



The Daily Bulletin: 2021-04-15

PUBLIC/HOUSE BILLS

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

House committee substitute amends the 1st edition as follows.

Deletes the proposed changes to GS 160D-203 and instead amends the statute as follows. Clarifies existing law, providing that local governments can enter into a mutual agreement with the written consent of a land owner to assign exclusive planning and development regulation jurisdiction for land under GS Chapter 160D, including all development phases on the land, to any one local government when land lies within the jurisdiction of more than one local government. Requires the agreement to be evidenced by a resolution formally adopted by each governing board and recorded with the register of deeds in any county where the land is located (was, in the county where the property is located) within 14 days of the adoption of the last required resolution. Adds a new provision allowing a *landowner*, defined as all titleholders of record owning an interest in the land, to designate which local government's planning and development regulations will apply to such land absent a mutual agreement by the local governments. Additionally authorizes the landowner to enter into an agreement with one or more other local governments, after such a designation is made, for any part of the development including utilities, annexation for utility access, all development phases of the land, and other services offered, subject to approval of the designated local government. Requires the landowner to record such agreements in any county where the land is located within 14 days of execution of the agreement. Limits any agreement under the statute to planning and development regulations (was, development regulations only), and explicitly excludes any affect on taxation or other nonregulatory matters. Changes the act's long title.

Intro. by Brody, Potts, Moffitt, Richardson.

[GS 160D](#)

[View summary](#)

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

H 489 (2021-2022) [2021 BUILDING CODE AND DEV. REG. REFORM](#). Filed Apr 1 2021, *AN ACT TO PROVIDE VARIOUS BUILDING CODE AND DEVELOPMENT REGULATORY REFORMS.*

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

Section 4

Deletes proposed GS 160D-1104(d1), which prohibited charging fees for follow-up inspections to verify completion or correction of additional violations of the NC Residential Code for One- and Two-Family Dwellings or the Building Code (Code) discovered during a follow-up inspection conducted to verify completion or correction of Code violations noted in a previous inspection, and the additional violations are within an area of work for which a final inspection has already been conducted.

Instead amends existing GS 160D-1104(d), enacting a similar provision to prohibit charging a fee for reinspection of additional violations of the Code noted by an inspection conducted during a subsequent inspection to verify completion or correction of instances of Code noncompliance if the additional violations are noted on items already approved by the inspections department. Adds that the inspector noting additional violations in this circumstance cannot delay the issuance of a temporary certificate of occupancy.

Section 5

Now enacts one rather than two new subsections to GS 113A-54.1. Deems, for land-disturbing activity on a single-family residential lot involving new construction with land disturbance of less than one acre where the builder or developer is the land owner, the financial responsibility for land-disturbing activity transfers to the new owner upon the builder or developer's conveyance of the lot to the new owner, deed recordation, and notification of the office or local program that approved the erosion control plan. Eliminates the proposed provision prohibiting requiring additional erosion control measures for the development of a residential lot where an erosion control plan for the development phase in which the lot is located has received final inspection and approval.

Revises the proposed changes to GS 113A-54.2. Now deems that GS 113A-60, as amended, governs the local government authority to assess fees for the review (not review and approval) of erosion and sedimentation control plans.

Modifies the proposed changes to GS 113A-60. Now authorizes local governments to adopt ordinances establishing a fee for the review (not review and approval) of erosion and sedimentation control plans and related activities (no longer including inspections conducted pursuant to the plan). Revises the established fee parameters, now requiring the fee be calculated either on the basis of the number of acres disturbed, or in the case of a single family lot in a residential development or common plan of development that is less than one acre, set at up to \$100 per lot developed (was either based on the number of acres disturbed or set at \$1,000 per lot developed, with the method of calculation to be at the option of the person submitting the plan for review and approval). Now prohibits local governments from requiring a separate erosion control plan for development of individual residential lots within a development project which contains an approved erosion control plan for the entire development (previously referred to as a master erosion control plan) which disturb less than one acre, so long as the developer and the builder are the same financially responsible person (previously did not limit the restriction to lots disturbing land of less than one acre and condition the restriction on the developer and building being the same financially responsible person). Now sets forth 12 (was 11) specifications local governments can require for the review (not review and approval) of erosion control measures for a single family lot in a common plan of development where the developer and builder are different (previously allowed local governments to require these specifications for any such development, not just lots where the developer and builder are different). Adds an existing platted survey of the lots to the specifications local governments can require for such lots. Qualifies the permitted requirement of a sketch plan showing erosion control measures, now requiring the seal of a licensed engineer, landscape architect, or registered land surveyor of any design feature requiring such under federal or State law or regulation.

