part VII

Appropriates the following nonrecurring funds from the General Fund for the 2021-22 fiscal year for the act's implementation: \$100,000 to DHHS; \$100,000 to WRC; \$100,000 to OSBM; \$200,000 to DEQ; and \$100,000 to the Collaboratory. Effective July 1, 2021.

Intro. by Harrison, Hurtado, Lofton, Reives.

APPROP, STUDY

[View summary](#)

Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, UNC System, Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Office of State

**Budget and Management, Health and Human Services,
Health, Public Health**

H 505 (2021-2022) **NC HEALTHY PREGNANCY ACT**. Filed Apr 8 2021, *AN ACT ADDRESSING PREGNANCY-RELATED DISCRIMINATION AND REASONABLE ACCOMMODATIONS IN THE WORKPLACE*.

Identical to **S 633**, filed 4/6/21.

Enacts GS Chapter 168B, The North Carolina Healthy Pregnancy Act.

Establishes the public policy of the State to protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination or abridgment by employers. Specifies that the policy includes the right to seek, obtain, and hold employment without discrimination on the basis of pregnancy, childbirth, or related medical condition. Sets forth nine defined terms applicable to the Chapter.

Requires an employer, employment agency, labor organization, place of public accommodation, or covered governmental entity to investigate whether there are reasonable accommodations that can be made, and make reasonable accommodations, once a qualified pregnant person has requested an accommodation or a potential accommodation is obvious in the circumstances. Defines employer to mean any person employing 15 or more employees within the State. Defines covered governmental entity to mean any State department, institution, agency or any political subdivision of the State or any person that contracts with any of those entities for the delivery of public services, including education, health, social services, recreation, and rehabilitation. Defines reasonable accommodation to mean, with regard to employment, making reasonable physical changes in the workplace, including 17 enumerated accommodations, ranging from making existing facilities used by employees readily accessible to providing closer access to parking. Enumerates six actions that the term does not require of any employer, including hiring one or more employees for the purpose of enabling the pregnant person to be employed, or making any changes that would impose an undue hardship, as defined, on the employer.

Requires a qualified pregnant person requesting a reasonable accommodation to apprise the employer, employment agency, labor organization, place of public accommodation, or covered governmental entity of her pregnancy. Also requires the qualified pregnant person requesting a reasonable accommodation to submit any necessary medical documentation, make suggestions for possible accommodations known to the person, and cooperate in any discussion and evaluation aimed at determining possible or feasible accommodations.

Requires persons affected by pregnancy to be treated the same for all employment-related purposes as other persons not affected but similar in their ability or inability to work. Establishes the following five actions by an employer which are unlawful, discriminatory practices: (1) to discriminate against a pregnant person with respect to compensation or the terms, conditions, or privileges of employment on the bases of a condition related to pregnancy, including failing to hire or consider for employment or promotion, or to discharge from employment; (2) for an employment agency to fail or refuse to refer for employment or otherwise discriminate against a pregnant person on the basis of a condition related to pregnancy; (3) for a person controlling a training or retraining program to discriminate against a pregnant person with respect to admission into or employment in the training or retraining program on the basis of a condition related to pregnancy; (4) for an employer, labor organization, or employment agency to fail to meet the duties under the Chapter; and (5) for an employer to fail or refuse to make reasonable accommodations for limitations arising from pregnancy, childbirth, or related medical conditions for an applicant or employee if so requested by the applicant or employee, unless the employer demonstrates that it would impose an undue hardship on the operation of the business of the employer.

Prohibits employers, employment agencies, or labor organizations from taking retaliatory action, as specified, against any person, applicant, or member because the person has opposed any practice made a discriminatory practice by the Chapter or because the person has testified, assisted, or participated in any manner in proceedings under the Chapter. Provides examples of retaliation under the statute, including requiring an employee to take leave if another reasonable accommodation can be provided. Further, prohibits any entity or person covered under the Chapter from retaliating against, or coercing, intimidating, threatening, or interfering with a person who exercises rights under the Chapter or assist a person in exercising the person's rights under the Chapter.

Requires employers to post notices of the rights under the Chapter in the employer's place of business, as specified. Also requires individual notice (1) in writing to new employees, (2) orally or in writing to existing employees within 120 days after the effective date of the Chapter, and (3) orally or in writing within 10 days to any employee who notifies the employer of her pregnancy.

Establishes a civil action for enforcement of rights under the Chapter. Authorizes the court to award declaratory or injunctive relief and back pay of no more than three years prior to the date the action was filed. Also authorizes the court to award attorneys' fees to the substantially prevailing party. Establishes a three year statute of limitations, as specified.

Sets forth provisions regarding construction of the Chapter.

Applies to acts or omissions occurring on or after October 1, 2021.

Intro. by Logan, Fisher, Cooper-Suggs, A. Baker.

GS 168B

[View summary](#)

Business and Commerce, Courts/Judiciary, Civil, Civil Law, Employment and Retirement, Health and Human Services, Health

H 506 (2021-2022) **POLLUTER PAYS**. Filed Apr 8 2021, *AN ACT TO MAKE PERSONS CAUSING OR CONTRIBUTING TO CONTAMINATION RESPONSIBLE FOR COSTS OF CLEANUP AND PROVISION OF ALTERNATIVE WATER SUPPLIES TO PERSONS WITH WATER SUPPLIES AFFECTED BY SUCH CONTAMINATION.*

Identical to [S 699](#), filed 4/7/21.

Amends GS 143-215.3, which establishes the general and auxiliary powers of the Environmental Management Commission (Commission) and the Department of Environmental Quality (DEQ). Authorizes the Secretary of DEQ (Secretary) to order persons causing or contributing to water or air pollution that is causing danger to the health or safety of the public, revealed by an investigation pursuant to Article 21 (Water and Air Resources) or Article 21B (Air Pollution Control) of GS Chapter 143, to immediately reduce or discontinue the emission or discharge, or take other necessary measures or omissions, within a period of time specified at the discretion of the Secretary. Permits the Secretary to order the person to provide alternate water supplies or to establish a permanent replacement water supply to persons with water supplies damaged by the water or air pollution in question at the discretion of the Secretary. Specifies that the establishment of a permanent replacement water supply must be by connection to a public water supply, unless an affected household opts for a whole house filtration system that the responsible person will be required to install and maintain. Additionally, the Secretary is authorized to assess the person causing or contributing to the pollution in question for any actual and necessary costs incurred by the State in removing, correcting, or abating any adverse effects upon the water or air resulting from the pollution for which the person is responsible. Authorizes the Secretary to file a civil action in superior court in the county where the pollution in question occurred or where the person resides or has its principal place of business to recover sums assessed if a person refuses or fails to pay within a reasonable time.

Amends GS 143-215.2, which authorizes the Commission to issue a special order or other instrument to any person responsible for causing or contributing to any pollution of state waters within an area for which standards have been adopted pursuant to GS 143-214.1 or GS 143-215. Adds to the Commission's authority to issue special orders by specifying that a special order can include a requirement that the responsible person provide temporary alternate or permanent replacement water supplies to persons with supplies damaged by the water pollution in question.

Appropriates \$75,000 from the General Fund to DEQ for 2021-22 to implement the act.

Exempts the act from the provisions of GS 143C-5-2, concerning the order of appropriations bills.

Intro. by Hunt, Turner, Harrison, Butler.

APPROP, GS 62

[View summary](#)

Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of

**Environmental Quality (formerly DENR), Public Enterprises
and Utilities**

H 507 (2021-2022) **NORTH CAROLINA MOMNIBUS ACT**. Filed Apr 8 2021, *AN ACT TO ENACT THE NORTH CAROLINA MOMNIBUS ACT*.

Identical to [S 632](#), filed 4/6/21.

Includes whereas clauses.

Part I.

Changes the title of Part 5 of Article 1B of GS Chapter 130A to Maternal Health. Enacts GS 130A-33.61 establishing the 17-member Social Determinants of Maternal Health Task Force (Task Force) within the Department of Health and Human Services (DHHS) to develop a strategy to coordinate efforts between State agencies to address social determinants of maternal health with respect to pregnant and postpartum individuals. Defines social determinants of maternal health as nonclinical factors impacting maternal health outcomes, including economic, neighborhood, social and community, household, education access and quality, and health care access factors. Sets out membership requirements, and provides for selecting a chair. Requires a report no later than two years after the act becomes effective, to the Governor and NCGA on the plan to coordinate efforts, recommendations on funding, and on how to leverage services under the State's Medicaid program.

Requires DHHS to establish and operate a Maternal Mortality Prevention Grant Program (grant program) to award grants to eligible entities to establish or expand programs for the prevention of maternal mortality and severe maternal morbidity among black women. Requires applicants to be community-based organizations offering programs and resources aligned with evidence-based practices for improving maternal health outcomes for black women. Requires DHHS, beginning July 1, 2021, to conduct outreach to encourage eligible applicants to apply and provide application assistance. Awards a maximum of five grants with amounts ranging from \$10,000 to \$50,000. Sets out criteria to be considered when awarding the grants. Sets out the types of technical assistance DHHS must provide. Requires DHHS to report to the specified NCGA committee and division by October 1, 2023, and October 1, 2024; sets out issues to be addressed in those reports. Sets the grant program to expire on June 30, 2023.

Appropriates the following from the General Fund to DHHS, Division of Public Health, for 2021-22: (1) \$23,000 in recurring funds to be allocated to the Task Force; (2) \$82,000 in recurring funds to establish a Public Health Program Coordinator IV position with responsibilities related to the Task Force and grant program; and (3) \$395,500 to be allocated to the grant program, allowing up to 10% of the funds to be used for administrative purposes. Appropriates those same amounts for similar purposes in 2022-23. Authorizes DHHS to hire a Public Health Program Coordinator IV. Effective July 1, 2021.

Effective October 1, 2021, unless otherwise indicated.

Part II.

Enacts new GS 130A-33.62, providing as follows. Requires DHHS, in collaboration with (1) community-based organizations led by Black women that serve primarily Black birthing people and (2) a historically Black college or university or other institution that primarily serves minority populations to create or identify an evidence-based implicit bias training program (training program) for health care professionals involved in perinatal care (the provision of care during pregnancy, labor, delivery, and postpartum and neonatal periods). Sets out 12 minimum components of the training program, including identification of previous or current unconscious biases and misinformation; identification of personal, interpersonal, institutional, structural, and cultural barriers to inclusion; corrective measures to decrease implicit bias at the interpersonal and institutional levels; and information about how to communicate more effectively across identities. Requires all health care professionals to complete the training program, specifying deadlines for completion depending on whether the individual is licensed before or after January 1, 2022. Requires proof of completion for license/registration/accreditation/certification renewal. Defines a health care professional as a licensed physician or other health care provider licensed, registered, accredited, or certified to perform perinatal care and regulated under the authority of a health care professional licensing authority. Encourages DHHS to seek opportunities to make the training program available to all health care professions and to promote its use among four specified types of providers and programs. Requires DHHS to collect specified information related to maternal mortality to inform ongoing improvements to the training program.

Enacts GS 130A-33.63 specifying that a patient getting care at a perinatal care facility (a hospital, clinic, or birthing center providing perinatal care in the state), has six listed rights, including: to be informed of continuing health care requirements following discharge; to actively participate in decisions regarding the patient's medical care and the right to refuse treatment; and to receive care and treatment free from discrimination on the basis of age, race, ethnicity, color, religion, ancestry, disability, medical condition, genetic information, marital status, sex, gender identity, gender expression, sexual orientation, socioeconomic status, citizenship, nationality, immigration status, primary language, or language proficiency. Requires perinatal care facilities to provide patients upon admission with a written copy of the rights.

Effective October 1, 2021.

Part III.

Requires DHHS to study five specified issues affecting women serving in the military, including coordinating effectively between veterans' health care facilities and non-veterans health care facilities in the delivery of maternity care and other health care services; facilitating access to community resources to address social determinants of health; and reducing maternal mortality and severe maternal morbidity, with a particular focus on racial and ethnic disparities in maternal health outcomes. Requires DHHS to consult with the Department of Military and Veterans Affairs (DMVA) in conducting the study. Requires DHHS to report to the specified NCGA committees and division by April 1, 2022.

Appropriates \$100,000 for 2021-22 from the General Fund to DHHS for the study.

Effective July 1, 2021.

Part IV.

States the NCGA's intent to support data collection, surveillance, and research on maternal health as a result of the COVID-19 public health emergency. Defines COVID-19 public health emergency as the period beginning on the date that the US Secretary of Health and Human Services declared a public health emergency with respect to COVID-19 under section 319 of the Public Health Service Act (42 U.S.C. § 247d) and ending on the later of the end of such public health emergency or January 1, 2023. Appropriates \$529,311 in recurring funds and \$3.5 million for 2021-22 and \$529,311 in recurring funds for 2022-23 from the General Fund to DHHS to be allocated in the specified amounts to: (1) support the work of the Task Force on Birthing Experience and Safe Maternity Care During a Public Health Emergency (described below); (2) hire five full-time, permanent positions to support DHHS in collecting data about the impact of COVID-19 on pregnant, birthing, and postpartum individuals, including data on COVID-19 testing, infections, hospitalizations, and vaccinations and health outcomes for pregnant, birthing, and postpartum individuals and their infants confirmed or suspected of being infected with COVID-19; and conducting public health education activities as described below; (3) establishment and operation of a one-year competitive grant program to ensure safe maternity care staffing levels at safety net hospitals and health clinics that provide maternity care services, which provides 10 grants in the amount of \$150,000, subject to specified program requirements, including reporting requirements; and (4) acquire and distribute personal protective equipment to perinatal workers practicing in noninstitutional settings that provide such equipment to their employees or in communities that are disproportionately affected by COVID-19 and adverse maternal health outcomes. Effective July 1, 2021.

Requires DHHS to partner with and award subgrants to: (1) clinical stakeholders, community-based organizations, and federally recognized Indian tribes, to assist with the collection and analysis of data on the impact of COVID-19 on pregnant and postpartum patients and their newborns, particularly among patients from racial and ethnic minority groups and (2) clinical stakeholders, community-based organizations, and federally recognized Indian tribes, to provide timely, continually updated guidance to families and health care providers on ways to reduce risk to pregnant and postpartum individuals and their newborns and tailor interventions to improve their long-term health. Sets out three criteria to be given special consideration in awarding the grants.

Requires DHHS to give the public information and education about COVID-19 and pregnancy, with a particular focus on pregnant individuals in communities disproportionately affected by maternal mortality and COVID-19. Requires licensed hospitals and health care facilities that provide maternity care services during the COVID-19 public health emergency to give patients information about hospital policies that may affect patient care during pregnancy, labor, delivery, and postpartum, including hospital visitor policies.

Requires licensed hospitals and health care facilities providing maternity care services during the COVID public health emergency to: (1) provide patients with updated and accurate information about hospital policies that may affect patient care

during pregnancy, labor, delivery, and postpartum, including visitor policies; (2) allow maternity care patients to have at least one support person with them during labor, delivery, and postpartum recovery; (3) make efforts to safely accommodate the presence of doulas during labor, delivery, and postpartum care and recognize doulas as members of patients' perinatal care teams; (4) implement policies equitably; (5) ensure that institutional policies and practices do not violate patients' rights to reject treatments or birth interventions; and (6) integrate COVID-19 considerations into discussions with patients about the risks and benefits of health care decisions during informed consent processes.

Enacts new GS 130A-33.64 in Part 5 of Article 1B of GS Chapter 130A, as amended above, to establish the 25-member Task Force on Birthing Experience and Safe Maternity Care During a Public Health Emergency (Task Force) within DHHS to develop recommendations on respectful maternity care during the COVID-19 public health emergency and other public health emergencies, with a particular focus on outcomes for individuals from racial and ethnic minority groups and other underserved communities, and to make those recommendations publicly available in multiple languages. Sets out 13 issues the Task Force's recommendations must address, including strategies to increase access to specialized care for individuals with high-risk pregnancies; COVID-19 diagnostic testing for pregnant individuals and individuals in labor; licensing, training, and reimbursement for midwives from racial and ethnic minority groups and underserved communities; and strategies to address hospital capacity issues in communities with an increase in COVID-19 cases, or cases caused by future public health emergencies. Sets out membership requirements, provides for selecting a chair, and requires quarterly meetings. Requires DHHS and the Task Force to report every two years, beginning January 1, 2023, to the Governor and NCGA on its recommendations and on specified additional issues. Effective October 1, 2021.

Intro. by von Haefen, Hawkins, Cunningham, Alston.

APPROP, STUDY, GS 130A

Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Department of Military & Veterans Affairs, Health and Human Services, Health, Health Care Facilities and Providers, Public Health, Military and Veteran's Affairs

[View summary](#)

H 508 (2021-2022) **EDUCATION FUNDING TRANSPARENCY**. Filed Apr 8 2021, *AN ACT TO INCREASE TRANSPARENCY AND ACCOUNTABILITY IN LOCAL EDUCATION FUNDING BY MODIFYING THE UNIFORM BUDGET FORMAT TO INCLUDE INFORMATION ON EXPENDITURES FROM LOCAL FUNDS BY PROGRAM REPORT CODE AND OBJECT CODE, REQUIRING THE SUPERINTENDENT TO DESCRIBE PROJECTED EXPENDITURES FROM LOCAL FUNDS BY PROGRAM REPORT CODE AND OBJECT CODE, PERMITTING LOCAL BOARDS OF EDUCATION TO SUBMIT TO COUNTY COMMISSIONERS PROJECTED EXPENDITURES FROM LOCAL FUNDS BY PROGRAM REPORT CODE AND OBJECT CODE, PERMITTING COUNTY COMMISSIONERS TO ALLOCATE LOCAL FUNDS BY PROGRAM REPORT CODE, REQUIRING THE ANNUAL INDEPENDENT AUDIT OF ACCOUNTS OF A LOCAL SCHOOL ADMINISTRATIVE UNIT TO INCLUDE A COMPARISON OF BUDGETED AND ACTUAL EXPENDITURES BY PROGRAM REPORT CODE AND OBJECT CODE, REQUIRING THE ANNUAL INDEPENDENT AUDIT REPORT TO BE FILED WITHIN THIRTY DAYS OF ITS COMPLETION, AND REQUIRING A LOCAL SCHOOL ADMINISTRATIVE UNIT TO REPORT THE RESULTS OF THE ANNUAL INDEPENDENT AUDIT TO THE STATE BOARD OF EDUCATION WITHIN SIXTY DAYS OF ITS COMPLETION.*

Identical to [S 406](#), filed 3/30/21.

Amends multiple statutes in GS Chapter 115C, Article 31, The School Budget and Fiscal Control Act, by requiring the uniform budget format to include information on expenditures from local funds by program report code and object code. Specific amendments are as follows.

Amends GS 115C-426 by adding new subsection (c1) requiring the inclusion of expenditures from local funds by program report code and object code; requires expenditures for the local current expense fund to be distinguished between those supported by county appropriations from those supported by other local funds.

Amends GS 115C-427(a) to require the same inclusion and distinguishing between different types of local funds as above.

Amends GS 115C-429(a) to require the same inclusion and distinguishing between different types of local funds as above; modifies subsection (b) by allowing the board of county commissioners to allocate part or all of its appropriation not only by purpose or function but also by program report code.

Amends GS 115C-433(b) by allowing county appropriations by program report code in addition to purpose or function.

Amends GS 115C-447(a) by adding gender-inclusive language, requiring audits of accounts of local school administrative units to include a comparison of budgeted and actual expenditures by program report code and object code, and requiring the annual audit to be filed within 30 days of completion.

Amends GS 115C-451 by adding new subsection (a1) providing that local school administrative units must report the results of an audit, which must include comparisons of budgeted and actual expenditures, no later than 60 days after its completion to the State Board of Education. Requires the Department of Public Instruction to post this information on its website.

Effective upon becoming law and applies beginning with budget ordinances adopted after June 30, 2021.

Intro. by Clampitt.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

H 509 (2021-2022) **ADOPT OFFICIAL NC DOGWOOD FESTIVAL**. Filed Apr 8 2021, *AN ACT ADOPTING THE FAYETTEVILLE DOGWOOD FESTIVAL AS THE OFFICIAL DOGWOOD FESTIVAL OF THE STATE OF NORTH CAROLINA*.

Includes whereas clauses.

Enacts GS 145-52 as title indicates.

Intro. by Richardson.

