



## The Daily Bulletin: 2021-04-22

### PUBLIC/HOUSE BILLS

H 137 (2021-2022) [STEVE TROXLER AGRICULTURAL SCIENCES CENTER. \(NEW\)](#) Filed Feb 23 2021, *AN ACT TO DEDICATE THE AGRICULTURAL SCIENCES CENTER OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AS THE STEVE TROXLER AGRICULTURAL SCIENCES CENTER.*

AN ACT TO DEDICATE THE AGRICULTURAL SCIENCES CENTER OF THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES AS THE STEVE TROXLER AGRICULTURAL SCIENCES CENTER. SL 2021-11. Enacted April 21, 2021. Effective April 21, 2021.

**Intro. by Dixon, Brisson, Bell, Elmore.**

UNCODIFIED

[View summary](#)

[Agriculture, Government, State Agencies, Department of Agriculture and Consumer Services](#)

H 138 (2021-2022) [ADOPT WOUNDED HEROES DAY.](#) Filed Feb 23 2021, *AN ACT ADOPTING THE TWENTY-FOURTH DAY OF APRIL OF EACH YEAR AS WOUNDED HEROES DAY IN HONOR OF ARMY SGT. MICHAEL VERARDO.*

AN ACT ADOPTING THE TWENTY-FOURTH DAY OF APRIL OF EACH YEAR AS WOUNDED HEROES DAY IN HONOR OF ARMY SGT. MICHAEL VERARDO. SL 2021-12. Enacted April 21, 2021. Effective April 21, 2021.

**Intro. by Willis.**

GS 103

[View summary](#)

[Government, Cultural Resources and Museums, Military and Veteran's Affairs](#)

H 291 (2021-2022) [BLDG. PLAN APPROVAL - CERTAIN COMMERCIAL PROP.](#) Filed Mar 11 2021, *AN ACT TO ESTABLISH AND REQUIRE CERTAIN TIME LINES FOR REVIEW AND APPROVAL OF COMMERCIAL AND MULTIFAMILY BUILDING PLANS FOR LOCAL GOVERNMENTS AND TO ESTABLISH REMEDIES FOR FAILURE TO TIMELY REVIEW PLANS SUBMITTED UNDER THE EXPERTISE OF A LICENSED DESIGN PROFESSIONAL.*

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

Amends GS 160D-1106 to require a local government to complete an initial plan review and issue a building permit decision (was, initial plan review only) within 21 days (was, 15 days) for commercial and multifamily building plans (was, commercial buildings only) submitted that require a design professional seal pursuant to NC Building Code Council rules. Amends the consequences for not issuing a building permit decision within the specified time frames, to allow the permit applicant to use the Department of Insurance and its marketplace pool of qualified Code enforcement officials or hire a third-party engineering firm that has a valid certificate to review and approve the submitted plans (previously was limited to hiring a third-party firm to review the plans). Adds that if the local government determines that it is unable to complete the initial plan review within 21 days, the local government may use the Department of Insurance and its marketplace pool of qualified Code enforcement officials or contract with a third-party engineering firm that has a valid certificate to perform the initial plan review if the total time for the initial review does not exceed the 21 days. Adds that if a local government's ordinance conflicts with this statute, then the statute supersedes and preempts the ordinance. Makes additional conforming changes.

Amends GS 143-151.12 by making conforming changes to the purposes for which the Department of Insurance's pool of qualified Code-enforcement officials can be used.

Amends GS 143-151.13 by making conforming changes to allow an engineer with a valid certificate who is not employed by the State or a local government to use the certificate for performing initial plan reviews as now allowed under GS 160D-1106.

Amends the act's long title.

**Intro. by Zenger, Potts.**

GS 143, GS 160D

[View summary](#)

**Development, Land Use and Housing, Building and Construction, Government, Local Government**

H 315 (2021-2022) [ARSON LAW REVISIONS](#). Filed Mar 16 2021, *AN ACT TO INCREASE THE PUNISHMENT FOR CERTAIN ARSON OFFENSES; TO AMEND THE OFFENSE OF ARSON OR OTHER UNLAWFUL BURNINGS THAT RESULT IN INJURY TO A FIREFIGHTER, LAW ENFORCEMENT OFFICER, FIRE INVESTIGATOR, OR EMERGENCY MEDICAL TECHNICIAN; TO AUTHORIZE THE COMMISSIONER OF INSURANCE THROUGH THE OFFICE OF THE STATE FIRE MARSHAL TO INVESTIGATE FIRES; TO REQUIRE CRIMINAL HISTORY RECORD CHECKS OF APPLICANTS TO FIRE DEPARTMENTS; TO REQUIRE APPLICANTS TO DISCLOSE CERTAIN CRIMINAL CHARGES; AND TO PROHIBIT APPLICANTS CONVICTED OF CERTAIN CRIMES FROM SERVING AS VOLUNTEER OR PAID MEMBERS OF FIRE DEPARTMENTS.*

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

Part III.

Adds the proposed changes to GS 58-79-1 to explicitly grant the SBI Director the exclusive right to supervise and direct the investigation of fires involving death or serious bodily injury.

**Intro. by McNeill, Boles, Saine, Carter.**

GS 14, GS 58, GS 143B, GS 153A, GS 160A

[View summary](#)

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

H 361 (2021-2022) [APA RULES REVIEW DEFINITIONS](#). Filed Mar 23 2021, *AN ACT TO MODIFY CERTAIN DEFINITIONS OF THE ADMINISTRATIVE PROCEDURE ACT.*

House committee substitute to the 1st edition makes the following changes. Further amends GS 150B-2, which sets out and defines terms as they are used in GS Chapter 150B (Administrative Procedure Act), by: (1) deleting the proposed definition of *guidance* document; and (2) amends the term *policy* by adding that any policy that an agency attempts to implement as a rule must be adopted as a rule to be enforceable.

**Intro. by Moffitt, Johnson, Paré, Wray.**

GS 150B

[View summary](#)

**Government, APA/Rule Making**

H 481 (2021-2022) [FIREARM DISPOSAL/UNC CAMPUS POLICE](#). Filed Apr 1 2021, *AN ACT TO ALLOW CAMPUS POLICE AND LAW ENFORCEMENT AGENCIES OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO SELL, TRADE, OR OTHERWISE DISPOSE OF ANY OR ALL SURPLUS WEAPONS IN THEIR POSSESSION TO ANY FEDERALLY LICENSED FIREARM DEALER.*

House committee substitute amends the 1st edition as follows.

Further amends GS 143-63.1 to allow campus law enforcement agencies, in addition to police agencies, of the constituent institutions of the University of North Carolina to sell, trade, or otherwise dispose of any or all surplus weapons they possess to any federally licensed firearm dealers. Makes conforming changes to the act's long title.

**Intro. by C. Smith, Faircloth, Miller.**

GS 143

[View summary](#)

**Government, Public Safety and Emergency Management, State Agencies, UNC System**

H 602 (2021-2022) [UNC LEGISLATIVE PRIORITIES/HR/REPORTS](#). Filed Apr 19 2021, *AN ACT TO EXEMPT FINANCE, BUSINESS OFFICE, AND AUDITOR PROFESSIONALS FROM MOST PROVISIONS OF THE NORTH CAROLINA HUMAN RESOURCES ACT, TO CONSOLIDATE AND ELIMINATE CERTAIN REPORTS, TO MAKE CHANGES FOR IN-STATE TUITION FOR VETERANS TO COMPLY WITH FEDERAL LAW, AND TO CODIFY CAPITAL PROJECT REPORTING REQUIREMENTS.*

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

Part II.

Deletes proposed subsection (e) to GS 143-133.1, which prohibited requiring UNC to report to the Secretary of Administration upon contracting with a construction manager at risk, design-builder, or private developer under a public-private partnership as required by subsection (a); exempted UNC from the Secretary's rules adopted to implement subsection (a); and directed the UNC Board of Governors (BOG) to adopt rules to implement the statute for UNC which were to include annual reporting by constituent institutions to the BOG and reporting to the Secretary of Administration within 12 months of the date of beneficial occupancy of the project. Instead, enacts new subsection (b1) directing the BOG to adopt rules to implement the provisions of the statute for UNC, including format and frequency of reporting, which require constituent institutions to annually report the information required by subsection (a) to the BOG.

Adds a new Part to the act as follows.

Enacts GS 143C-8-14 to establish reporting requirements for *capital projects*, defined as any capital improvement funded in whole or in part by State funds, including receipts, non-General Fund sources, or statutorily or constitutionally authorized indebtedness of any kind, that is not complete and is authorized by the General Assembly for a total project cost of at least \$10 million. Requires biannual reports to be submitted to the specified NCGA committee and division by (1) the Office of State Budget and Management (OSBM) on the status of capital projects funded from the State Capital Infrastructure Fund or other State Funds, and (2) each State agency on the status of agency capital projects funded from non-State funds. Additionally requires quarterly reporting by State agencies on the status of agency capital projects to OSBM. Details required content of the reports. Directs the State Construction Office to annually report to the specified NCGA committee and division on (1) the status of the Facilities Condition Assessment Program (FCAP), as specified, and (2) the status of plan review, approval, and permitting for each State capital improvement project and community college capital improvement project over which the Office exercises plan review, approval, and permitting authority, as specified.

Makes conforming organizational changes and changes to the act's long title.

**Intro. by Hardister, Pickett, Arp, K. Smith.**

UNCODIFIED, GS 66, GS 116, GS 126, GS 143, GS 143C

[View summary](#)

**Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, State Agencies, UNC System, Office of State Budget and Management, State Government, State Personnel, Health and Human Services, Health, Health Care Facilities and Providers, Military and Veteran's Affairs**

H 645 (2021-2022) [REPEAL PUBLIC RECORDS MEDIATION](#). Filed Apr 22 2021, *AN ACT REPEALING THE PRELITIGATION MEDIATION REQUIREMENT IN PUBLIC RECORD DISPUTES*.

Repeals GS 7A-38.3E (requiring pre-litigation mediation in public records dispute cases).

**Intro. by Everitt.**

[GS 7A](#)

[View summary](#)

[Government, Public Records and Open Meetings](#)

H 646 (2021-2022) [DENTAL CARE ACT](#). Filed Apr 22 2021, *AN ACT TO REQUIRE HEALTH BENEFIT PLAN COVERAGE FOR MEDICALLY NECESSARY DENTAL PROCEDURES THAT ARE A RESULT OF CANCER TREATMENT*.

Amends Article 3 of Chapter 58 of the General Statutes (General Regulations for Insurance) to add GS 58-3-281 requiring that health benefit plans offered by insurers in the state provide coverage for medically necessary dental procedures resulting from cancer treatments. Effective October 1, 2021 and applies to insurance contracts entered into, renewed, or amended on or after that date.

**Intro. by White, Lambeth.**

[GS 58](#)

[View summary](#)

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

H 647 (2021-2022) [ENHANCED IN-SERVICE RETIREMENT FOR LEOS](#). Filed Apr 22 2021, *AN ACT ALLOWING CERTAIN RETIRED LAW ENFORCEMENT OFFICERS WHO ARE BENEFICIARIES OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO WORK AS SCHOOL RESOURCE OFFICERS OR ELECTED SHERIFFS WITHOUT ADVERSELY IMPACTING THEIR RETIREMENT BENEFITS*.

Amends GS 128-21 to add and define the term *in-service retired law enforcement officer*, defined as a beneficiary of the Local Governmental Employees' Retirement System (LGERS) who is (1) at least 59.5 years of age, with at least five years of creditable service as a law enforcement officer, and (2) is reemployed by a sheriff's office or a police department as a school resource officer in a capacity that meets the definition of *employee* under the Chapter, or is elected to the office of sheriff.

Amends GS 128-24(5), which governs members whose LGERS membership is terminated and who becomes entitled to membership under the subdivision's provisions. Adds a new sub-subdivision providing that in-service retired law enforcement officers are not subject to the reemployment limitations specified in sub-subdivision c. Establishes that an employee who retired on an early or service retirement allowance and is restored to serve as an in-service retired law enforcement officer must have the employee's allowance continue for the duration of such employment, without limitation. Provides that the employee must again become a member of LGERS and contribute thereafter at the applicable, uniform contribution rate. Requires recomputation of the member's allowance in accordance with the service retirement provisions pertaining to law enforcement officers upon separation from service as an in-service retired law enforcement officer and upon written notification to the Board of Trustees of the member's desire to retire, as specified.

Effective July 1, 2021.

**Intro. by McNeill, Potts.**

[GS 128](#)

[View summary](#)

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

H 648 (2021-2022) [EMER. CARE/ANIMALS/VET. PRACTICE](#). Filed Apr 22 2021, *AN ACT TO PROVIDE AN EXEMPTION TO THE PRACTICE OF VETERINARY MEDICINE FOR EMERGENCY PERSONNEL WHO RENDER EMERGENCY MEDICAL SERVICES TO AN INJURED K-9 POLICE ANIMAL AT THE SCENE OF AN EMERGENCY.*

Amends GS 90-187.10 (exemptions from need for veterinary license) to add an exemption allowing emergency medical services personnel to provide emergency medical transport or services to an injured K-9 police unit animal at the scene of an emergency.

Amends Article 7 of Chapter 131E of the General Statutes (Regulation of Emergency Medical Services) to add GS 131E-155.2 granting immunity from prosecution to emergency medical services personnel providing emergency medical services to a K-9 police unit animal at the scene of an emergency, except in cases of gross negligence or intentional wrongdoing.

Effective October 1, 2021, and applies to acts on or after that date.

**Intro. by Sasser.**

[GS 90, GS 131E](#)

[View summary](#)

[Animals, Government, Public Safety and Emergency Management, Health and Human Services, Health, Health Care Facilities and Providers](#)

H 649 (2021-2022) [CLARIFY MOTOR VEHICLE FRANCHISE LAWS](#). Filed Apr 22 2021, *AN ACT TO REVISE AND CLARIFY THE LAWS GOVERNING NEW MOTOR VEHICLE DEALER FRANCHISES.*

Identical to [S 342](#), filed 3/24/21.