Revises new GS 113A-61.1(d) to establish that the damage or destruction of a silt fence occurring during land-disturbing activities or (was development) or construction on a development project cannot be assessed a civil penalty under Article 4 so long as the silt fence is repaired within the compliance period noted in the inspection report or Notice of Violation (previously not considered a violation of Article 4 so long as the silt fence is repaired or replaced within five working days of the inspection revealing the damage or destruction; did not provide for penalty prohibition).

Section 7

Adds the following substantive provisions to the act. Directs enforcement officials enforcing the Building Code collection (Code) to implement the specified sections and tables of the Residential Code and the Plumbing Code relating to the water service pipe material and standard conformance requirements, by permitting the American Water Works Association C900 standard as an acceptable standard for polyvinyl chloride (PVC) plastic pipe. Requires the Building Code Council to adopt a rule amending the specified sections and tables of the Residential Code and the Plumbing Code consistent with the described directive.

Intro. by Brody, Riddell, D. Hall, Hunter.

[GS 87, GS 113A, GS 143, GS 160A, GS 160D](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Environment, Environment/Natural Resources, Government, Local Government](#)

H 580 (2021-2022) [MY BODY, MY CHOICE MEDICAL PRIVACY ACT](#). Filed Apr 15 2021, *AN ACT MAKING IT AN UNLAWFUL EMPLOYMENT PRACTICE TO DISCRIMINATE ON THE BASIS OF AN INDIVIDUAL'S REFUSAL TO SUBMIT TO A MEDICAL PROCEDURE; AND MAKING IT UNLAWFUL TO REFUSE AN INDIVIDUAL'S ENTRANCE INTO CERTAIN PUBLIC OR PRIVATE SPACES FOR REFUSAL TO SUBMIT TO A MEDICAL PROCEDURE.*

Known as the "My Body, My Choice Medical Privacy Act." Amends Article 3 of Chapter 95 of the General Statutes (various labor regulations) to add GS 95-28.2 making it unlawful for private and public employers to discriminate against candidates or employees who refuse medical procedures, such as vaccines, or who do not provide proof of vaccination against or immunity from a particular disease. Creates a civil action against employers for violation of this provision including various forms of injunctive, affirmative, and other relief and recovery of court/attorney costs.

Amends Chapter 99D of the General Statutes (Civil Rights) to add GS 99D-1.5 making it unlawful discrimination to deny entry into public accommodations or facilities and venues generally open to the public based on a person's refusal of a medical procedure, such as a vaccine, or refusal to provide proof of vaccination or immunity against a particular disease. Creates a civil action against persons who violate this provision including various forms of injunctive, affirmative, and other relief and recovery of court/attorney costs.

Intro. by Kidwell, Hanig, Goodwin.

[GS 95, GS 99D](#)

[View summary](#)

[Employment and Retirement, Health and Human Services, Health](#)

H 581 (2021-2022) [DRIVERS LICENSE DESIGNATION/AUTISM](#). Filed Apr 15 2021, *AN ACT TO DIRECT THE DIVISION OF MOTOR VEHICLES TO DEVELOP A DESIGNATION FOR DRIVERS LICENSES THAT MAY BE GRANTED UPON REQUEST TO A PERSON WITH AUTISM SPECTRUM DISORDER.*

Enacts GS 20-7(q3) requiring the Division of Motor Vehicles (DMV) to develop a drivers license designation that can be granted to a person with autism spectrum disorder, as defined by statutory cross-reference, upon request. Requires consultation with specified agencies. Establishes nine criteria and requirements applicable to the designation, including (1) placement of the unique symbol on the front of the person's license and electronic recordation of the designation with records associated with the person's license and motor vehicle registration, if applicable, (2) the requesting individual providing verification or documentation substantiating the diagnosis, as specified, (3) limiting use of the information collected for mutually safe interactions with law enforcement, and (4) developing a process for voluntary removal of the designation.

Amends GS 17C-6, concerning the Criminal Justice Education and Training Standards Commission, and GS 17E-4, concerning the Sheriffs' Education and Training Standards Commission, adding the following to the Commissions' powers regarding establishing minimum educational and training standards for employment and continuing education for criminal justice officers and officers, respectively. Now requires the minimum educational and training standards to include recognition and appropriate interaction with persons with autism spectrum disorder, and drivers license and vehicle registration identifiers of persons with autism spectrum disorder, including that the identifiers are optional.

Applies to drivers licenses issued on or after January 1, 2022.

Intro. by Penny, Greene, Miller.