GS 145

[View summary](#)

Government, Cultural Resources and Museums

H 510 (2021-2022) **BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT**. Filed Apr 8 2021, *AN ACT ESTABLISHING THE BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT*.

Enacts Article 1M, Born-Alive Abortion Survivors Protection Act, to GS Chapter 90. Defines abortion and attempt to perform an abortion. Sets forth legislative findings. Establishes standards of care, now requiring any health care provider present at the time a child is born alive resulting from an abortion or attempt to perform an abortion to: (1) exercise the same degree of professional skill, care, and diligence to preserve the life and health of the child as a reasonably diligent and conscientious health care practitioner would render to any child born alive at the same gestational age and (2) ensure that the child born alive is immediately transported and admitted to a hospital. Defines born alive to mean, with respect to a member of the species homo sapiens, the complete expulsion or extraction from his or her mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion.

Requires a health care practitioner or any employee of a hospital, a physician's office, or an abortion clinic who has knowledge of noncompliance to immediately report the noncompliance to an appropriate State or federal law enforcement agency, or both. Bars prosecution of the mother of a child born alive for violation of, or attempt or conspiracy of GS 90-21.142 or GS 90-21.143, as enacted, involving the child who was born alive. Makes violations of GS 90-21.142 and GS 90-21.143 a Class D felony, punishable by a fine not to exceed \$250,000, unless the conduct is covered under some other law providing greater punishment. Makes any person who intentionally performs or attempts to perform an overt act that kills a child born alive punishable for murder under GS 14-17(c), a Class A felony. Provides for civil remedies for the woman upon whom the abortion was performed or attempted in which a child is born alive and there is a violation of the Article, including damages for objectively verifiable money damages for all injuries (psychological and physical), treble statutory damages for the cost of

the abortion or attempted abortion, and punitive damages. Provides for reasonable attorneys' fees if judgment is rendered in favor of the plaintiff or if the judgement is rendered in favor of the defendant and the court finds the suit was frivolous or brought in bad faith. Makes conforming changes to GS 14-17(c).

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

Provides a savings clause for prosecutions for offenses committed before the effective date of the act.

Effective September 1, 2021.

Intro. by Kidwell, Paré, Hanig, Hurley.

[GS 14, GS 90](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health, Health Care Facilities and Providers](#)

H 511 (2021-2022) [STI FUNDING/BICYCLE/PEDESTRIAN IMPROV.](#) Filed Apr 8 2021, *AN ACT TO AUTHORIZE THE USE OF STRATEGIC TRANSPORTATION INVESTMENTS ACT (STI) FUNDS FOR INDEPENDENT BICYCLE AND PEDESTRIAN IMPROVEMENTS.*

Amends GS 136-189.11(d)(3) to no longer generally prohibit the Department of Transportation from providing financial support for independent bicycle and pedestrian improvement projects. Authorizes the Department to provide financial support for federal and local government funded independent bicycle and pedestrian improvement projects as Division Need Projects, which receive 30% of the funds subject to the Transportation Investment Strategy Formula. Makes conforming changes.

Amends GS 136-189.10(2) to include federal and local government funded (was federally funded only) independent bicycle and pedestrian improvements to division need projects.

Intro. by Butler, Belk, Martin, Hawkins.

[GS 136](#)

[View summary](#)

[Government, State Agencies, Department of Transportation, Transportation](#)

H 512 (2021-2022) [PHARMACISTS IMPROVE PUBLIC HEALTH NEEDS.](#) Filed Apr 8 2021, *AN ACT TO AUTHORIZE CLINICAL PHARMACIST PRACTITIONERS AND IMMUNIZING PHARMACISTS TO PRESCRIBE, DISPENSE, AND ADMINISTER CERTAIN TREATMENT AND MEDICATIONS.*

Identical to [S 575](#), filed 4/6/21.

Includes whereas clauses.

Adds an immunizing pharmacist and a clinical pharmacist practitioner to individuals who are authorized to prescribe an opioid antagonist (defined by the statute to require FDA approval) under GS 90-12.7, subject to manner prescribed by the statute.

Adds to the authorities granted to immunizing pharmacists under GS 90-85.15B as follows. Authorizes the administration of vaccinations approved by the FDA in accordance with the protocols established by the Advisory Committee on Immunization Practices to persons at least six years old pursuant to a specific prescription order initiated by a prescriber following a physical exam of the patient by the prescriber (currently limited to administration of flu vaccines). Enacts new subsection (c2), listing ten categories of medications an immunizing pharmacist can prescribe and dispense, including naloxone or other opioid antagonist and their associated drug delivery paraphernalia, FDA approved tobacco cessation medications, epinephrine or other anaphylaxis management medication, hormonal contraceptives after the patient completes an assessment consistent with CDC eligibility criteria, and controlled substances for the prevention of human immunodeficiency virus. Enacts new subsection (f), conditioning the immunizing pharmacist's authority under new subsection (c2) upon the NC Medical Board and the NC Board of Pharmacy (Boards) having adopted jointly developed rules governing the approval of the individual immunizing pharmacist to administer, prescribe, and dispense the medications with limitation determined by the Boards to be in the best interest of

patient health and safety; the immunizing pharmacist's current approval from both Boards; and the immunizing pharmacist's assignment of an identification number by the NC Medical Board shown on written prescriptions written by the immunizing pharmacist.

Further amends GS 90-85.15B as follows. Makes the requirements for immunizing pharmacists applicable to the administration of vaccines or immunizations under subsection (d) applicable to prescribing and dispensing medications listed in new subsection (c2). Revises the recordkeeping requirement for vaccines and immunizations to now require the record be maintained for a period of five years. Regarding the requirement to provide a patient who does not identify a primary care provider (PCP) with information on the benefits of having a PCP, adds information about federally qualified health centers, free clinics, and local health departments prepared by the specified entities to the requirement. Adds new requirements including furnishing patient records to the patient upon request; furnishing patient records to the PCP identified by the patient upon request; and counseling the patient about contraceptive care upon administering or dispensing a hormonal contraceptive. Adds a new subsection (e), authorizing an immunizing pharmacist to test or screen for and treat minor, nonchronic health conditions, as specified. Requires maintaining a record of any vaccine or immunization administered to the patient for a period of five years; furnishing patient records to the patient upon request; and furnishing patient records to the PCP identified by the patient upon request.

Enacts new subsection (b1) and (b2) to GS 90-18.4, providing substantively identical provisions for clinical pharmacists' authority to prescribe and dispense 10 identified categories of medications as those provided for immunizing pharmacists in new subsection (c1) and (e) of GS 90-85.15B, as enacted.

Effective October 1, 2022.

Directs the Boards' joint subcommittee to develop statewide written protocols and amend existing rules and protocols to: (1) provide certification for clinical pharmacist practitioners and immunizing pharmacists that encompass the new authorized treatments and practices; (2) develop specified training related to minor, nonchronic health conditions; (3) create a list of minor, nonchronic health conditions eligible for screening, testing, and treatment by a clinical pharmacist practitioner or immunizing pharmacists; and (4) create a formulary of FDA approved medications to treat specific minor, nonchronic health conditions, excluding Schedule I-IV controlled substances identified by the NC Controlled Substances Act. Effective October 1, 2021.

Intro. by Sasser.

GS 90

[View summary](#)

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

H 514 (2021-2022) [NC HEALTHY PREGNANCY ACT](#). Filed Apr 8 2021, *AN ACT ADDRESSING PREGNANCY-RELATED DISCRIMINATION AND REASONABLE ACCOMMODATIONS IN THE WORKPLACE*.

Identical to [S 633](#), filed 4/6/21.

Enacts GS Chapter 168B, The North Carolina Healthy Pregnancy Act.

Establishes the public policy of the State to protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination or abridgment by employers. Specifies that the policy includes the right to seek, obtain, and hold employment without discrimination on the basis of pregnancy, childbirth, or related medical condition. Sets forth nine defined terms applicable to the Chapter.

Requires an employer, employment agency, labor organization, place of public accommodation, or covered governmental entity to investigate whether there are reasonable accommodations that can be made, and make reasonable accommodations, once a qualified pregnant person has requested an accommodation or a potential accommodation is obvious in the circumstances. Defines employer to mean any person employing 15 or more employees within the State. Defines covered governmental entity to mean any State department, institution, agency or any political subdivision of the State or any person that contracts with any of those entities for the delivery of public services, including education, health, social services,

recreation, and rehabilitation. Defines reasonable accommodation to mean, with regard to employment, making reasonable physical changes in the workplace, including 17 enumerated accommodations, ranging from making existing facilities used by employees readily accessible to providing closer access to parking. Enumerates six actions that the term does not require of any employer, including hiring one or more employees for the purpose of enabling the pregnant person to be employed, or making any changes that would impose an undue hardship, as defined, on the employer.

Requires a qualified pregnant person requesting a reasonable accommodation to apprise the employer, employment agency, labor organization, place of public accommodation, or covered governmental entity of her pregnancy. Also requires the qualified pregnant person requesting a reasonable accommodation to submit any necessary medical documentation, make suggestions for possible accommodations known to the person, and cooperate in any discussion and evaluation aimed at determining possible or feasible accommodations.

Requires persons affected by pregnancy to be treated the same for all employment-related purposes as other persons not affected but similar in their ability or inability to work. Establishes the following five actions by an employer which are unlawful, discriminatory practices: (1) to discriminate against a pregnant person with respect to compensation or the terms, conditions, or privileges of employment on the bases of a condition related to pregnancy, including failing to hire or consider for employment or promotion, or to discharge from employment; (2) for an employment agency to fail or refuse to refer for employment or otherwise discriminate against a pregnant person on the basis of a condition related to pregnancy; (3) for a person controlling a training or retraining program to discriminate against a pregnant person with respect to admission into or employment in the training or retraining program on the basis of a condition related to pregnancy; (4) for an employer, labor organization, or employment agency to fail to meet the duties under the Chapter; and (5) for an employer to fail or refuse to make reasonable accommodations for limitations arising from pregnancy, childbirth, or related medical conditions for an applicant or employee if so requested by the applicant or employee, unless the employer demonstrates that it would impose an undue hardship on the operation of the business of the employer.

Prohibits employers, employment agencies, or labor organizations from taking retaliatory action, as specified, against any person, applicant, or member because the person has opposed any practice made a discriminatory practice by the Chapter or because the person has testified, assisted, or participated in any manner in proceedings under the Chapter. Provides examples of retaliation under the statute, including requiring an employee to take leave if another reasonable accommodation can be provided. Further, prohibits any entity or person covered under the Chapter from retaliating against, or coercing, intimidating, threatening, or interfering with a person who exercises rights under the Chapter or assist a person in exercising the person's rights under the Chapter.

Requires employers to post notices of the rights under the Chapter in the employer's place of business, as specified. Also requires individual notice (1) in writing to new employees, (2) orally or in writing to existing employees within 120 days after the effective date of the Chapter, and (3) orally or in writing within 10 days to any employee who notifies the employer of her pregnancy.

Establishes a civil action for enforcement of rights under the Chapter. Authorizes the court to award declaratory or injunctive relief and back pay of no more than three years prior to the date the action was filed. Also authorizes the court to award attorneys' fees to the substantially prevailing party. Establishes a three year statute of limitations, as specified.

Sets forth provisions regarding construction of the Chapter.

Applies to acts or omissions occurring on or after October 1, 2021.

Intro. by von Haefen, Hawkins, Cunningham, Alston.

GS 168B

[View summary](#)

[Business and Commerce, Courts/Judiciary, Civil, Civil Law, Employment and Retirement, Government, Health and Human Services, Health](#)

H 519 (2021-2022) **AMEND AUTOCYCLE DEFINITION**. Filed Apr 8 2021, *AN ACT AMENDING THE DEFINITION OF AN AUTOCYCLE*.

Amends the definition of autocycle in GS 20-4.01 to no longer require that it have a steering wheel. Effective October 1, 2021.

Intro. by Iler, Shepard.

GS 20

[View summary](#)

Courts/Judiciary, Motor Vehicle

H 521 (2021-2022) [2021 SAFE DRINKING WATER ACT](#). Filed Apr 8 2021, *AN ACT TO PROTECT NORTH CAROLINA CITIZENS FROM HARMFUL TOXINS IN DRINKING WATER BY REQUIRING THE COMMISSION FOR PUBLIC HEALTH TO ESTABLISH MAXIMUM CONTAMINANT LEVELS FOR CHEMICALS THAT ARE PROBABLE OR KNOWN CARCINOGENS OR ARE OTHERWISE TOXIC.*

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

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

Intro. by Clemmons, Meyer, Reives, Lucas.

UNCODIFIED

[View summary](#)

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

PUBLIC/SENATE BILLS

S 594 (2021-2022) [MEDICAID ADMIN. CHANGES & TECH. CORRECTIONS.-AB](#) Filed Apr 6 2021, *AN ACT MODIFYING CERTAIN MEDICAID-RELATED PROVISIONS OF THE 2020 COVID-19 RECOVERY ACT, UPDATING THE MEDICAID PROGRAM BENEFICIARY APPEALS PROCESSES, INCREASING THE AMOUNT OF ALLOWABLE THERAPEUTIC LEAVE UNDER THE MEDICAID PROGRAM, REVISING THE TRANSFER OF AREA AUTHORITY FUND BALANCES, AND MAKING VARIOUS TECHNICAL CORRECTIONS TO THE STATUTES GOVERNING THE NORTH CAROLINA MEDICAID PROGRAM, AS REQUESTED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.*

Part I.

Amends Section 4.5 of SL 2020-4 (2020 COVID-19 Recovery Act), which authorizes the Department of Health and Human Services (DHHS), Division of Health Benefits (DHB) to provide Medicaid coverage for COVID-19 testing for certain uninsured individuals during the declared nationwide public health emergency for which federal medical assistance is 100%. Adds a provision to specify that individuals receiving this Medicaid coverage are not covered by capitated prepaid health plans contracts under Article 4 of GS Chapter 130D, which governs such contracts.

Effective 30 days after the act becomes laws, repeals Section 4.7 of SL 2020-4, which identifies four statutory provisions of GS Chapter 108C setting forth provider applicant requirements which are not to apply to the NC Medicaid program and the

NC Health Choice program from March 1, 2020, through the duration of the declared nationwide public health emergency as a result of COVID-19.

Part II.

Enacts GS 108A-70.9A(c1), directing the DHHS to make available to the Office of Administrative Hearing (OAH) a copy of the notice of an adverse Medicaid benefit determination required by subsection (c). Deems information contained in the notice confidential unless the Medicaid recipient appeals the adverse determination under subsection (d). Allows OAH to dispose of these records after one year. Amends the procedures for appeal in subsection (d), now requiring the recipient to request a hearing within 30 days of the mailing of the notice of adverse determination by filing an appeal request with OAH (was by sending an appeal request form to OAH and DHHS). No longer requires DHHS to immediately forward a copy of the notice to OAH electronically. Makes conforming changes, repealing language now moved to new subsection (c1). Amends the required content of the appeal request form set forth in subsection (e)(1) to include a statement that the recipient can alternatively call the number on the form and provide the information requested on the form, rather than sending the form by mail or fax, within the 30 day time period. Makes conforming changes.

Makes similar changes to appeal request forms following receipt of notice of a disenrollment request by an enrollee or a prepaid health plan (PHP) under GS 108D-5.7 to allow an enrollee to file an appeal by calling the number on the form and providing the information requested on the form. Amends GS 108D-5.9 to require an enrollee or a representative to request a hearing to appeal an adverse enrollment determination by filing the appeal request form provided under GS 108D-5.7, as amended, by sending the form by mail or fax, or by calling the number on the form and providing the information requested on the form (previously generally required filing an appeal for a hearing).

Amends GS 108D-11 to no longer require an enrollee or representative's managed care entity level appeals made orally to be followed by a written, signed appeal, except when requesting an expedited appeal.

Amends GS 108D-15(d) to require an enrollee or representative to file a request for appeal of a managed care entity's adverse determination by filing an appeal request form with OAH within 120 days after the mailing date notice of resolution of the entity level appeal (was by sending an appeal request form to OAH and the affected managed care entity). Allows for filing by sending the form by mail or fax, or calling the number on the form and providing the information requested on the form. Makes conforming changes to the appeal request form requirements set forth in GS 108D-15(f)(1).

Further amends GS 108A-70.9A, enacting new subsection (e1) to allow a Medicaid recipient to request an expedited appeal of an adverse benefit determination if the time otherwise permitted would jeopardize the recipient's life, health, or ability to attain, maintain, or regain maximum function. Lists parameters for expedited appeals, including (1) requiring documentation from a licensed health care professional demonstrating the need for an expedited appeal, (2) DHHS determining expedited appeal criteria are not met and giving the recipient oral notice of denial expeditiously as possible, followed by a written notice of denial, which cannot be appealed, and (3) DHHS determining expedited appeal criteria are met and requiring the administrative law judge to make a decision on the contested case, as required under GS 108A-70.9B, as expeditiously as possible with no mediation procedure required. Amends the appeals request form requirements under subsection (e) to include the recipient's option to request an expedited appeal.

Similarly enacts GS 108A-79(j1) to allow a Medicaid or NC Health Choice applicant or recipient to request an appeal from the director of social services' decision at the local appeal hearing, or an appeal involving disability, be expedited if time otherwise permitted for a hearing could jeopardize the recipient's life, health, or ability to attain, maintain, or regain maximum function. Lists parameters for expedited appeals, including (1) requiring documentation from a licensed health care professional, or for disability appeals excerpts from medical records, demonstrating the need for an expedited appeal, (2) DHHS determining expedited appeal criteria are not met and giving the appellant oral notice of denial expeditiously as possible, followed by a written notice of denial, which cannot be appealed, and (3) DHHS determining expedited appeal criteria are met and requiring the hearing officer to prepare a proposal and the designate DHHS official to make a final decision on the proposal, as required under subsection (j), as expeditiously as possible. Clarifies that the option for an expedited appeal does not grant an appellant any greater assistance than otherwise entitled. Amends subsection (c) to require the notice of action regarding Medicaid and NC Health Choice programs to include that the public assistance applicant or recipient can request an expedited appeal under the existing procedures of subsection (j1).

Further amends GS 108D-5.7 regarding an enrollee's request for expedited disenrollment from a PHP, deeming DHHS's oral notification of its determination that the enrollee does not meet the criteria for expedited disenrollment is not required to be

followed up by written notice by mail (however, maintains the requirement to follow up with written notice of the denial), and adds that the denial is not appealable.

Clarifies that the option for an enrollee to request an expedited appeal under GS 108D-14 applies to standard managed care entity level appeals under GS 108D-13. Further amends the statute to deem managed care entity's denial for an expedited managed care entity level appeal is not appealable.

Enacts GS 108D-15.1 to allow an enrollee to request an appeal from an adverse determination by a managed care entity be expedited if the time otherwise permitted for a hearing could jeopardize the enrollee's life, health, or ability to attain, maintain, or regain maximum function. Lists parameters for expedited appeals, including (1) requiring documentation from a licensed health care professional demonstrating the need for an expedited appeal, (2) DHHS determining expedited appeal criteria are not met and giving the enrollee oral notice of denial expeditiously as possible, followed by a written notice of denial, which cannot be appealed, and (3) DHHS determining expedited appeal criteria are met and the administrative law judge is required to make a decision on the contested case, as required under GS 108D-16, as expeditiously as possible with no mediation procedure required. Amends the appeals request form requirements under subsection (f) of GS 108D-15 to include the enrollee's option to request an expedited appeal.

Part III.

Revises GS 108A-62 to now provide the following. Permits a medical assistance beneficiary at an intermediate care facility or skilled nursing facility to take therapeutic leave without the facility losing reimbursement under the medical assistance program, so long as the leave taken in a calendar year does not exceed 90 days for a beneficiary in an intermediate care facility, or 60 days for a beneficiary in a skilled nursing facility (previously provided for 60 days in a calendar year for both facilities, with no coverage beyond 60 days). Requires prior approval by either DHB, the respective LME/MCO, or the respective PHP before taking 15 or more consecutive days of therapeutic leave (previously provided for approval by DHB only). Entitles individuals who had exhausted the amount of therapeutic leave prior to the date the act becomes law to any additional leave for the calendar year now allowed under the statute, as amended.