Makes the following changes to GS 20-305(4), which makes it unlawful for any manufacturer, factory branch, distributor, or distributor branch, or any field representative, officer, agent, or any representative of the like, to prevent or refuse to approve the sale or transfer of ownership of a dealership, a change in management or principal operator of the dealership, a change in the use of an existing facility to provide for the sales or service of additional line-makers of new vehicles, or relocation of the dealership to another site within the market area, if the Commissioner of Motor Vehicles (Commissioner) has determined the objection to be unreasonable under the circumstances following a hearing on the matter. Makes technical and clarifying changes as well as organizational changes. Adds the following to the unlawful activity of a manufacturer identified in the provisions now organized as subdivision i. Makes it unlawful for a manufacturer to condition the approval of the sale or transfer of the ownership of a dealership by the sale of the business, stock transfer, or otherwise, or the transfer, sale, succession, or assignment of a dealer's franchise, or a change in the executive management or principal operator of the dealership upon the existing or proposed dealer's willingness to renovate, construct, or relocate the dealership facility, or to enroll in a facility program. Also makes it unlawful for a manufacturer to condition the approval of the sale or transfer of the ownership of a dealership by the sale of the business, stock transfer, or otherwise, or the transfer, sale, succession, or assignment of a dealer's franchise, or a change in the executive management or principal operator of the dealership, or a dealer's proposed relocation of the dealership facility, or a dealer's satisfaction of the terms of any incentive program or contest, upon the existing or proposed dealer's willingness to enter into a right of first refusal in favor of the manufacturer.

Makes the following changes to GS 20-305(7), which makes it unlawful for any manufacturer, factory branch, distributor, or distributor branch, or any field representative, officer, agent, or any representative of the like, to prevent or refuse to honor the succession to a dealership by a motor vehicle dealer's designated successor. Regarding the procedure for a manufacturer or distributor to object to an owner's appointment of a designated successor, allows the manufacturer or distributor to request personal and financial data that is reasonably necessary to determine the general business qualifications of the designated successor, in addition to the designated successor's financial ability. Makes conforming changes regarding the timing of the objection following notice of the designation and general information as to the designation's qualifications. Changes the burden of proof placed on the manufacturer or distributor at the evidentiary hearing to determine whether good cause exists for rejection of the owner's appointed designated successor, requires proving that the designated successor is not of good moral character or does not possess reasonable minimum general business experience (rather than alternative proving the successor does not meet the franchisor's existing written and reasonable standards and the uniformly applied minimum business experience standards in the market area considering the volume of sales and service of the new motor vehicle dealer). Makes a similar change to allow the manufacturer or distributor to request the designated successor to complete the application forms

generally utilized by the manufacturer or distributor to review the successor's general business qualifications to establish a successor dealership (previously generally referred to the successor's qualifications). Adds a new provision to deem the failure or refusal of the designated successor to agree to any terms or provisions that are in addition to or that vary from the terms or provisions contained in the existing franchise between the parties not to be good cause for the manufacturer or distributor to object to the designated successor. Makes technical changes.

Expands GS 20-305(18) to make it unlawful for any manufacturer, factory branch, distributor, or distributor branch, or any field representative, officer, agent, or any representative of the like, to prevent or attempt to prevent through the exercise of any contractual right of first refusal or otherwise, a dealer located in the State from purchasing, entering into an option to purchase, or complying with any subjective standards or asserting any legal or equitable rights relating to the franchise.

Amends GS 20-305(6) regarding a termination, cancellation or nonrenewal of a franchise. Adds a new provision to deem the establishment of a separate franchise that sells or distributes exclusively or primarily electric vehicles a change of an establishment plan or system of distribution, whereby a franchise is to continue in full force and operation notwithstanding the change. Current law requires the Division of Motor Vehicles (Division) to deny an application of a manufacturer, factory branch, distributor or distributor branch for a license or license renewal upon occurrence of a change in the established plan or system of distribution under the franchise unless the applicant offers to each motor vehicle dealer who is a party to the franchise that line-make, without any separate or additional fee or charge, a new franchise agreement substantially similar to the previous agreement or files an affidavit acknowledging its undertaking to assume and fulfill, without any separate or additional fee or charge to its dealers, the rights, duties, and obligations of its predecessor under the previous agreement (currently does not specify that the applicant cannot apply separate or additional fees or charge upon the occurrence of a change). Adds a new provision that requires the Division to deny renewal of a license that the Division failed to deny following a change until the applicant offers to each motor vehicle dealer who is a party to a franchise for that line-make a new franchise agreement on substantially the same provisions which were contained in the previous agreement.

Adds the following new provisions to GS 20-305(9). Makes it unlawful for any manufacturer or distributor to require, coerce, or attempt to coerce any of its franchised dealers in the State to either (1) purchase or lease any electric vehicles charging stations at the dealer's expense unless the dealer is actually offering for sale to the public or providing warranty service on electric vehicles manufacturer or distributed by that manufacturer or distributor, or (2) purchase or lease more than one electric vehicle charging station per dealership location owned by the dealer at the dealer's expense. Additionally makes it unlawful for any manufacturer or distributor to require that any of its franchised dealers in the State purchase or lease any diagnostic equipment or tool for the maintenance, servicing, or repair of electric vehicles if the dealer has other such tools available and can perform the work to the applicable required standards of the manufacturer or distributor. Adds a new requirement for manufacturers and distributors having franchised dealers in the State that sell or service multiple brands of electric vehicles manufactured or distributed by the same manufacturer or distributor to design, manufacture and distribute diagnostic equipment, tools, and parts that can be used interchangeably with all brands of electric vehicles sold or distributed to their dealers in the State to the extent practicable.

Changes the definition of motor vehicle set out in GS 20-286, applicable to Article 12, Motor Vehicle Dealers and Manufacturers Licensing Law. Expands the term to include any motor propelled vehicle, regardless of the size and type of motor, source of power, or mode of operation.

Further amends GS 20-205(9) to make it unlawful for any manufacturer, factory branch, distributor, or distributor branch, or any field representative, officer, agent, or any representative of the like, to require, coerce, or attempt to coerce any new motor vehicle dealer in the State to purchase off-lease or other pre-owned vehicles either as part of the franchise agreement or as a part of an incentive program.

Expands GS 20-305(28) to make it unlawful for any manufacturer, factory branch, distributor, or distributor branch, or any field representative, officer, agent, or any representative of the like, to require, coerce, or attempt to coerce any new motor vehicle dealer to purchase, order, or accept any pre-owned or new motor vehicle as a precondition to purchasing, ordering, or receiving any other new motor vehicle(s) (currently limited to purchasing or ordering new motor vehicles as a precondition).

Makes a clarifying change to separate the prohibitions set forth in GS 20-305(12). Subdivision (12) now prohibits requiring, coercing, or attempting to coerce any new motor vehicle dealer to change location of the dealership, removing any further specifications. Enacts new subdivision (12a) to prohibit requiring, coercing, or attempting to coerce any new motor vehicle dealer to make any substantial alterations to the dealership premises or facilities when doing so would be unreasonable, or

without written assurance of a sufficient supply of new motor vehicles to justify an expansion, in light of the current market and economic conditions.

Enacts new GS 20-205-(13) as follows. Makes it unlawful for manufacturer, factory branch, distributor, or distributor branch, or any field representative, officer, agent, or any representative of the like, to enter into any release or waiver of rights created under Article 12 with one of its franchised dealers in the state unless the release or waiver complies with six specified criteria, including that the release or waiver does not relate to nonreleasable or nonwaivable rights under the Article, the release or waiver is in no part prospective and is contained to a standalone document. Requires this subdivision to be strictly construed, with any release or waiver found in noncompliance deemed null and void.

Amends and adds to GS 20-305(14) regarding delaying, refusing, or failing to deliver motor vehicles or parts and accessories in reasonable quantities or as ordered pursuant to the franchise and advertised. Regarding sales objectives, requires every manufacturer, factory branch, distributor, or distributor branch to provide each of its franchised dealers with an adequate supply of vehicles in a fair, reasonable, and equitable manner based on each dealer's historical selling pattern and planning potential (was, and reasonable sales standards as compared to other same line make dealers in the State). Adds the following new provisions. For a new motor vehicle dealer in the State who sold a total of 250 or fewer new motor vehicles manufactured or distributed by a particular manufacturer or distributor during the immediately preceding 12 calendar months, require the manufacturer or distributor to allocate to the dealer and deliver in a timely manner, monthly and on a model by model or series basis, no fewer than the number of new motor vehicles of each such model or series that dealer sold at retail during the immediately previous calendar month. Specifies that the dealer reserves the right to refuse to accept all or any portion of any allocation of vehicles made available pursuant to the new requirement. Adds an additional requirement for manufacturers, factory branches, distributors, and distributor branches to provide to each of its franchised dealers in the State the manufacturer's formula used for allocating motor vehicles, and the monthly summary of the number of motor vehicles allocated to each of the franchised dealers in the State by series, product line, and model.

Expands GS 20-305(33), making it unlawful for any manufacturer, factory branch, distributor, or distributor branch, or any field representative, officer, agent, or any representative of the like, to fail to reimburse a dealer located in the State in full for the actual cost of providing a loaner or rental vehicle to any customer who is having a vehicle serviced at the dealership if required by the manufacturer (previously only referred to loaner vehicles). Specifies that the actual costs includes applicable taxes and third-party fees. Expands the provisions to include situations where the manufacturer has represented or indicated to the customer that a loaner or rental vehicle will be provided or that the customer is entitled to such. Adds the following prohibitions. Makes it unlawful for a manufacturer to fail to reimburse the dealer in full as provided by the subdivision whether or not the dealer provides the customer with a motor vehicle similar to the customer's vehicle brought in for service if the dealer does not have a similar model loaner or rental available, or in the event all or some of the time the dealer has provided the loaner or rental is due to the unavailability of one or more parts.

Adds the following to the provisions of GS 20-305(50) which prohibits requiring, coercing, or attempting to coerce the relocation of certain new motor vehicle dealerships. Provides that if a manufacturer, factory branch, distributor, or distributor branch offers incentives or other payments under a program that are in any part conditioned on a dealer's construction of a new facility, facility improvements, or installation of signs or other image elements, a dealer that constructed a new facility, made facility improvements, or installed signs or other image elements required or approved by the manufacturer that were completed at a cost of more than \$250,000 within the preceding 10 years is deemed to be in compliance with the manufacturer's new or successor program requirements and entitled to receive all incentive or other payments awardable under the new or successor program. Removes the governance of a change in location from the cross-referenced provisions.

Adds to the information each motor vehicle manufacturer, factory branch, distributor or distributor branch must specify in writing to each of its licensed motor vehicle dealers pursuant to GS 20-305.1 to include the dealer's manufacturer-sponsored maintenance programs, manufacturer extended warranty, goodwill repairs, and parts exchange programs. Adds to the items to be included in the accompanying schedule of compensation to include reasonable compensation for battery disposal or other disposal charges and shipping and all other associated fees. Changes the requirements for rebutting the presumption of customary parts markup and labor rates by using rates charges by all other franchise motor vehicle dealers located in the dealer's city to town offering the same line-make vehicles, or if none exist, other same segment franchised dealers who are selling competing line-makers of vehicles within the dealer's city or town (previously referred to the dealer's market). Extends the period within which only one audit can be conducted for the following from 12 to 24 months, excluding audits for cause: for warranty or recall parts or service compensation or compensation for used motor vehicle recalls, and for sales incentives, service incentives, rebates, or other forms of incentive compensation. Changes the definition given for audits conducted for



cause to include an audit based on the fact that the dealer cannot reasonably substantiate the claim either in accordance with the manufacturer's reasonable written procedures or by other reasonable means; no longer includes that the dealer's claims submissions violate reasonable claims documentation or other requirements of the applicable manufacturer, factory branch, distributor, or distributor branch. Requires a manufacturer to fully compensate a dealer for warranty or recall work and make any chargeback to the dealer's account based on the dealer's failure to comply with the manufacturer's documentation procedure(s) so long as the dealer has documented by other reasonable means. No longer allows the manufacturer to not provide compensation or chargeback when the dealer has failed to comply with the same claim documentation procedure in the previous 12 months and the manufacturer provided a written warning to the dealer in the same period. Adds audits and auditor compensation governed by subsection (b4) to the provisions of the statute of which can be petitioned and heard by the Commissioner in the event of a dispute pursuant to the provisions of subsection (c).

Expands the definition of motor vehicle dealer under GS 20-286, applicable to Article 12, to include a person who for commission, money or value leases or offers for subscription five or more motor vehicles within any 12 consecutive months, or (2) engages in the business of leasing or offering for subscription new motor vehicles or new or used motor vehicles, or used motor vehicles only (whether or not owned by the person) and sells five or more motor vehicles within any 12 consecutive months.

Adds to the provisions of GS 20-305(20) regarding the confidentiality of business, financial, or personal information of new motor vehicle dealers. Prohibits a manufacturer from requiring, or including in any incentive program, a requirement that any of its motor vehicle dealers in the State provide either a financial statement more than once per calendar quarter, or an exclusive financial statement for a franchise when the dealer company operates more than one franchise.

Includes a severability clause.

**Intro. by B. Jones.**

GS 20

[View summary](#)

**[Business and Commerce](#), [Courts/Judiciary](#), [Civil](#), [Civil Law](#), [Motor Vehicle](#)**

H 650 (2021-2022) **OMNIBUS DMV BILL**. Filed Apr 22 2021, *AN ACT TO MAKE MULTIPLE CHANGES TO MOTOR VEHICLE LAWS*.

