



The Daily Bulletin: 2021-06-08

PUBLIC/HOUSE BILLS

H 341 (2021) [PROTECTION FROM ONLINE IMPERSONATION](#). Filed Mar 22 2021, *AN ACT MAKING IMPERSONATION OF AN ACTUAL PERSON OVER THE INTERNET FOR CERTAIN UNLAWFUL PURPOSES A CLASS H FELONY AND PROTECTING CONSUMERS FROM MISLEADING OR FICTITIOUS COMMUNICATIONS DESIGNED TO ELICIT A RESPONSE OR FOR A STUDY, SURVEY, MARKETING, OR OTHER PURPOSE.*

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

Enacts new GS 75-44, deeming it an unfair trade practice for a person to solicit information, feedback, or any other response from another person by sending a fictitious communication that is designed to elicit a response from the recipient, punishable by (1) all enforcement and penalty provisions of Article 1, GS Chapter 75; (2) punitive damages of at least \$50,000 per violation upon a finding of aggravating factors under State law; and (3) attorneys' fees and costs. Defines *fictitious communication* as any communication, written or oral, where the sender is intentionally misrepresenting the sender's identity to the recipient. Defines *person* to include nonprofit and for-profit firms and corporations, including educational institutions, and deems those conducting research to be engaged in *commerce*, as defined by State law. Effective October 1, 2021.

Makes technical changes to the act's effective date provision. Makes conforming changes to the act's long title.

Intro. by White, Strickland.

[GS 14, GS 75](#)

[View summary](#)

[Business and Commerce, Consumer Protection, Courts/Judiciary, Criminal Justice, Criminal Law and Procedure](#)

PUBLIC/SENATE BILLS

S 50 (2021) [ESTATE PLANNING LAW CHANGES](#). Filed Feb 3 2021, *AN ACT TO MAKE VARIOUS CHANGES TO THE GENERAL STATUTES REGARDING ESTATES AND TRUSTS.*

House committee substitute amends the 3rd edition as follows.

Part I.

Amends proposed 36C-4C-405 concerning a declaration by a court declaring a revocable trust to be valid and the subsequent bar to contesting the revocable trust's validity. Adds a new subsection to specify that the new Article 4C does not preclude a party from seeking relief from a judgement pursuant to Rule 60 of the NC Rules of Civil Procedure, including without limitation, for fraud upon the court.

Adds a new section to the act, amending GS 28A-2B-4 concerning a declaration by a court declaring a will or codicil to be valid and the subsequent bar to filing a caveat to the will or codicil. Deletes the provision which allows a party bound by the judgement to make a motion that the party be permitted to file a caveat if that party shows by clear and convincing evidence that before and during the hearing the petitioner was subject to financial or physical duress or coercion which was significant enough that the petitioner would not have reasonably disclosed it at the hearing. Adds a new subsection to the statute, mirroring the subsection added to proposed GS 36C-4C-405 concerning revocable trusts, to specify that Article 2B does not preclude a party from seeking relief from a judgement pursuant to Rule 60 of the NC Rules of Civil Procedure, including without limitation, for fraud upon the court.

Changes the act's long title.

Intro. by Daniel, Galey.

[GS 1, GS 28A, GS 31D, GS 35A, GS 36C](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Health and Human Services, Mental Health](#)