Revises and adds to GS 122C-115.3 governing area authorities. Requires the DHHS Secretary to direct the dissolution of any authority that does not receive an initial contract to operate a Behavioral Health and Intellectual/Developmental Disability (BH IDD) tailored plan, prior to the date that BH IDD tailored plans begin operating. Requires the Secretary to deliver a notice of dissolution to the board of county commissioners of each of the counties in the dissolved LME/MCO. Now requires any fund balance or risk reserve (was fund balance only) available to an area authority at the time of its dissolution that is not used to pay liabilities to be transferred to one or more area authorities contracted to operate the 1915(b)/(c) Medicaid waiver or a BH IDD tailored plan in all or a portion of the catchment area of the dissolved authority, as directed by DHHS (previously provided for transfer to the area authority contracted to operate the Medicaid waiver in the catchment area of the dissolved area authority only, and did not specify for the transfer to be at the direction of DHHS). Makes organizational changes to the provisions regarding the directive for the Secretary to guarantee operation reserves for the area authority assuming the Medicaid waiver responsibilities if the fund balance transferred does not meet a specified threshold for anticipated operational expenses, and makes the provisions effective until the date that BH IDD tailored plans begin operating.

Part IV.

Identifies sections in GS Chapter 108A to which the Revisor is directed to replace "the mentally retarded" with "individuals with intellectual disabilities."

Amends GS 90-21.50, which sets forth definitions applicable to Article 1G governing health care liability, to no longer except the Health Insurance Program for Children established under Part 8, Article 2, GS Chapter 108A, from the State or federal plans exempt from the term *health benefit plan*. Additionally amends *managed care entity* to no longer exclude the Health Insurance Program for Children from employers who purchase coverage on behalf of its employees or health care providers, who are excluded from the term.

Amends GS 108A-54.3A to increase the age limitations for Medicaid coverage for children receiving foster care or adoption assistance under Title VI-E of the Social Security Act from 19 to 21.

Amends GS 108A-68.2 to define *PHP* by statutory cross-reference to GS 108D-1, which defines the term as a prepaid health plan, as defined in GS 58-93-5, that is under a capitated contract with the Department for the delivery of Medicaid and NC Health Choice services, or a local management entity/managed care organization that is under a capitated contract with DHHS

to operate a BH IDD tailored plan (previously defined the term to mean an entity holding a PHP license under Article 93 of GS Chapter 58). Makes organizational and technical changes.

Amends GS 108C-2.1 to refer Medicaid program providers' "revalidation" rather than "recredentialing."

Adds CMS (Centers for Medicare and Medicaid Service) to the defined terms in GS 108D-1.

Further amends GS 108D-1 to revise closed network, now defining the term to mean the network of providers that have contracted with either a LME/MCO operating the combined 1915(b)/(c) waivers, or an entity operating a BH IDD tailored plan, to furnish mental health, intellectual disabilities, and substance abuse services to enrollees (was limited to LME/MCOs).

Amends GS 108D-5.3(b) to allow beneficiaries who meet the federal definition of Indian to request disenrollment from a PHP at any time (was members of federally recognized tribes). Makes similar changes to GS 108D-40(a), regarding populations not automatically covered by capitated PHP contracts; maintains that such recipient can enroll voluntarily in PHPs.

Repeals GS 108D-40(a)(5a), which excludes eligible recipients who are enrolled in a DHHS-contracted Indian managed care entity from the populations capitated PHP contracted are automatically required to cover. Makes conforming changes to GS 122C-115.

Amends GS 108D-35, specifying that capitated PHP contracts do not cover services documented in an individualized family service plan under the federal Individuals with Disabilities Education Act that are provided and billed by a Children's Development Services Agency or by such Agency's contracted provider of those services (previously excluded services provided and billed by a Children's Development Services Agency that are included on the child's Individualized Family Service Plan).

Repeals Article 17 of GS Chapter 131E, which governs provider sponsored organization licensing.

Intro. by Krawiec, Burgin, Perry.

UNCODIFIED, GS 90, GS 108A, GS 108C, GS 108D, GS 122C, GS 131E

[View summary](#)

Business and Commerce, Occupational Licensing, Government, State Agencies, Department of Health and Human Services, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Mental Health, Social Services, Public Assistance

S 623 (2021-2022) [RENT MY RIDE](#). Filed Apr 6 2021, *AN ACT TO REGULATE PEER-TO-PEER VEHICLE SHARING FACILITATORS*.

Revises Article 10B, *Peer-to-Peer Vehicle Sharing*, of GS Chapter 20 as follows.

Makes the following changes to the Article's defined terms. Adds the terms *peer-to-peer vehicle sharing facilitator*, *shared vehicle delivery period*, *shared vehicle driver*, *vehicle sharing agreement*, *vehicle sharing period*, *vehicle sharing start time*, and *vehicle sharing termination time*. Revises *shared vehicle owner*, now defined as the registered owner of a shared vehicle who has not made an election under GS 105-187.5 regarding a retailer's election to pay tax on the gross receipts of the limited possession commitment of a vehicle rather than the highway tax. No longer defines *peer-to-peer vehicle sharing or sharing program* or *vehicle sharing provider*. Defines *peer-to-peer sharing facilitator* to mean a marketplace facilitator that facilitates a short-term motor vehicle rental where the marketplace seller is the registered owner of the vehicle who has not made an election under GS 105-187.5. Makes changes throughout to refer to "peer-to-peer vehicle sharing facilitator" rather than "peer-to-peer vehicle sharing program."

Enacts the following provisions to the Article.

Requires peer-to-peer sharing facilitators (facilitators) to ensure that a shared vehicle owner and a shared vehicle driver are insured by a liability policy that meets six specified criteria during each car sharing period, including specified minimum coverage limits and requiring the policy recognize that the shared vehicle under the policy is made available and used through a facilitator. Requires the qualifying insurance to be held by either the shared vehicle owner, shared vehicle driver, facilitator,

or a combination of the three. Establishes insurance requirements for facilitators. Requires facilitators seeking to sell insurance coverage for use of shared vehicles to be licensed by the Commissioner of Insurance under GS 58-33-17.1, as enacted. Does not require insurers to sell policies providing the required coverage for shared vehicles and their use. States information that must be exchanged by specified parties in a claims coverage investigation or accident, including the description of the coverage, exclusions, and limits provided under any insurance policy.

Details three activities that the Article does not affect, including the ability of a shared owner or a shared driver to obtain secondary insurance coverage in excess of the minimum requirements, the facilitator's ability to seek indemnification from a shared vehicle owner or driver or to own or maintain multiple liability policies providing coverage, and the ability of the insurer to seek recovery against the insurer of the facilitator.

Details three actions that the Article does not affect regarding insurers, including an insurer's right to exclude coverage for the use of a shared vehicle, to cancel or not renew policies, or to underwrite any insurance policy.

Deems liability of the facilitator for its acts or omissions that are the proximate cause of death, bodily injury, or property damage to a person in any accident because of the use of a shared vehicle not limited or restricted by the Article. Adds that facilitators and shared vehicle owners are exempt from vicarious liability and State and local laws that impose liability solely based on vehicle ownership.

Requires facilitators to give notice to shared vehicle owners prior to the owner making a shared vehicle available that the use of the shared vehicle through the facilitator might violate the terms of the contract with a lienholder, if applicable.

Lists seven required disclosures that must be included in a vehicle sharing agreement between a shared vehicle owner and a shared vehicle driver, including the right of the facilitator to seek indemnification as specified, that either party can obtain additional insurance coverage in excess of the Article's minimum requirements, and that the facilitator's insurance coverage is in effect only during a *vehicle sharing period*, as defined.

Limits facilitators' ability to enter into a vehicle sharing agreement to shared vehicle drivers that have a valid driver's license for the operation of the shared vehicle (or specified criteria for nonresidents). Establishes recordkeeping requirements for facilitators regarding shared vehicles' driver's and other anticipated operator's licensing.

Places sole responsibility of shared vehicle equipment on the facilitator put in or on the vehicle to monitor or facilitates the vehicle's use, with required indemnification of the shared vehicle owner and the right to seek indemnification from the shared vehicle driver for loss or damage during the vehicle sharing period.

Requires a facilitator to verify there are no outstanding safety recalls prior to a shared vehicle owner making the shared vehicle available through the facilitator, and requires giving notice of this requirement to a shared vehicle owner. Details required actions for when a shared vehicle owner has received actual notice of a safety reclass on a shared vehicle, including not making the shared vehicle available or removing the shared vehicle's availability through the facilitator.

Establishes recordkeeping requirements for facilitators regarding the use of a shared vehicle, which must be provided to the shared vehicle owner, the owner's insurer, or the shared vehicle driver's insurer upon request. Requires records to be maintained to align with applicable statutes of limitations for personal injury actions.

Requires facilitators to be permitted by the Division of Motor Vehicles (DMV) before operating; sets a \$5,000 application and annual renewal fee. Requires the DMV to prescribe the form of the permit and renewal applications, with specified required information including proof of required insurance. Allows DMV to retain the fees collected and use the funds for its operations.

Enacts GS 58-33-17.1, authorizing the Commissioner of Insurance to issue a facilitator a limited license authorizing the licensee to act as an agent of any insurer authorized to write the kinds of insurance relevant to the use of shared vehicles. Sets limited license qualifications to include a written, signed application with a signed and affirmed certification by the insurer that is to be named in the limited license of the applicant's trustworthiness and competency and that the insurer will appoint the applicant to act as its agent in reference to the specified types of insurance if the license is issued. Authorizes the Commissioner to take disciplinary action on the license and impose further penalties, subject to notice and hearing requirements, for violations of the statute. Identifies four kinds of insurance the limited licensee is authorized to act as an agent for the insurer in connection with the use of shared vehicles, including excess liability insurance that provides coverage to the licensee and shared vehicle drivers in excess of the standard liability limits provided in its vehicle sharing agreement, and

accident or health insurance that provides coverage to shared vehicle drivers and other occupants for accidental death or dismemberment and medical expenses results from an accident during the vehicle sharing period. Restricts policy issuance to vehicle sharing agreements that do not exceed 30 consecutive days and conditions issuance on the licensee's satisfaction of specified written notice requirements of the prospective shared vehicle drivers, and the provision of evidence of coverage to a shared vehicle driver who elects purchase. Provides for exercise of the licensee's rights by salaried employee of the licensee, under supervision. Requires facilitators to conduct training programs, subject to Commissioner approval, regarding instruction on the kinds of insurance specified and acknowledgements required to a prospective shared vehicle driver. Deems licensees subject to Article, except they are not required to treat premiums collected from shared vehicle drivers purchasing insurance when sharing vehicles as funds received in a fiduciary capacity so long as the insurer consented that premiums need not be segregated and the charges are itemized but not billed to the shared vehicle driver separately from the charges of the shared vehicle. Bars licensees from advertising, representing, or holding themselves out as licensed insurance agents or brokers.

Effective July 1, 2021.

Intro. by Sawyer, Perry.

[GS 20, GS 58](#)

[View summary](#)

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

S 629 (2021-2022) [NORTH CAROLINA DERBY ACT](#). Filed Apr 6 2021, *AN ACT FOSTERING NEW DEVELOPMENT IN THE EQUINE SECTOR OF THE AGRICULTURAL INDUSTRY ALSO BOLSTERING ECONOMIC ACTIVITY IN NC FOR RETAIL MERCHANTS, RESTAURANTS AND LODGING, TRAVEL AND TOURISM, AND THE HOSPITALITY INDUSTRY.*

Includes whereas clauses.

Enacts new GS Chapter 16A, North Carolina Derby Act, providing as follows.

Sets out NCGA findings related to horse racing. States that it is in the public interest to provide for a racing commission to: (1) regulate horse racing; (2) promote breeding and training of horses and the further development of the equine industry in this state; (3) promote farmland enhancement, the development of new crops in this state, and the enhancement of the state's agribusiness industry; (4) administer and enforce the provisions of this GS Chapter; and (5) develop a long-term plan for racing in North Carolina to determine the appropriate location and number of tracks to be built in this state so as to position any major track and its purse structure in the upper segment of good quality tracks while creating a strong breeding, foaling, and training structure throughout the state.

Establishes the North Carolina Racing Office (Office) within the North Carolina Lottery Commission (Commission), vested with control of all horse racing in the state and allowed to adopt rules governing racing and implementing this Chapter; sets out 12 specific powers and duties including licensing all racing personnel and adopting licenses, auditing books and distributing funds, collecting and distributing all taxes, and providing testing facilities for racing animals. Requires an annual report to the Commission, Governor, and NCGA that contains information necessary for the oversight of the Office's operations and responsibilities, including the specified information.

Makes the Executive Secretary in charge of executing rules adopted by the Commission and conducting the Office's business. Responsibilities include, among others, the licensing department, racing field personnel, and hiring and supervising Office personnel.

Requires all persons, other than admission-paying patrons or other members of the general public attending the horse races at licensed facilities, to be licensed by the Office. Prohibits engaging in any of the activities subject to licensing requirements without the appropriate license. Requires the Commission to create a schedule of license application requirements and application fees to support the activities of the Office in reviewing and administering licenses. Allows requiring that all licensed personnel sign waivers allowing drug testing.

Intro. by Lowe, Perry.

[GS 16A](#)

[View summary](#)

[Lottery and Gaming](#)

S 632 (2021-2022) **NORTH CAROLINA MOMNIBUS ACT**. Filed Apr 6 2021, *AN ACT TO ENACT THE NORTH CAROLINA MOMNIBUS ACT*.

Includes whereas clauses.

Part I.

Changes the title of Part 5 of Article 1B of GS Chapter 130A to Maternal Health. Enacts GS 130A-33.61 establishing the 17-member Social Determinants of Maternal Health Task Force (Task Force) within the Department of Health and Human Services (DHHS) to develop a strategy to coordinate efforts between State agencies to address social determinants of maternal health with respect to pregnant and postpartum individuals. Defines *social determinants of maternal health* as nonclinical factors impacting maternal health outcomes, including economic, neighborhood, social and community, household, education access and quality, and health care access factors. Sets out membership requirements, and provides for selecting a chair. Requires a report no later than two years after the act becomes effective, to the Governor and NCGA on the plan to coordinate efforts, recommendations on funding, and on how to leverage services under the State's Medicaid program.

Requires DHHS to establish and operate a Maternal Mortality Prevention Grant Program (grant program) to award grants to eligible entities to establish or expand programs for the prevention of maternal mortality and severe maternal morbidity among black women. Requires applicants to be community-based organizations offering programs and resources aligned with evidence-based practices for improving maternal health outcomes for black women. Requires DHHS, beginning July 1, 2021, to conduct outreach to encourage eligible applicants to apply and provide application assistance. Awards a maximum of five grants with amounts ranging from \$10,000 to \$50,000. Sets out criteria to be considered when awarding the grants. Sets out the types of technical assistance DHHS must provide. Requires DHHS to report to the specified NCGA committee and division by October 1, 2023, and October 1, 2024; sets out issues to be addressed in those reports. Sets the grant program to expire on June 30, 2023.

Appropriates the following from the General Fund to DHHS, Division of Public Health, for 2021-22: (1) \$23,000 in recurring funds to be allocated to the Task Force; (2) \$82,000 in recurring funds to establish a Public Health Program Coordinator IV position with responsibilities related to the Task Force and grant program; and (3) \$395,500 to be allocated to the grant program, allowing up to 10% of the funds to be used for administrative purposes. Appropriates those same amounts for similar purposes in 2022-23. Authorizes DHHS to hire a Public Health Program Coordinator IV. Effective July 1, 2021.

Effective October 1, 2021, unless otherwise indicated.

Part II.

Enacts new GS 130A-33.62, providing as follows. Requires DHHS, in collaboration with (1) community-based organizations led by Black women that serve primarily Black birthing people and (2) a historically Black college or university or other institution that primarily serves minority populations to create or identify an evidence-based implicit bias training program (training program) for health care professionals involved in perinatal care (the provision of care during pregnancy, labor, delivery, and postpartum and neonatal periods). Sets out 12 minimum components of the training program, including identification of previous or current unconscious biases and misinformation; identification of personal, interpersonal, institutional, structural, and cultural barriers to inclusion; corrective measures to decrease implicit bias at the interpersonal and institutional levels; and information about how to communicate more effectively across identities. Requires all health care professionals to complete the training program, specifying deadlines for completion depending on whether the individual is licensed before or after January 1, 2022. Requires proof of completion for license/registration/accreditation/certification renewal. Defines a *health care professional* as a licensed physician or other health care provider licensed, registered, accredited, or certified to perform perinatal care and regulated under the authority of a health care professional licensing authority. Encourages DHHS to seek opportunities to make the training program available to all health care professions and to promote its use among four specified types of providers and programs. Requires DHHS to collect specified information related to maternal mortality to inform ongoing improvements to the training program.

Enacts GS 130A-33.63 specifying that a patient getting care at a perinatal care facility (a hospital, clinic, or birthing center providing perinatal care in the state), has six listed rights, including: to be informed of continuing health care requirements following discharge; to actively participate in decisions regarding the patient's medical care and the right to refuse treatment; and to receive care and treatment free from discrimination on the basis of age, race, ethnicity, color, religion, ancestry,

disability, medical condition, genetic information, marital status, sex, gender identity, gender expression, sexual orientation, socioeconomic status, citizenship, nationality, immigration status, primary language, or language proficiency. Requires perinatal care facilities to provide patients upon admission with a written copy of the rights.

Effective October 1, 2021.

Part III.

Requires DHHS to study five specified issues affecting women serving in the military, including coordinating effectively between veterans' health care facilities and non-veterans health care facilities in the delivery of maternity care and other health care services; facilitating access to community resources to address social determinants of health; and reducing maternal mortality and severe maternal morbidity, with a particular focus on racial and ethnic disparities in maternal health outcomes. Requires DHHS to consult with the Department of Military and Veterans Affairs (DMVA) in conducting the study. Requires DHHS to report to the specified NCGA committees and division by April 1, 2022.

Appropriates \$100,000 for 2021-22 from the General Fund to DHHS for the study.

Effective July 1, 2021.

Part IV.

States the NCGA's intent to support data collection, surveillance, and research on maternal health as a result of the COVID-19 public health emergency. Defines *COVID-19 public health emergency* as the period beginning on the date that the US Secretary of Health and Human Services declared a public health emergency with respect to COVID-19 under section 319 of the Public Health Service Act (42 U.S.C. § 247d) and ending on the later of the end of such public health emergency or January 1, 2023. Appropriates \$529,311 in recurring funds and \$3.5 million for 2021-22 and \$529,311 in recurring funds for 2022-23 from the General Fund to DHHS to be allocated in the specified amounts to: (1) support the work of the Task Force on Birthing Experience and Safe Maternity Care During a Public Health Emergency (described below); (2) hire five full-time, permanent positions to support DHHS in collecting data about the impact of COVID-19 on pregnant, birthing, and postpartum individuals, including data on COVID-19 testing, infections, hospitalizations, and vaccinations and health outcomes for pregnant, birthing, and postpartum individuals and their infants confirmed or suspected of being infected with COVID-19; and conducting public health education activities as described below; (3) establishment and operation of a one-year competitive grant program to ensure safe maternity care staffing levels at safety net hospitals and health clinics that provide maternity care services, which provides 10 grants in the amount of \$150,000, subject to specified program requirements, including reporting requirements; and (4) acquire and distribute personal protective equipment to perinatal workers practicing in noninstitutional settings that provide such equipment to their employees or in communities that are disproportionately affected by COVID-19 and adverse maternal health outcomes. Effective July 1, 2021.

Requires DHHS to partner with and award subgrants to: (1) clinical stakeholders, community-based organizations, and federally recognized Indian tribes, to assist with the collection and analysis of data on the impact of COVID-19 on pregnant and postpartum patients and their newborns, particularly among patients from racial and ethnic minority groups and (2) clinical stakeholders, community-based organizations, and federally recognized Indian tribes, to provide timely, continually updated guidance to families and health care providers on ways to reduce risk to pregnant and postpartum individuals and their newborns and tailor interventions to improve their long-term health. Sets out three criteria to be given special consideration in awarding the grants.

Requires DHHS to give the public information and education about COVID-19 and pregnancy, with a particular focus on pregnant individuals in communities disproportionately affected by maternal mortality and COVID-19. Requires licensed hospitals and health care facilities that provide maternity care services during the COVID-19 public health emergency to give patients information about hospital policies that may affect patient care during pregnancy, labor, delivery, and postpartum, including hospital visitor policies.