Amends GS 20-287, which governs the licensure of new motor vehicle dealers, used motor vehicle dealers, motor vehicle sales representatives, manufacturers, factory branches, factory representatives, distributors, distributor branches, distributor representatives, and wholesalers. No longer limits sales representatives to one license. Requires the sales representative license to show the name of each dealer or wholesaler employing the representative. Expands the Division of Motor Vehicles' (DMV) authority to levy and collect a civil penalty of up to \$1,000 per violation of specified statutes and rules relating to the sale of vehicles, vehicle titling, or vehicle registration, to make applicants for licenses in addition to licensees subject to the authority. Requires the penalty to be assessed against a sales representative applicant unless the DMV finds that a dealership, owner, manager, or officer had knowledge of the violation before the application was submitted to the DMV. Regarding penalties for violations by persons required to obtain a license who have not obtained a license, establishes an affirmative defense if the person promptly applies and is issued the appropriate motor vehicle license. Clarifies that a person acting in a specific licensed activity must be issued the appropriate license for that activity. Requires the investigative report of the violation to be considered in the issuance of any license. Makes clarifying and technical changes.

Makes the following changes to the grounds for denial or disciplinary action of licensees by the DMV set forth in GS 20-294. Specifies that the DMV's disciplinary authority must comply with GS 20-295 and GS 20-296, as amended, which govern license applications and disciplinary hearings. Now provides for knowingly making a material misstatement in an application for a license or a dealer license plate as grounds for denial or disciplinary action (previously did not require mens rea). Provides an affirmative defense to the following grounds, exclusive to the dealer licensee, that the violation is a result of fraud, theft, or embezzlement against the licensee, with waiver of the defense if any violation charged created an unrecoverable loss for a citizen or another licensed motor vehicle dealer of the state: (1) willfully and intentionally failing to comply with Articles 12 or 15, or the specified motor vehicle laws or (2) knowingly giving an incorrect certificate of title or failing to give a certificate of title to a purchaser, a lienholder, or the DMV after the vehicle is sold. Adds to these two grounds that officers,



directors, members, and sales representative licensees must be charged individually. Expands the ground of willfully defrauding any retail buyer or other person to specifically include willfully defrauding any wholesale buyer to the buyer's damage. Modifies the ground regarding use of unfair methods of competition or unfair or deceptive acts or practices to condition the ground on the act causing actual damages to the buyer. Finally, establishes an affirmative defense to the following ground, which operates as a stay, if the person charged is determined to qualify and obtains expunction, certificate of relief, or pardon, or if the conviction is vacated, with the violation dismissed if relief is granted: conviction of an offense under GS 20-106 (since recodified to GS 14-71.2, receiving or transferring stolen vehicles), GS 20-106.1 (fraud in connection of rental of motor vehicles), GS 20-107 (injuring or tampering with vehicle), or GS 20-112 (making false affidavit perjury) while holding a license or within five years preceding the date of application, or conviction of any felony involving moral turpitude.

Replaces the provisions of GS 20-299(a), which governs disciplinary action of corporate licensees. Now authorizes the DMV to deny or take disciplinary action against a license issued to a business entity if more than 50% of the business entity ownership engaged in conduct prohibited by GS 20-294, as amended. Additionally authorizes revocation for any damages suffered due to a violation of Article 12 that are not satisfied. Prohibits penalizing an owner for the acts of a business entity found to have violated the statute that did not personally engage in a violation and did not knowingly omit any duty.

Amends GS 20-295 to permit an applicant to petition for a hearing with the Office of Administrative Hearings under GS Chapter 150B within 30 days of the DMV's denial of an application, rather than filing a written request for a hearing with the Commissioner of Motor Vehicles.

Amends GS 20-296 to require the DMV to notify the licensee of proposed disciplinary action by certified mail and participate in informal settlement procedures pursuant to GS Chapter 150B prior to taking any disciplinary action on a license. Authorizes the DMV to commence a contested case under GS Chapter 150B if the DMV and the licensee are unable to agree to a resolution (previously called for written notice to the licensee and a hearing before the Commissioner prior to taking any disciplinary action).

Makes conforming changes to GS 150B-1.

Amends GS 20-30(6) to allow a licensed lender to create, store, or receive, in the ordinary course of business, a color image of a driver's license, learner's permit, or special identification card of a borrower or loan applicant (currently limited to black and white photocopy by law).

Enacts new subsection (c1) to GS 20-79 to require dealer registration plates to be replaced every three years.

Amends GS 20-295 to require the DMV to send a temporary license to an applicant while the DMV reviews an application for license renewal that was timely submitted prior to the expiration of the license.

Amends GS 20-183.7A(d1) and GS 20-183.8B(c2) regarding multiple violations in separate safety or emissions inspections considered at one time by the DMV. Specifies that the provisions do not prohibit or limit the ability of a reviewing administrative law judge or court to affirm, reverse, remand, or modify the DMV's decisions involving penalties, suspensions, or revocations, whether discretionary or otherwise, pursuant to Articles 3 and 4 of GS Chapter 150B (previously limited to the court's ability to affirm, reverse, remand, or modify the DMV's decision pursuant to Article 4 of GS Chapter 150B).

Amends GS 20-183.8G, governing administrative and judicial review of licenses or registrations issued under Part 1 of Article 3A, Safety and Emissions Safety Program. Now grants applicants and licensees, as applicable, the right to commence a contested case under GS Chapter 150B (1) upon any six adverse actions of the DMV, as set forth in existing law, with a hearing commencing within 10 days of receipt of the notice of action; (2) within 10 days of receipt of a statement of charges of a violation that could result in the suspension or revocation of the person's license, with suspension or revocation stayed until the final decision is made by an administrative law judge; and (3) within 10 days of receipt of notice of summary action on the license, following judicial review and authorization of the proposed action (previously called for making a written request for a hearing before the Commissioner in all circumstances). Authorizes the administrative law judge to order a suspension for a first occurrence of a Type I violation of a station to be stayed upon reasonable compliance terms to be determined by the administrative law judge; order suspension against a license holder to run consecutively or concurrently; and affirm, reverse, remand, or modify the DMV's decision after a contested case hearing on any other action. Automatically stays suspension or revocation for 30 days after the person is served with a written copy of the decision. Makes conforming repeals to language referencing hearings before the Commissioner.

Makes conforming changes to GS 150B-2.

Regarding the surrender of title to a manufactured home that qualifies as real property under GS 20-109.2, no longer allows the Commissioner to require evidence demonstrating that all affected secured parties have been notified and consent to the owner of a manufactured home's application for a new certificate of title following cancellation of the initial certificate of title when the owner seeks to separate the manufactured home from the real property. Deems there to be no right of action against a DMV license plate contractor, in addition to the DMV, for a person damaged by the cancellation of a certificate of title pursuant to subsection (a1), which provides for surrender of the certificate of title to a manufactured home that qualifies as real property when the certificate of title is unavailable.

Amends GS 20-58.3A, which provides for the automatic expiration of a perfected security interest in a manufactured home perfected by notation on the certificate of title after 30 years of issuance, unless the title states a different maturity date. Expands subsection (g) to also grant immunity to license plate contractors of the Division of Motor Vehicles (DMV), in addition to the DMV, from tort claims based on reliance by the DMV or a DMV contractor on any application for renewal of the perfection of a security interest on a certificate of title for a manufactured home submitted to the DMV or the contractor by a third party, as authorized by the statute.

Amends GS 20-58.4, which provides for the release of a security interest in a motor vehicle upon satisfaction or other discharge, to direct DMV license plate contractors, in addition to the DMV, to issue a new certificate of title upon the owner's exhibition of signed documents evidencing the release and the certificate of title. Regarding the release of a security interest in a vehicle that is a manufactured home, requires DMV licensed contractors, in addition to the DMV, to send notice to the last known address of the secured party before cancellation, and prohibits cancellation if the secured party files an objection within 15 days after the notice was sent until the secured party consents or receives a court order directing the DMV to cancel the security interest (previously, required notice by registered letter to the last known address of the secured party, with cancellation prohibited if a written objection was received within 15 days of notice). Similar to the changes made to GS 20-58.3A, expands subsection (f) to also grant immunity to license plate contractors of the DMV, in addition to the DMV, for tort claims based on reliance by the DMV or a DMV contractor on any release, affidavit, certificate of title notation, or documents evidencing the release or satisfaction of a security interest related to certificates of title for manufactured homes submitted to the DMV or the contractor by a third party, as authorized by the statute.

Amends Section 3 of SL 2020-77, which allows for electronic signatures for applications for security interest notations by a debtor and does not require specified documentation for applications submitted by a secured party, to eliminate the December 1, 2020, sunset provision.

Amends GS 20-58.4A, which directs the DMV to implement a statewide electronic lien system to process the notification, release, and maintenance of security interests and certificate of title data and authorizes the DMV to contract with a qualified vendor or service provider to do so, to require qualified vendors and service providers to have experience in directly providing both electronic lien and title solutions to State motor vehicle departments or agencies (was, electronic solutions generally).

Amends GS 20-285 to include the protection and preservation of the investments and properties of licensed motor vehicle businesses in the state to the stated public policy. Makes clarifying and technical changes.

Effective October 1, 2021.

**Intro. by B. Jones, Iler, Shepard.**

GS 20, GS 150B

**Business and Commerce, Occupational Licensing, Courts/Judiciary, Motor Vehicle, Development, Land Use and Housing, Property and Housing, Government, APA/Rule Making, State Agencies, Department of Transportation, Transportation**

[View summary](#)

H 651 (2021-2022) **RESTORE TREES IN HOLLY SPRINGS/FUNDS**. Filed Apr 22 2021, *AN ACT APPROPRIATING FUNDS TO THE TOWN OF HOLLY SPRINGS TO RESTORE TREES IN THE TOWN'S PUBLIC SPACES*.

Appropriates \$100,000 in nonrecurring funds for 2021-22 from the General Fund to the Town of Holly Springs to be used as title indicates. Effective July 1, 2021.

**Intro. by Paré.**

APPROP, Wake

[View summary](#)**Environment, Environment/Natural Resources, Government, Budget/Appropriations**

H 652 (2021-2022) [NC CONSUMER FIREWORKS SAFETY ACT](#). Filed Apr 22 2021, *AN ACT TO PERMIT THE SALE, POSSESSION, AND USE OF CERTAIN CONSUMER FIREWORKS AND TO LEVY AN EXCISE TAX ON THE SALES OF CONSUMER FIREWORKS.*

Substantively identical to [S 40](#), filed 2/01/2021.

Amends GS 14-410 to establish that it is permissible for pyrotechnics that are consumer fireworks to be possessed, advertised, sold, used, transported, handled, or discharged within the state, so long as the possession, advertising, sale, use, transportation, handling, or discharge complies with Part 2 of Article 82A of GS Chapter 58, enacted below. Modifies subsection (b) to change the age to which it is unlawful to sell pyrotechnics, establishing that it is unlawful for any individual, firm, partnership, or corporation to sell consumer fireworks or pyrotechnics as defined in GS 14-414(2), (3), (4)c., (5), or (6) (currently does not include sale of consumer fireworks) to persons under the age of 18 (currently, under the age of 16). Makes conforming changes to the statute's title.

Amends GS 14-415 to make a violation of GS 14-410(b), as amended, a Class 1 misdemeanor rather than a Class 2 misdemeanor.

Recodifies GS 58-82A-1 through GS 58-82A-55 as Part 1 of Article 82A of GS Chapter 58, and names it Display Pyrotechnics Training Permitting and enacts new Part 2, Consumer Fireworks, as follows. Defines consumer fireworks to mean any small fireworks device designed primarily to produce visible effects by combustion or deflagration that (1) is categorized as a 1.4G firework device under Standard 87-1 of the American Pyrotechnics Association and (2) complies with the construction, chemical composition, and labeling regulations of the US Consumer Product Safety Commission, as set forth in the CFR, volumes 16 and 49. Defines other terms applicable to new Part 2.

Prohibits use or possession of consumer fireworks within a county or city unless that county or city has adopted an ordinance to allow the use and sale of consumer fireworks in accordance with new GS 153A-130.1 and new GS 160A-190.1. Places the following conditions on the possession and use of consumer fireworks: (1) the person possessing or using the consumer fireworks must be at least 18 years old; (2) the use of consumer fireworks may occur only between the hours of 10 am and 10 pm except for other specified times on July 4th and December 31st and the following January 1st; (3) the use of consumer fireworks is prohibited in or on the premises of a public or private primary or secondary school unless the person has received written authorization from the school; on the campus of a college or university unless the person has received written authorization from the college or university; and within 1,500 feet of a hospital, veterinary hospital, animal care facility, licensed child care facility, fireworks retailer, fireworks distributor, gas station, or bulk storage facility for petroleum products or other explosive or flammable substances; and (4) the possession or use of consumer fireworks is prohibited in or on the premises of any public park or public space, except as otherwise permitted by the person, state agency, or unit of local government owning or otherwise controlling the public park, property, or public space. Prohibits counties and cities from prohibiting the transportation of consumer fireworks across or through the county or city. Makes further clarifications as to transportation-related restrictions.

Prohibits selling consumer fireworks, sparkling devices, or novelties without a permit issued from the Commissioner of Insurance (Commissioner). Directs the Commissioner to issue rules to implement the statute. Requires permits of a fireworks retailer to be posted in a location visible to the public. Sets out conditions that must be met for permits to be issued to a person to operate a fireworks retailer or a sparkling device retailer, including maintaining public liability and product liability insurance with minimum coverage limits of \$5 million, and establishes permit fees. Prohibits a county or city from restricting or excluding the transportation of consumer fireworks across or through the county or city.

Sets out requirements that must be satisfied by all permittees, and the additional conditions that must be contained in any permit issued for a consumer fireworks permanent retailer or a consumer fireworks temporary retailer. Requires a permit issued to an incidental sparkling device retailer to allow the sale of sparkling devices and novelties only, and to require compliance

with NFPA standards applicable to those sales. Defines NFPA standards to mean Standard 1124 of the National Fire Protection Association, 2017 edition, as it applies to the retail sale or distribution of consumer fireworks, except as provided in Part 2.