[GS 17C, GS 17E, GS 20](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Criminal Justice, Government, Public Safety and Emergency Management, State Agencies, Department of Transportation, Health and Human Services, Mental Health, Transportation](#)

H 582 (2021-2022) [CONFIRM GOVERNOR'S BUSINESS CT APPTS](#). Filed Apr 15 2021, *A JOINT RESOLUTION CONFIRMING THE GOVERNOR'S APPOINTMENTS OF JULIANNA EARP, MARK DAVIS, MICHAEL ROBINSON, AND ADAM CONRAD AS SPECIAL SUPERIOR COURT JUDGES FOR THE BUSINESS COURTS.*

Includes whereas clauses. Confirms the Governor's appointments and reappointments as title indicates for five-year terms commencing on July 1, 2021, except for the reappointment of Adam Conrad, whose term commences after his term expires on December 23, 2021, and ends five years from reappointment.

Intro. by D. Hall.

JOINT RES

[View summary](#)

Business and Commerce, Courts/Judiciary, Civil, Government, State Government, Executive

H 583 (2021-2022) **GIVE LGERS RETIREES 2% BONUS**. Filed Apr 15 2021, *AN ACT PROVIDING ONE-TIME COST-OF-LIVING SUPPLEMENTS FOR RETIREES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM*.

Amends GS 128-27 (local government retirement system benefits) to add Subsection (hhh) giving a one-time 2% cost of living supplement to or on account of beneficiaries living as of September 1, 2021, and for those retiring on or before that date. Effective July 1, 2021.

Intro. by Hardister, Pickett, Paré, Adcock.

GS 128

[View summary](#)

Employment and Retirement, Government, Local Government

H 584 (2021-2022) **VET. POSTTRAUMATIC STRESS/MITIGATING FACTOR**. Filed Apr 15 2021, *AN ACT TO PROVIDE THAT A COURT MAY CONSIDER POSTTRAUMATIC STRESS DISORDER AS A MITIGATING FACTOR WHEN SENTENCING A PERSON WHO IS A VETERAN*.

Amends GS 15A-1340.16(e) concerning aggravated and mitigated sentences, enacting new subdivision (14a), which provides that it is a mitigating factor that the defendant has been diagnosed as suffering from posttraumatic stress disorder (PTSD) as a result of his or her military service in one or more combat zones and is undergoing treatment for that condition. Sets out and defines PTSD for use in this section. Requires documentary evidence to be submitted to the court to verify military service and PTSD diagnosis. Effective October 1, 2021.

Intro. by Hardister, Szoka, Martin.

GS 15A

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Military and Veteran's Affairs

H 585 (2021-2022) **FAIL TO REPORT CRIME/PRIVILEGE EXEMPTION**. Filed Apr 15 2021, *AN ACT TO PROVIDE THAT A LICENSED MARRIAGE AND FAMILY THERAPIST, OR AN EMPLOYEE OR ASSOCIATE OF A LICENSED MARRIAGE AND FAMILY THERAPIST, WITH PRIVILEGES AGAINST DISCLOSURE UNDER STATE LAW IS NOT REQUIRED TO REPORT CRIMES AGAINST JUVENILES IF THE PRIVILEGE WOULD PREVENT THE PERSON FROM DOING SO*.

Amends GS 14-318.6, which establishes a duty for anyone 18 or older who knows or should have reasonably known that a juvenile has been or is the victim of a violent offense, sexual offense, or misdemeanor child abuse to immediately report the case of that juvenile to the appropriate local law enforcement agency in the county where the juvenile resides or is found, with failure constituting a Class 1 misdemeanor. Adds to subsection (h), providing that the statute does not require a person with privilege under GS 8-53.5 (providing for privileged communications between licensed marital and familial therapist and client(s)) to report pursuant to the statute if that privilege would prevent that person from doing so. Restricts asserting the privilege in this manner to the *primary client*, defined as a person who consults or is interviewed by a licensed marriage and family therapist for the purpose of diagnosis or treatment, and does not apply to other family members.

Intro. by K. Baker, Stevens, Wheatley, Carter.

GS 14

[View summary](#)**Courts/Judiciary, Evidence, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Social Services, Child Welfare**

H 586 (2021-2022) **ALLOW PUBLIC EMPLOYEE COLLECTIVE BARGAINING**. Filed Apr 15 2021, *AN ACT REPEALING THE PROHIBITION ON PUBLIC EMPLOYEE COLLECTIVE BARGAINING TO AFFORD PUBLIC EMPLOYEES THE SAME RIGHTS AS PRIVATE SECTOR EMPLOYEES*.

Repeals Article 12 of Chapter 95 of the General Statutes (prohibiting strikes by public employees and contracts between labor organizations and state and local government employers). Amends Article 10 of Chapter 95 of the General Statutes (labor regulations – policy regarding labor organizations) by adding GS 95-78.1 making the Article applicable to all public employees and all state and local government employers.

Intro. by Brown, Hawkins, Autry, Alston.