Requires licensed hospitals and health care facilities providing maternity care services during the COVID public health emergency to: (1) provide patients with updated and accurate information about hospital policies that may affect patient care during pregnancy, labor, delivery, and postpartum, including visitor policies; (2) allow maternity care patients to have at least one support person with them during labor, delivery, and postpartum recovery; (3) make efforts to safely accommodate the presence of doulas during labor, delivery, and postpartum care and recognize doulas as members of patients' perinatal care teams; (4) implement policies equitably; (5) ensure that institutional policies and practices do not violate patients' rights to

reject treatments or birth interventions; and (6) integrate COVID-19 considerations into discussions with patients about the risks and benefits of health care decisions during informed consent processes.

Enacts new GS 130A-33.64 in Part 5 of Article 1B of GS Chapter 130A, as amended above, to establish the 25-member Task Force on Birthing Experience and Safe Maternity Care During a Public Health Emergency (Task Force) within DHHS to develop recommendations on respectful maternity care during the COVID-19 public health emergency and other public health emergencies, with a particular focus on outcomes for individuals from racial and ethnic minority groups and other underserved communities, and to make those recommendations publicly available in multiple languages. Sets out 13 issues the Task Force's recommendations must address, including strategies to increase access to specialized care for individuals with high-risk pregnancies; COVID-19 diagnostic testing for pregnant individuals and individuals in labor; licensing, training, and reimbursement for midwives from racial and ethnic minority groups and underserved communities; and strategies to address hospital capacity issues in communities with an increase in COVID-19 cases, or cases caused by future public health emergencies. Sets out membership requirements, provides for selecting a chair, and requires quarterly meetings. Requires DHHS and the Task Force to report every two years, beginning January 1, 2023, to the Governor and NCGA on its recommendations and on specified additional issues. Effective October 1, 2021.

Intro. by Murdock, Batch, Salvador.

[APPROP, STUDY, GS 130A](#)

[View summary](#)

[Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Department of Military & Veterans Affairs, Health and Human Services, Health, Health Care Facilities and Providers, Public Health, Military and Veteran's Affairs](#)

S 643 (2021-2022) [INVEST NC BOND ACT OF 2021](#). Filed Apr 6 2021, *AN ACT TO ENACT THE INVEST NC BOND ACT OF 2021*.

Titles the act as the Invest NC Bond Act of 2021. States the act's purpose and legislative findings, and provides seven defined terms.

Subject to voter approval at the statewide election on November 2, 2021, authorizes the State Treasurer to issue and sell, either at one time or from time to time, general obligation bonds and notes up to \$4.7 billion, subject to consent of the Council of State. Restricts use of the proceeds of the public improvement bonds and notes to specified projects and amounts, with general total amounts totals of: \$2.5 billion for public instruction, \$229 million for relocation of Health and Human Resources Headquarters, \$155,821,500 for Department of Health and Human Services, \$45 million for Reedy Creek Lab, \$500 million for community colleges, \$783 million for the University of North Carolina, and \$439 million for the Department of Natural and Cultural Resources. Details special allocation provisions applicable to the following uses of bond and note proceeds.

Concerning proceeds used for public schools capital assistance, requires (1) equal allocation among counties of \$1 billion; (2) allocation of \$375 million among local administrative units located in counties whose wealth is less than the State average wealth, as specified; (3) allocation of \$1,125,000,000 among local administrative units on the basis of average daily membership for the 2020-21 fiscal year, as specified; (4) except for low-wealth counties, local matching of proceeds at a \$1 match for every \$3 of proceeds for units in development tier one areas, \$1 match for every \$2 of proceeds for units in development tier two areas, and \$1 match for every \$1 of proceeds for units in development tier three areas, with periodic reports on matching to the State Board of Education and annual reports on the impact of funds provided on the property tax rate, and provisions for reallocating unmatched funds; and (5) guarantees proceeds received are used for acquisition of real property and construction, acquisition, reconstruction, enlargement, renovation or replacement of buildings and other structures, and that proceeds only supplement and do not decrease local funds for those projects.

Concerning proceeds used for community colleges for new construction, repairs, and renovations, requires the proceeds be used for new construction or rehabilitation of existing facilities and repairs and renovations only. Requires all such purchases and replacements to have a useful life of at least 10 years and any renovation must extend the useful life of the facility at least 10 years. Requires matching of proceeds for new construction projects only at \$1 match for every \$3 of proceeds for projects

in development tier one areas, \$1 match for every \$2 of proceeds for projects in development tier two areas, and \$1 match for every \$1 of proceeds for projects in development tier three areas.

Details the allocation and accounting of improvement bond proceeds. Allows for investment by the State Treasurer and use of investment earnings as specified. Sets forth further parameters regarding use of proceeds with other available monies and disbursement. Requires the State Treasurer or a designee to set up a comprehensive system of tracking the proceeds to account for use and compliance. Allows the State Treasurer to withhold proceeds for not complying with tracking requirements.

Details the procedure and requirements for issuance of the improvement bonds and notes, including: required terms and conditions; required signatures, forms, and registration; the manner of sale and expenses; notes and repayment; refunding of bonds and notes; tax exemption; investment eligibility; faith and credit of the State pledged; and other agreements the State Treasurer can provide for bond insurance and other derivative products.

Provides for the variable rate demand authority of the State Treasurer of the bonds and notes and sets restrictions concerning the aggregate principal amounts payable by the State under a credit facility, as defined by the act.

Provides guidance for the act's interpretation, including that the act is meant to provide an additional or alternative financing method, statutory cross references may be amended, the act is to be construed broadly, the act supersedes other conflicting law; and the act's provisions are severable.

Requires any funds from the bond authorized by this act that are expended for school technology for public schools to be reported to the State Board of Education and be credited against the judgment in *N.C. Sch. Bds. Ass'n. v. Moore*, No. 98-CVS-14159 (NC 41 Super. Ct.).

Intro. by Garrett, Batch, Crawford.

UNCODIFIED

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Environment, Government, Cultural Resources and Museums, State Agencies, Community Colleges System Office, UNC System, Department of Administration, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources), Department of Environmental Quality (formerly DENR), Department of Health and Human Services, Department of State Treasurer, Local Government

S 644 (2021-2022) **LANDLORD/TENANT CHANGES**. Filed Apr 6 2021, *AN ACT TO CLARIFY AND REAFFIRM THE STATUTORY AUTHORITY OF LANDLORDS TO RECOVER OUT-OF-POCKET EXPENSES AND LITIGATION COSTS IN SUMMARY EJECTMENT PROCEEDINGS AND TO MAKE VARIOUS CHANGES TO THE LANDLORD/TENANT STATUTES*.

Part I.

Amends GS 42-46 concerning fees, costs, and expenses in summary ejectment proceedings. Clarifies that the fees a landlord is authorized to charge pursuant to a written lease for filing a complaint, a court appearance, or trial following an appeal from a magistrate's judgment are *administrative fees*, defined to exclude out-of-pocket expenses, litigation costs, or other fees. Makes conforming changes. Adds a new provision stating it is against public policy for a landlord to claim or for a lease to provide for the payment of any out-of-pocket expenses or litigation costs for filing a complaint for summary ejectment and/or money owed rather than those expressly authorized in subsection (i). Modifies subsection (i) to provide for recovery of reasonable attorneys' fees actually paid or owed, rather than incurred, subject to existing caps. Specifies that the out-of-pocket expenses and litigation costs listed in subsection (i) can be included by the landlord in the amount required to cure a default. Makes further clarifying changes.

States intent for the above provisions to apply retroactively to all pending controversies as of the date the act becomes law, as the changes are intended to clarify legislative intent under previous amendments to the statute.

Part II.

Enacts GS 42-14.5 to establish that the criminal record of any prospective or current residential lessee, occupant, or guest does not make any future injury or damage arising from the lessee, occupant, or guest foreseeable by the lessor or the lessor's agent. Establishes that the residential lessor or the lessor's agent is not obligated to screen for or refuse to rent because of the criminal record of a prospective or current lessee, occupant, or guest. Specifies that the statute does not prohibit a residential lessor or the lessor's agent from using a criminal background check as grounds for refusing to rent to any prospective or current lessee.

Amends GS 42-25.7 to provide that residential landlords have rights concerning the personal property of their residential tenants in accordance with GS 28A-25-2 (Effect of affidavit), as amended, in addition to other specified state law.

Amends GS 28A-25-1, Collection of property by affidavit when decedent dies intestate. Explicitly entitles the public administrator or an heir that has presented an affidavit pursuant to subsection (a) of the statute to remove or dispose of the decedent's personal property located in demised premises.

Amends GS 28A-25-1.1, Collection of property by affidavit when decedent dies testate. Explicitly entitles the public administrator, a person named or designated by the executor in the will, or an heir that has presented an affidavit pursuant to subsection (a) of the statute to remove or dispose of the decedent's personal property located in the demised premises.

Amends GS 28A-25-2, Effect of affidavit, to discharge or release a lessor or lessor's agent of the demised premises that removes or disposes of the personal property located in the demised premises, at the direction of an affiant authorized under GS 28A-25-1(d) and GS 28A-25-1.1(d), as enacted, to the same extent as if the lessor dealt with a duly qualified personal representative of the decedent. Adds that the lessor is not required to see to the application of the personal property or evidence of the personal property, or to inquire into the truth of any statement in the affidavit.

Intro. by Britt, Perry, Newton.

[GS 28A, GS 42](#)

[View summary](#)

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

S 651 (2021-2022) [AMEND VETERINARY PRACTICE ACT](#). Filed Apr 6 2021, *AN ACT TO MAKE VARIOUS CHANGES TO THE VETERINARY PRACTICE ACT*.

Revises Article 11, *Veterinarians*, of GS Chapter 90 as follows. Makes technical and clarifying changes to the Article's definitions. Adds the term *veterinary consulting*, defined as when any person, whose expertise the veterinarian believes would benefit the veterinarian's patient, provides advice by any means of communication to a veterinarian at the veterinarian's direction or request; specifies that veterinary consulting does not constitute the practice of veterinary medicine by that act alone. Eliminates the term *veterinary student preceptee*. Makes conforming changes throughout to eliminate provisions regulating veterinary student preceptees. Makes technical conforming changes. Effective October 1, 2021.

Intro. by Rabon.

[GS 90](#)

[View summary](#)

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

S 653 (2021-2022) [UNC/CC FINANCIAL AID PROGRAM CONSOLIDATION](#). Filed Apr 6 2021, *AN ACT CONSOLIDATING THE UNIVERSITY OF NORTH CAROLINA NEED-BASED FINANCIAL AID PROGRAM, THE EDUCATION LOTTERY SCHOLARSHIP PROGRAM, AND THE NORTH CAROLINA COMMUNITY COLLEGE GRANT PROGRAM INTO THE NORTH CAROLINA NEED-BASED SCHOLARSHIP FOR PUBLIC COLLEGES AND UNIVERSITIES*.

Part I.

Adds new Part 5, The North Carolina Need-Based Scholarship for Public Colleges and Universities (Scholarship Program), in Article 23 of GS Chapter 116. Sets out the following requirements to be met for a student seeking a degree, diploma, or certificate at an eligible postsecondary institution to receive a scholarship: (1) qualify as a resident for tuition purposes under the specified criteria and in accordance with the coordinated and centralized residency determination process administered by

the State Education Assistance Authority (Authority); (2) meet enrollment standards by being admitted, enrolled, and classified as an undergraduate student in a matriculated status at an eligible postsecondary institution, allowing the UNC President and President of the North Carolina Community College System to jointly agree to additional enrollment standards for the Program; and (3) submit a Free Application for Federal Student Aid (FAFSA) and demonstrate need. Defines an *eligible postsecondary institution* as a school that is a constituent institution of The University of North Carolina or a community college. Requires that for continued enrollment that the student meet achievement standards by maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the eligible postsecondary institution in which the student is enrolled.

Sets out how many semesters a student may receive the scholarships. Sets scholarship amounts based on a schedule developed jointly by the President of The University of North Carolina and the President of the North Carolina Community College System, in consultation with the Authority. Requires the payment schedule to clearly define award amounts by type of eligible postsecondary institution and student financial need.

Requires the Authority to administer the scholarships and conduct periodic evaluations of expenditures under the Program to determine if allocations are used to ensure access to eligible postsecondary institutions and to meet the goals of respective programs. Requires the Authority to report annually beginning December 1, 2024, to the specified NCGA committee. Sets out what is to be included in the report, including the amount disbursed and number of students receiving funds.

Establishes the Scholarship Reserve Fund for Public Colleges and Universities (Reserve Fund) consisting of: (1) funds appropriated by the NCGA for the Program from the Education Lottery Fund in the Current Operations Appropriations Act, (2) funds appropriated by the NCGA for the Program from the Escheat Fund in the Current Operations Appropriations Act, (3) funds appropriated by the NCGA for the Program from the General Fund in the Current Operations Appropriations Act, (4) all returned scholarship funds from the Program, and (5) all interest earned on these funds. Requires the creation of two reserves within the Reserve Fund, the University of North Carolina (UNC Reserve) and the North Carolina Community College System (CC Reserve) with the amount of funds in each reserve to be determined according to the payment schedules. Sets out funds that are to be in each of the reserves for the 2022-23 fiscal year. Money in the Reserve Fund remains available until expended. Sets out provisions governing the use of funds in the Reserve Fund for administrative costs.

Amends GS 116B-7 to require the Authority to deposit an amount specified in the Current Operations Appropriations Act from the Escheat Fund into the Reserve Fund each fiscal year to fund the Scholarship Program.

Requires by May 1, 2022, that the UNC President and the President of the North Carolina Community College System report the payment schedule required by this act and any recommended legislative changes for the Scholarship Program to the specified NCGA division and committees.

Requires the following to instead be appropriated to the Reserve Fund to fund scholarships beginning with the 2023-24 academic year: (1) \$77,898,523 in recurring funds appropriated to the UNC Board of Governors for The University of North Carolina Need-Based Financial Aid Program and (2) \$165,000 in recurring funds appropriated to the Community Colleges System Office for the North Carolina Community College Grant Program.

Requires beginning with the 2022-23 fiscal year, of the funds appropriated from the Education Lottery for (1) the UNC Need-Based Financial Aid Program each fiscal year, the sum of \$10,744,733 in recurring funds and (2) Scholarships for Needy Students, the sum \$30,450,000 must instead be appropriated to the Reserve Fund beginning with the 2023-24 academic year.

Requires beginning with the 2022-23 fiscal year, of the funds allocated to the State Education Assistance Authority from the Escheat Fund for (1) the University of North Carolina Need-Based Financial Aid Program each fiscal year, the sum of \$37,287,242 in recurring funds and (2) the North Carolina Community College Grant Program each fiscal year, \$15,785,000 in recurring funds to instead be appropriated to the Reserve Fund.

Appropriates \$15,950,000 for 2021-22 from the General Fund to the Community Colleges System Office for the North Carolina Community College Grant Program to provide scholarships for students for the 2022-23 academic year. States the NCGA's intent to provide forward funding for these scholarships in a reserve under the Scholarship Program beginning with the 2023-24 academic year.

Requires the Authority, by October 15, 2022, to transfer any unexpended balances remaining in the reserves for the University of North Carolina Need-Based Financial Aid Program and the Education Lottery Scholarship to the Reserve Fund.

Effective January 1, 2022, and applies to scholarships awarded beginning with the 2023-24 academic year.

Part II.

Repeals Article 35A (College scholarships) of GS Chapter 115C.

Amends GS 116-209.19A by making conforming changes to the list of scholarships administered by the Authority.

Amends GS 115D-40.1 as follows. Removes the provision related to need-based assistance programs for community college students. Expands who may receive targeted financial assistance to include students enrolled in fewer than six credit hours per semester who otherwise qualify for need-based financial aid programs. Removes the cap on the amount of funds that can be allocated. Makes additional conforming changes.

Repeals GS 115D-40.2, which set semester limitations on eligibility for North Carolina Community College grants.

Repeals GS 116-25.1, which set semester limitations on eligibility for the University of North Carolina need-based financial aid grants.

Effective July 1, 2023.

Intro. by Ballard, Chaudhuri, Lee.

[APPROP, GS 115C, GS 115D, GS 116, GS 116B](#)

[View summary](#)

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

S 654 (2021-2022) [K-12 COVID-19 PROVISIONS](#). Filed Apr 6 2021, *AN ACT TO PROVIDE RELIEF TO PUBLIC SCHOOLS IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC*.

Part I.

Directs the State Board of Education (State Board) not to calculate achievement, growth, and performance scores or display performance scores, growth, designations, and letter grades for schools for the 2021-22 school year, based on data from the 2020-21 school year. Directs the State Board to display a brief explanation that these scores and grades were not calculated and assigned for the 2021-22 school year because assessment data was heavily impacted by COVID-19.

Directs the State Board to issue an annual report card for public school units for 2021-22 based on data from the 2020-21 school year that only meets the minimum accountability, school identification, and related reporting requirements of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, required under the federal waiver granted by the US Department of Education for the 2020-21 school year, as specified.

Provides that public school units are only required to display the annual report card information issued by the State Board pursuant to these provisions for the 2021-22 school year.

Part II.

Establishes the following requirements for the 2021-22 school year.

Directs the State Board not to identify additional low-performing schools, continually low-performing schools, or low-performing local school administrative units based on data from the 2020-21 school year. Provides that previously identified low-performing or continually low-performing schools, or low-performing administrative units, based on 2018-19 data, must continue to be identified as such and carry out their respective State Board-approved plans. Provides for the following distinct requiring based on identification.

For low-performing schools, requires the State Board and local boards to continue to provide online access to each low-performing school's plan pursuant to state law. Does not require written parental notice to be provided again, but requires local boards to include with their online final plans a brief explanation that identification continues pending assessment data from the 2021-22 school year.

For continually low-performing schools, requires assistance and intervention levels provided for the 2019-20 school year based on low-performing designations for two or three years to continue. Authorizes local boards to request to reform a continually low-performing school as provided in state law.

For low-performing local school administrative units, requires the State Board and local board to continue to provide online access to each low-performing local school administrative unit's plan pursuant to state law. Does not require written parental notice to be provided again, but requires local boards to include with their online final plans a brief explanation that identification continues pending assessment data from the 2021-22 school year. Deems the provisions of GS 115C-105.39(c) through (e), which authorize the State Board to appoint an interim superintendent in an administrative unit, to not apply.

Part III.

Enacts GS 115C-84.3, permitting a public school unit to use up to five remote instruction days or 30 remote instruction hours when school are unable to open due to severe weather conditions, energy shortages, power failures, or other emergency situations, using that time towards the required instructional days or hours for the school calendar. Defines *remote instruction* to mean instruction delivered to students in a remote location outside the school facility; excludes NC Virtual Public School courses, certain e-learning courses, institution of higher education courses, homebound instruction required by an individualized education program, and instruction provided during a short- or long-term suspension. Otherwise explicitly prohibits using remote instruction to satisfy the minimum required number of instructional days or hours for the school calendar. Requires governing boards to annually submit a remote instruction plan to the State Board by July 1 if it chooses to use remote instruction pursuant to the statute, providing a detailed framework and information on the number of remote instruction days or hours used in the prior school year to satisfy instructional requirements, when applicable. Lists seven minimum components a remote instruction plan must include, such as identification of facilitating resources to be used, and communication with and training opportunities for teachers, administrators, instructional support staff, parents, and students on how to access and use remote instruction resources. Directs the State Board to annually report to the specified NCGA committee on each remote instruction plan with a summary of the number of remote instruction days or hours used by each governing board in the prior school year, analysis of the Board's review of remote instruction implementation, and other data the Board deems useful in evaluating remote instruction use and delivery.

Makes conforming changes to GS 115C-84.2, providing for the use of remote instruction for making up days and instruction hours missed in the school calendar adopted by local boards. Makes conforming changes to the following statutes, providing for the use of remote instruction within the instructional requirements set forth for charter schools, innovative schools, regional schools, laboratory schools, and renewal school systems: GS 115C-218.85; GS 115C-238.53; GS 115C-238.66; GS 116-239.8; and Section 6 of SL 2018-32. Makes technical changes to GS 115C-238.53.

Applies to the 2021-22 school year; repealed June 30, 2022.

Part IV.