Sets out provisions concerning the power of the Commissioner of Insurance to exclude certain types or categories of pyrotechnics from the definition of consumer fireworks so long as the determination is evidence-based, and prohibiting the use of consumer fireworks during declared hazardous forest fire conditions.

Establishes that GS 14-415 (violations of the prohibition on the manufacture, sale, and use of pyrotechnics) and GS 58-2-70 (Civil penalties or restitution for violations; administrative procedure) apply to violations of Part 2. Authorizes the Commissioner, a State law enforcement officer, a municipal law enforcement officer, a code enforcement officer, or a fire safety official to petition the district court to seize or remove, at the expense of the permit holder, fireworks sold, offered for sale, stored, possessed, or used in violation of Part 2. Authorizes the Commissioner to assess a civil penalty in addition to or instead of suspending a permit pursuant to GS 52-82A-115, as enacted. Makes any violation of GS 58-52A-120 a Class 1 misdemeanor.

Authorizes the Commissioner, by majority vote, to suspend the permit of a person authorized to sell consumer fireworks or sparkling devices for engaging in: (1) selling fireworks or explosives not authorized under Part 2; (2) selling consumer fireworks or sparkling devices within the state without a valid permit; (3) selling consumer fireworks or sparkling devices to a person who appears to be under the influence of alcohol or drugs; (4) knowingly aiding or assisting in procuring, furnishing, giving, selling, or delivering consumer fireworks or sparkling devices to a person under the age of 18; or (5) selling consumer fireworks or sparkling devices at a fireworks retail stand or fireworks tent in violation of GS 58-82A-120, as enacted. Provides that it is an affirmative defense to any disciplinary action taken pursuant to this provision that the permit holder procured, furnished, gave, sold, or delivered consumer fireworks or sparkling devices to a person under the age of 18 in reasonable reliance upon fraudulent proof of age presented to the permit holder. Establishes that the civil penalty must be at least \$1,000 but cannot exceed \$10,000, and requires the Commissioner to consider specified factors in determining the amount issued. Requires clear proceeds of civil penalties issued under the provision to be remitted to the Civil Penalty and Forfeiture Fund. Sets forth that a person whose permit has been suspended or has been issued a civil penalty under this provision must receive a hearing before the applicable body within 10 days of the suspension, and if the decision is upheld, the person can seek judicial review in superior court.

Makes it unlawful to sell, transfer, or distribute consumer fireworks, sparkling devices, or novelties at a fireworks retail stand or a fireworks tent unless the fireworks retailer obtains written authorization to conduct business from the owner or custodian of the property wherein the stand or tent is located, if applicable, and there is adequate parking to accommodate customers of the fireworks retailer and, if applicable, any other businesses that are on the premises.

Requires certain safety labels on the packages of consumer fireworks, sparkling devices, or novelties authorized to be sold under Part 2, and requires fireworks retailers to provide a safety pamphlet created by the Office of the State Fire Marshall to the purchaser that outlines safe handling and best practices.

Directs the Commissioner to create a training course or identify an existing training course to train individuals on the function, safe handling, and best practices for the safe use of all categories of consumer fireworks. Also requires the Commissioner to create and maintain a list of persons who have completed the training. Allows the Department of Insurance to issue relevant rules and to charge a fee to cover the costs of implementing the statute.

Enacts new GS 153A-130.1 and GS 160A-190.1 allowing counties and cities to, by ordinance, regulate the use and sales of consumer fireworks, sparkling devices, and novelties to the public, effective October 1 following adoption and until its repeal, with any repeal effective October 1 following the repeal. Provides that a city or county can enact an ordinance at any time, but ordinances adopted prior to December 1, 2021, become effective December 1, 2021.

Enacts Article 2E to Subchapter I of GS Chapter 105, requiring an excise tax to be levied on consumer fireworks at the rate of 5% of the cost price of the products. Establishes that a person who sells consumer fireworks at retail is subject to and liable for this tax. Sets forth other provisions pertaining to tax on consumer fireworks, including filing monthly reports, discounts for timely filing a report and timely paying the tax, refunds, recordkeeping, and use of the tax, including crediting 25% of the proceeds to the Firefighters' Education Fund with the remainder credited to the General Fund. Applies to the cost price paid for fireworks on or after December 1, 2021.

Authorizes the Commissioner to require a fireworks retailer to furnish a bond, as specified, to protect the State from loss if the retailer fails to pay taxes due under Article 2E. Provides for calculation and periodic review of the bond amount. Allows

substitution of an irrevocable letter of credit for the secured bond, as specified.

Enacts Article 85B to GS Chapter 58 to create the Firefighters' Education Fund within the Department of Insurance and administered by the Office of the State Fire Marshal, consisting of revenue credited from taxes under GS 105-113.125. Allows the Office of the State Fire Marshal to deduct administrative expenses, with the remaining revenues credited to be used to provide education and training to firefighters in the State. Defines firefighter.

Effective December 1, 2021, unless otherwise provided. Provides a saving clause for offenses committed before the effective date of the act.

**Intro. by Szoka, Bell, Hardister, Brody.**

[GS 14, GS 58, GS 105, GS 153A, GS 160A](#)

[Business and Commerce, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Insurance, Tax, Local Government](#)

[View summary](#)

H 653 (2021-2022) [MENTAL HEALTH & AMP SUD PARITY REPORT](#). Filed Apr 22 2021, *AN ACT TO REQUIRE INSURERS OFFERING A HEALTH BENEFIT PLAN IN THIS STATE TO SUBMIT AN ANNUAL MENTAL HEALTH AND SUBSTANCE USE DISORDER PARITY REPORT TO THE COMMISSIONER OF THE DEPARTMENT OF INSURANCE AND THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON HEALTH AND HUMAN SERVICES BEGINNING MARCH 1, 2022.*

Amends Article 3 of GS Chapter 58 by adding GS 58-3-220.1 which does the following:

- (1) Requires insurers providing health plans in this state to report by March 1 of each year to the Commissioner of Insurance and the Joint Legislative Oversight Committee on Health and Human Services on compliance with state and federal mental health and substance use disorder parity laws.
- (2) Requires that these reports use data from the previous two calendar years on all health benefit plans offered and include information such as rates of claims and approvals for mental health/substance use disorder services compared to rates of claims and approvals for medical/surgical services, percentages of claims paid for in network and out of network mental health/substance use disorder services compared to those percentages of medical/surgical services paid for, comparison of costs and benefit limitations between mental health/substance use services and medical/surgical services, and numbers and information about in network and out of network mental health/substance use services providers;
- (3) Protects private health information and other privileged information with respect to these annual reports; and
- (4) Requires the Commissioner of Insurance to publish these reports by July 1 of each year to the Insurance Commission's website.

Effective January 1, 2022.

**Intro. by Cunningham, Lambeth, K. Baker, Adcock.**

[GS 58](#)

[Health and Human Services, Health, Health Insurance, Mental Health](#)

[View summary](#)

H 654 (2021-2022) [STATEWIDE CONTRACTS/NONPROFITS FOR THE BLIND](#). Filed Apr 22 2021, *AN ACT PROVIDING THAT ALL STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE SHALL PURCHASE GOODS AND SERVICES FROM NONPROFIT WORK CENTERS FOR THE BLIND AND SEVERELY DISABLED WHERE SOURCES OF SUPPLY HAVE BEEN APPROVED, ESTABLISHED BY CONTRACT, AND CERTIFIED BY THE SECRETARY OF ADMINISTRATION.*

Amends GS 143-129.5 (Purchases from Non-profit Work Centers for the Blind and Severely Disabled) directing the Secretary of Administration to canvas non-profit work centers for the blind and severely disabled at least annually for goods and services the State or its political subdivisions may need and to purchase those goods and services from the non-profit work centers, requiring State agencies and political subdivisions to purchase from non-profit work centers the Secretary of State has contracted with. Sets out provisions governing pricing. Requires the Department of Administration to report annually to the

Joint Legislative Committee on General Government on these procurement programs.

Amends GS 143-48.2 (Procurement Program for Non-profit Work Centers for the Blind and Severely Disabled) to make conforming changes.

Effective October 1, 2021, and applies to requisitions made on or after that date.

**Intro. by Hardister, Reives, Lambeth, Bradford.**

GS 143

[View summary](#)

**Government, State Agencies, Nonprofits**

H 655 (2021-2022) [STATE EMPLOYEES/PAID PARENTAL LEAVE](#). Filed Apr 22 2021, *AN ACT TO PROVIDE PAID PARENTAL LEAVE TO STATE EMPLOYEES AND OTHER STATE-SUPPORTED PERSONNEL*.

Enacts GS 126-8.6, directing the State Human Resources Commission (Commission) to adopt rules and policies that provide that a permanent, full-time State employee can take up to eight weeks of paid parental leave in addition to any other available leave, so long as the employee is continuously employed for at least 12 months preceding the first request for paid parental leave. Provides for prorated leave for part-time employees of up to four weeks in addition to any other available leave. Specifies that the authorized leave is provided for birth of the parent's child and to care for the newborn or for placement and adoption of a child and time for bonding; is available without exhaustion of the employee's earned leave; is in addition to shared leave or other leave authorized by federal or state law; cannot be used for retirement purposes; and has no cash value upon termination. Defines the scope of the act to include all State employees and all State-supported personnel with the appropriate governing board adopting rules and policies consistent with the act. Directs the Commission, named state entities and all State agencies, departments, and institutions to annually report to the Office of State Human Resources on the paid parental leave program beginning May 1, 2021.

Amends GS 126-5 to explicitly make the provisions of new GS 126-8.6 applicably to all State employees, public school employees, and community college employees.

Appropriates \$10 million in recurring funds for each year of the 2021-23 fiscal biennium from the General Fund to a Reserve for Compensation to fund the paid parental leave program. Effective July 1, 2021.

**Intro. by Logan, Cooper-Suggs, Hawkins, K. Smith.**

APPROP, GS 126

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**Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, Budget/Appropriations, State Agencies, State Government, State Personnel**

H 656 (2021-2022) [PROHIBITION ON NO-KNOCK WARRANT SERVICE](#). Filed Apr 22 2021, *AN ACT TO PROHIBIT NO-KNOCK WARRANT SERVICE BY LAW ENFORCEMENT OFFICERS IN ALL INSTANCES EXCEPT A HOSTAGE RESCUE*.

Amends GS 15A-251 (Entry by Force) to permit law enforcement officers to break and enter into any premises or car to execute a warrant only when effecting the rescue of a hostage.

**Intro. by Alexander, Logan.**

GS 15A

[View summary](#)

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

H 657 (2021-2022) [SCHOOL SAFETY/THREAT ASSESSMENT TEAMS](#). Filed Apr 22 2021, *AN ACT TO CLARIFY THE APPLICATION OF SCHOOL SAFETY REQUIREMENTS TO PUBLIC SCHOOL UNITS, TO ENCOURAGE CERTAIN NONPUBLIC*

*SCHOOLS TO TAKE MEASURES TO IMPROVE SCHOOL SAFETY, TO REQUIRE THAT THREAT ASSESSMENT TEAMS BE ESTABLISHED AT EACH PUBLIC SCHOOL UNIT, AND TO CODIFY THE DUTIES OF THREAT ASSESSMENT TEAMS.*

Part I.

Codifies the existing statutes of Article 8C of GS Chapter 115C into two Parts. Codifies GS 115C-105.46 (State Board of Education responsibilities), GS 115C-47A (Proposals to establish alternative learning programs or alternative schools), and GS 115C-105.48 (Placement of students in alternative learning schools/alternative learning programs) into Part 1, titled Local Plans for Alternative Schools/Alternative Learning Programs, and the remaining sections of Article 8C into Part 2, Maintaining Safe and Orderly Schools.

Amends GS 115C-105.49(a) and (d), GS 115C-105.49A(b), GS 115C-105.52, GS 115C-105.53(a) and (b), and GS 115C-105.54(a), to refer to "public school unit" rather than "local school administrative unit."

Further amends GS 115C-105.49, adding a new requirement for each public school unit to report the date and time the full school-wide tabletop exercise and drill (drill) is conducted to the Center for Safer Schools (Center).

Further amends GS 115C-105.49A, additionally requiring the Division of Emergency Management (Division) to leverage the schematic diagrams of participating nonpublic schools' facilities in constructing the School Risk and Response Management System (SRRMS) (currently, only includes public school units). Makes conforming changes to GS 115C-105.53(b). Further amends GS 115C-105.53 to require public school units to provide law enforcement agencies with updated access to school buildings when changes are made to other access control devices in addition to locks to main entrances or to key storage devices.

Amends GS 115C-105.52, authorizing the Department of Public Instruction (DPI), Division of School Operations, and the Center for Safer Schools to consult with the Department of Public Safety (DPS) in developing and adopting policies on the placement of school crisis kits in schools and on the contents of the kits (previously directed the Center to consult with DPS and the Division of School Operations).

Repeals specified subsections of GS 115C-218.75 (concerning charter schools), GS 115C-238.66 (concerning regional schools), and GS 115C-239.8 (concerning laboratory schools) regarding respective School Risk Management Plans (SRMPs), school safety exercises, and school safety information reported to the Division. Instead, enacts a new subsection to each statute requiring charter schools, regional schools, and laboratory schools to comply with the applicable requirements of Part 2 of Article 8C, as amended. Similarly, makes the same requirements applicable to innovative schools, adding to GS 115C-75.9. Enacts GS 115C-150.16, adding the same requirements to schools for students with visual and hearing impairments.

Amends GS 115C-551 to more specifically refer to private church schools or schools of religious charter regarding voluntary participation in State programs. Adds a new section encouraging all private church schools and all schools of religious charter to adopt a SRMP in coordination with local law enforcement, provide schematic diagrams and main entrance keys to local law enforcement agencies (in addition to implementing companion provisions in GS 115C-105.52), at least annually hold a full school-wide lockdown exercise, and provide specified safety information to the Division. Amends GS 115C-559 to more specifically refer to qualified nonpublic schools regarding voluntary participation in State programs. Adds a new section encouraging the same school safety protocols as those added to GS 115C-551, above.