S 314 (2021) [LOCAL GOV COMMISSION ASSISTANCE TOOLKIT. \(NEW\)](#) Filed Mar 17 2021, *AN ACT TO PROVIDE ADDITIONAL TOOLS FOR THE LOCAL GOVERNMENT COMMISSION TO ASSIST LOCAL GOVERNMENT UNITS AVOID AND CORRECT FISCAL DISTRESS THAT REQUIRES THAT THE IMPACT OF CHANGES TO SALES TAX DISTRIBUTION FORMULAS BE DELAYED UNTIL THE FISCAL YEAR FOLLOWING THE INITIAL DECISION, MANDATES THAT A STATEMENT FROM THE LOCAL GOVERNMENT COMMISSION BE INCLUDED IN THE PETITION TO THE GENERAL ASSEMBLY WHEN A NEW MUNICIPALITY IS PROPOSED, ADDS OPTIONAL SOURCES FOR TRAINING FOR FINANCE OFFICERS, ALLOWS THE LOCAL GOVERNMENT COMMISSION TO MANDATE SPECIALIZED TRAINING FOR CITY AND COUNTY MANAGERS WHEN A UNIT IS EXHIBITING FISCAL DISTRESS AND TO ESTABLISH A PROCESS FOR A MUNICIPALITY TO INITIATE A TRANSITION TO RECOVER FROM FINANCIAL DISTRESS AND TO ESTABLISH A PROCESS FOR THE LOCAL GOVERNMENT COMMISSION TO TRANSFER THE ASSETS, LIABILITIES, AND OTHER OBLIGATIONS AND DISSOLVE MUNICIPALITIES DETERMINED TO BE IN FINANCIAL DISTRESS.*

House committee substitute to the 3rd edition makes the following changes.

Makes clarifying changes to proposed GS 160A-807, regarding the procedure for the rehabilitation of a city's financial affairs initiated by the Local Government Commission. Explicitly requires the city to provide information to the Commission to assess the city's financial affairs upon the Commission initiating the rehabilitation process described in proposed GS 160A-805. Makes further clarifying changes to proposed GS 160A-814, regarding the Commission's authorities when the Commission finds that the city's financial affairs are not sufficiently stable to continue operations.

Intro. by McInnis, Johnson, Davis.

[GS 105, GS 120, GS 153A, GS 159, GS 160A](#)

[View summary](#)

[Government, General Assembly, Tax, Local Government](#)

S 668 (2021) [ANTI-PENSION SPIKING AMDS & LITIG. MORATORIUM.](#) Filed Apr 7 2021, *AN ACT TO AUTHORIZE THE COLLECTION OF ADDITIONAL CONTRIBUTIONS FROM EMPLOYING UNITS; TO ADDRESS RESPONSIBILITIES FOR CONTRIBUTION-BASED BENEFIT CAP LIABILITIES WHEN THE FINAL EMPLOYER OF A MEMBER IS NOT THE MEMBER'S EMPLOYER FOR AVERAGE FINAL COMPENSATION CALCULATIONS AND TO ADJUST THE FORMULA FOR REDUCED RETIREMENTS WITH CONTRIBUTION-BASED BENEFIT CAP LIABILITIES UNDER THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM; TO PUT A LITIGATION PAUSE IN PLACE AND ESTABLISH A WORKGROUP THAT MAY REPORT TO THE GENERAL ASSEMBLY; AND TO PROVIDE EARLY NOTIFICATION TO THE LOCAL GOVERNMENT COMMISSION 13 OF PROPOSED FINANCING ARRANGEMENTS.*

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

Part I.

Changes the effective date of Section 1.1, making the proposed changes to GS Chapters 128 and 135 regarding employer contribution-based benefit-cap liability assessments under the Local Governmental Employees' Retirement System and the Teachers' and State Employees' Retirement System, now providing for the proposed changes to apply to assessments imposed on or after July 1, 2022 (previously applied to assessments imposed on or after the date the act becomes law).

Intro. by Burgin.

[GS 128, GS 135, GS 143](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Education, Elementary](#)

**and Secondary Education, Employment and Retirement,
Government, State Agencies, Department of State Treasurer,
State Government, Local Government**

LOCAL/SENATE BILLS

S 288 (2021) [RUTHERFORD COLLEGE/BD. OF ED. BURKE/CALDWELL. \(NEW\)](#) Filed Mar 11 2021, *AN ACT TO PROVIDE THAT ELECTIONS FOR THE BURKE COUNTY BOARD OF EDUCATION AND THE TOWN OF RUTHERFORD COLLEGE SHALL BE HELD IN EVEN-NUMBERED YEARS AND TO CHANGE THE ELECTION METHOD OF THE BURKE COUNTY BOARD OF EDUCATION AND THE CALDWELL COUNTY BOARD OF EDUCATION FROM NONPARTISAN TO PARTISAN.*

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

Part I.