GS 95

[View summary](#)**Employment and Retirement, Government, State Government, State Personnel, Local Government**

H 587 (2021-2022) **THE COMPASSION, HEALING, ACCESS & RESPECT ACT**. Filed Apr 15 2021, *AN ACT REQUIRING HOSPITALS TO ALLOW IMMEDIATE FAMILY MEMBERS TO PRIVATELY VIEW THE BODY OF A DECEASED RELATIVE*.

Amends Part 2 of Article 5 of Chapter 131E of the General Statutes (Health Care Facilities and Services - Hospital Licensure) by adding GS 131E-79.5 requiring hospitals to allow immediate family members (as defined) of a deceased person to privately view the body of their deceased relative as soon as is reasonably safe and practical.

Intro. by Quick.

GS 131E

[View summary](#)**Health and Human Services, Health, Health Care Facilities and Providers**

H 588 (2021-2022) **ESTABLISH NC TEXTILE MUSEUM**. Filed Apr 15 2021, *AN ACT TO CREATE THE NORTH CAROLINA TEXTILE MUSEUM AND TO APPROPRIATE FUNDS FOR THE SAME*.

Identical to [H 530](#), filed 4/12/21.

Includes whereas clauses. Establishes the NC Textile Museum to fulfill three purposes: to preserve the State's textile industrial heritage and mill village culture; to demonstrate the science, engineering, and technology involved in the industry; and to present it to a wide public audience in an interesting and entertaining way. Adopts the recommendations of the Textile Museum Feasibility Study and directs the Department of Natural and Cultural Resources to work with Randolph Heritage Conservancy, Inc. (Conservancy) to develop and implement a comprehensive plan for the museum and a plan to transfer assets and responsibilities to the State. Appropriates \$500,000 from the General Fund to the Conservancy for each year of the 2021-23 biennium to implement the comprehensive plan for the museum under DNCR supervision. Effective July 1, 2021.

Intro. by McNeill.

APPROP, Randolph

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

H 589 (2021-2022) [PROHIBIT LEO USE OF CHEMICAL AGENTS ON MINORS](#). Filed Apr 15 2021, *AN ACT TO PROHIBIT LAW ENFORCEMENT OFFICERS FROM USING CHEMICAL AGENTS ON MINORS*.

Amends GS 15A-401(d), which governs use of force during arrest, to explicitly prohibit law enforcement officers from using *chemical agents*, defined by a nonexhaustive list that includes oleoresin, capsicum, pepper spray, and tear gas, on a person that the officer knows or should know is under 18. Directs all State agencies, local departments, offices, campus police agencies and company police agencies employing sworn law enforcement officers with the power to arrest to develop a mandatory policy that incorporates this restriction. Requires these policies to be made available to the public by issuance of a news release that is published on the department, office, or agency's website. Makes conforming changes.

Enacts the following statutes providing substantively identical language that prohibits the specified type of officer from using chemical agents (defined in the same manner as GS 15A-401(d), as amended) on a person the officer knows or should know is under 18, and directs the specified agency to develop a mandatory policy that incorporates the restriction which must be made publicly available by issuance of a news release that is published on the specified agency's website:

- GS 20-196.6 (applicable to State Troopers and the State Highway Patrol);
- GS 74E-10.1 (applicable to company police officers and company police agencies);
- GS 74G-10.1 (applicable to campus police officers and campus police agencies);
- GS 143B-927.1 (applicable to State Bureau of Investigation law enforcement officers and the SBI);
- GS 153A-213 (applicable to county law enforcement officers and counties); and
- GS 160A-290 (applicable to city law enforcement officers and cities).

Effective October 1, 2021.

Intro. by K. Smith, Hawkins.

[GS 15A](#), [GS 20](#), [GS 74E](#), [GS 74G](#), [GS 143B](#), [GS 153A](#), [GS 160A](#)

[View summary](#)

[Courts/Judiciary](#), [Motor Vehicle](#), [Criminal Justice](#), [Criminal Law and Procedure](#), [Government](#), [Public Safety and Emergency Management](#), [State Agencies](#), [Community Colleges System Office](#), [UNC System](#), [Local Government](#)

H 590 (2021-2022) [MOBILE BARBERSHOPS/MOBILE SALONS](#). Filed Apr 15 2021, *AN ACT TO AUTHORIZE MOBILE SALONS FOR THE PRACTICE OF COSMETIC ART AND MOBILE BARBERSHOPS FOR THE PRACTICE OF BARBERING*.

Makes the following changes to GS 88B, Cosmetic Art.

Expands authority of the Board of Cosmetic Art Examiners (Board) to include inspecting mobile salons. Adds the defined term mobile salon. Sets the licensing application and annual fee for mobile salons at \$25, with a \$10 late fee. Enacts GS 88B-15.1 authorizing motor homes to be used as a mobile salon for practicing cosmetic art. Provides for licensure, the Board's rulemaking, and other requirements regarding mobile salons, including requiring owners to provide the Board with a written monthly itinerary listing locations, dates, and hours of operation. Makes conforming changes to the Chapter to make the Chapter's licensing requirements and regulations applicable to mobile salons.