Part II.

Enacts GS 115C-105.65 in Article 8C. Sets forth defined terms. Requires public school units to adopt policies for establishing threat assessment teams consistent policies developed by the Center for Safer Schools at the direction of the statute. Defines *threat assessment team* to mean a multidisciplinary team that includes but is not limited to persons with expertise in counseling, instruction, school administration, and law enforcement that conducts threat assessments in a public school unit when threatening behavior has been communicated and when a student has engaged in threatening behavior that warrants further evaluation; requires, to the extent practicable, inclusion of a school psychologist or a psychologist or psychiatrist; provides for non-school personnel to access necessary student records subject to a written confidentiality agreement. Requires the policies to include procedures for referrals to health care providers for evaluation or treatment, when appropriate. Defines *threatening behavior* to mean any communication or action that indicates that an individual may pose a danger to the safety or well-being of school staff or students through acts of violence or other behaviors that would cause harm to self or others, communicated orally, visually, in writing, electronically, or through any other means and can be considered threatening.



Directs the Center for Safer Schools to develop policies for threat assessment teams for public school units in consultation with specified State and non-State entities, which must include procedures for the (1) assessment of and intervention with a student whose behavior poses a risk to the safety of school staff, students or self; (2) involvement of the student's parent or legal guardian throughout the threat assessment process; (3) referral to LME/MCOs for evaluation or treatment; and (4) compliance with specified state and federal laws. Requires the Center to establish these policies by December 31, 2021.

Permits superintendents to establish a committee charged with coordination and monitoring of the threat assessment teams, or charge an existing committee. Mandates that each school in the public school unit have a multidisciplinary threat assessment team established by the superintendent. Grants the superintendent discretion in establishing a threat assessment team that can serve more than one school in the unit. Details five duties of threat assessment teams, including conducting threat assessments to determine appropriate actions and intervention based on the level of risk determined by the assessment, ranging from low risk to imminent risk, as described. Sets out the practice for the threat assessment team to immediately notify the superintendent or the superintendent's designee upon a determination that an individual poses a high risk or imminent risk threat of violence or physical harm to self or others (as described), and details the required response(s) of the superintendent or the designee upon such report, including immediate attempts to notify the student's parent or legal guardian. Clarifies that public school personnel are not precluded from acting immediately to address threatening behavior. Establishes reporting requirements for each threat assessment team established to the Center for Safer Schools. Provides for attainment of health records and criminal records upon a determination by the threat assessment team that an individual exhibited threatening behavior that poses a high risk or an imminent risk. Provides for confidentiality of records obtained, only allowing release in connection with an emergency under the standards of the federal Family Educational Rights and Privacy Act.

Provides civil immunity to governing bodies of public school units, its members, employees, designees, agents and volunteers for acts and omissions relating to the participation in or implementation of any component of threat assessment team policies required by the act; excludes gross negligence, wanton conduct, or intentional wrongdoing. Specifies that the statute does not impose a specific duty or standard of care. Directs all public school units to establish policies and threat assessment teams no later than March 1, 2022.

Enacts GS 143B-931.1, authorizing the Department of Public Safety to provide criminal record checks to members of a threat assessment team pursuant to GS 115C-105.65. Reiterates confidentiality requirements of threat assessment team members.

Amends GS 115C-47 to require local boards of education to require peer-to-peer student support programs be established at all school with grades six and higher, and encouraging local boards to implement the support programs as appropriate in other grades. Amends GS 115C-316.1 to require school counselors to coordinate and provide training for students in peer-to-peer student support programs that address conflict resolution, general health and wellness, and mentoring. Provides that the Center for Safer Schools will support school counselors in the administration and delivery of these support programs. Encourages all local boards to have peer-to-peer programs by the 2021-22 school year. Applies beginning with the 2022-23 school year.

Enacts GS 122C-115.4(b)(9) to require LME/MCOs to receive referrals from school superintendents or designees pursuant to GS 115C-105.65, as enacted. Requires the LME/MCO to contact the student's parent or legal guardian with 10 days of receipt of the referral to provide assistance with identifying appropriate existing mental health resources available to the student, as well as identifying sources of funding to assist with the costs.

Applicable beginning with the 2021-22 school year.

**Intro. by Torbett.**

GS 115C, GS 122C

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, Public Safety and Emergency Management,  
State Agencies, Department of Public Instruction, Local  
Government, Health and Human Services, Health, Health  
Care Facilities and Providers, Mental Health**

H 658 (2021-2022) [DEPLOY CHILD WELFARE & AGING COMPONENT/NCFAS](#)T. Filed Apr 22 2021, *AN ACT AUTHORIZING THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO BEGIN DEPLOYMENT OF THE NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY (NC FAST) CASE MANAGEMENT FUNCTIONALITY*

*FOR THE CHILD WELFARE SYSTEM AND AGING AND ADULT SERVICES' PROGRAMS AND APPROPRIATING FUNDS FOR THAT PURPOSE.*

Identical to [S 463](#), filed 4/1/21.

Requires the Department of Health and Human Services (Department), Division of Social Services (Division), to begin deployment of the North Carolina Families Accessing Services through Technology (NC FAST) system as it relates to case management functionality for the child welfare system and aging and adult services' programs. Requires deployment of the child welfare case management component of the NC FAST system statewide by July 1, 2022. Requires the Division to enter into a contract to augment and enhance the child welfare case management component of the NC FAST system before August 1, 2021. Sets out requirements for the contract.

Appropriates \$17,262,882 for 2021-22 from the General Fund to the Division to implement this act. Effective July 1, 2021.

**Intro. by Lambeth.**

[APPROP, UNCODIFIED](#)

[View summary](#)

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

H 659 (2021-2022) [GUILFORD/ROCKINGHAM FUNDS EXTENSION](#). Filed Apr 22 2021, *AN ACT TO EXTEND THE TIME FOR SPENDING CERTAIN WATER AND SEWER INFRASTRUCTURE FUNDS.*

Amends Section 2 of SL 2020-63, which provides for reversion of the following described funds in Section 1 if not spent or encumbered by June 30, 2022. Section 1 provides that funds allocated to Guilford County and the municipalities of Oak Ridge, Stokesdale, and Summerfield for water and wastewater system improvements by Section 14.20A of SL 2016-94, as amended, that remain unspent and unencumbered are to be reallocated equally to the municipalities of Oak Ridge, Stokesdale, and Summerfield for each municipality's water infrastructure projects. Amends Section 2 to now provide for return of funds not spent or unencumbered by June 20, 2023. Effective July 1, 2021.

**Intro. by Faircloth, Hardister, Carter.**

[UNCODIFIED, Guilford](#)

[View summary](#)

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

H 660 (2021-2022) [REPEAL CON/CERTAIN FACILITIES & PROCEDURES](#). Filed Apr 22 2021, *AN ACT REMOVING PSYCHIATRIC FACILITIES, CHEMICAL DEPENDENCY TREATMENT FACILITIES, KIDNEY DISEASE TREATMENT CENTERS, AND CERTAIN OCULAR SURGICAL PROCEDURES FROM CERTIFICATE OF NEED REVIEW.*

Amends GS 131E-175 to add a new legislative finding concerning the demand for ocular surgical procedures.

Amends GS 131E-176 to define *ocular surgical procedure* and *ocular surgical procedure room*.

Amends GS 131E-178 to exempt licensed ophthalmologists who provide ocular surgical procedures in one or more ocular surgical procedure rooms from obtaining certificates of need to license that setting as an ambulatory surgical facility with the existing number of ocular surgical procedure rooms, so long as (1) the license application is postmarked by December 31, 2021, (2) the applicant verifies within 60 days of the effective date of this subsection that the facility was in operation as of the effective date of this subsection or that the completed application for the building permit was submitted by the effective date of this subsection, (3) the facility has been accredited by specified organizations by the time the license application is postmarked, and (4) the license application includes a commitment to and a plan for serving indigent and medically underserved populations. Requires all other persons proposing to obtain a license to establish an ambulatory surgical facility for ocular surgical procedures to obtain a certificate of need. Also amends the statute's provisions exempting a person providing

gastrointestinal endoscopy procedures in specified settings from needing a certificate of need license by modifying the allowable accrediting entities. Makes additional clarifying and technical changes.

Further amends the defined terms set forth in GS 131E-176 as follows. Eliminates psychiatric facilities, kidney disease treatment centers and chemical dependency treatment facilities from the term *health care service facility*, and repeals those defined terms, their related terms, and their references from the statute.

Enacts a new exemption, subdivision (a)(10), to GS 131E-184 from certificate of need review. Subject to written notice to the Department of Health and Human Services, exempts from certificate of need review a new institutional health service for which an entity proposes to develop, acquire, construct, expand, or replace a health service facility or service that obtained a certificate of need approval prior to October 1, 2021, for (1) a chemical dependency treatment center, as defined, which can be a unit of a general hospital, unit of a psychiatric hospital, or a freestanding specialty facility, as described; (2) a kidney disease treatment center, as defined; and (3) a psychiatric facility, as defined.

Effective October 1, 2021.

**Intro. by Kidwell, Goodwin, Hanig, Sasser.**

GS 131E

[View summary](#)

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

H 661 (2021-2022) [CC FIRE TRAINING/15 YRS OLD](#). Filed Apr 22 2021, *AN ACT TO CLARIFY THAT QUALIFIED YOUTH FIFTEEN YEARS OF AGE AND OLDER MAY ENROLL IN COURSES IN FIRE TRAINING AT COMMUNITY COLLEGES.*

Enacts a new sub-subdivision to GS 115D-20(4) to permit qualified youth 15 years and older to enroll in courses in fire training, including certification-eligible courses, pursuant to GS 95-25.5(n), as amended, on a specialized course list approved by the State Board of Community Colleges. Amends GS 95-25.5(n) to authorize qualified youth under 18 years old to be permitted to enroll in courses in fire training at a community college on a specialized course list approved by the State Board of Community Colleges pursuant to new GS 115D-20(4)e. Applies to any courses a qualified youth enrolls in on or after January 1, 2021.

**Intro. by Moffitt, Pless, Miller, Gillespie.**

GS 95, GS 115D

[View summary](#)

**Business and Commerce, Occupational Licensing, Education, Higher Education, Government, Public Safety and Emergency Management, State Agencies, Community Colleges System Office**

H 662 (2021-2022) [INCREASE FUNDING HP FURNITURE MARKET](#). Filed Apr 22 2021, *AN ACT TO INCREASE FUNDING FOR THE HIGH POINT FURNITURE MARKET.*

Appropriates \$2,255,472 in recurring funds for each year of the 2021-23 fiscal biennium from the General Fund to the Department of Commerce, Commerce State-Aid to be allocated to the High Point International Home Furnishings Market Authority Corporation (HP Market Authority Corporation) to provide support for the Market.

Appropriates \$1.7 million in recurring funds for each year of the 2021-23 fiscal biennium to the HP Market Authority Corporation from the Highway Fund to the HP Market Authority Corporation for transportation costs associated with the Market.

Effective July 1, 2021.

**Intro. by Faircloth, Brockman, Hardister, Quick.**

APPROP, Davidson, Forsyth, Guilford, Randolph

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

H 663 (2021-2022) **TOLL LANE PENALTY**. Filed Apr 22 2021, *AN ACT TO PENALIZE THE USE OF A HIGH-OCCUPANCY TOLL LANE IN VIOLATION OF A CONDITION SET BY THE TOLL AUTHORITY.*

Amends GS 136-89.199, which authorizes the NC Turnpike Authority to designate highway lanes within the State as high-occupancy toll or other type of managed lanes with requirements and restrictions for use of such designated lanes. Makes failure to meet a requirement or condition while using a designated land an infraction. Applies to offenses committed on or after December 1, 2021.

**Intro. by Shepard, Iler, Pickett.**

GS 136

[View summary](#)**Courts/Judiciary, Motor Vehicle, Criminal Justice, Criminal  
Law and Procedure, Government, State Agencies, Department  
of Transportation, Transportation**

H 664 (2021-2022) **COUNTY SERVICE DISTRICTS/EARLY CHILDHOOD ED**. Filed Apr 22 2021, *AN ACT AUTHORIZING COUNTIES TO ESTABLISH SERVICE DISTRICTS TO FINANCE EARLY CHILDHOOD EDUCATION PROGRAMS.*

Enacts new subdivision (12) to GS 153A-301, as title indicates. Effective July 1, 2021.

**Intro. by Clemmons, Lambeth, Pickett, Lofton.**

GS 153A

[View summary](#)**Education, Preschool, Government, Local Government**

H 665 (2021-2022) **ADDRESS DIRECT SUP. STAFFING CRISIS/MEDICAID**. Filed Apr 22 2021, *AN ACT TO ADDRESS THE STAFFING CRISIS IMPACTING INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES.*

Identical to [S 610](#), filed 4/6/21.

Includes whereas clauses.

Directs the Department of Health and Human Services, Division of Health Benefits (DHB) to adjust the per member per month (PMPM) capitation amount paid to LME/MCOs operating capitated contracts for mental health, intellectual and other development disabilities, and substance abuse services to include amounts sufficient to increase wages paid to direct support personnel working in intermediate care facilities for individuals with intellectual disabilities to align the wages paid to these direct support personnel with the current wages paid to State employees in State-owned developmental centers. Requires the PMPM capitation amount adjustments to be consistent with the Medicaid State Plan requirements, with validation by DHB of actual amounts necessary to align the wages as specified. Deems the adjustments directed payments made to LME/MCOs under specified federal law in order to assure the increased amounts are used for wage increases. Requires providers receiving any increase in funds from LME/MCOs for wage increases to attest and provide verification that the funds are being used for that purpose, with LME/MCOs authorized to require verifiable methods of accounting. Directs DHB, after the implementation of the above directive, to continue to work with stakeholders and service providers to develop an appropriate methodology for tracking progress towards increasing direct support personnel wages and to determine additional resources needed to achieve the described wage alignment, if any.