Provides that schools identified as an eligible school in the 2019-20 and 2020-21 school years to administer the principal recruitment supplement under GS 115C-285.1(a)(2) (defined as a low-performing school that received an overall school performance score that placed it in the bottom 5% of all schools in the State in the prior school year) and Section 2.13(a) of SL 2020-3 (which continued eligibility for schools eligible under the statutory provision for 2019-20) remain an eligible school in the 2021-22 school year.

Part V.

Requires a principal, for the 2021-22 school year, to provide a teacher with additional context upon notification that the teacher's EVAAS data is available regarding years on which data is based and the extent to which the students on which the data is based were taught by another teacher.

Part VI.

Directs the State Board to, for the 2021-22 school year, contextualize teacher effectiveness data by specifying the years on which the data is based and the extent to which it is not reflective of teacher performance because the students on which the data is based were taught by more than one teacher.

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

S 660 (2021-2022) **REGULATE DISSEMINATION OF BOOKING PHOTOGRAPH**. Filed Apr 6 2021, *AN ACT TO REGULATE THE DISSEMINATION AND REMOVAL OR DESTRUCTION OF BOOKING PHOTOGRAPHS*.

Enacts new GS 15A-502.01 to prohibit a law enforcement agency from providing a copy of a booking photograph in any format to a person requesting a copy if: (1) the booking photograph will be placed in a publish-for-pay publication or posted to a publish-for-pay website or (2) the booking photograph is prohibited from disclosure under GS 132-1.4 (Criminal investigations; intelligence information records; Innocence Inquiry Commission records). Defines *booking photograph* as a photograph or image of an individual generated for identification purposes when the individual is booked into a detention facility. Requires the person requesting the booking photograph to affirm in a written statement that it will not be used for the prohibited purposes. Sets out the procedure for requiring a publish-for-pay publication or publish-for-pay website to remove or destroy a booking photograph, when requested. If the photograph is not removed and destroyed as required, the individual submitting the removal request may bring a civil action about the publication or website which will be liable for all costs, including reasonable attorneys' fees, resulting from any legal action the individual brings in relation to the failure of the publish-for-pay publication or publish-for-pay website to remove and destroy the booking photograph, as well as the specified civil penalty amounts.

Amends GS 15A-152, concerning civil liability for dissemination of certain criminal history information, to specify that it does not apply to booking photographs.

Amends GS 132-1.4 to specify that booking photographs are not public record, unless: (1) the person in the booking photograph is convicted of a criminal offense based upon the conduct for which the person was incarcerated at the time the photograph was taken, (2) a law enforcement agency releases or disseminates the photograph after determining that the individual is a fugitive or an imminent threat to another person or to the public and that releasing or disseminating the photograph will assist in apprehending the person or reducing or eliminating the threat, or (3) a court of competent jurisdiction orders the release or dissemination of the photograph based on a finding that the release or dissemination is in furtherance of a legitimate law enforcement interest. Makes additional conforming and clarifying changes.

Allows the Revisor of Statutes to make specified changes.

Effective October 1, 2021.

Intro. by Lazzara, Britt, Nickel.

GS 15A, GS 132

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

S 662 (2021-2022) **COVID-19/PARENT-INITIATED PEP**. Filed Apr 6 2021, *AN ACT TO PROVIDE FOR PERSONAL EDUCATION PLANS FOR STUDENTS AT THE REQUEST OF A PARENT OR GUARDIAN*.

Contains whereas clauses. Requires local school administrative units to develop a personal education plan for a student at the request of the student's parent/guardian, and requires the plan to address specified topics. Establishes that there is no cause of action for monetary damages for failure to implement a personal education plan. Requires schools to report to the State Board of Education on implementation of this act by July 15, 2023. Requires the State Board of Education to report to the Joint Legislative Education Oversight Committee on implementation of this act by October 15, 2023. Effective upon becoming law, and applies to requests for personal education plans in the 2021-2022 and 2022-2023 school years. Expires at the end of the 2022-2023 school year.

Intro. by Davis.

UNCODIFIED

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

Government, State Agencies, State Board of Education

S 663 (2021-2022) **NC PROMISE FUND RESERVE**. Filed Apr 6 2021, *AN ACT TO CREATE AN EMERGENCY RESERVE FOR THE NC PROMISE TUITION PLAN BUY DOWN*.

Appropriates \$15 million from the General Fund to the Office of State Budget and Management (OSBM) in fiscal year 2021-2022 to fund a reserve for the NC Promise tuition plan. Directs OSBM to allocate funds from the reserve to the UNC Board of Governors to be allocated to the constituent institutions participating in the NC Promise tuition plan which incur unsustainable losses and where State funds allocated for the "buy down" are insufficient in a fiscal year (under GS 116-143.11: State buys down obligations incurred by constituent institutions participating in NC Promise tuition plan resulting from established tuition rate). Requires the UNC Board of Governors to, within 30 days of an allocation from the reserve, report to the specified General Assembly committees and division on the allocation, circumstances underlying the allocation, and recommended changes to prevent future allocations. Effective July 1, 2021.

Intro. by Davis.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Agencies, UNC System, Office of State Budget and Management

S 664 (2021-2022) **HBCU SUCCESS ACT**. Filed Apr 6 2021, *AN ACT TO APPROPRIATE FUNDS FOR VARIOUS CAPITAL PROJECTS TO SUPPORT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA DESIGNATED AS HISTORICALLY BLACK COLLEGES AND UNIVERSITIES*.

Transfers \$80 million from the General Fund to the State Capital Infrastructure Fund for 2021-22. Appropriates those same funds to the UNC Board of Governors for the construction of a dorm at Elizabeth City State University.

Transfers \$32 million for 2021-22 and \$8 million for 2022-23 from the General Fund to the State Capital Infrastructure Fund. Appropriates those same funds to the UNC Board of Governors for the library replacement project at Elizabeth City State University.

Transferred \$57 million from the General Fund to the State Capital Infrastructure Fund for 2021-22. Appropriates those same funds to the UNC Board of Governors for the project at K.R. Williams Auditorium at Winston-Salem State University.

Effective July 1, 2021.

Intro. by Davis, Steinburg, Lowe.

APPROP

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, State Agencies, UNC System

S 665 (2021-2022) **PREVENT UNLICENSED MENTAL HEALTH FACILITIES**. Filed Apr 6 2021, *AN ACT TO PROTECT NORTH CAROLINA CITIZENS FROM THE UNLICENSED OPERATION OF MENTAL HEALTH FACILITIES OR PROGRAMS PROVIDING SERVICES REQUIRING A LICENSE UNDER ARTICLE 2 OF CHAPTER 122C OF THE GENERAL STATUTES*.

Includes a whereas clause.

Retitles Article 2, GS Chapter 122C, as "Licensure Facilities for Individuals With Health Disorders, Developmental Disabilities, and Substance Use Disorders" (was Licensure of Facilities for Mentally Ill, the Developmentally Disabled, and Substance Abusers). Makes conforming changes throughout the Article.

Makes clarifying and technical changes to GS 122C-21, which states the Article's purpose.

Enacts GS 122C-28.1 to require the Department of Health and Human Services to conduct follow-up visits following the issuance of a cease and desist order to facilities providing services without a required license under Article 2, *Licensure of Facilities for the Mentally Ill, the Developmentally Disabled, and Substance Abusers*. Directs that the follow-up visits are to ensure (1) services requiring licensure are no longer available or conducted at the site; (2) an application for, or receipt of, required licensure has been submitted or obtained; (3) receipt of certification by a nationally recognized agency that allows the facility to be deemed licensed; or (4) the facility or program is no longer in operation. Requires DHHS to collect information on the total number of fines collected under GS 122C-28.

Amends GS 122C-23(e1), which prohibits the DHHS Secretary from enrolling new providers for Medicaid Home or Community Based services or other Medicaid services or issue a license for a new facility or a new service to any applicant meeting four specified criteria. Now makes the prohibition applicable to enrollment of new providers in the NC Medicaid or NC Health Choice programs, revalidation as an enrolled provider in the Medicaid or NC Healthy Choice programs, or issuance of a license for a new facility or a new service which meets the four existing criteria.

Adds to the powers of the DHHS Secretary under GS 122C-27 the authority to issue orders directing facilities not licensed under Article 2 that are providing services requiring a license to cease and desist from engaging in any act or practice in violation of the Article's provisions. Makes technical changes.

Makes the above provisions apply to cease and desist letters sent by DHHS on or after the date the act becomes law, as applicable.

Amends GS 122C-28, making it a Class H felony, punishable by a fine of \$1,000 per day, to operate a facility without a license (was a Class 3 misdemeanor punishable by a fine of up to \$50 for the first offense, or up to \$500 for subsequent offenses). Applies to offenses committed on or after December 1, 2021.

Makes the following changes effective January 1, 2022.

Revises the individuals and entities excluded from Article 2 licensure requirements under GS 122C-22. Qualifies the exemption for physicians and psychologists engaged in private office practice by requiring that the individuals do not receive reimbursement under the Medicare program or the NC Medicaid or NC Health Choice programs. Makes a technical modification to the exemption for licensed general hospitals to require that they operate special units for patients with a mental health disorder diagnosis, one or more developmental disabilities, or a substance abuse disorder (was special units for the mentally ill, developmentally disabled, or substance abusers). Clarifies that the Commission on Public Health is authorized to adopt rules establishing a procedure whereby facilities that would otherwise require licensure under the Article (was licensable facilities) that are certified by a nationally recognized agency can be deemed licensed under the Article. Directs the DHHS Secretary to collaborate with relevant agencies to ensure that any facility deemed licensed maintain the required certification.

Directs the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (Division) to establish a database or expand upon an existing database that makes publicly available the status of any ongoing investigations of reported operation of a program or facility in violation of Article 2, including information on any penalties imposed and collected. Details database requirements.

Directs the Division to coordinate with the Department of Insurance to establish a toll-free number or website for individuals, providers, or insurers to use in verifying the operational and licensure status of a facility providing mental health, behavioral health, and substance use disorder services.

Directs the Division to collaborate with community organizations for a public information campaign about the appropriate types of care for individuals with mental health disorders that includes information on the importance of receiving care from a licensed facility or program with medical personnel licensed by the Medical Board.

Intro. by Batch, Chaudhuri, Crawford.

GS 122C

[View summary](#)

Government, State Agencies, Department of Health and Human Services, Department of Insurance, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Mental Health, Social Services, Public Assistance

S 666 (2021-2022) [UPDATE REQS./ADVANCE HEALTH CARE DIRECTIVES](#). Filed Apr 7 2021, *AN ACT UPDATING REQUIREMENTS FOR HEALTH CARE POWERS OF ATTORNEY AND ADVANCE HEALTH CARE DIRECTIVES; AND AUTHORIZING THE SECRETARY OF STATE TO RECEIVE ELECTRONIC FILINGS OF ADVANCE HEALTH CARE DIRECTIVES*.

Part I.

Changes the requirements for a health care power of attorney under GS 32A-16(3) to now require the written instrument to be signed in the presence of two qualified witnesses or acknowledged before a notary public (previously, required signature in the presence of two qualified witnesses *and* acknowledgement before a notary public). Makes conforming changes to the statutory form for health care power of attorney, set forth in GS 32A-25.1. No longer provides a weblink to the Advance Health Care Directive Registry.

Part II.

Changes the requirements for a health care declaration under GS 90-321 to now require the written document to be either (1) signed by the declarant in the presence of a notary public or two witnesses (was, two witnesses only) who believe the declarant to be of sound mind and who state that they are not four specified individuals with respect to the declarant, or (2) proved before a clerk or assistant clerk of superior court or a notary public (previously, required signature in the presence of two witnesses as described *and* to be proven before a clerk, assistant clerk or notary public). Makes conforming changes to the definition given for *declaration*. Makes conforming changes to the statutory form for advance directive for a natural death set forth in subsection (d1). No longer provides a weblink to the Advance Health Care Directive Registry.

Part III.

Allows for submission of specified documents and revocations to the Secretary of State for filing in the Advance Health Care Directive Registry under GS 130A-466 in electronic or hard copy format. No longer requires documents and revocations to be notarized (previously, only anatomical gift declarations were not required to be notarized). Adds a Health Insurance Portability and Accountability Act (HIPPA) waiver to the documents and revocations that can be filed.

Amends GS 130A-468 to direct the Secretary of State to file documents received in electronic format that can be filed with the registry to enter that document into the registry database and send a wallet-size card containing the document's file number and password to the person who submitted the document. Makes clarifying changes to specify existing similar procedures apply to hard copy documents received. Authorizes the Secretary of State to remove documents of deceased registrants from the registry upon notification of death in writing in a form acceptable to the Secretary of State.

Part IV.

Effective December 1, 2021.

Intro. by Krawiec, Burgin, Perry.

[GS 32A](#), [GS 90](#), [GS 130A](#)

[View summary](#)

[Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Government](#), [State Agencies](#), [Secretary of State](#), [Health and Human Services](#), [Health](#), [Health Care Facilities and Providers](#), [Public Health](#)

S 667 (2021-2022) [AMEND CERTIFICATES OF RELIEF](#). Filed Apr 7 2021, *AN ACT TO AMEND THE LAW REGARDING A CERTIFICATE OF RELIEF FOR CRIMINAL CONVICTIONS*.

Amends GS 15A-173.2 (provides for Certificates of Relief relieving collateral consequences of certain offenses) requiring that petitions for Certificates of Relief be filed in the county where the most serious offense occurred or, if the petitioner has been convicted of more than one offense of the same gravity, in the county of the most recent and most serious conviction. Amends this same section to direct the Senior Resident Superior Court Judge and Chief District Court Judge in each district to designate a Certificate of Relief point of contact who is to be trained in using a shared database. Also provides that supporting documentation provided by the petitioner be considered in reviewing the petition for a Certificate of Relief.

Amends GS 15A-173.4 (issuing, modifying, or revoking Certificates of Relief) to require notice to the district attorney in each district for petitions for a Certificate of Relief involving multiple offenses in multiple counties and to change the period of notice the court must give district attorneys and the petitioner to at least 30 days (was, three weeks) before the hearing. Effective December 31, 2021 and apply to petitions filed on or after that date.

Directs the Administrative Office of the Courts to establish a shared database for Certificate of Relief matters.

Intro. by Britt, Batch, Lazzara.

[View summary](#)

**Courts/Judiciary, Criminal Justice, Corrections
(Sentencing/Probation)**

S 668 (2021-2022) [ANTI-PENSION SPIKING AMDS & AMP LITIG. MORATORIUM](#). Filed Apr 7 2021, *AN ACT TO MAKE VARIOUS CHANGES TO THE CONTRIBUTION-BASED BENEFIT CAP LAWS; TO INSTITUTE A FIVE-YEAR MORATORIUM ON LAWSUITS AND CONTESTED CASES BY LOCAL SCHOOL BOARDS AGAINST THE STATE REGARDING THE IMPLEMENTATION OF THE ANTI-PENSION SPIKING CONTRIBUTION-BASED BENEFIT CAP; TO REQUIRE AN ANNUAL REPORT FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES DURING THE MORATORIUM ON PENSION SPIKING LITIGATION INITIATED BY SCHOOL SYSTEMS THAT INCLUDES AN ACCOUNTING OF LEGAL FEES PAID BY BOTH SIDES; AND TO REQUIRE AN ASSESSMENT OF THE FEASIBILITY OF RESOLVING DISPUTES REGARDING PENSION-SPIKING USING BINDING ARBITRATION.*

Adds *annualized final compensation* to the defined terms set forth for the Teachers' and State Employees' Retirement System (TSERS) in GS 135-1, defined as compensation received during the final year of service that is included in the member's average final compensation.

Amends GS 135-5(a3), regarding the anti-pension-spiking contribution-based benefit cap, to specify that the retirement allowance of a TSERS member with a final average compensation, as defined, of more than \$100,000, as indexed, is not subject to the contribution-based benefit cap if the compensation was earned from multiple simultaneous employers, unless an employer's share of the annualized average final compensation exceeds \$100,000, as indexed. Revises the provisions applicable for a member who became a member before January 1, 2015, or who has not earned at least five years of membership service in TSERS after January 1, 2015. Provides that if the retirement allowance of such a member exceeds the member's contribution-based benefit cap, then that member's retirement allowance cannot be reduced, but an additional contribution is required, as calculated under GS 135-4(jj) and GS 135-8(f)(2)f. (previously the member's last employer is required to make an additional contribution as specified in GS 135-8(f)(2)f.). Makes the additional contribution required from: (1) if the member's annualized final compensation from the member's last employer is \$100,000 or more, as indexed, then the additional contribution is required from the member's last employer; (2) if the member's annualized final compensation, as defined, from the member's last employer is less than \$100,000, as indexed, and if the member was not eligible to retire with an unreduced benefit at the time of hire by the last employer, then the additional contribution is required to be paid from the member's last employer; (3) if the member's annualized final compensation, as defined, from the member's last employer is less than \$100,000, as indexed, and if the member was eligible to retire with an unreduced benefit at the time of hire by the last employer, then the additional contribution is required from the most recent employer from which the member earned an annualized final compensation of \$100,000 or more, as indexed. Makes conforming deletions in GS 135-8(f)(2)f. regarding employer contributions for employees who became a member on or after January 1, 2015, and who earned at least five years of membership service after January 1, 2015. Effective retroactively to January 1, 2019, and applies to TSERS members who retire on or after that date.

Bars local boards of education from filing any legal actions against the State regarding the anti-pension spiking contribution-based benefit cap established in GS 135-5(a3), as amended, from the period beginning on the date the act becomes law and ending on June 30, 2026.

Establishes an annual reporting requirement for the Board of Trustees of TSERS (Board), beginning January 31, 2022, and ending in 2027, to report to the NCGA regarding all legal actions filed by local boards of education, included contested cases, regarding the anti-pension spiking contribution-based benefit cap of GS 135-5(a3), as amended. Details required content. Requires applicable local boards to provide a statement of legal fees and costs associated with each legal action to the Board

by January 1 of each year, beginning with the first required report, including both cumulative totals and itemized costs incurred.

Intro. by Burgin.

UNCODIFIED, GS 135

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Education, Elementary and Secondary Education, Employment and Retirement, Government, State Government, Local Government

S 670 (2021-2022) **ELECTRIC & AMP ZERO EMISSION VEH. CONSUM EDUC.** Filed Apr 7 2021, *AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF AN ELECTRIC VEHICLE AND OTHER ZERO EMISSION VEHICLE CONSUMER EDUCATION AND ADOPTION PROGRAM.*

Contains whereas clauses. Appropriates \$240,000 for each fiscal year of the 2021-2023 fiscal biennium from the General Fund to the North Carolina Automobile Dealers Association Charitable Foundation to establish a program to promote the public's awareness, understanding, and comfort with electric and other zero-emissions vehicle technology. Effective July 1, 2021.

Intro. by Burgin.

APPROP

[View summary](#)

Courts/Judiciary, Motor Vehicle, Government, Budget/Appropriations

S 672 (2021-2022) **DACA RECIPIENTS/IN-STATE TUITION.** Filed Apr 7 2021, *AN ACT TO AUTHORIZE CERTAIN BENEFICIARIES OF THE FEDERAL DEFERRED ACTION FOR CHILDHOOD ARRIVALS INITIATIVE TO RECEIVE IN-STATE TUITION AT THE UNIVERSITY OF NORTH CAROLINA CONSTITUENT INSTITUTIONS AND COMMUNITY COLLEGES IN THIS STATE.*

Amends GS 116-143.1 to allow a person who meets all of the following to be given resident tuition status at a UNC constituent institution or community college: (1) the person received a high school diploma from a secondary school or high school or received a high school equivalency diploma within the state, (2) the person attended state schools at least two consecutive years immediately prior to completing high school, (3) the person is a beneficiary of the federal Deferred Action for Childhood Arrivals (DACA) initiative and provides related documentation, and (4) the person satisfies the admission standards for the constituent institution or community college and has secured admission and enrolled as a student at the constituent institution or community college. Makes application information confidential and not a public record. Effective July 1, 2021, and applies beginning with the 2021-22 academic year.

Intro. by Nickel, Mohammed, Murdock.