Makes the following changes to GS Chapter 86A, governing barbers.

Expands authority of the Board of Barber Examiners (Board) to include inspecting and adopting sanitary regulations for mobile barbershops. Requires a permit in order to operate or manage a mobile barbershop. Sets the permit application and annual fee for mobile barbershops at \$50, with a \$45 late fee, and sets inspection of newly established mobile barbershops at \$120. Enacts GS 86A-13A authorizing motor homes to be used as a mobile barbershop for the practice of barbering. Provides for permitting, the Board's rulemaking, and other requirements regarding mobile barbershops, including requiring owners to provide the Board with a written monthly itinerary listing locations, dates, and hours of operation. Makes conforming changes to the Chapter to make the Chapter's licensing requirements and regulations applicable to mobile barbershops.

Allows the North Carolina Board of Cosmetic Art Examiners and the State Board of Barber Examiners to adopt temporary rules to implement this act.

Effective October 1, 2021.

Intro. by Gailliard.

GS 86A, GS 88B

[View summary](#)

Business and Commerce, Occupational Licensing

H 591 (2021-2022) **FINES AND FORFEITURES/PAYMENT TO SCHOOLS**. Filed Apr 15 2021, *AN ACT TO DIRECT EXCESS RECEIPTS IN THE CIVIL PENALTY AND FORFEITURE FUND TO BE TRANSFERRED TO THE SCHOOL TECHNOLOGY FUND IN THE SAME FISCAL YEAR AND ANY CAPITAL FUNDS FOR SCHOOL TECHNOLOGY TO BE USED TOWARD PAYMENT OF THE 2019 COURT JUDGMENT ON CIVIL PENALTIES, FINES, AND FORFEITURES AND TO DIRECT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WAYS TO SATISFY THE REMAINDER OF THE JUDGMENT.*

Includes whereas clauses.

Amends GS 115C-457.3, adding a new subsection to direct any amount of funds in excess of legislative appropriations for a fiscal year in the Current Operations Appropriations Act for the Civil Penalty and Forfeiture Fund to be transferred to the School Technology Fund in the same fiscal year in which the excess funds are collected.

Directs the Department of Public Instruction (DPI) to allocate these funds to local school administrative units on a per pupil basis to be credited toward the remaining judgement in the specified case until the judgement is satisfied. Requires DPI to send written notice to the NC School Boards Association (a party in the specified case) upon the transfer of excess funds as provided in GS 115C-457.3, as amended.

Directs that in any fiscal year funds are legislatively appropriated from a source other than the Civil Penalty and Forfeiture Fund for capital improvements for school technology for local school administrative units, the funds must be credited toward the same identified judgement until the judgement is satisfied. Directs DPI to send written notice to the NC School Boards Association within 60 days after the end of each fiscal year of any funds credited toward the remaining judgement.

Directs the Legislative Research Commission to study the ways the State must satisfy the remainder of the judgement in the identified case, including sources of funding to satisfy the judgement and the time line for payments to be made within a 10-year period. Directs the LRC to report to the 2021 NCGA by March 15, 2022.

Intro. by Gailliard.

STUDY, GS 115C

[View summary](#)

Education, Elementary and Secondary Education, Government, General Assembly

H 592 (2021-2022) **REMOVE RESTRICTION ON PUBLIC SCHOOL CAP. FUND**. Filed Apr 15 2021, *AN ACT TO REMOVE THE RESTRICTION ON PUBLIC SCHOOL BUILDING CAPITAL FUND ALLOCATIONS WHEN A COUNTY ALSO RECEIVES A GRANT FROM THE NEEDS-BASED PUBLIC SCHOOL CAPITAL FUND.*

Repeals GS 115C-546.2(f), which made a county that received a grant from the Needs-Based Public School Capital Fund ineligible to receive allocations from the Public School Building Capital Fund for five years from the date the grant funds were awarded. Effective July 1, 2021, and applies to applications submitted for allocations from the Public School Building Capital Fund on or after that date.

Intro. by Gailliard.

GS 115C

[View summary](#)

Education, Elementary and Secondary Education

PUBLIC/SENATE BILLS

S 85 (2021-2022) [ALLOW VISION SERVICE PLANS. \(NEW\)](#) Filed Feb 11 2021, *AN ACT TO ALLOW VISION SERVICE PLANS AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO CHAPTER 58 OF THE GENERAL STATUTES.*

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

Part I.