Appropriates \$17.5 million in recurring funds for 2021-22 and \$21.8 million in recurring funds for 2022-23 from the General Fund to DHB to be used to adjust the PMPM capitation amount paid to LME/MCOs as directed. Specifies that these funds are a State match to the following recurring federal funds: \$59.4 million for 2021-22, and \$55.6 million for 2022-23. Appropriates

the federal funds to DHB to be used for the same purpose. Additionally directs DHB to maximize the intermediate care facilities for individuals with intellectual disabilities and use proceeds for the purpose of implementing the act.

Recommends DHB take into account, for future capitation rate cycles, cost-of-living adjustments and wage and hour cost-of-living adjustments for direct support personnel working in intermediate care facilities for individuals with intellectual disabilities in an amount equal to those adjustments made for similar personnel working in State-operated development centers.

Directs DHB to use information from the Office of State Human Resources job classification and wage and hour data for specified employees in comparable job classifications as those direct support personnel working in intermediate care facilities for individuals with intellectual disabilities, in order to establish a baseline methodology for determining the appropriate wages to be paid in accordance with the act. Requires DHB to also account for market-based wage comparisons with private sector employees as specified. Authorizes DHB to accept specified competitive wage and hour and cost data from non-State entities in order to calculate forward looking wage analysis formulas and finalize the exact rates needed to implement the act.

Requires DHB to provide the funds necessary to sustain a rate increase or adjustment made by a LME/MCO in accordance with the act at a time other than the beginning of a rate cycle, for the next rate cycle.

Makes the above provisions effective upon approval by the Centers for Medicare and Medicaid (CMS) approval, as required below.

Directs DHB to seek approval from the Centers for Medicare and Medicaid prior to implementing the rate increase, and directs implementation of the rate increase upon CMS approval to the extent allowed by CMS. Requires the DHHS Secretary to notify and provide verification to the Office of State Budget and Management and the specified NCGA division upon receipt of CMS approval. Effective July 1, 2021. Sunsets the act on June 30, 2023, if the required approval of CMS is not granted by that date.

**Intro. by White, Lambeth.**

**APPROP, UNCODIFIED**

[View summary](#)

**Employment and Retirement, Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers**

H 666 (2021-2022) **UP VOLUNTEER FIREFIGHTERS' RETIREMENT BENEFIT**. Filed Apr 22 2021, *AN ACT INCREASING THE AMOUNT OF MEMBERS' MONTHLY PAYMENTS AND MONTHLY PENSIONS UNDER THE NORTH CAROLINA FIREFIGHTERS' AND RESCUE SQUAD WORKERS' PENSION FUND*.

Amends GS 58-86-35, GS 58-86-40, and GS 58-86-45, increasing monthly member payments to the NC Firefighters' and Rescue Squad Workers' Pension Fund (Pension Fund) from \$10 to \$15 as it applies to new and current members and workers seeking retroactive membership.

Amends GS 58-86-55, increasing the monthly pension to eligible members, including disabled members, beneficiaries, and retired firefighters from \$170 to \$200 monthly. Makes conforming changes regarding increased monthly member contributions.

Effective January 1, 2022, and applies to monthly payments due from, and monthly benefits owed to, members of the Pension Fund on or after that date.

**Intro. by Pickett, Saine, Clampitt.**

**GS 58**

[View summary](#)

**Business and Commerce, Insurance, Employment and Retirement, Government, Public Safety and Emergency Management**

H 667 (2021-2022) [EXPAND RECORDING/INTERVIEWS/INTERROGATIONS](#). Filed Apr 22 2021, *AN ACT TO EXPAND PROVISIONS SURROUNDING THE ELECTRONIC RECORDING OF INTERVIEWS AND CUSTODIAL INTERROGATIONS IN PLACES OF DETENTION*.

Amends Article 8 of GS Chapter 15A, expanding the provisions which require and govern electronic recordings of custodial interrogations by law enforcement, making them applicable to law enforcement interviews as well. Makes conforming changes to the Article's title and throughout the Article to refer to both interviews and custodial interrogations and to make the provisions applicable to interviews. Revises the scope of the Article, making its provisions applicable to any law enforcement interview or custodial interrogation of any person in a *felony* criminal investigation conducted at any place of detention (was, investigations related to any Class A, B1, or B2 felony, and any Class C felony of rape, sex offense, or assault with a deadly weapon with intent to kill inflicting serious injury). Makes conforming changes to subsection (d) of GS 15A-211. Further amends the statute as follows.

Revises the definition provided for *in its entirety*, providing for an uninterrupted record that begins at the start of the interview or custodial interrogation and ends when the interview or custodial interrogation has completely finished; no longer requires that the record clearly shows the interrogator and the person in custody throughout; and requires the record to reflect all starting and ending time and dates, including the starting time and date of the recess and the resumption of the interview or interrogation.

Enacts new subsection (e1) to require recordings of non-defendant interviews or custodial interrogations under the Article to be provided to the juvenile or criminal defendant as part of discovery requirements under GS Chapters 7B and 15A. No longer specifically provides that the Article does not preclude the admission of a statement given at a time when the interrogators are unaware that the person is suspected of an offense to which the Article applies. Adds to subsection (h) that every electronic recording of non-defendant interviews or custodial interrogations can be destroyed at the conclusion of the State appeal process.

Applies to interviews and custodial interrogations occurring on or after October 1, 2021.

**Intro. by Richardson, Faircloth, Hardister.**

[GS 15A](#)

[View summary](#)

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

H 668 (2021-2022) [RECORD ALL CRIMINAL JURY TRIAL PROCEEDINGS](#). Filed Apr 22 2021, *AN ACT TO REQUIRE THE RECORDING OF ALL PROCEEDINGS IN A CRIMINAL JURY TRIAL IN SUPERIOR COURT*.

Amends GS 15A-1241 to require a trial judge to require that the reporter make a true, complete, and accurate record of all statements from the bench and all other proceedings (previously excluded the selection of the jury in noncapital cases, opening statements and final arguments of counsel to the jury, and arguments of counsel on questions of law). Makes conforming deletions. Makes language gender-neutral. Effective October 1, 2021, and applies to statements from the bench and other proceedings occurring on or after that date.

**Intro. by Richardson, Faircloth, Hardister.**

[GS 15A](#)

[View summary](#)

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

H 669 (2021-2022) [DISTRIBUTE ALCOHOL WITHOUT DISCRIMINATION](#). Filed Apr 22 2021, *AN ACT TO PROHIBIT DISCRIMINATION AND ADVANTAGE IN THE DISTRIBUTION OF SPIRITUOUS LIQUOR TO LOCAL ABC BOARDS*.

Amends GS 18B-204 by requiring the North Carolina Alcoholic Beverage Control Commission (Commission) to make a good-faith effort, without discrimination, to make all spirituous liquor it distributes available to all local boards. Requires the

adoption of rules on the ordering of spirituous liquor by local boards. Prohibits a contractor that has entered into a warehousing contract under the statute from providing a local board with information that gives one board an advantage over another board on product selection, availability, or otherwise obtaining spirituous liquor distributed by the Commission. Violations are grounds to terminate the contract. Requires the Commission to keep a record of all products that the Commission either (1) limits distribution of due to limited availability or (2) allocates the distribution of to local boards. Requires the record to be available to local boards and sets out information that must be included in the records for all limited distribution or allocated products received by the Commission. Makes additional technical and clarifying changes. Effective July 1, 2021, and applies to all spirituous liquor received or distributed on or after that date.

**Intro. by Moffitt, Szoka, Johnson, Moss.**

**GS 18B**

[View summary](#)

**Alcoholic Beverage Control**

H 670 (2021-2022) **ENACT CRIMINAL JUSTICE DEBT REFORM**. Filed Apr 22 2021, *AN ACT TO PROMOTE CRIMINAL JUSTICE DEBT REFORM*.

Part I.

Enacts new GS 14-2.3A prohibiting a State, county, or municipal law enforcement agency from: (1) referring, transferring, or relinquishing possession of property seized under State law to a federal agency by way of adoption of the seized property or other means by the federal agency for the purpose of the property's forfeiture under federal law or (2) accepting payment or distribution of forfeiture proceeds resulting from a joint task force or other multijurisdictional collaboration with the federal government, if the criminal charge under which the property was seized does not result in a criminal conviction or the net value of the seizure proceeds to be received by the law enforcement agency does not exceed \$5,000.

Part II.

Amends GS 7A-304 concerning costs and fees in criminal actions, as follows. Requires in every criminal case where the defendant is convicted or enters a plea of guilty or nolo contendere, or when costs are assessed against the prosecuting witness, that the court determine the defendant's ability to pay any costs assessed and weigh that determination when assessing and collecting the costs listed in the statute (previously, the costs were assessed automatically without considering ability to pay). Removes the prohibition on the court waiving or remitting all or part of any court fines or costs without providing notice and opportunity to be heard by all government entities directly affected; makes conforming deletions. Decreases from \$200 to \$100 the cost assessed for support of the General Court of Justice by a defendant who fails to appear to answer the charge as scheduled, unless within 20 days after the scheduled appearance, the person either appears in court to answer the charge or disposes of the charge under GS 7A-146. Amends the costs for the following services that are charged under specified circumstances by specifying that instead of charging \$600, the amount charged must reflect the costs actually incurred for the services, not to exceed \$600: (1) services of the North Carolina State Crime Laboratory facilities; (2) services of any crime laboratory facility; (3) services of any private hospital performing toxicological testing under contract with a prosecutorial district; (4) services of the North Carolina State Crime Laboratory facilities; (5) services of any crime laboratory facility; (6) services of an expert witness employed by the North Carolina State Crime Laboratory who completes a chemical analysis, a forensic analysis, or a digital forensics analysis and provides testimony about that analysis in a defendant's trial; (7) services of an expert witness employed by a crime laboratory who completes a chemical analysis, a forensic analysis, or a digital forensics analysis and provides testimony about that analysis in a defendant's trial; and (8) services of an expert witness employed by a private hospital performing toxicological testing under contract with a prosecutorial district who completes a chemical analysis and provides testimony about that analysis in a defendant's trial. Deletes an outdated reporting requirement. No longer requires defendants paying costs using an installment plan to pay a \$20 setup fee.

Repeals GS 7A-350, which required the Administrative Office of the Courts to keep records of and report on criminal court cost waivers to the specified NCGA committees.

Part III.

Amends GS 15A-1364, which provides that when a defendant who has been required to pay a fine or costs defaults in payment or in any installment, the court may require the defendant to appear and show cause why he should not be imprisoned or may



rely upon a conditional show cause order. Adds that this does not apply to a defendant who has received an active sentence in the same case in which the defendant has defaulted on the payment.

Amends GS 15A-1365, which allows the judge to order that the judgment be docketed when a defendant has defaulted in payment of a fine or costs. Provides that the clerk may not issue an execution on the docketed judgement if the fine or costs were imposed for an offense other than trafficking in controlled substances or conspiring to traffic in controlled substances and the defendant is serving an active sentence (was, the defendant elects to serve the suspended sentence, if any, or serve a term of 30 days, if no suspended sentence was imposed).

#### Part IV.

Enacts new GS 20-24.3, prohibiting the Division of Motor Vehicles (Division) from revoking the drivers license of a person charged with an infraction, misdemeanor, or felony if revocation is solely due to failure to appear after proper notice when the case was called for a trial or hearing, and/or failure to pay a fine, penalty, or court costs ordered by the court.

Makes conforming repeals of (1) GS 20-24.1, which requires the Division to revoke the driver's license of a person upon receipt of notice from a court that the person was charged with a motor vehicle offense and either failed to appear after proper notice when the case was called for a trial or hearing; or failed to pay a court-ordered fine, penalty, or court costs, and (2) GS 20-24.2, which requires a court to report to the Division the name of any person charged with a motor vehicle offense under the Chapter who fails to appear to answer the charge as scheduled or fails to pay a fine, penalty, or costs within 40 days of the date specified in the court's judgment. Makes conforming changes to GS 15A-1116; GS 20-13.2; GS 20-19(k); GS 20-28.1; GS 20-217(g2); GS 50-13.12; and GS 110-142.2(f).

Further amends GS 20-217(g2), regarding the required withholding of the registration renewal of a motor vehicle registered to a person who fails to pay any fine or costs imposed pursuant to the statute for failing to stop for properly marked and designated school buses in certain instances. Directs the Division to continue to withhold the registration renewal until the clerk of superior court notifies the Division that the person has satisfied each of the four specified conditions applicable to the person's case, including (1) disposing of the charge in which the person failed to appear when the case was last called for trial or hearing; (2) demonstrating to the court that the person is not the person charged with the offense; (3) paying the penalty, fine, or costs ordered by the court; and/or (4) demonstrating to the court that the person's failure to pay the penalty, fine, or costs was not willful and that the person is making a good-faith effort to pay or that the penalty, fine, or costs should be remitted.

Further amends GS 50-13.12, which governs forfeiture of licensing privileges for failure to pay child support or for failure to comply with a subpoena issued pursuant to child support or paternity establishment proceedings. Clarifies that reinstatement of a drivers license under the statute is conditioned upon payment of the applicable restoration fees in addition to the specified requirements.

Similarly, further amends GS 110-142.2, which governs suspension and revocation of occupational, professional, or business licenses of obligors who are delinquent in court-ordered child support, or who are not in compliance with subpoenas issued pursuant to child support or paternity establishment proceedings. Clarifies that reinstatement of a drivers license under the statute is conditioned upon payment of the applicable restoration fees in addition to the specified requirements.

Effective October 1, 2021.

#### Part V.

Amends GS 143B-708 to explicitly provide that a judge can waive the \$250 fee required for participation in the community service program for good cause.

#### Part VI.

Eliminates the court costs set forth for seat belt infractions in GS 20-135.2A; maintains the civil penalty for the infraction. Applies to costs and fees assessed on or after October 1, 2021.