GS 116

[View summary](#)

Education, Higher Education, Government, State Agencies, Community Colleges System Office, UNC System, Immigration

S 674 (2021-2022) **CARBON TAX.** Filed Apr 7 2021, *AN ACT TO IMPOSE A CARBON EMISSIONS TAX.*

Enacts new Article 2E, Carbon Emissions Tax, in Subchapter I of GS Chapter 105, providing as follows. Specifies that the tax under this Article is to be collected only once on the same carbon-based fuel product. Defines *carbon-based fuel product* as coal, a petroleum product, natural gas, or electricity produced from such fuels. Requires every distributor (the vendor of a carbon-based fuel, at the first point of sale within the state) to pay a tax on any carbon-based fuel product sold, used, or entered into the state by the distributor for purposes of distribution or use within the state. Sets the tax rate for 2022 at \$20 per metric ton of carbon dioxide equivalent that would be emitted through the combustion of a carbon-based fuel product; sets the rate for years after 2022 until the amount of tax reaches \$50 per metric ton of carbon dioxide equivalent, as the amount in effect for the

preceding calendar year plus \$5 and adjusted by the same percentage as the percent inflation used by the US Bureau of Labor Statistics Consumer Price Index; thereafter, the adjustment of the amount is to include only the inflation percentage. Requires annual publication of a table of the carbon dioxide equivalent applicable to each carbon-based fuel product taxed under this Article, and the amount of the tax applicable in the next calendar year. Exempts from the tax: (1) carbon-based fuel products to the extent that the carbon dioxide equivalent emitted as a result of combustion is sequestered and not released into the atmosphere; (2) any activities which this Article may purport to tax in violation of the US Constitution or any federal statute. Sets out compliance reporting requirements. Requires the tax proceeds to be credited: (1) in an amount equal to 10% of the proceeds to the General Fund to be used for the special purpose of investments in and promotion of renewable energy sources within the state and (2) the remainder to be used to reduce the amount of utility bills paid by rate payers.

Intro. by Nickel.

GS 105

[View summary](#)

Environment, Energy, Environment/Natural Resources, Government, Tax

S 676 (2021-2022) **HUNGER-FREE CAMPUS INITIATIVE/COVID-19**. Filed Apr 7 2021, *AN ACT TO ESTABLISH THE HUNGER-FREE CAMPUS INITIATIVE FOR UNIVERSITY OF NORTH CAROLINA CONSTITUENT INSTITUTIONS AND COMMUNITY COLLEGE CAMPUSES TO RESPOND TO THE IMPACTS ON STUDENTS DURING THE COVID-19 PANDEMIC AND TO APPROPRIATE FUNDS FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND FOR THE PROGRAM.*

Requires the UNC Board of Governors (BOG) and the State Board of Community Colleges (State Board) to establish the Hunger-Free Campus Initiative (Initiative) at UNC constituent institutions and community colleges under the State Board's jurisdiction to address student hunger and food insecurity occurring during the COVID-19 pandemic due to closures and restrictions to access on campuses and dining halls and the increasing unemployment for students and their families. Allows funds made available in this act to be used to respond to the needs of students by establishing new programs, expanding on existing programs, and using community resources. Sets out the following policies and strategies that may be implemented to respond to COVID-19 impacts on students and their ability to access meal resources during the pandemic: (1) designate a campus employee to ensure that students have the information they need to locate meal options; (2) provide for an on-campus food pantry or regular food distributions to campus or community locations; (3) for the 2021-22 academic year and subsequent academic years, establish a meal-sharing program allowing unused meal plan credits to be used by students in need to support an on-campus food pantry, with specified program information made available to students and interested parties; and (4) designate a campus employee as a point-of-contact to work with student volunteers for the meal-sharing program.

Appropriates \$1.6 million from the Coronavirus State Fiscal Recovery Fund to the UNC BOG with \$100,000 allocated to each constituent institution to implement the Initiative. Appropriates \$5.8 million from the Coronavirus State Fiscal Recovery Fund to the Community College System Office to be allocated in the amount of \$100,000 to each community college campus to implement the Initiative.

Requires that the BOG and State Board report by February 15, 2024, to the specified NCGA committees and division on the implementation of the Initiative and the use of the appropriated funds.

Intro. by Murdock, Crawford.

APPROP

[View summary](#)

Education, Higher Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Community Colleges System Office, UNC System, Health and Human Services, Health

S 677 (2021-2022) **NC HOPE TUITION PROGRAM**. Filed Apr 7 2021, *AN ACT TO ESTABLISH THE NC HOPE TUITION WAIVER PROGRAM FOR CERTAIN STUDENTS GRADUATING FROM COOPERATIVE INNOVATIVE HIGH SCHOOLS WHO ATTEND AN NC PROMISE CONSTITUENT INSTITUTION.*

Includes whereas clauses.

Enacts GS 116-143.15 establishing the NC Hope Tuition Waiver Program (Program) to waive the cost of tuition for up to two years for students who (1) graduate from a cooperative innovate high school, (2) earn at least an associate degree prior to graduation from the high school, and (3) meet enrollment requirements and attend Elizabeth City State University, the University of North Carolina at Pembroke, or Western Carolina University. Requires the State to "buy down" the amount of any financial obligation resulting from the waiver of tuition that may be incurred by those universities. Sets out student eligibility requirements.

Makes conforming changes to GS 116-143.11.

Effective July 1, 2021, and applies beginning with the 2021-22 school year.

Intro. by Davis, Britt, Steinburg.

GS 116

[View summary](#)

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

S 678 (2021-2022) **CONFIDENTIALITY/GA INFORMATION REQUESTS**. Filed Apr 7 2021, *AN ACT TO CLARIFY LEGISLATORS' AND LEGISLATIVE COMMITTEES' ACCESS TO CERTAIN CONFIDENTIAL INFORMATION*.

Expands GS 120-19 to include political subdivisions of the State within the State officers and entities that are required to give all information and all data within their possession or ascertainable from their records to any committee of either NCGA house, or any committee or commission whose funds are appropriated or transferred to the NCGA or to the Legislative Services Commission. Makes the statute's requirement applicable to all information or data regardless of whether the information or data is public record or confidential, except as provided in GS 105-259 (regarding prohibited disclosure of tax information by State officers and employees). Makes clarifying changes.

Amends GS 120-19.1 to authorize legislative committees to issue subpoenas for testimony or documents. Bars a witness from refusing to testify, produce a document, or both, based on the claim that the information, document, or both, is confidential. Allows for legislative committees to meet in closed session to receive testimony or review documents containing confidential information at the chair's discretion. Requires committee members to attend closed session, and allows legislative employees to attend at the discretion of the chair. Directs the Legislative Services Officer to provide a method by which documents and testimony received by a committee containing confidential information is kept confidential and accessible only upon request by committee members. Allows legislative employee access at the chair's discretion. Requires maintaining confidentiality and bars disclosure of confidential information and documents obtained by committee members and legislative employees.

Amends GS 120-19.2 to authorize legislative committees to require the production of documents by subpoena duces tecum through the chairman of the committee, subject to authorization of the Speaker of the House or Speaker Pro Tempore, or the President of the Senate or President Pro Tempore, as appropriate per committee, and majority vote of the committee. Provides the same authority for joint committee by joint action of the co-chairs, upon authorization from either the Speaker, Speaker Pro Tempore, the President, or the President Pro Tempore, and majority vote of the committee. Requires the subpoena duces tecum to be signed by the committee chairman and the authorizing house leader. Makes some language gender neutral.

Intro. by Edwards.

GS 120

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Government, General Assembly, Public Records and Open Meetings, State Agencies, State Government, State Personnel, Local Government

S 679 (2021-2022) **LET RETIRED MUNICIPAL LEOS WORK FOR SHERIFFS**. Filed Apr 7 2021, *AN ACT ALLOWING RETIRED MUNICIPAL LAW ENFORCEMENT OFFICERS TO WORK FOR A COUNTY SHERIFF AFTER RETIREMENT, WITHOUT ANY LIMITATIONS ON THE AMOUNT OF COMPENSATION THE RETIREE MAY EARN*.

Amends GS 128-24(5) to permit law enforcement officers who retire from a municipality to continue receiving benefits under this Chapter and Article 12E of Chapter 143 (Retirement Benefits for Local Governmental Law-enforcement Officers) while working for a county sheriff. Effective July 1, 2021, and applies to eligible members of Local Government Employee's Retirement System who retire before, on, or after that date.

Intro. by Britt.

GS 128

[View summary](#)

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

S 681 (2021-2022) **MODIFY CHARITABLE SOLICITATION LICENSING LAWS**. Filed Apr 7 2021, *AN ACT TO INCREASE THE QUALIFYING INCOME THRESHOLD FOR EXEMPTION FROM CHARITABLE SOLICITATION REQUIREMENTS, TO MODIFY THE DEADLINES FOR LICENSURE RENEWAL FOR CHARITABLE ORGANIZATIONS, AND TO REMOVE THE REQUIREMENT THAT APPLICATIONS FOR LICENSURE AND CERTAIN FINANCIAL REPORTS BE NOTARIZED.*

Revises individuals and entities exempt from the provisions governing the solicitation of contributions by charitable organizations in GS Chapter 131F, as set forth in GS 131F-3. Now exempts any person who receives less than \$50,000 (was, \$25,000) in contributions in any calendar year who does not provide compensation to any officer, trustee, organizer, incorporator, fund-raiser, or solicitor. Adds that compensation to any organizer or incorporator does not include professional fees paid to licensed attorneys or licensed accountants. Identifies five ways a charitable organization can demonstrate to the Department of the Secretary of State (Department) that it receives less than \$50,000 in contributions, including providing a copy of its most recently completed and filed IRS Form 990 or Form 990-EZ, a copy of its budget for the current year approved by its governing board with projected revenue and projected expenses, or a completed financial form developed by the Department.

Amends GS 131F-5 regarding charitable organization licensure renewal. No longer specifies that an extension for license renewal and annual filing of update information cannot exceed three months after the initial renewed date or eight months after the conclusion of the year for which financial information is due at the time of renewal. Specifies that federal filing date means federal informational tax form filing date. Deems a license renewal application filed as of the date shown on the postmark affixed, or, if filed electronically, when it is sent, as provided in GS 66-325. Now requires a charitable organization or sponsor whose federal informational tax form filing date has been extended pursuant to filing the federal application for automatic extension, to, within seven days after filing the application for automatic renewal, notify the Department that the license renewal period is extended by forwarding a copy of the application to the Department (previously provided for forwarding the document granting the extension within seven days of receipt). Now allows the Department to extend the time for license renewal and annual filing of updated information for a period of up to 60 days beyond (1) the 15th day of the fifth calendar month after the close of each fiscal year in which the charitable organization or sponsor solicited in the State or (2) the date of any applicable extension of the federal information tax form filing date, during which time the previous license remains in effect (was, not exceeding 60 days). Adds authority for the Department to extend the time for a charitable organization or sponsor whose federal informational tax form filing date has been extended pursuant to filing the federal application for automatic extension for an additional period not to exceed 60 days. Effective October 1, 2021.

Amends licensure requirements for charitable organizations and sponsors in GS 131F-6, fund-raising consultants in GS 131F-15, and solicitors in GS 131F-16 to no longer require applications to be signed under oath; maintains signature requirement. Additionally no longer requires the financial report for solicitation campaigns required under GS 131F-16 to be signed certified under oath; maintain certification requirement.

Intro. by Woodard, Mayfield.

GS 131F

[View summary](#)

Government, State Agencies, Secretary of State, Nonprofits

S 683 (2021-2022) [PREHOSPITAL STROKE PROTOCOLS/EMS PERSONNEL](#). Filed Apr 7 2021, *AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ADOPT RULES CONCERNING PREHOSPITAL STROKE PROTOCOLS FOR EMERGENCY MEDICAL SERVICES PERSONNEL*.

Amends Article 7 of Chapter 131E of the General Statutes (Regulation of Emergency Medical Services) to add GS 131E-159.5 directing the Department of Health and Human Services (DHHS) to adopt rules providing protocols surrounding the assessment, transportation, and treatment of stroke patients by emergency medical services (EMS) personnel including requiring training on assessment and treatment of stroke patients. Also requires holders of an ambulance permit to implement stroke protocols pursuant to the rules adopted by DHHS and regularly train their EMS personnel on assessing and treating stroke patients.

Intro. by Perry.

GS 131E

[View summary](#)

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

S 684 (2021-2022) [MODIFY TEACHING FELLOWS/CC REQUIREMENT](#). Filed Apr 7 2021, *AN ACT TO MODIFY THE NORTH CAROLINA TEACHING FELLOWS PROGRAM TO ALLOW STUDENTS TO PURSUE ANY AREA OF TEACHING LICENSURE TO BE ELIGIBLE FOR THE PROGRAM, TO PRIORITIZE APPLICANTS WHO HAVE ASSOCIATE DEGREES WITH A CONCENTRATION IN TEACHER EDUCATION, AND TO CREATE A PRIORITY FOR FORGIVENESS FOR STUDENTS WHO ATTEND A COMMUNITY COLLEGE IN PARTNERSHIP WITH A PARTICIPATING INSTITUTION OF HIGHER EDUCATION WHEN PURSUING TEACHER LICENSURE OR WHO WORK IN A SCHOOL LOCATED IN A TIER ONE DEVELOPMENT AREA*.

Amends the term *STEM* from the definitions under GS 116-209.60, which defines terms for use in Part 3 of Article 23 of GS Chapter 116, which governs the North Carolina Teaching Fellows Program (Program). No longer limits the Program to providing loans to individuals interested in preparing to teach in the state's public schools in STEM or special education licensure areas, instead opening it more broadly to those preparing to teach in the state's public schools. Makes changes throughout the Part by removing references to "STEM" and "special education." Requires specified amounts be transferred from the North Carolina Teaching Fellows Program Trust Fund to the UNC System Office instead of General Administration. Amends the selection criteria to give priority to students who have demonstrated commitment towards achieving licensure by completing associate degree programs with a concentration in teacher education. Extends the deadline on the report on forgivable loans awarded from the Trust Fund, placement and repayment rates, mentoring and coaching support, and selected school outcomes, from January 1, 2019, to January 1, 2022. Amends the conditions under which a loan is to be forgiven, to now provide for forgiveness if within 10 years of graduation from a program leading to teacher licensure, the recipient serves as a teacher for every year the teacher was awarded the forgivable loan in any combination of: (1) one year at an NC public school if (a) the school is identified as low-performing when the teacher accepts employment or, if the teacher changes employment during this period, at another school identified as low-performing; (b) the recipient received an associate degree from a community college that is in partnership with a participating institution of higher education and serves at a public school located in the administrative area of the community college in which the recipient received the associate degree; or (c) the school is located in a development tier one area at the time the teacher accepts the employment or (2) two years at an NC public school if none of the provisions in (1) apply.

Effective July 1, 2021, and applies to the award of forgivable loans to a new cohort beginning with the 2022-23 academic year.

Intro. by Burgin, Corbin.

GS 116

[View summary](#)

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

S 685 (2021-2022) [PERSONAL PRIVACY PROTECTION ACT](#). Filed Apr 7 2021, *AN ACT TO CLARIFY PRIVACY OF THE IDENTITY OF DONORS TO NONPROFIT ORGANIZATIONS*.

Includes whereas clauses. Enacts GS 132-12, prohibiting any board or governing body of the State, its institutions, or political subdivisions, from adopting or enforcing any rule, regulation, or policy that requires: (1) an individual to disclose his or her contributions or donations to any nonprofit corporation (as defined by statutory cross-reference); (2) a nonprofit corporation to disclose its membership; (3) a nonprofit corporation to disclose the identity of person making contributions or donations to that nonprofit corporation; or (4) any list, record, register, registry, or compilation of data of any kind that directly or indirectly identifies a person as a member, supporter, or volunteer of, or donor of financial or nonfinancial support to, a nonprofit corporation. Provides a right of action for civil damages for property or personal injury resulting from violations of the statute, with damages permitted for the greater of \$2,500 or three times the amount of actual damages. Additionally allows for a person seeking damages to seek an injunction. Provides for venue; sets a three-year statute of limitations. Specifies that these rights and remedies are in addition to other legal rights and remedies. Allows the court to award attorneys' fees to the prevailing party. Excludes from the statute criminal investigations, court orders, and income tax reviews and investigations under GS Chapter 105. Applies to any rule, regulation, or policy adopted or enforced on or after October 1, 2021.

Intro. by Edwards, Corbin, Burgin.

GS 132

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Government, Public Records and Open Meetings, State Agencies, Community Colleges System Office, UNC System, State Government, Local Government, Nonprofits

S 686 (2021-2022) [CALL CENTER ECO. DEV. INCENTIVE CLAWBACK](#). Filed Apr 7 2021, *AN ACT TO ENACT CERTAIN CALL CENTER ECONOMIC DEVELOPMENT INCENTIVE CLAWBACKS*.

Refers to the act as the "NC Call Center Preservation Act of 2021." Enacts new GS 95-31.1, providing as follows. Defines a *call center employer or employer* as any business that employs for the purpose of customer service or back-office operations: (1) 50 or more employees, excluding part-time employees or (2) 50 or more employees who in the aggregate work at least 1,500 hours per week (exclusive of overtime). Requires a call center employer to notify the Commissioner of Labor (Commissioner) 120 days before relocating out of state a call center, or one or more facilities or operating units within a call center that comprises at least 30% of the center's or operating unit's total volume when measured against the previous 12-month average call volume of operations, or substantially similar operations. Requires the Commissioner to compile a semiannual list of such relocations; requires the list to be distributed to all agencies subject to GS Chapter 95 (Department of Labor and Labor Regulations). Requires employers who appear on the list to remit the unamortized value of any grants, guaranteed loans, tax benefits, or any other governmental support they has previously received to the Commissioner on a graduated scale formula that is set out in the act.

Requires the call center employer to work with the North Carolina Community College System to implement a program for the retraining of affected employees who have become unemployed due to the relocation of a call center outside of the state. Requires relocating call center employers to remit retraining tuition for its former employees to the office of the System Office to be used within 18 months of displacement or the tuition will be forfeited.

Specifies that the act does not allow withholding or denial of payments, compensation, or benefits under any other State law to workers employed by call center employers that relocate outside the state.

Includes a severability clause.

Intro. by Lee, Galey.

GS 95

[View summary](#)

Business and Commerce, Employment and Retirement, Government, State Agencies, Community Colleges System Office, Department of Labor

S 687 (2021-2022) **SECOND AMENDMENT FREEDOMS**. Filed Apr 7 2021, *AN ACT TO REVISE THE CRITERIA FOR RESTORATION OF FIREARMS RIGHTS TO ALLOW RESTORATION IF THE PETITIONER WAS CONVICTED OF A CRIME OF VIOLENCE CONSTITUTING A MISDEMEANOR SO LONG AS TEN YEARS HAVE PASSED SINCE THE DATE OF CONVICTION OR THE DATE WHEN ANY ACTIVE SENTENCE, PERIOD OF PROBATION, OR POST-RELEASE SUPERVISION HAS BEEN SERVED FOR THE OFFENSE; TO ALLOW THE FILING AND GRANTING OF A PETITION BY A PERSON WHO WAS CONVICTED OF A NONVIOLENT FELONY IN A JURISDICTION OTHER THAN NORTH CAROLINA IF TEN YEARS HAVE PASSED SINCE THE DATE THE PERSON BECAME ELIGIBLE TO HAVE THE PERSON'S CIVIL RIGHTS AUTOMATICALLY RESTORED; AND TO ALLOW THE PURCHASE OF A HANDGUN WITHOUT A PISTOL PURCHASE PERMIT.*

Part I.

Revises GS 14-415.4 as follows. Allows for a person who was convicted of a nonviolent felony in the State to petition the district court in the district where the person resides to restore the person's firearms rights so long as the person's civil rights have been restored pursuant to GS Chapter 13 for a period of 10 years (was 20 years). Allows for a person who was convicted of a nonviolent felony in another jurisdiction to petition the court in the same manner if a period of 10 years have passed since the person's civil rights, including the right to possess a firearm, have been restored under the law of the jurisdiction where the conviction occurred or the person became eligible under GS 13-1 to have the person's civil rights automatically restored (was 20 years and did not provide for eligibility under 13-1). Makes satisfaction of the applicable 10-year requirement qualifying criteria for grant of a petition under the statute. No longer includes as qualifying criteria for a court to grant a petition that the petitioner has not been convicted of specified misdemeanors since the conviction of the nonviolent felony. Regarding disqualifying criteria which requires denial of a petition, no longer specifically includes the following in the list of crimes of violence constituting a misdemeanor: GS 14-277.1 (communicating threats); GS 14-288.4(a)(1) or (2) (specified disorderly conduct); and GS 14-288.20A (violation of emergency prohibitions and restrictions). Now specifically excludes misdemeanors under GS 14-33 (misdemeanor assault and battery).