Revises the changes to Part 1, Article 65 of GS Chapter 58 as follows. Modifies the defined terms set forth in new GS 58-65-1.1. Now defines *hospital service corporation* as any nonprofit corporation that operates one or any combination of a dental service plan, health care service plan, medical service plan, and vision service plan (was, limited to any nonprofit corporation that operates a hospital service plan). Makes conforming changes to no longer define *dental service corporation* and *vision service corporation*. Make conforming changes to the Part's title. Revises the proposed changes to GS 58-65-1, now defining the scope of Articles 65 and 66 to include corporations organized for the purpose of maintaining and operating a nonprofit dental, health care (was, hospital), medical, or vision service plan whereby dental, health care (was, hospital), medical, or vision care or services can be provided by the corporation or hospitals, physicians, optometrists, or dentists participating in the plan(s). Authorizes all corporations subject to Articles 65 and 66 with certificates of authority (was, incorporation) which authorize the operation of either a dental, health care (was, hospital), medical, or vision service plan, or any combination of the plans, to, with the approval of the Commissioner of Insurance (Commissioner): (1) issue subscribers' contracts or certificates for the provision of or payment of fees for services or care; and (2) enter into contracts with health care providers for the provision of or the payment of fees for services or care. Makes conforming changes throughout the Part to refer to *hospital service corporations*, as now defined, rather than "full-service" or "single service-corporations," and "health care" rather than "hospital care." Changes *preferred provider* to no longer restrict the term to the provision of services to beneficiaries of a "full-service plan" administered pursuant to the Article. Makes changes throughout to refer to participating hospitals or physicians, dentists, or optometrists rather than "health care providers."

Part II.

Makes similar changes to the definition of corporation as used in Part 2 of Article 65, concerning indemnification, to refer to hospital service corporations rather than dental, hospital, medical, or dental service corporations.

Revises the proposed changes to Article 66 of GS Chapter 58, making changes to refer to hospital service corporations rather than dental, hospital, medical, and dental service corporations. Makes conforming changes to the Article's title.

Makes conforming changes to the proposed changes to GS 58-38-35 regarding readable insurance policies, GS 58-49-25 regarding required disclosure, GS 58-50-5 regarding general health insurance guidelines, and GS 58-50-45 regarding required notice to insurance fiduciaries.

Changes the act's titles.

Intro. by Corbin, Burgin, Woodard.

GS 58

[View summary](#)

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

S 717 (2021-2022) [TAXPAYER BILL OF RIGHTS.](#) Filed Apr 15 2021, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR TAXPAYER PROTECTIONS THAT LIMIT THE GROWTH OF STATE SPENDING TO INFLATION PLUS POPULATION GROWTH, REQUIRE YEARLY DEPOSITS IN A SAVINGS RESERVE OR UNFUNDED LIABILITY RESERVE, RETURN EXCESS REVENUE TO TAXPAYERS, AND SUBMIT TAX INCREASES TO A VOTE OF THE PEOPLE.*

Subject to voter approval at the general election in 2022, enacts new Article V-A to the NC Constitution as follows.

Section 1 restricts the maximum annual percentage increase in allowed State fiscal year spending from exceeding the average inflation growth for the prior three calendar years plus the average growth in State population for the prior three calendar years before the fiscal year start. Defines fiscal year spending; inflation growth; population; and allowed State fiscal year spending. Allows for the NCGA to increase the spending limit for a fiscal year by a two-thirds vote of all members in each house.

Section 2 requires each budget enacted by the NCGA to include a transfer to the Savings Reserve of 15% of each fiscal year's estimated growth in State tax revenues that are deposited in the General Fund, with a specified exception that maintains the transfer requirement but at a reduced amount. Grants legislative authority for additional deposits in the Savings Reserve by statute. Requires legislative expenditure of funds or decline to reserve funds in the Savings Reserve, or both, by a two-thirds vote of all members in each house. Restricts withdrawal from the Savings Reserve to the NCGA only; explicitly declines to grant the authority to the Governor without prior legislative appropriation. Also prohibits the Governor from diverting funds legislatively appropriated from the Savings Reserve. Provides for a transfer of funds to the Unfunded Liability Solvency Reserve if a specified threshold would be exceeded if the funds were transferred to the Savings Reserve, unless the State has no unfunded liability. Mandates any amount of revenue collected in excess of the spending limit and reserves constitutionally established must be returned equally to every individual who filed a return for the tax year prior to the start of the fiscal year. Deems spouses filing jointly to be one individual for purposes of this provision.

Amends Section 2 of Article V of the NC Constitution, barring the enactment of any law to impose or increase any tax, or allow local governments to do so, unless approved by a majority of the qualified voters of the jurisdiction to which the tax or increase pertains.