#### Part VII.

Amends GS 15A-1343 to require a court to exempt a person from paying the \$40 per month fee for supervised probation when probation is extended for the sole purpose of complying with monetary obligations. Makes conforming changes. Applies to

supervision fees incurred in the calendar month of the date the act becomes law and all subsequent supervision fees incurred in the same term of supervised probation.

**Intro. by Alston, Hurtado, John.**

[GS 7A, GS 14, GS 15A, GS 20, GS 50, GS 110, GS 143B](#)

[View summary](#)

[Courts/Judiciary, Motor Vehicle, Court System, Criminal Justice, Criminal Law and Procedure, Government, State Agencies, Department of Transportation](#)

H 671 (2021-2022) [CHANGE STATE MAMMAL TO BLACK BEAR](#). Filed Apr 22 2021, *AN ACT TO REPLACE THE GRAY SQUIRREL WITH THE BLACK BEAR AS THE OFFICIAL STATE MAMMAL*.

Includes whereas clauses. Amends GS 145-5 by changing the State mammal from the gray squirrel to the black bear.

**Intro. by Hanig, Goodwin, Saine.**

[GS 145](#)

[View summary](#)

[Animals, Government, Cultural Resources and Museums](#)

H 672 (2021-2022) [MODIFY DNA EVIDENCE PROVISIONS](#). Filed Apr 22 2021, *AN ACT TO MODIFY PROVISIONS REGARDING THE PRESERVATION OF AND APPEAL RIGHTS FOR DNA EVIDENCE*.

Revises GS 15A-268, regarding the preservation of biological evidence in a criminal proceeding. No longer requires a presiding judge to inquire as to the identity of the collecting agency of physical evidence offered or admitted into evidence in a criminal proceeding, whether the evidence is reasonably likely to contain biological evidence relevant to establishing the identity of the perpetrator, and designating the evidence as biological and ordering the preservation of such evidence pursuant to the statute's requirements. Instead requires the clerk of superior court to take custody of and preserve physical evidence collected by law enforcement as part of an investigation that is offered or admitted into evidence in a criminal proceeding (previously required once the court designated evidence as biological pursuant the language repealed by the act). Requires the return of such evidence to the collecting agency in a manner that ensures the chain of custody is maintained and documented upon conclusion of the defendant's direct appeal to the State courts (was upon the conclusion of the clerk's role as custodian as provided in applicable rules of practice). No longer provides for a distinct period of mandated preservation of biological evidence for cases where a person convicted entered and was convicted on a plea of guilty for any homicide, sex offense, assault, kidnapping, burglary, robbery, arson or burning, for which a Class B1-E felony punishment is imposed, thereby making the general rule, which requires preservation of the evidence during the period of incarceration and mandatory supervised release, applicable (previously provided a three year period for these instances). Applies to evidence in criminal proceedings prior to, on, or after October 1, 2021.

Amends GS 15A-269 to no longer include in the required determinations of a court to grant a motion for DNA testing postconviction a determination that if the DNA testing being requested had been conducted on the evidence there exists a reasonable probability that the verdict would have been more favorable to the defendant.

Amends GS 15A-270.1 to provide for appeals from determinations made under Article 13, *DNA Database and Databank*, rather than, more specifically, appeals from an order denying the defendant's motion for DNA testing under Article 13.

Amends GS 15A-1415(f) to specifically require a defendant's prior trial or appellate counsel to make available to the defendant's counsel in proceedings regarding requests for postconviction DNA testing pursuant to GS 15A-269, as amended, their complete files relating to the case of the defendant.

**Intro. by Richardson, Faircloth.**

[View summary](#)

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

H 673 (2021-2022) [EXPAND TRAFFIC STOP DATA REPORTING](#). Filed Apr 22 2021, *AN ACT TO EXPAND AND CLARIFY STATEWIDE TRAFFIC STOP DATA REPORTING AND COLLECTION*.

Amends GS 143B-903 by expanding upon the information the Department of Public Safety is required to collect, correlate, and maintain on traffic law enforcement by law enforcement officers to also include the longitude and latitude or mile marker in which the stop was made when the officer making the stop is a member of the State Highway Patrol, and requires the longitude and latitude, nearest address, intersection, or mile marker for all other law enforcement officers. Specifies that the anonymous identification number that is assigned to an officer that makes stops for routine traffic enforcement is to be used by the officer in all stop reports. Effective October 1, 2021, and applies to (1) data collected on or after that date and (2) citations, criminal processes, and other State forms completed by law enforcement officers on or after that date.

**Intro. by Richardson, Faircloth.**

[GS 143B](#)

[View summary](#)

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

H 674 (2021-2022) [REQUIRE DNA FOR VARIOUS CHARGES/DNA KIT FUNDS](#). Filed Apr 22 2021, *AN ACT TO REQUIRE THAT A DNA SAMPLE BE OBTAINED FROM ANY PERSON WHO IS ARRESTED FOR COMMITTING VARIOUS ASSAULT AND DOMESTIC VIOLENCE OFFENSES AND TO APPROPRIATE FUNDS*.

Amends GS 15A-266.3A, which requires a DNA sample for DNA analysis and testing to be obtained from any person arrested for committing specified offenses, unless a DNA sample has been previously obtained by lawful process and the record, which has not been expunged, is stored in the DNA Database. Expands the specified offenses to include GS 14-33(c)(2), Assault on a female by a male person at least 18 years of age; GS 14-33(c)(3), Assault on a child under the age of 12 years; and GS 50B-4.1, Violations of valid protective order. Makes conforming changes to make the provisions applicable to persons arrested for attempting, soliciting another to commit, conspiring to commit, or aiding and abetting another to commit any of the named violations, as expanded. Makes further conforming changes.

Amends GS 15A-266.2 to include persons arrested for the offenses under GS 15A-266.3A, as amended, in the defined term *arrestee*, as the term applies to Article 13, *DNA Database and Databank*.

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

Appropriates \$1,079,022 in recurring funds from the General Fund to the Department of Justice for each year of the 2021-23 fiscal biennium to be allocated to the State Crime Laboratory in specified amounts for supplies and collection kits for DNA testing, and two full-time forensic scientist positions and four full-time criminal justice specialist/investigator positions. Effective July 1, 2021.

**Intro. by Richardson, Szoka, Wheatley.**

[APPROP, GS 15A](#)

[View summary](#)

[Courts/Judiciary, Evidence, Criminal Justice, Criminal Law and Procedure, Government, Budget/Appropriations, State Agencies, Department of Justice, State Government, State Personnel](#)

## PUBLIC/SENATE BILLS

S 270 (2021-2022) [INSURANCE TECHNICAL CHANGES](#). Filed Mar 11 2021, *AN ACT REVISING THE VERIFICATION OBLIGATIONS OF AN INSURER AND ITS AGENT WITH RESPECT TO RATE EVASION FRAUD; RECODIFYING CERTIFICATE OF*

*INSURANCE PROVISIONS; AND ESTABLISHING A CIVIL PENALTY FOR THE FRAUDULENT PREPARATION, ISSUANCE, REQUESTING, OR REQUIREMENT OF A CERTIFICATE OF INSURANCE.*

Senate committee substitute amends the 1st edition as follows.

Amends the proposed changes to GS 58-2-164 regarding rate evasion fraud in auto insurance. Specifies that the insurer and its agent can satisfy the verification requirements for applicants under subdivision (c) by, within 10 business days of coverage binding (was within 30 days of coverage binding), obtaining from the applicant reliable proof of NC residency and the applicant's status as an eligible risk. Revises and adds to the proposed changes to the list of proof of residency and eligible risk status, of which two items are deemed reliable proof, an electronic utility bill accessed by the applicant (eliminating the proposed requirement that access must be made in the presence of the insurer or its agent), and proof of personal or real property taxes paid accessed electronically by the applicant that shows the applicant's current address (previously not specifically included).

Revises subsection (a) of GS 58-3-150, regarding certificates of insurance, recodified as subsection (a) of GS 58-3-149. Defines *certificate of insurance* as a document prepared or issued exclusively by an insurance company or licensed producer (was, prepared or issued by an insurance company or producer) used to verify or evidence the existence of property or casualty insurance coverage. Clarifies that the civil penalty set forth in new subsection (d) is limited to persons not otherwise subject to GS Chapter 58 regulation. Makes technical changes to restate existing law recodified by the act.

**Intro. by Johnson.**

GS 58

[View summary](#)

**Business and Commerce, Insurance, Courts/Judiciary, Civil, Civil Law, Motor Vehicle**

S 505 (2021-2022) **MEDICAL BILLING TRANSPARENCY**. Filed Apr 5 2021, *AN ACT TO PREVENT NORTH CAROLINIANS FROM BECOMING VICTIMS OF SURPRISE BILLING BY OUT-OF-NETWORK HEALTH CARE PROVIDERS THAT HAVE RENDERED HEALTH CARE SERVICES AT HEALTH SERVICES FACILITIES THAT ARE IN-NETWORK WITH AN INDIVIDUAL'S HEALTH BENEFIT PLAN.*

Senate committee substitute amends the 1st edition as follows.

Modifies new GS 58-3-295 to eliminate the proposed procedure under which an insurer may recover overpayments made to the health care provider or facility under the new statute. Makes conforming organizational changes.

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

GS 58

[View summary](#)

**Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance**

S 719 (2021-2022) **CONFIRM DIONNE DELLI-GATTI/SEC. OF DEQ**. Filed Apr 22 2021, *A SENATE RESOLUTION RELATING TO THE APPOINTMENT, NOMINATION, AND CONFIRMATION OF DIONNE DELLI-GATTI AS SECRETARY OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY.*

Includes whereas clauses. Directs the Senate to consider whether to confirm Dionne Delli-Gatti as Secretary of the Department of Environmental Quality.

**Intro. by Rabon.**

SENATE RES

[View summary](#)

**Government, General Assembly, State Agencies, Department of Environmental Quality (formerly DENR), State Government, Executive**

## LOCAL/HOUSE BILLS

H 276 (2021-2022) [ADJUST HIGH SCHOOL ATHLETICS CONF./ONslow](#). Filed Mar 11 2021, *AN ACT TO PERMIT CERTAIN HIGH SCHOOLS IN ONSLOW COUNTY TO PARTICIPATE IN A SINGLE CONFERENCE.*

House committee substitute to the 1st edition makes technical organizational changes to the proposed additions to GS 115C-12(23), applicable to Onslow County only.

**Intro. by Shepard.**

[Onslow](#)

[View summary](#)

[Education, Elementary and Secondary Education](#)

H 303 (2021-2022) [GREENSBORO SBE/CIVILIAN TRAFFIC INVESTIGATORS. \(NEW\)](#) Filed Mar 15 2021, *AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY; TO ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN CITY CONTRACTS IN THE CITY OF GREENSBORO; AND TO ALLOW THE CITY OF GREENSBORO TO USE CIVILIAN TRAFFIC INVESTIGATORS TO INVESTIGATE PROPERTY DAMAGE CRASHES.*

House committee substitute to the 2nd edition adds the following new content.

Authorizes the City of Greensboro (City) to employ and allows civilian personnel, to be known as "Civilian Traffic Investigators" to investigate traffic crashes. Requires the City to establish minimum standards for employment. Requires attending a training program designed by the City's police department in consultation with the NC Justice Academy, and spend at least four weeks in field training with a law enforcement officer who has experience conducting traffic crash investigations. Provides for issuance of credentials and a uniform clearly identifying the individual as a civilian traffic investigator. Allows for civilian traffic investigators to be issued or use a vehicle that has emergency equipment and red and amber lights; prohibits such vehicles from using blue lights or bearing symbols or markings that identify the vehicle as a police vehicle. Restricts investigations of civilian traffic investigators to crashes involving property damage subject to State motor vehicle laws. Explicitly denies civilian traffic investigators the authority to arrest, issue criminal process, or be issued a weapon, but grants the investigator the authority of an officer to tow or remove a vehicle that is obstructing a public street or highway. Requires the City to report to the specified NCGA committees on the training and use of civilian traffic investigators by December 31, 2022, for the period commencing on the date the act becomes law and ending November 1, 2022.

Makes conforming changes to the act's titles.

**Intro. by Clemmons, Faircloth, Hardister, Quick.**

[Guilford](#)

[View summary](#)

[Business and Commerce, Courts/Judiciary, Motor Vehicle, Employment and Retirement, Government, Public Safety and Emergency Management](#)

H 350 (2021-2022) [WARREN COUNTY OCCUPANCY TAX](#). Filed Mar 22 2021, *AN ACT TO AUTHORIZE WARREN COUNTY TO LEVY AN OCCUPANCY TAX.*

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

No longer excludes from the authorized room occupancy tax accommodations furnished by nonprofit charitable, educational, or religious organizations when furnished in furtherance of their nonprofit purpose. Now directs the Warren County Board of Commissioners (board) to adopt a resolution creating the Warren County Tourism Development Authority (TDA) when the board adopts a resolution levying a room occupancy tax, providing that the TDA is a public authority under the Local

Government Budget and Fiscal Control Act (previously required the board to adopt a resolution modifying the TDA to conform with this description). Makes technical changes.

**Intro. by Garrison, Willingham.**

Warren

[View summary](#)

**Government, Tax**

H 504 (2021-2022) [WELDON CITY BD. OF ED. COMPENSATION/ALLOWANCE. \(NEW\)](#) Filed Apr 8 2021, *AN ACT TO INCREASE THE COMPENSATION OF THE CHAIR AND THE MEMBERS OF THE WELDON CITY BOARD OF EDUCATION AND TO ALLOW THE WELDON CITY BOARD OF EDUCATION TO INCREASE THE MONTHLY COMPENSATION OF ITS MEMBERS AND ESTABLISH AN EXPENSE ALLOWANCE FOR ITS MEMBERS.*

House committee substitute amends the 1st edition as follows.