Applies to petitions filed on or after October 1, 2021.

Part II.

Repeals GS 14-402 through GS 14-405 and GS 14-407.1, which makes it unlawful to sell or transfer and purchase or receive a pistol unless the purchaser holds a pistol purchase permit, and provides for permitting procedures. Makes conforming repeals of GS 14-315(b1)(1) (establishing a defense to selling or giving a weapon to a minor who present a valid permit) and GS 122C-54(d2) (regarding involuntary commitment records furnished for permit application review).

Provides a savings clause for prosecutions for offenses committed before the date the act becomes law.

Intro. by Britt, Perry, Johnson.

[GS 14, GS 122C](#)

[View summary](#)

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

S 690 (2021-2022) **MODIFICATION OF MEMBERSHIP OF DOA BDS**. Filed Apr 7 2021, *AN ACT TO MODIFY THE MEMBERSHIP OF THE COUNCIL FOR WOMEN ADVISORY BOARD, STATE YOUTH ADVISORY COUNCIL, AND NORTH CAROLINA INTERNSHIP COUNCIL BY PROVIDING APPOINTMENTS BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT PRO TEMPORE OF THE SENATE, AND THE LIEUTENANT GOVERNOR.*

Amends the appointment of the membership of the North Carolina Council for Women under GS 143B-394, so that instead of all 20 members being appointed by the Governor, members are now appointed, in specified numbers, by the Governor, Lieutenant Governor, President Pro Tempore of the Senate, and Speaker of the House. Sets out provisions establishing staggered terms beginning in 2021. Makes conforming and organizational changes.

Amends the appointment of membership of the State Youth Advisory Council under GS 143B-394.26, so that now instead of all 10 adult members being appointed by the Governor, members are now appointed, in specified numbers, by the Governor, Lieutenant Governor, President Pro Tempore of the Senate, and Speaker of the House; sets out provisions for the appointment of these adult members that create staggered terms and requires the Council to elect youth members who will also serve

staggered terms. Adds the requirement that the total membership reasonably reflect the socioeconomic, ethnic, sexual, and geographical composition of the state. Specifies that members serve until their successors are appointed and qualify. Deletes outdated provisions. Makes organizational changes.

Amends the appointment of membership of the North Carolina Internship Council as follows: (1) adds an appointment by the Lieutenant Governor; (2) reduces the number appointed by the Governor by one; (3) increases the community college representatives by one; (4) decreases the representatives from UNC by one; and (5) decreases the representatives of colleges or universities with an enrollment of less than 5,000 by one. Makes conforming changes. Provides for one chair instead of multiple.

Effective July 1, 2021.

Intro. by Alexander.

GS 143B

[View summary](#)

Government, General Assembly, State Agencies, Community Colleges System Office, UNC System, Department of Administration

S 691 (2021-2022) **ADJUST DRUG EDUCATION SCHOOL ENROLLMENT FEE.** Filed Apr 7 2021, *AN ACT ADJUSTING THE ENROLLMENT FEE FOR ACCREDITED DRUG EDUCATION SCHOOLS TO ACCOUNT FOR INFLATION; CLARIFYING THE RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WITH RESPECT TO DRUG EDUCATION SCHOOLS; AND MAKING TECHNICAL AND OTHER MODIFICATIONS TO THE STATUTE.*

Revises GS 90-96.01, which directs the Department of Health and Human Services (DHHS) to oversee the development of a statewide system of drug education schools. Increases the enrollment fee at an accredited school at \$275 (was \$150), payable to an official designated by the school providing the course (was designated by the area authority). Directs the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services (Commission) to increase the amount of the enrollment fee every five years beginning on July 1, 2024, to reflect any percentage increase in the specified consumer price index. Now directs a clerk who collects enrollment fees to pay the fees to the appropriate school (was the area authority in the catchment area where the clerk is located). Requires the schools to comply with the statute regarding the use of fees. Makes clarifying changes regarding payment of enrollment fees by defendants following conviction and court-ordered enrollment in the school. More specifically requires school to allow parents or guardians of enrollees who are minors to audit the school curriculum along with their children or wards at no expense. Authorizes schools to implement drug education programs subject to DHHS approval (previously DHHS had authority to approve programs to be implemented by area authorities). Allows schools to subcontract for delivery of services, subject to DHHS approval of budgets and contracts with governmental and nongovernmental bodies for operation of schools (similar to that of area authorities previously). Requires fees to be used by the schools for the operation, evaluation, and administration of the respective schools, with use of excess funds limited to drug and alcohol programs. Requires each school to monthly remit 10% of fees collected to the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (Division; previously, area authorities were required to remit 5% of fees collected). Requires DHHS to supply to each school, at no charge, a manual and any other required curriculum for each fee collected and remitted to DHHS by that school. Prohibits DHHS from using the fees received for any purpose other than supplying manuals and other required curriculum and supporting, evaluating, and administering schools (previously limited to supporting, evaluating, and administering schools), with excess funds remaining at the end of each fiscal year reverting to the General Fund. Prohibits DHHS from using the funds to match other State funds or to be included in any computation for State formula-funded allocations (similar to the previous prohibitions applicable to area authorities). Makes further clarifying and technical changes. Makes language gender neutral. Effective July 1, 2021.

Intro. by Alexander.

GS 90

[View summary](#)

Courts/Judiciary, Court System, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Health and Human Services, Health and Human Services, Health

S 692 (2021-2022) [USE OF OPIOID SETTLEMENT FUNDS](#). Filed Apr 7 2021, *AN ACT ESTABLISHING AN OPIOID ABATEMENT FUND FOR RECEIVING OPIOID SETTLEMENT FUNDS AND SPECIFYING HOW AND WHEN THESE FUNDS MAY BE USED*.

Establishes the Opioid Abatement Fund (Fund) to include funds the State receives from the judgment in *State of North Carolina, ex rel Joshua H. Stein, Plaintiff v. McKinsey and Company, Inc.*, in the General Court of Justice, Superior Court Division, Wake County. Requires the Fund to be used to cover the State's costs investigating and pursuing the claims in the case and to remediate the harms caused to North Carolina and its citizens by the opioid epidemic. Specifies that money in the Fund is to be expended only for the following purposes and in accordance with subsequent acts of the NCGA appropriating these funds and directing their use: (1) to expand employment and transportation supports through innovative pilot programs in industries in North Carolina that suffered the greatest job losses during the COVID-19 pandemic and are most relied upon by individuals recovering from opioid use disorders to reenter the workforce; (2) to support individuals with opioid use disorder who are involved in the criminal justice system through programs and initiatives designed to accomplish the specified pre- and post-arrest diversion programs, medication-assisted treatment programs, and reentry programs; (3) to expand evidence-based treatment supports and to improve connections to care, especially for individuals hospitalized for overdose who are uninsured or underinsured, through the following specified activities or initiatives; and (4) to develop evidence-based supportive housing services that are inclusive of individuals with substance use disorders. Prohibits expending funds from the Fund until the settlement funds have been appropriated by an act of the NCGA and the Secretary of the Department of Health and Human Services has consulted specified NCGA committees.

Intro. by Burgin, Krawiec, Perry.

UNCODIFIED

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

[View summary](#)

S 694 (2021-2022) [BLACK FARMER RESTORATION PROGRAM](#). Filed Apr 7 2021, *AN ACT TO ESTABLISH THE BLACK FARMER RESTORATION PROGRAM TO PURCHASE FARMLAND ON THE OPEN MARKET AND GRANT IT TO ELIGIBLE INDIVIDUALS, TO ESTABLISH CERTAIN REQUIREMENTS AND LIMITATIONS FOR THE PROGRAM, AND TO ESTABLISH THE "FARM CONSERVATION CORPS" TO PROVIDE TRAINING IN AN ON-FIELD ENVIRONMENT FOR SOCIALLY DISADVANTAGED RESIDENTS*.

Includes whereas clauses. Enacts new Article 61B, Black Farmer Restoration Program, in GS Chapter 106, providing as follows. Establishes the Black Farmers and Landowners Restoration Program within the North Carolina Department of Agriculture (Department) to support current Black farmers and to encourage the growth of Black farmers in the field of agriculture. Establishes the Black Farmer Restoration Fund (Fund) consisting of gifts, grants, and donations from non-State entities and General Fund appropriations. Requires the Fund to be used for: (1) the purchase, from willing sellers, of available agricultural land in North Carolina at no more than fair market value; (2) the conveyance of grants of the purchased land to eligible individuals at no cost to the eligible individual; (3) the Farm Conservation Corps established in this act; and (4) grants to universities and nonprofit entities to provide training, advocacy, or legal services to socially disadvantaged farmers. Gives priority for land grants to: (1) socially disadvantaged farmers; (2) eligible individuals with a family history of land dispossession; (3) eligible individuals with experience in agriculture; and (4) eligible individuals who are veterans. Defines an *eligible individual* as a state resident who is at least 21 years old, has previously identified as Black or African American, and has at least one parent of African ancestry. Caps the land grant at 100 acres. Allows applications from a qualifying entity (as defined in the act) on behalf of one or more eligible individuals. Allows a land grant recipient to sell the land but gives the Department right of first refusal to purchase the land at the appraised value of the land to convey to another eligible individual.

Establishes the Farm Conservation Corps program in the Department to provide state residents ages 18-29 from socially disadvantaged groups the academic, vocational, and social skills necessary to pursue long-term and productive careers in agriculture. Requires Corp members to serve as on-farm apprentices, at no cost, to farms with an annual gross farm income of less than \$250,000 operated by: (1) socially disadvantaged farmers (as defined); (2) beginning farmers; or (3) farmers operating certified organic farms.

Amends GS 105-153.5 to allow a taxpayer to deduct from the taxpayer's adjusted gross income up to \$50,000 of income from farming operations a *qualifying farmer* (as defined in GS 105-164.13E) receives during the taxable year. Increases the amount for those married filing jointly when both are qualifying farmers. Effective for taxable years beginning on or after January 1, 2021.

Appropriates \$8,450,000 for 2021-22 from the General Fund to the Department to be allocated in the specified amounts to: (1) the Black Farmer Fund with a specified amount for the Farm Conservation Corps, (2) to the Black Farmer Fund and the Agricultural Development and Farmland Preservation Trust Fund for the purchase of agricultural easements and related land restoration projects for Black and socially disadvantaged farmers and landowners through the Black Farmers and Landowners Restoration Program, and (3) to the Department for marketing and advertising. Effective July 1, 2021.

Intro. by Murdock, Lowe.

APPROP

[View summary](#)

Agriculture, Government, Budget/Appropriations, State Agencies, Department of Agriculture and Consumer Services

S 695 (2021-2022) **STATEWIDE MEDICAL ACTION PLAN FOR SCHOOLS**. Filed Apr 7 2021, *AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT A STATEWIDE MEDICAL ACTION PLAN FOR PUBLIC SCHOOL UNITS*.

Enacts GS 115C-12(47) to direct the State Board of Education (State Board) to adopt a medical action plan to be implemented by each public school unit. Requires the action plan to minimally include (1) a standard student medical condition form to be used for each student; (2) a standard student medical action plan form to be used for each student; and (3) a method for ensuring that all persons with supervisory responsibility over a student (including volunteers) receive a student medical action plan form for each student whenever the student leaves the campus of the public school unit.

Amends GS 115C-47 to require local boards of education to implement the medical action plan adopted by the State Board. Similarly amends the following statutes and session law to require charter schools, regional schools, laboratory schools, and renewal school systems to implement the medical action plan adopted by the State Board: GS 115C-218.75; GS 115C-238.66; GS 115C-239.8; and Section 6 of SL 2018-32.

Applies beginning with the 2021-22 school year.

Intro. by Jarvis, Lee, Ballard.

UNCODIFIED, GS 115C, GS 116

[View summary](#)

Education, Elementary and Secondary Education, Health and Human Services, Health

S 696 (2021-2022) **PROTECT NC CITIZENS FROM RADON**. Filed Apr 7 2021, *AN ACT TO PROTECT NORTH CAROLINA CITIZENS FROM EXPOSURE TO RADON BY INCLUDING STANDARDS FOR RADON MITIGATION SYSTEMS IN THE STATE BUILDING CODE AND BY DIRECTING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ISSUE REPORTING AND TESTING REQUIREMENTS FOR RADON GAS IN STRUCTURES*.

Directs the NC Radiation Protection Commission (Commission) to require that radon mitigation system installers provide the following information to the State Radon Program within the Radiation Protection Section of the Department of Health and Human Services (DHHS): (1) the radon test results and whether the test was done pre- or post-system installation; (2) whether the testing followed any testing standards developed by a national standards organization; (3) the zip code where the system was installed; (4) the kind of structure; and (5) whether the structure is new or existing. Directs the Commission to adopt rules consistent with this directive.

Amends GS 104E-7 to statutorily authorize the Commission to adopt rules imposing testing and reporting requirements for radon gas inside buildings. Allows the Commission to adopt temporary implementing rules.

Amends GS 104E-9 to require the Radiation Protection Section of DHHS to produce and annually update a map of radon mitigation systems installed in structures in the State based on the data generated and reported to DHHS under rules for radon gas testing and reporting adopted by the Commission. Effective July 1, 2023.

Intro. by Mayfield.

GS 104E

[View summary](#)

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

S 697 (2021-2022) **LAW ENFORCEMENT OFFICER FAIRNESS ACT**. Filed Apr 7 2021, *AN ACT TO STANDARDIZE THE DISMISSAL OF MUNICIPAL LAW ENFORCEMENT OFFICERS*.

Enacts new GS Chapter 17F, Dismissal of Certain Law Enforcement Officers, to be cited as the "Municipal Law Enforcement Accountability, Transparency, and Fairness Act." Defines the scope of the Chapter to be all municipal law enforcement agencies and includes unified city-county government police agencies; excludes law enforcement officers employed by the State, a county, a local ABC board, a school board, a county police department, a company police agency, a campus police agency, or any other law enforcement agency created by the State as a special policy agency.

Prohibits employing agencies, as defined, from dismissing career employment officers but for just cause. Defines *career law enforcement officer* to mean an employee of a local entity who is in a permanent position appointment and has been continuously employed by the employing agency for the immediate 12 preceding months. Directs employing agencies, as defined, to adopt rules that define *just cause*, subject to the approval of the municipality's governing authority. Requires employing agencies to establish notice and hearing procedures to be conducted prior to disciplinary action against law enforcement officers, with minimum rights of the officer to include the right to a hearing before an impartial board or hearing officer, representation at the officer's expense, the right to question any witnesses who give oral statements against the officer, the right to call witnesses and present evidence, and the right to have all meetings recorded for use at any supplemental adjudicatory hearing or court proceeding.

Directs all municipalities subject to the new Chapter to establish an impartial hearing officer or review board to review all disciplinary actions appealed by an aggrieved law enforcement officer and hold hearings for formal determination of a final decision of the review board. Provides officers the right to representation at the officer's expense. Permits the use of the rules of civil procedure and evidence. Grants the officer the right to call witnesses and present evidence, and question any witness who provided information to the employing agency that resulted in the commencement of the action before the review board. Bars statement or evidence from admissibility if a witness fails to appear at the hearing. Requires all hearings to be recorded. Provides for copies of recordings or a transcript upon request at cost.

Deems employing agencies that have an established civil service system, agency review board, civilian complaint board, or personnel board that provides due process to be in compliance with the new Chapter.

Directs each municipality subject to the new Chapter to adopt an ordinance that provides the minimum rights required by the Chapter, as well as the membership and powers of the review board. Requires the ordinance to establish policy for addressing dismissals, grievances, and defining *just cause*.

Applies to disciplinary actions taken against law enforcement officers employed by municipalities on or after December 1, 2021.

Intro. by Alexander, Steinburg.

GS 17F

[View summary](#)

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

S 698 (2021-2022) **END MENSTRUAL POVERTY ACT**. Filed Apr 7 2021, *AN ACT TO PROVIDE FEMININE HYGIENE PRODUCTS TO STUDENTS IN LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO INCREASE ACCESS TO FEMININE HYGIENE PRODUCTS*

IN NORTH CAROLINA DIAPER BANKS.

Part I.

Appropriates \$250,000 from the General Fund to the Department of Public Instruction for 2021-22 to provide grants to local school administrative units to provide students with feminine hygiene products. Requires grants to be awarded to any unit that applies by August 1, 2021, and requires grants to be allocated to the units on the basis of average daily membership.

Part II.

Appropriates \$350,000 from the General Fund to the Department of Health and Human Services for 2021-22 to be allocated to the Diaper Bank of North Carolina to increase the accessibility of feminine hygiene products in local diaper banks.

Effective July 1, 2021.

Intro. by Murdock, Mayfield.

[APPROP](#)

[View summary](#)

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

S 699 (2021-2022) [POLLUTER PAYS](#). Filed Apr 7 2021, *AN ACT TO MAKE PERSONS CAUSING OR CONTRIBUTING TO CONTAMINATION RESPONSIBLE FOR COSTS OF CLEANUP AND PROVISION OF ALTERNATIVE WATER SUPPLIES TO PERSONS WITH WATER SUPPLIES AFFECTED BY SUCH CONTAMINATION.*

Amends GS 143-215.3, which establishes the general and auxiliary powers of the Environmental Management Commission (Commission) and the Department of Environmental Quality (DEQ). Authorizes the Secretary of DEQ (Secretary) to order persons causing or contributing to water or air pollution that is causing danger to the health or safety of the public, revealed by an investigation pursuant to Article 21 (Water and Air Resources) or Article 21B (Air Pollution Control) of GS Chapter 143, to immediately reduce or discontinue the emission or discharge, or take other necessary measures or omissions, within a period of time specified at the discretion of the Secretary. Permits the Secretary to order the person to provide alternate water supplies or to establish a permanent replacement water supply to persons with water supplies damaged by the water or air pollution in question at the discretion of the Secretary. Specifies that the establishment of a permanent replacement water supply must be by connection to a public water supply, unless an affected household opts for a whole house filtration system that the responsible person will be required to install and maintain. Additionally, the Secretary is authorized to assess the person causing or contributing to the pollution in question for any actual and necessary costs incurred by the State in removing, correcting, or abating any adverse effects upon the water or air resulting from the pollution for which the person is responsible. Authorizes the Secretary to file a civil action in superior court in the county where the pollution in question occurred or where the person resides or has its principal place of business to recover sums assessed if a person refuses or fails to pay within a reasonable time.

Amends GS 143-215.2, which authorizes the Commission to issue a special order or other instrument to any person responsible for causing or contributing to any pollution of state waters within an area for which standards have been adopted pursuant to GS 143-214.1 or GS 143-215. Adds to the Commission's authority to issue special orders by specifying that a special order can include a requirement that the responsible person provide temporary alternate or permanent replacement water supplies to persons with supplies damaged by the water pollution in question.

Appropriates \$75,000 from the General Fund to DEQ for 2021-22 to implement the act.

Exempts the act from the provisions of GS 143C-5-2, concerning the order of appropriations bills.

Intro. by Garrett, Marcus, Murdock.

[APPROP, GS 62](#)

[View summary](#)

[Environment, Environment/Natural Resources, Government, Budget/Appropriations, State Agencies, Department of](#)

**Environmental Quality (formerly DENR), Public Enterprises
and Utilities**

S 700 (2021-2022) **BALANCED POLITICAL DISCUSSION IN CLASSROOMS**. Filed Apr 7 2021, *AN ACT TO REQUIRE BALANCED POLITICAL VIEWPOINTS IN THE IMPLEMENTATION OF PUBLIC SCHOOL INSTRUCTION AND TO REQUIRE THE ONLINE DISPLAY OF INFORMATION ABOUT INSTRUCTIONAL MATERIALS*.

Enacts GS 115C-81.46, directing the State Board of Education (State Board) to require that all curriculum, professional development, and teaching standards used to implement instruction reflect balanced political viewpoints. Extends the charge to instruction in local school administrative units, innovative schools, regional schools, and schools for students with visual and hearing impairments. Requires viewpoints of both major US political parties to be presented and given equal weight if one is presented through materials, assignments, lectures, or other instruments for instruction in any classroom or any area of the school.

Directs the State Board to adopt rules and implement policies to comply with new GS 115C-81.46. Allows the State Board to mirror an identified Teaching Standard adopted in June 2007 at the Board's discretion. Requires the State Board to report to the specified NCGA committee by November 15, 2021. Requires rules or policies to be in effect by January 1, 2022.