Revises the directive regarding the required reimbursement of the Burke County Board of Elections for costs in the administration of the described partisan municipal elections. Now directs Burke County municipalities to reimburse the board of elections for the actual costs involved in the administration of the election pursuant to State law, prorated amongst each affected municipality based on the voter registration of each municipality, upon consultation with the State Board of Elections in determining the amount to charge participating municipalities (previously did not specify reimbursement is required by participating municipalities only and at a prorated amount based on each municipality's voter registration). Makes a technical correction.

Adds a new section to provide the following.

Amends Chapter III of the Charter of the Town of Rutherford College, SL 1977-452, to change the election of the members of the town council to even-numbered years beginning in 2024, with three council members elected for four-year terms in 2024 and three council members elected for four-year terms in 2026. Amends the mayoral election provisions by specifying that in 2026, and quadrennially thereafter, the mayor is elected for a four-year term of office (was, elected to a four-year term without specifying a starting date). Additionally provides for regular municipal elections to be held on the Tuesday after the first Monday in November of even-numbered years in accordance with the uniform municipal election laws of the state beginning in 2024, and biennially thereafter.

Provides for regular municipal elections to be held in the Town of Rutherford College in 2021, with the elected mayor and three council members to serve five-year terms. Extends the terms of the council members elected in 2019 to 2024. Provides for the next regular municipal election following the 2021 election to be held in 2024.

Changes the act's titles.

Intro. by Daniel.

[Burke, Caldwell, GS 115C](#)

[View summary](#)

[Education, Elementary and Secondary Education,
Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

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

Senate: Reptd Fav

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

H 84: SEX OFFENDER PREMISES RESTRICTIONS.

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

H 130: EAST COAST GREENWAY/STATE TRAILS.

Senate: Reptd Fav

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

H 139: SOIL SCIENTIST/ON-SITE WASTEWATER CERT. BD.

Senate: Reptd Fav

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

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

H 203: EXTEND DEADLINE FOR POLICE TELECOMMUNICATORS.

House: Ratified

H 218: STREAMLINE PERMITS/REDEVELOPMENT OF PROPERTY.

Senate: Reptd Fav

Senate: Reptd Fav

Senate: Re-ref Com On Commerce and Insurance

Senate: Re-ref Com On Commerce and Insurance

H 224: OCCUPATIONAL THERAPY INTERSTATE COMPACT.

House: Pres. To Gov. 6/8/2021

H 334: JOBS GRANTS AND TAX RELIEF. (NEW)

Senate: Reptd Fav

H 341: PROTECTION FROM ONLINE IMPERSONATION.

Senate: Reptd Fav Com Substitute

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Com Substitute Adopted

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

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

H 344: SYSTEM DEVELOPMENT FEES UPDATE.

Senate: Reptd Fav

Senate: Reptd Fav

Senate: Re-ref Com On Finance

H 665: ADDRESS DIRECT SUP. STAFFING CRISIS/MEDICAID.

House: Reptd Fav

House: Reptd Fav

House: Re-ref Com On Appropriations

H 743: REMOVE ID MARK/INCREASE PUNISHMENT.

Senate: Regular Message Sent To House

Senate: Regular Message Sent To House

House: Regular Message Received For Concurrence in S Com Sub

H 812: CLARIFY REMOTE MEETINGS DURING EMERGENCIES.

House: Ratified

H 914: SUPPORT OUR DIRECT CARE WORKFORCE.

House: Reptd Fav

House: Reptd Fav

House: Re-ref Com On Appropriations

S 35: MAX 4-YR AGE DIFF TO MARRY UNDER 18 YRS. (NEW)

House: Withdrawn From Com

House: Withdrawn From Com

House: Re-ref to the Com on Judiciary 1, if favorable, Families, Children, and Aging Policy, if favorable, Rules, Calendar, and Operations of the House

S 43: PROTECT RELIGIOUS MEETING PLACES.