Amends Section 22 of Article II of the NC Constitution, adding to the bills which must be read three times in each house before it becomes law to include bills (1) increasing the fiscal year spending limit established under new Section 1 of Article V-A of the NC Constitution and no other matter, and (2) declining to reserve funds to the Emergency Savings Reserve Fund, providing for expenditure of funds from the Savings Reserve, or both, as provided in new Section 2 of Article V-A of the NC Constitution, and no other matter.

Effective upon certification.

Intro. by Newton, Daniel, Rabon.

CONST

[View summary](#)

[Constitution, Government, Elections, General Assembly, State Government, Executive, Tax](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 20: 1998 CLEAN WATER BOND ADD'L CONNECTIONS.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 32: EQUITY IN OPPORTUNITY ACT.

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 64: NCWORKS COMMISSION MEMBERSHIP MODIFICATION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 73: TEMPORARILY DEFER ABC PERMIT RENEWAL FEES. (NEW)

House: Cal Pursuant 36(b)
House: Added to Calendar
House: Failed Concur In S Com Sub

H 86: INCREASE IN-SERVICE DEATH BENEFITS/LRS.

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

H 101: ADOPT HAYWOOD CO. AS ELK CAPITAL OF NC.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 137: STEVE TROXLER AGRICULTURAL SCIENCES CENTER. (NEW)

Senate: Passed 2nd Reading
Senate: Passed 3rd Reading
Senate: Ordered Enrolled
House: Ratified
House: Pres. To Gov. 4/15/2021

H 138: ADOPT WOUNDED HEROES DAY.

Senate: Passed 2nd Reading
Senate: Passed 3rd Reading
Senate: Ordered Enrolled
House: Ratified
House: Pres. To Gov. 4/15/2021

H 141: PROMOTE NORTH CAROLINA SAWMILLS.

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 145: PROPERTY PROTECTION ACT/DVPO.

House: Withdrawn From Cal
House: Placed On Cal For 04/20/2021

H 156: UNCLAIMED PROP. DIV. AMEND./DMV TECH CHNGS-AB. (NEW)

Senate: Reptd Fav

H 163: TREASURY ADMINISTRATIVE CHANGES-AB

House: Regular Message Sent To Senate
Senate: Regular Message Received From House
Senate: Passed 1st Reading
Senate: Ref To Com On Rules and Operations of the Senate

H 168: RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2021.-AB

House: Regular Message Sent To Senate
Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 194: FEDERAL COURT OFFICIAL/CONCEALED CARRY.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 198: FOREST SERVICE CHANGES.

House: Withdrawn From Cal

House: Re-ref Com On Agriculture

H 228: ATTRACTIVE NUISANCES.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

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

Senate: Reptd Fav

H 252: VARIOUS RAISE THE AGE CHANGES/JJAC RECS.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 279: COVID-19 RELATED TAX CHNGS/UI TECH CORRECT. (NEW)

House: Passed 3rd Reading

H 285: ENS RAILROAD TRAIN/DRIVER ED CURRICULUM.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 328: ALLOW TRADE OR EXCHANGE OF SPIRITUOUS LIQUOR.

House: Passed 2nd Reading

House: Passed 3rd Reading

H 334: TEMP ALIGN PPP TREATMENT TO FEDERAL TREATMENT.

House: Passed 2nd Reading

House: Withdrawn From Cal

House: Placed On Cal For 04/20/2021

H 341: PROTECTION FROM ONLINE IMPERSONATION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 352: HOTEL SAFETY ISSUES.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 371: NC TEACHER SUPPORT PROGRAM FUNDS.

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

House: Withdrawn From Com

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

H 425: DEVELOPMENT REGULATIONS/MULTIJURISDICTION.

House: Reptd Fav Com Substitute

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

H 489: 2021 BUILDING CODE AND DEV. REG. REFORM.

House: Reptd Fav Com Substitute

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

H 546: NC CALL CENTER PRESERVATION ACT.

House: Serial Referral To Regulatory Reform Stricken

House: Withdrawn From Com

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

H 552: REMOTE LICENSE CONVERSION FOR MILITARY.

House: Passed 1st Reading

House: Ref to the Com on Homeland Security, Military, and Veterans Affairs, if favorable, Transportation, if favorable, Rules, Calendar, and Operations of the House

H 553: TRAUMATIC BRAIN INJURY ADVISORY COUNCIL/FUNDS.

House: Passed 1st Reading

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

H 554: DESIGNATE 2023 AS YEAR OF THE TRAIL.

House: Passed 1st Reading

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

H 555: 2021 GOVERNOR'S BUDGET.

House: Passed 1st Reading

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

H 556: A TAX PLAN FOR A JUST RECOVERY.

House: Passed 1st Reading

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

H 557: REOPEN GYM WATER FOUNTAINS/BOTTLE STATIONS.