Enacts GS 115C-98A to require the governing body of local school administrative units, innovative schools, regional schools, schools for students with visual and hearing impairments, and laboratory schools to ensure the following information is annually posted on each school's website, organized by subject area and grade level: (1) the instructional materials and activities that were used during the prior school year, as specified, and (2) any procedures for the documentation, review, or approval of the learning materials for instruction at the school. Details further requirements of the information for identification of materials and activities used. Specifies that digital reproduction of the materials or separate reporting of material components is not required. Defines *activities* and *instructional materials*.

Amends GS 115C-12, GS 115C-47, and GS 115C-238.66 to require the State Board, local boards, and regional school boards of directors to ensure that the information about instructional materials is displayed on the websites of innovative schools, schools for students with visual and hearing impairments, each school in the respective administrative unit, and regional schools, as appropriate for each authority.

Similarly amends GS 116-239.8 to enact identical requirements of chancellors of laboratory schools regarding instruction reflecting balanced political viewpoints as those of the State Board enacted in GS 115C-81.46. Also requires chancellors to ensure that information about instructional materials is displayed on the websites of laboratory schools.

Applies beginning with the display of instructional materials during the 2021-22 school year.

Intro. by Edwards, Krawiec, Hise.

GS 115C, GS 116

[View summary](#)

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

S 701 (2021-2022) **RESTORE PUBLIC SECTOR COLLECTIVE BARGAINING**. Filed Apr 7 2021, *AN ACT REPEALING THE PROHIBITION ON PUBLIC EMPLOYEE COLLECTIVE BARGAINING*.

Repeals GS 95-98, as the title indicates.

Intro. by Nickel, Garrett, Murdock.

GS 95

[View summary](#)

**Employment and Retirement, Government, State Agencies,
State Government, State Personnel, Local Government**

S 702 (2021-2022) [STATE CLEAN ENERGY GOAL FOR 2050](#). Filed Apr 7 2021, *AN ACT TO ESTABLISH A STATE GOAL OF ONE HUNDRED PERCENT CLEAN ENERGY BY 2050 AND TO PROMOTE THE CREATION OF GREEN JOBS*.

Includes whereas clauses.

Amends GS Chapter 62, Article 7 (rates of public utilities) to add new section GS 62-133.10A establishing a state goal that 100% of North Carolina's electricity be generated by renewable energy resources by December 31, 2050. Requires the State Energy Office, in consultation with the North Carolina Utilities Commission and the Public Staff, to develop a plan to achieve that goal, and to submit its plan to the 2022 Regular Session of the 2021 General Assembly upon its convening.

Intro. by Nickel, Garrett.

[GS 62](#)

[View summary](#)

[Environment, Energy](#)

S 704 (2021-2022) [PROTECT CHILDREN FROM LEAKING GARBAGE TRUCKS](#). Filed Apr 7 2021, *AN ACT TO RESTORE PUBLIC HEALTH PROTECTIONS FROM LEAKING SOLID WASTE TRANSPORT VEHICLES*.

Repeals Section 59.2 of SL 2013-413, which required the Commission for Public Health to implement 15A NCAC 13B .0105 (Collection and Transportation of Solid Waste; "rule") by means of not requiring vehicles or containers used for the collection and transportation of solid waste to be leak-proof, but allowing the Commission to require that these containers be designed and maintained to be leak-resistant in accordance with industry standards. Required the Commission to adopt a permanent rule to replace the rule, substantively identical to the implementation provisions provided.

Directs the Commission to readopt a rule substantively identical to 15A NCAC 13B .0105, Collection and Transportation of Solid Waste, as it existed on August 22, 2013. Requires the Commission and the Department of Environment and Natural Resources (intends Department of Environmental Quality) to implement the rule as it existed prior to the effective date of SL 2013-413 until the effective date of the readopted rule.

Intro. by Garrett, Lowe, Foushee.

[UNCODIFIED](#)

[View summary](#)

[Health and Human Services, Health, Public Health](#)

S 705 (2021-2022) [CREATE DEPT. OF HOUSING AND COMM. DEVELOPMENT](#). Filed Apr 7 2021, *AN ACT TO ESTABLISH THE NORTH CAROLINA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT*.

Establishes the Department of Housing and Community Development (Department) as a cabinet-level department containing the Division of Operations, the Division of Community Development, the Division of Housing and the Policy and Legislative Office.

Amends GS 143B-2 making the Department subject to the Executive Organization Act of 1973. Amends GS 143B-6 making the Department a principal department.

Amends GS 126-5 listing the Department among those which the Governor may designate positions that are exempt from the NC Human Resources Act.

Enacts new Article 16, Department of Housing and Community Development in GS Chapter 143B, providing as follows.

Establishes the Departments and sets out its structure. States the Department's mission as: (1) partner with communities in this State to develop economic potential of communities and residents; (2) provide training and certification for building officials; and (3) invest in housing and community development projects in this State to assist low- to moderate-income residents.

Establishes the Secretary of the Department of Housing and Community Development as the head of the Department.

Establishes the 9-member North Carolina Board of Housing and Community Development to advise the Secretary and to assist

in the mission of the Department. Sets out membership appointment power, sets terms at two years and provides for filling vacancies.

Appropriates \$25 million in recurring funds for 2021-22 from the General Fund to the Department. Effective July 1, 2021.

Intro. by Garrett, Batch, Crawford.

[APPROP, GS 143](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Budget/Appropriations, State Agencies](#)

S 706 (2021-2022) [CAROLINA'S GUARANTEE SCHOLARSHIP PROGRAM](#). Filed Apr 7 2021, *AN ACT TO ESTABLISH THE COMMUNITY COLLEGE PROMISE SCHOLARSHIP PROGRAM AND TO APPROPRIATE FUNDS FOR THAT PURPOSE*.

Adds new Part 5, Community College Promise Scholarship Program in Article 23 of GS Chapter 116, providing as follows. Enacts GS 116-209.80, establishing the Community College Promise Scholarship Program (program), administered by the State Education Assistance Authority (Authority). States the program's purpose. Directs the Authority to annually award scholarships to eligible students for up to four academic semesters at a community college in the State. Requires applicants to complete a FASFA and requires the Authority to reduce a scholarship award by the amount of any grants or scholarships the applicant received from other State or federal resources. Provides for scholarships to be awarded in the order application are received. Establishes student eligibility criteria, including that the student graduated with at least a 2.0 unweighted GPA from a public high school, nonpublic high school or home school located in the State in the academic semester prior to enrollment at the community college; the student qualifies as a resident for tuition purposes; and the student gains admission at a community college in a curriculum program. Allows for annual renewal of the scholarship if the student demonstrates a 2.3 GPA and maintains satisfactory progress. Directs the Authority to adopt rules for program administrative. Authorizes the Authority to use up to 5% of the funds appropriated each fiscal year for the program for administrative costs. Provides that unexpended funds do not revert to the General Fund.

Enacts GS 116-209.82 as follows. Directs the Authority to partner with the Community Colleges System Office and local school administrative units to place higher education advisors in secondary schools statewide to provide outreach to high school students on the program and other financial aid assistance programs. Requires the advisors to provide information to students on FASFA assistance and scholarship options.

Enacts GS 116-209.83, establishing an annual reporting requirement for the Authority to report on the program to the specified NCGA committee, beginning November 1, 2022. Specifies required content of the report.

Appropriates \$300,000 from the General Fund to the UNC Board of Governors (BOG) for 2021-22 to be allocated to the Authority to establish the program and the financial aid counseling program, as enacted.

Appropriates \$242,962,947 in recurring funds from the General Fund to the BOG for 2022-23 to be allocated to the Authority for awarding scholarships and for the financial aid counseling program, as enacted, beginning with the 2022-23 academic year. Directs the Authority to use appropriated funds to hire 100 full-time higher education advisers to be assigned by the Authority pursuant to new GS 116-209.82.

Effective July 1, 2021, and applies beginning with the 2022-23 academic year.

Intro. by Garrett, Crawford, Batch.

[APPROP, GS 116](#)

[View summary](#)

[Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, State Agencies, Community Colleges System Office, UNC System, Local Government](#)

S 707 (2021-2022) [DEVELOPMENT REGULATIONS & AIRPORT AUTHORITIES](#). Filed Apr 7 2021, *AN ACT TO PROVIDE AIRPORT AUTHORITIES AND OPERATORS WITH ADDITIONAL NOTICE AND OPPORTUNITY TO COMMENT IN THE ADOPTION OF LAND USE REGULATIONS*.

Enacts GS 160D-601(e), establishing the following notice requirements. Requires a local government to provide written notice of proposed changes to a zoning map or permitted land uses of land located within five miles or less from the perimeter boundary of an airport, due to the adoption, modification, or repeal of land use development regulations, to the airport authority or airport operator by certified mail, return receipt requested, at least 10 and no more than 25 days before the date fixed for the hearing. Requires the governing board of the local government to take into consideration any comments or analysis provided by the airport authority or operator regarding the proposed changes and their compatibility with airport operations. Defines *airport* to mean any publicly owned, commercial service airport with more than 100,000 passenger boardings during the two calendar years.

Amends GS 160D-602 to require notice of a hearing on proposed zoning map amendments which affect parcels of land within five miles of an airport be mailed to the airport authority or operator responsible for the airport by first-class mail. Specifies that the expanded published notice of subsection (b) does not apply to any airport entitled to notice as an affected property or as a boundary of the airport is located within five miles of an affected property.

Enacts GS 160D-604, requiring a planning board proposing a zoning regulation affecting an airport or affecting a property within five miles of the boundaries of an airport to provide written notice to the airport authority or operator of the airport at least 10 days but no more than 25 days before the date the planning board is to consider making a recommendation on the proposed zoning regulation.

Applies to ordinances adopted, amended, or repealed on or after October 1, 2021.

Intro. by Lee.

[GS 160D](#)

[View summary](#)

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

S 708 (2021-2022) [ID CARD REQUESTS/JUVENILES](#). Filed Apr 7 2021, *AN ACT TO INCREASE ACCESS TO IDENTIFICATION CARDS FOR JUVENILES IN THE CUSTODY OF A DEPARTMENT OF SOCIAL SERVICES*.

Amends Article 5 of Subchapter I of Chapter 7B of the General Statutes (Temporary Custody; Non-secure Custody; Custody Hearings) to add GS 7B-505.2 requiring the director of a county department of social services to assist a juvenile who is non-secure custody of the department in acquiring a state identification card if the juvenile does not already have one.

Amends GS 20-37-7 (Special Identification Card) to add juveniles in temporary or non-secure custody of a county department of social services to the list of individuals exempt from the fee for a state identification card.

Effective October 1, 2021.

Intro. by Garrett.

[GS 7B, GS 20](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Motor Vehicle](#)

S 709 (2021-2022) [ALLOW CLERKS TO DISMISS CERTAIN IVC CASES](#). Filed Apr 7 2021, *AN ACT ALLOWING CLERKS OF COURT TO DISMISS INVOLUNTARY COMMITMENT PROCEEDINGS AT ANY TIME PENDING A DISTRICT COURT HEARING UPON A DETERMINATION BY THE ATTENDING PHYSICIAN THAT THE RESPONDENT NO LONGER MEETS THE CRITERIA FOR INVOLUNTARY COMMITMENT*.

Revises GS 122C-266(d), which requires an attending physician to release a respondent and notify the clerk of court to dismiss involuntary commitment proceedings if, at any time pending the district court hearing, the attending physician determines that the respondent no longer meets the criteria for outpatient or inpatient commitment set forth in GS 122C-263(d)(1) and (2),

applicable to first examinations. Now requires the attending physician to release the respondent if, at any time pending the district court hearing, the attending physician determines in a subsequent examination following an instance where the commitment examiner noted that the first examination was not satisfactorily accomplished (pursuant to GS 122C-263(c)) that the respondent no longer meets the criteria set forth in GS 122C-263(d)(1) and (2). Requires the attending physician to record the findings in writing, release the respondent, and send a copy of the written findings to the clerk of court by reliable and expeditious means. Directs the clerk to then terminate the proceeding and enter a dismissal order specifying that the respondent no longer meets the criteria for involuntary commitment. Applies to cases pending on or after October 1, 2021.

Intro. by Garrett.

GS 122C

[View summary](#)

Courts/Judiciary, Civil, Civil Law, Health and Human Services, Health, Mental Health

LOCAL/HOUSE BILLS

H 504 (2021-2022) **WELDON CITY BD. OF ED./COMPENSATION**. Filed Apr 8 2021, *AN ACT TO INCREASE THE COMPENSATION OF THE CHAIR AND THE MEMBERS OF THE WELDON CITY BOARD OF EDUCATION*.

Amends Section 5 of SL 1983-984 to set the compensation of the chair of the Weldon City Board of Education at \$650 per month, and Board members at \$550 per month (previously set all members' compensation and expense allowances as those allowed of the Halifax County Board of Education).

Intro. by Wray.

Halifax

[View summary](#)

Education, Elementary and Secondary Education

ACTIONS ON BILLS

PUBLIC BILLS

H 491: **VIRTUAL TRAINING/REAL WORLD LAW ENFORCEMENT.**

House: Passed 1st Reading

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

H 492: **WC/PSYCH. TRAUMA-RELATED INJURIES.**

House: Passed 1st Reading

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

H 493: **DEFINING/REGULATING FOOD DELIVERY PLATFORMS.**

House: Passed 1st Reading

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

H 498: **AUTHORIZE ATV AND UTILITY VEHICLE TITLING.**

House: Filed

H 499: **RECOVERY REBATE FOR WORKING FAMILIES ACT.**

House: Filed

H 500: **DISASTER RELIEF AND MITIGATION ACT OF 2021.**

House: Filed

H 501: PFAS MANUFACTURE/USE/SALE BAN.

House: Filed

H 502: PFAS CONTAMINATION MITIGATION MEASURES.

House: Filed

H 503: PFAS STUDIES.

House: Filed

H 505: NC HEALTHY PREGNANCY ACT.

House: Filed

H 506: POLLUTER PAYS.

House: Filed

H 507: NORTH CAROLINA MOMNIBUS ACT.

House: Filed

H 508: EDUCATION FUNDING TRANSPARENCY.

House: Filed

H 509: ADOPT OFFICIAL NC DOGWOOD FESTIVAL.

House: Filed

H 510: BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT.

House: Filed

H 511: STI FUNDING/BICYCLE/PEDESTRIAN IMPROV.

House: Filed

H 512: PHARMACISTS IMPROVE PUBLIC HEALTH NEEDS.

House: Filed

H 513: PEOPLES' CHOICE FOR MARINE SOURCES.

House: Filed

H 514: NC HEALTHY PREGNANCY ACT.

House: Filed

H 516: RAISE DROPOUT AGE TO 18.

House: Filed

H 518: TEMPORARILY WAIVE COMMERCIAL FISHING FEES.

House: Filed

H 519: AMEND AUTOCYCLE DEFINITION.

House: Filed

H 521: 2021 SAFE DRINKING WATER ACT.

House: Filed

H 522: MODIFY SERVICE/RELEASE OF ALTERNATE JURORS.

House: Filed

H 523: AMEND STREET RACING PENALTIES.

House: Filed

H 524: ORAL CHEMO TREATMENT ACCESS DURING PANDEMIC.

House: Filed

H 525: ALLOW ERPOS TO PREVENT SUICIDES & SAVE LIVES.

House: Filed

S 196: GSC SALE OF PROPERTY AMENDMENTS.

House: Passed 1st Reading

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

S 197: GSC TRUSTS & ESTATES AMENDMENTS.

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

S 296: COLLABORATORY/FISHERIES STUDY.

House: Passed 1st Reading

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

S 308: BUILDING CODE INSPECTION REFORM.

House: Passed 1st Reading

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

S 317: MARINE FISHERIES REFORM.

House: Passed 1st Reading

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

S 321: AMEND NC CONTROLLED SUBSTANCES ACT.

House: Passed 1st Reading

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

S 666: UPDATE REQS./ADVANCE HEALTH CARE DIRECTIVES.

Senate: Passed 1st Reading

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

S 667: AMEND CERTIFICATES OF RELIEF.

Senate: Passed 1st Reading

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

S 668: ANTI-PENSION SPIKING AMDS & LITIG. MORATORIUM.

Senate: Passed 1st Reading

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

S 669: ENACT MEDICAL CANNABIS ACT.

Senate: Passed 1st Reading

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

S 670: ELECTRIC & ZERO EMISSION VEH. CONSUM EDUC.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 671: CHANGES TO THE K-12 SCHOLARSHIP PROGRAMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 672: DACA RECIPIENTS/IN-STATE TUITION.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 673: UP MINIMUM WAGES/NO SUBMINIMUM OR EXEMPTIONS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 674: CARBON TAX.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 675: ADD PUBLIC DEFENDERS TO DEFENDER DISTRICT 16B.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 676: HUNGER-FREE CAMPUS INITIATIVE/COVID-19.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 677: NC HOPE TUITION PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 678: CONFIDENTIALITY/GA INFORMATION REQUESTS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 679: LET RETIRED MUNICIPAL LEOS WORK FOR SHERIFFS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 680: REMOTE NOTARIZATION ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 681: MODIFY CHARITABLE SOLICITATION LICENSING LAWS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 682: CITIZENS REVIEW BOARD.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 683: PREHOSPITAL STROKE PROTOCOLS/EMS PERSONNEL.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 684: MODIFY TEACHING FELLOWS/CC REQUIREMENT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 685: PERSONAL PRIVACY PROTECTION ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 686: CALL CENTER ECO. DEV. INCENTIVE CLAWBACK.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 687: SECOND AMENDMENT FREEDOMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 688: SPORTS WAGERING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 689: COUNTY BROADBAND AUTHORITY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 690: MODIFICATION OF MEMBERSHIP OF DOA BDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 691: ADJUST DRUG EDUCATION SCHOOL ENROLLMENT FEE.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 692: USE OF OPIOID SETTLEMENT FUNDS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 693: EXPEDITE CHILD SAFETY AND PERMANENCY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 694: BLACK FARMER RESTORATION PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 695: STATEWIDE MEDICAL ACTION PLAN FOR SCHOOLS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 696: PROTECT NC CITIZENS FROM RADON.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 697: LAW ENFORCEMENT OFFICER FAIRNESS ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 698: END MENSTRUAL POVERTY ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 699: POLLUTER PAYS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 700: BALANCED POLITICAL DISCUSSION IN CLASSROOMS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 701: RESTORE PUBLIC SECTOR COLLECTIVE BARGAINING.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 702: STATE CLEAN ENERGY GOAL FOR 2050.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 703: STRENGTHEN CHILD FATALITY PREVENTION SYSTEM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 704: PROTECT CHILDREN FROM LEAKING GARBAGE TRUCKS.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 705: CREATE DEPT. OF HOUSING AND COMM. DEVELOPMENT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 706: CAROLINA'S GUARANTEE SCHOLARSHIP PROGRAM.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 707: DEVELOPMENT REGULATIONS & AIRPORT AUTHORITIES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 708: ID CARD REQUESTS/JUVENILES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 709: ALLOW CLERKS TO DISMISS CERTAIN IVC CASES.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 710: A TAX PLAN FOR A JUST RECOVERY.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 711: NC COMPASSIONATE CARE ACT.

Senate: Passed 1st Reading

Senate: RefTo Com On Rules and Operations of the Senate

S 712: STATE IMPLICIT BIAS TRAINING INITIATIVE.

Senate: Passed 1st Reading

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

S 713: GO BIG FOR EARLY CHILDHOOD EDUCATION.

Senate: Passed 1st Reading

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

S 714: HUMAN TRAFFICKING/CHILD EXPLOITATION PREV.ACT.

Senate: Passed 1st Reading

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

S 715: HOSPITALITY BUSINESS ASSISTANCE.

Senate: Passed 1st Reading

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

LOCAL BILLS**H 504: WELDON CITY BD. OF ED./COMPENSATION.**

House: Filed

H 515: ALEXANDER CO. BD. OF ED./PARTISAN ELECTION.

House: Filed

H 517: EMER. MGT./POWERS/CABARRUS COUNTY.

House: Filed

H 520: WS/FORSYTH BD. OF ED/VACANCY METHOD.

House: Filed

S 279: LOCAL GOVERNMENTS/REGULATE NAVIGABLE WATERS.

House: Passed 1st Reading

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

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