



The Daily Bulletin: 2021-06-09

PUBLIC/HOUSE BILLS

H 64 (2021) **GOVERNMENT TRANSPARENCY ACT OF 2021. (NEW)** Filed Feb 9 2021, *AN ACT TO STRENGTHEN CONFIDENCE IN GOVERNMENT BY INCREASING ACCESSIBILITY TO CERTAIN PUBLIC PERSONNEL PERFORMANCE AND DISMISSAL RECORDS.*

Senate committee substitute to the 1st edition deletes the content of the previous edition and replaces it with the following.

Amends GS 126-23 regarding required State personnel recordkeeping by each department, agency, institution, commission and bureau of the State, to require records to show the date and general description of the reasons for each promotion, demotion, dismissal, transfer, suspension, or separation (dismissals, suspensions, and demotions were previously separated and required stated disciplinary reasoning). No longer requires keeping records for suspension or demotion for disciplinary reasons of a copy of the written notice of the final decision of the head of the department setting forth the specific acts or omissions that are the basis of the dismissal. Adds that nothing in the statute authorizes the disclosure of any confidential information protected by HIPAA, the Americans With Disabilities Act, or other applicable law. Requires that for the general descriptions of the reason for each promotion, demotion, dismissal, transfer, suspension, or separation: (1) no general description can disclose information otherwise prohibited from disclosure by an applicable law; and (2) the general description must become part of the record upon the later of the expiration of the time period to file an appeal or a final decision being entered in that administrative appeals process. Amends GS 126-22 by amending the term employee to mean any current State employee, former State employee, or application for State employment subject to Article 7, The Privacy of State Employee Personnel Records. Amends the term employer, defined as any State department, university, divisions, bureau, commission, council or other agency subject to Article 7, by specifying that university includes the Board, the Board of Trustees, Chancellor, constituent institutions, and the President.

Makes identical changes to the personnel recordkeeping requirements by local boards of education, community colleges: GS 115C-320 and GS 115D-28.

Makes identical changes to that information that is considered public record for LME/MCOs, local governments, and water and sewer authorities, pursuant to the following governing statutes: GS 122C-158; GS 153A-98; GS 160A-168; and GS 162A-6.1. Further amends GS 122C-158 to make a public record the station to which an LME/MCO employee is currently assigned. Further amends GS 153A-98 to also make the statute applicable to employees subject to GS 153A-103 (number of employees in offices of sheriff and register of deeds); makes a conforming clarifying change to GS 153A-99. Amends GS 130A-45.9 by making those same changes to the public health authority employee information that is public record and also (1) requires the type of promotion, demotion, transfer, suspension, separation, or other change in position classification to be public record; (2) includes as public record the office or station to which the employee is currently assigned; and (3) makes organizational changes. Amends GS 131E-257.2 by making those same changes to the public hospital employee information that is public record and also requires the type of the promotion, demotion, transfer, suspension, separation, or other change in position classification to be public record.

Requires, by November 30, 2021, each employer affected by this act to adopt personnel policies to effectuate the act to allow its employees to challenge the wording of the general description of any promotion, demotion, transfer, suspension, separation, or dismissal occurring on or after December 1, 2021. This provision is effective when the act becomes law.

Effective December 1, 2021, and applies to promotions, demotions, transfers, suspensions, separations, and dismissals occurring on or after that date.

Amends the act's titles.

Intro. by Sauls, Strickland.

[GS 115C](#), [GS 115D](#), [GS 122C](#), [GS 126](#), [GS 130A](#), [GS 131E](#), [GS 153A](#), [GS 160A](#), [GS 162A](#)

[View summary](#)

Education, Elementary and Secondary Education, Higher Education, Employment and Retirement, Government, State Agencies, Community Colleges System Office, UNC System, State Government, State Personnel, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Mental Health

H 334 (2021) **JOBS GRANTS AND TAX RELIEF. (NEW)** Filed Mar 17 2021, *AN ACT TO PROVIDE GRANTS TO NORTH CAROLINA BUSINESSES AFFECTED BY THE COVID-19 PANDEMIC, TO PROVIDE TAX RELIEF TO BUSINESSES AND INDIVIDUALS, TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE, AND TO MAKE VARIOUS OTHER CHANGES.*

Senate amendment #1 amends the 5th edition of the bill as follows:

- (1) Replaces references to the Department of Commerce in section 1.1 with the Department of Revenue, and
- (2) Changes the amount the Department of Revenue may use to administer the Jobs Grant Program to 0.25% (was, \$1 million) of the amount appropriated in section 1.2.

Intro. by Pickett, Saine.

[GS 105, GS 119](#)

[View summary](#)

Agriculture, Alcoholic Beverage Control, Animals, Business and Commerce, Corporation and Partnerships, Development, Land Use and Housing, Property and Housing, Government, Public Safety and Emergency Management, State Agencies, Department of Commerce, Department of Revenue, Tax, Local Government, Health and Human Services, Health, Transportation

H 344 (2021) **SYSTEM DEVELOPMENT FEES UPDATE.** Filed Mar 22 2021, *AN ACT TO CLARIFY THE PROCESS WITH WHICH A LOCAL GOVERNMENTAL UNIT MAY IMPOSE AND COLLECT SYSTEM DEVELOPMENT FEES AND TO PROVIDE THAT A WATER OR WASTEWATER PUBLIC UTILITY IS SOLELY RESPONSIBLE FOR INCOME TAXES DUE ON TAXABLE CONTRIBUTIONS IN AID OF CONSTRUCTION.*

Senate committee substitute adds the following to the 2nd edition.