Further amends Section 5 of SL 1983-984 to authorize an increase in the monthly compensation amount of the chair and members of the Weldon City Board of Education, not to exceed 4% in any four-year period, beginning July 1, 2025. Adds authority to establish an expense allowance for the chair and members by majority vote beginning July 1, 2021. Makes conforming changes to the act's titles.

**Intro. by Wray.**

Halifax

[View summary](#)

**Education, Elementary and Secondary Education**

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 7: PROTECT CITY EMPLOYEES FROM RETALIATION.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Judiciary 3, if favorable, Rules, Calendar, and Operations of the House*

#### **H 145: PROPERTY PROTECTION ACT/DVPO.**

*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: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

#### **H 211: REOPEN BARS AND RESTAURANTS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

#### **H 222: SUDEP AWARENESS WEEK/TRAINING RECOMMENDATION. (NEW)**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*

**H 230: NC MANAGING ENVIRONMENTAL WASTE ACT OF 2021.**

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

**H 245: EFFICIENT GOVERNMENT BUILDINGS & SAVINGS ACT.**

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

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

*Senate: Reptd Fav*

**H 281: LOGGERHEAD TURTLE/STATE SALTWATER REPTILE.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*

**H 291: BLDG. PLAN APPROVAL - CERTAIN COMMERCIAL PROP.**

*House: Reptd Fav Com Substitute*  
*House: Re-ref Com On Local Government - Land Use, Planning and Development*

**H 295: DSS REVIEW OF PROCEDURES/OAH.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*

**H 307: NC TIME ZONE/OBSERVE DST ALL YEAR.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*

**H 315: ARSON LAW REVISIONS.**

*House: Reptd Fav Com Sub 2*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*

**H 332: HISTORIC SITES-PROPERTY SALE REVENUE.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*



**H 334: TEMP ALIGN PPP TREATMENT TO FEDERAL TREATMENT.**

*House: Passed 3rd Reading*

*House: Ordered Engrossed*

**H 360: AUTHORIZE DAN RIVER STATE TRAIL.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 361: APA RULES REVIEW DEFINITIONS.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Judiciary 1*

**H 366: REGULATORY REFORM ACT OF 2021.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

**H 376: SCHOOL CALENDAR FLEXIBILITY.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 417: THE SERGEANT MICKEY HUTCHENS ACT.**

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

*House: Serial Referral To Appropriations Added*

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

**H 425: DEVELOPMENT REGULATIONS/MULTIJURISDICTION.**

*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 468: ESTABLISH SURGICAL TECHNOLOGY STANDARDS.**

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 481: FIREARM DISPOSAL/UNC CAMPUS POLICE.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Judiciary 2*

**H 509: ADOPT OFFICIAL NC DOGWOOD FESTIVAL.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 545: MANDATORY TRAINING CONTRIBUTING TO CEUS.**

*House: Reptd Fav*  
*House: Cal Pursuant Rule 36(b)*  
*House: Added to Calendar*  
*House: Passed 2nd Reading*  
*House: Passed 3rd Reading*

**H 582: CONFIRM GOVERNOR'S BUSINESS CT APPTS.**

*Senate: Re-ref to Judiciary. If fav, re-ref to Select Committee on Nominations*

**H 602: UNC LEGISLATIVE PRIORITIES/HR/REPORTS.**

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

**H 603: STATE OF STATE.**

*Senate: Withdrawn From Com*  
*Senate: Placed on Today's Calendar*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Ordered Enrolled*  
*House: Ratified*  
*House: Ch. Res 2021-3*

**H 605: VOTERS RIGHT TO KNOW ACT.**

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

**H 623: PURCHASE PERMIT REQ'D/LONG GUN.**

*House: Passed 1st Reading*  
*House: Ref To Com On Rules, Calendar, and Operations of the House*

**H 624: NORTH CAROLINA REGULATORY SANDBOX ACT.**

*House: Passed 1st Reading*  
*House: Ref to the Com on Insurance, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House*

**H 625: CRIMINAL SENTENCE REDUCTION REFORM.**

*House: Passed 1st Reading*  
*House: Ref To Com On Rules, Calendar, and Operations of the House*

**H 626: FORENSIC MEDICAL EXAMINATION COSTS/REVISIONS.**

*House: Passed 1st Reading*  
*House: Ref to the Com on Judiciary 2, if favorable, Health, if favorable, Rules, Calendar, and Operations of the House*

**H 627: BE PRO BE PROUD NC PILOT PROGRAM.**

*House: Passed 1st Reading*  
*House: Ref to the Com on Appropriations, if favorable, Rules, Calendar, and Operations of the House*

**H 628: EDGEcombe CC/FUNDS FOR TRAINING CENTER.**

*House: Passed 1st Reading*  
*House: Ref to the Com on Appropriations, if favorable, Rules, Calendar, and Operations of the House*

**H 629: PHYSICIAN ASST/NURSE PRACTIT./STOP ACT CLAR.**

*House: Passed 1st Reading*  
*House: Ref to the Com on Health, if favorable, Insurance, if favorable, Rules, Calendar, and Operations of the House*

**H 630: URGE CONGRESS/SUPPORT DC STATEHOOD.**

*House: Passed 1st Reading*

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

**H 631: SPORTS WAGERING.**

*House: Passed 1st Reading*

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

**H 632: WATERWAY PROTECTION ACT.**

*House: Passed 1st Reading*

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

**H 633: REENACT SOLAR ENERGY TAX CREDIT.**

*House: Passed 1st Reading*

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

**H 634: IMPROVE AMBIENT AIR QUALITY.**

*House: Passed 1st Reading*

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

**H 635: HYDRAULIC FRACTURING/STATEWIDE BAN.**

*House: Passed 1st Reading*

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

**H 636: CLEAN ENERGY GRANTS.**

*House: Passed 1st Reading*

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

**H 637: COMPOST PROCUREMENT ACT.**

*House: Passed 1st Reading*

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

**H 638: STATE CLEAN ENERGY GOAL FOR 2050.**

*House: Passed 1st Reading*

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

**H 645: REPEAL PUBLIC RECORDS MEDIATION.**

*House: Filed*

**H 646: DENTAL CARE ACT.**

*House: Filed*

**H 647: ENHANCED IN-SERVICE RETIREMENT FOR LEOS.**

*House: Filed*

**H 648: EMER. CARE/ANIMALS/VET. PRACTICE.**

*House: Filed*

**H 649: CLARIFY MOTOR VEHICLE FRANCHISE LAWS.**

*House: Filed*

**H 650: OMNIBUS DMV BILL.**

*House: Filed*

**H 651: RESTORE TREES IN HOLLY SPRINGS/FUNDS.**

*House: Filed*

**H 652: NC CONSUMER FIREWORKS SAFETY ACT.***House: Filed***H 653: MENTAL HEALTH & SUD PARITY REPORT.***House: Filed***H 654: STATEWIDE CONTRACTS/NONPROFITS FOR THE BLIND.***House: Filed***H 655: STATE EMPLOYEES/PAID PARENTAL LEAVE.***House: Filed***H 656: PROHIBITION ON NO-KNOCK WARRANT SERVICE.***House: Filed***H 657: SCHOOL SAFETY/THREAT ASSESSMENT TEAMS.***House: Filed***H 658: DEPLOY CHILD WELFARE & AGING COMPONENT/NCFAS.***House: Filed***H 659: GUILFORD/ROCKINGHAM FUNDS EXTENSION.***House: Filed***H 660: REPEAL CON/CERTAIN FACILITIES & PROCEDURES.***House: Filed***H 661: CC FIRE TRAINING/15 YRS OLD.***House: Filed***H 662: INCREASE FUNDING HP FURNITURE MARKET.***House: Filed***H 663: TOLL LANE PENALTY.***House: Filed***H 664: COUNTY SERVICE DISTRICTS/EARLY CHILDHOOD ED.***House: Filed***H 665: ADDRESS DIRECT SUP. STAFFING CRISIS/MEDICAID.***House: Filed***H 666: UP VOLUNTEER FIREFIGHTERS' RETIREMENT BENEFIT.***House: Filed***H 667: EXPAND RECORDING/INTERVIEWS/INTERROGATIONS.***House: Filed***H 668: RECORD ALL CRIMINAL JURY TRIAL PROCEEDINGS.***House: Filed***H 669: DISTRIBUTE ALCOHOL WITHOUT DISCRIMINATION.***House: Filed***H 670: ENACT CRIMINAL JUSTICE DEBT REFORM.**

*House: Filed*

**H 671: CHANGE STATE MAMMAL TO BLACK BEAR.**

*House: Filed*

**H 672: MODIFY DNA EVIDENCE PROVISIONS.**

*House: Filed*

**H 673: EXPAND TRAFFIC STOP DATA REPORTING.**

*House: Filed*

**H 674: REQUIRE DNA FOR VARIOUS CHARGES/DNA KIT FUNDS.**

*House: Filed*

**S 85: ALLOW VISION SERVICE PLANS. (NEW)**

*Senate: Reptd Fav*

**S 113: MODIFY TERMINATION OF PARENTAL RIGHTS APPEALS.**

*House: Regular Message Sent To Senate*

**S 183: BEGIN MODERNIZING IGNITION INTERLOCK LAWS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 208: LABOR LAW CHANGES.**

*Senate: Withdrawn From Com*

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

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

*Senate: Ratified*

**S 241: MODIFIED UTILITY VEHICLE DEFINITION. (NEW)**

*Senate: Reptd Fav*

**S 248: ADDITIONAL INFO ON HEALTH INS. CARDS. (NEW)**

*Senate: Reptd Fav*

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

**S 270: INSURANCE TECHNICAL CHANGES.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

**S 389: DEQ/DNCR OMNIBUS.-AB**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 390: UNC LAW ENFORCEMENT RECRUITMENT.**

*House: Reptd Fav*

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

**S 410: NONPROFIT ELECTRONIC BUSINESS/REMOTE MEETINGS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**S 435: TERMINATIONS OF STATES OF EMERGENCY.***Senate: Reptd Fav***S 449: REVISE MANUFACT. HOME TITLE LAWS.***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***S 505: MEDICAL BILLING TRANSPARENCY.***Senate: Reptd Fav Com Substitute**Senate: Com Substitute Adopted**Senate: Re-ref Com On Commerce and Insurance***S 539: DISCLOSE HUMAN TRAFFICKING CONVICTION/CUSTODY.***Senate: Passed 2nd Reading**Senate: Passed 3rd Reading***S 644: LANDLORD/TENANT CHANGES.***Senate: Withdrawn From Com**Senate: Re-ref to Finance. If fav, re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate***S 719: CONFIRM DIONNE DELLI-GATTI/SEC. OF DEQ.***Senate: Filed***LOCAL BILLS****H 30: TOWN OF SOUTHERN SHORES/EMINENT DOMAIN.***Senate: Reptd Fav***H 77: SCHOOL CALENDAR FLEXIBILITY/MOORE COUNTY.***House: Reptd Fav**House: Re-ref Com On Rules, Calendar, and Operations of the House***H 92: SCHOOL CALENDAR FLEXIBILITY/CERTAIN LEAS. (NEW)***House: Reptd Fav**House: Re-ref Com On Rules, Calendar, and Operations of the House***H 111: SCHOOL CALENDAR FLEXIBILITY/WSFCS.***House: Reptd Fav**House: Re-ref Com On Rules, Calendar, and Operations of the House***H 116: SCHOOL CALENDAR FLEX./CERTAIN SCHOOL SYSTEMS.***House: Reptd Fav**House: Re-ref Com On Rules, Calendar, and Operations of the House***H 129: GRADUTATIONS/SCHOOL CALENDAR/CERTAIN COUNTIES. (NEW)***House: Reptd Fav**House: Re-ref Com On Rules, Calendar, and Operations of the House***H 164: GREENSBORO/DEANNEXATION.***Senate: Reptd Fav***H 202: SCHOOL CALENDAR FLEXIBILITY/HARNETT COUNTY.***House: Passed 2nd Reading**House: Passed 3rd Reading*

**H 236: AMEND ORANGE/CHATHAM COUNTY BOUNDARY LINE.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Withdrawn From Cal*

*House: Placed On Cal For 04/27/2021*

**H 250: WINSTON-SALEM/REAL PROPERTY CONVEYANCES.**

*House: Reptd Fav*

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

**H 276: ADJUST HIGH SCHOOL ATHLETICS CONF./ON SLOW.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Education - K-12*

**H 282: MOUNT AIRY/EVEN-YEAR ELECTIONS.**

*House: Reptd Fav*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 303: GREENSBORO SBE/CIVILIAN TRAFFIC INVESTIGATORS. (NEW)**

*House: Reptd Fav Com Sub 2*

*House: Cal Pursuant Rule 36(b)*

*House: Added to Calendar*

*House: Passed 2nd Reading*

*House: Passed 3rd Reading*

**H 319: COVID IMPACT ON CRAVEN COUNTY SCHOOL CALENDAR.**

*House: Reptd Fav*

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

**H 350: WARREN COUNTY OCCUPANCY TAX.**

*House: Reptd Fav Com Substitute*

*House: Re-ref Com On Finance*

**H 390: SCHOOL CALENDAR FLEXIBILITY/CERTAIN SYSTEMS.**

*House: Reptd Fav*

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

**H 396: ADDRESS PANDEMIC LEARNING LOSS/SELECT SYSTEMS.**

*House: Reptd Fav*

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

**H 397: YANCEY COUNTY OCCUPANCY TAX INCREASE.**

*House: Reptd Fav*

*House: Re-ref Com On Finance*

**H 443: INDIAN TRAIL/STALLINGS OCCUPANCY TAX AUTH.**

*House: Reptd Fav*

*House: Re-ref Com On Finance*

**H 445: SCHOOL CALENDAR FLEXIBILITY/CHATHAM COUNTY.**

*House: Reptd Fav*

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

**H 504: WELDON CITY BD. OF ED. COMPENSATION/ALLOWANCE. (NEW)**

*House: Reptd Fav Com Substitute*

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

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