House: Passed 1st Reading

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

H 558: PROHIBIT MANDATORY CV19 VACCINATIONS.

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 559: REPEAL PISTOL PURCHASE PERMIT REQUIREMENT.

House: Passed 1st Reading

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

H 560: PUBLIC SAFETY REFORM.

House: Passed 1st Reading

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

H 561: LOCAL CONFINEMENT FACILITY INSPECTION APPEALS.

House: Passed 1st Reading

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

H 562: FUNDS TO SUPPORT THE ARTS.

House: Passed 1st Reading

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

H 563: RENEWABLE ENERGY TAX CREDIT.

House: Passed 1st Reading

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

H 564: EXECUTIVE ORDER/LIMITATIONS.

House: Passed 1st Reading

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

H 565: EQUAL PAY FOR EQUAL WORK.

House: Passed 1st Reading

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

H 566: MATTRESS TRANSPORT ON VEHICLE ROOF PROHIBITED.

House: Passed 1st Reading

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

H 567: 2021 YOUTH END ACT.

House: Passed 1st Reading

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

H 568: YOUTH MENTORING SERVICES ACT.

House: Passed 1st Reading

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

H 569: ENABLING OPPORTUNITY SCHOLARSHIP REPORTING.

House: Passed 1st Reading

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

H 570: LICENSE TO WORK.

House: Passed 1st Reading

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

H 571: FUNDS/SMITH REYNOLDS AIRPORT RENOVATIONS.

House: Passed 1st Reading

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

H 580: MY BODY, MY CHOICE MEDICAL PRIVACY ACT.

House: Filed

H 581: DRIVERS LICENSE DESIGNATION/AUTISM.

House: Filed

H 582: CONFIRM GOVERNOR'S BUSINESS CT APPTS.

House: Filed

H 583: GIVE LGERS RETIREES 2% BONUS.

House: Filed

H 584: VET. POSTTRAUMATIC STRESS/MITIGATING FACTOR.*House: Filed***H 585: FAIL TO REPORT CRIME/PRIVILEGE EXEMPTION.***House: Filed***H 586: ALLOW PUBLIC EMPLOYEE COLLECTIVE BARGAINING.***House: Filed***H 587: THE COMPASSION, HEALING, ACCESS & RESPECT ACT.***House: Filed***H 588: ESTABLISH NC TEXTILE MUSEUM.***House: Filed***H 589: PROHIBIT LEO USE OF CHEMICAL AGENTS ON MINORS.***House: Filed***H 590: MOBILE BARBERSHOPS/MOBILE SALONS.***House: Filed***H 591: FINES AND FORFEITURES/PAYMENT TO SCHOOLS.***House: Filed***H 592: REMOVE RESTRICTION ON PUBLIC SCHOOL CAP. FUND.***House: Filed***S 56: TRYON PALACE - CAPITAL PROJECT.***House: Passed 2nd Reading**House: Passed 3rd Reading**House: Ordered Enrolled**Senate: Ratified***S 85: ALLOW VISION SERVICE PLANS. (NEW)***Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted**Senate: Re-ref Com On Health Care***S 159: STATE HEALTH PLAN ADMINISTRATIVE CHANGES.-AB***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***S 183: BEGIN MODERNIZING IGNITION INTERLOCK LAWS.***Senate: Reptd Fav***S 202: NO LAPSE, NO PROBLEM.***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***S 212: BENNETT COLLEGE ACCREDIT./PRIVATE NEED-BASED.***House: Passed 1st Reading**House: Ref To Com On Rules, Calendar, and Operations of the House***S 315: ALLOW SELF-INSURANCE AS PROOF OF FIN. RESP.***House: Passed 1st Reading*

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

S 323: JOINT MUNICIPAL POWER AGENCIES/INVESTMENTS.

House: Passed 1st Reading

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

S 339: DRIVING LOCAL BUSINESS.

House: Passed 1st Reading

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

S 390: UNC LAW ENFORCEMENT RECRUITMENT.

Senate: Reptd Fav

LOCAL BILLS

H 10: ASHEVILLE AIRPORT AUTH./AUTHORIZE GOLF COURSE.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 125: SCHOOL CALENDAR FLEXIBILITY/LENOIR COUNTY.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 201: ACADEMIC ALIGNMENT/CERTAIN SCHOOL UNITS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 244: LINCOLN CO. BD. OF ED./PARTISAN ELECTION.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

H 263: HIGH POINT/COUNCIL DELEGATE REZONING POWERS.

House: Regular Message Sent To Senate

Senate: Regular Message Received From House

Senate: Passed 1st Reading

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

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

House: Passed 1st Reading

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

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

House: Passed 1st Reading

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

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

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

S 269: FLEXIBILITY IN FILLING VACANCIES/DURHAM.

House: Passed 1st Reading

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

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