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

Senate: Ordered Enrolled

S 50: ESTATE PLANNING LAW CHANGES.

House: Reptd Fav Com Sub 2

House: Cal Pursuant Rule 36(b)

House: Cal Pursuant Rule 36(b)

House: Placed On Cal For 06/09/2021

S 87: MEDICAID REIMBURSEMENT/CHARTER SCHOOLS.

House: Reptd Fav

House: Reptd Fav

House: Re-ref Com On Health

S 159: STATE HEALTH PLAN ADMINISTRATIVE CHANGES.-AB

House: Withdrawn From Com

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

S 183: BEGIN MODERNIZING IGNITION INTERLOCK LAWS.

House: Withdrawn From Com

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

S 188: BD. OF ARCHITECTS/INTERIOR DESIGNERS.

House: Withdrawn From Com

House: Re-ref to the Com on Regulatory Reform, if favorable, Rules, Calendar, and Operations of the House

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

House: Withdrawn From Com

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

S 255: 2021 AOC LEGISLATIVE CHANGES.-AB

Senate: Concurred In H Com Sub

Senate: Ordered Enrolled

S 277: RET. & TREASURY TECH. CORRECTIONS ACT OF 2021.-AB

House: Reptd Fav

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

S 722: REVISE MUNICIPAL REDISTRICTING/CENSUS.

Senate: Regular Message Sent To House

S 724: EXPAND ACCESS TO VOTER ID & VOTING.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

S 725: PROHIBIT PRIVATE MONEY IN ELECTIONS ADMIN.

Senate: Passed 1st Reading

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

Senate: Withdrawn From Com

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

LOCAL BILLS

H 85: CLEVELAND CTY BD OF ED VACANCIES. (NEW)

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Concurred In S Com Sub

House: Ordered Enrolled

S 41: REMOVE CERTAIN SATELLITE ANNEXATION CAPS.

House: Withdrawn From Com

House: Withdrawn From Com

House: Re-ref to the Com on Finance, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

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

House: Withdrawn From Com

House: Withdrawn From Com

House: Re-ref to the Com on Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House

S 74: TOWN OF CHAPEL HILL CHARTER/INVESTMENTS.

House: Withdrawn From Com

House: Withdrawn From Com

House: Re-ref to the Com on Finance, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

S 122: TOWN OF SPRUCE PINE/DEANNEXATION.

House: Withdrawn From Com

House: Withdrawn From Com

House: Re-ref to the Com on Finance, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

S 125: VACANCIES/ROWLAND & MAYOR'S TERM/RED SPRINGS.

House: Withdrawn From Com

House: Withdrawn From Com

House: Re-ref to the Com on Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House

S 145: WINSTON-SALEM/REAL PROPERTY CONVEYANCES.

House: Withdrawn From Com

House: Withdrawn From Com

House: Re-ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

S 169: MODIFY KINSTON-LENOIR COUNTY TDA MEMBERSHIP.

House: Withdrawn From Com

House: Re-ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

S 170: STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.

House: Withdrawn From Com

House: Re-ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

S 192: CITY OF HICKORY/PLANNING COMMISSION.

House: Reptd Fav

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

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

House: Withdrawn From Com

House: Re-ref to the Com on Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House

S 232: STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.

House: Withdrawn From Com

House: Re-ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

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

House: Withdrawn From Com

House: Re-ref to the Com on Wildlife Resources, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

S 256: STUDENTS, PARENTS, COMMUNITY RIGHTS ACT.

House: Withdrawn From Com

House: Re-ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

S 260: MOORESVILLE TOURISM DEVELOPMENT AUTH. CHANGE.

House: Withdrawn From Com

House: Re-ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House

S 279: LOCAL GOVERNMENTS/REGULATE NAVIGABLE WATERS.

House: Withdrawn From Com

House: Re-ref to the Com on Marine Resources and Aquaculture, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

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