Enacts GS 62-133.12B, making a water or wastewater public utility solely responsible for funding the income taxes on taxable contributions in aid of construction and customer advances for construction, with the utilities required to record the income taxes the utilities pay in accumulated deferred income taxes for accounting and ratemaking purposes.

Makes conforming changes to renumber the act's effective date provisions and makes conforming changes to the act's long title.

Intro. by Arp, Hardister, Hanig, Meyer.

[GS 62, GS 162A](#)

[View summary](#)

Development, Land Use and Housing, Government, Local Government, Health and Human Services, Health, Public Health, Public Enterprises and Utilities

H 383 (2021) **MEDICAID MODERNIZED HOSPITAL ASSESSMENTS.** Filed Mar 24 2021, *AN ACT TO REVISE THE HOSPITAL ASSESSMENT ACT TO ACCOUNT FOR MEDICAID TRANSFORMATION.*

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

Revises new Article 7B, Hospital Assessment Act, in GS Chapter 108A, effective July 1, 2021, as follows.

Decreases the initial percentage stated in the definition of inpatient hospital financing percentage from 66.1% to 65.74%. Decreases the percentage stated in the definition of outpatient hospital financing percentage from 28% to 27.69%. Increases the percentage stated in the definition of private hospital historical assessment share from 79% to 80.08%. Decreases the percentage stated in the definition for public hospital historical assessment share from 21% to 19.92%. Decreases the intergovernmental transfer adjustment component for each quarter of the 2021-22 State fiscal year from \$44,912,507 to \$40,947,633. Increases the public hospital assessment for the assessment quarter beginning July 1, 2021, from 0.38% to 0.39% of the total hospital costs for all public acute care hospitals. Decreases the private hospital assessment for the assessment quarter beginning July 1, 2021, from 0.87% to 0.76% of total hospital costs for all private acute care hospitals.

Adds that for any quarter in which the State receives the temporary increase of Medicaid federal medical assistance percentage (FMAP), the FMAP for purposes of Article 7B of GS Chapter 108A is the federal share of NC Medicaid service costs as calculated by the federal Department of Health and Human Services in accordance with the specified provisions of the Social Security Act in effect at the start of the applicable assessment quarter, plus the temporary increases, expressed as a decimal. Makes conforming changes to Section 4(d), to include the temporary increase in the calculation of the aggregate assessment collection amount under GS 108A-146.5(c) for the reconciliation component, as specified.

Intro. by Lambeth, White, Sasser.

[GS 108A](#)

[View summary](#)

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

H 642 (2021) [DOWN SYNDROME ORGAN TRANS. NONDISCRIM. ACT](#). Filed Apr 21 2021, *AN ACT PROHIBITING ORGAN TRANSPLANT DISCRIMINATION ON THE BASIS OF DISABILITY BY HEALTH CARE PROVIDERS, DONOR MATCHING ENTITIES, AND HEALTH INSURERS.*

Senate committee substitute to the 2nd edition changes the act's long title.

Intro. by Bradford, Lambeth, Wray, McElraft.

[GS 58, GS 130A](#)

[View summary](#)

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

H 734 (2021) [DEPT. OF HEALTH & HUMAN SERVICES REVISIONS](#). Filed Apr 28 2021, *AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER MODIFICATIONS TO LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND PROTECTING NORTH CAROLINA CITIZENS FROM THE UNLICENSED OPERATION OF MENTAL HEALTH FACILITIES OR PROGRAMS PROVIDING SERVICES REQUIRING A LICENSE UNDER ARTICLE 2 OF CHAPTER 122C OF THE GENERAL STATUTES.*

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

Section 7

Further amends GS 130A-248, updating the federal code with which variances granted by the Department of Health and Human Services from rules adopted under the statute regulating food and lodging establishments must comply, to the United States Food and Drug Administration Food Code 2017 (was 2019).

Sections 7.1 through 7.4 add the following new content.

Retitles Article 2, GS Chapter 122C, as "Licensure Facilities for Individuals With Mental Health Disorders, Developmental Disabilities, and Substance Use Disorders" (was Licensure of Facilities for Mentally Ill, the Developmentally Disabled, and

Substance Abusers). Makes conforming changes throughout the Article.

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

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

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

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

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

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

Makes the following changes effective January 1, 2022.

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

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

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

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

Section 8

Makes the proposed changes to GS 130A-280, defining *public swimming pool*, for the purposes of Article 8 (sanitation) as including spas operated for display at temporary events, effective July 1, 2022 (was effective on the date the act becomes law).

Section 9

Makes conforming and technical changes to the act's effective date provisions, and changes the act's long title.

Intro. by Potts, Stevens.

GS 122C, GS 130A

[View summary](#)

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

H 831 (2021) **CITIES/PROHIBITED SERVICE AGREEMENTS**. Filed May 4 2021, *AN ACT PROVIDING THAT CITIES SHALL NOT ENTER INTO AGREEMENTS WITH PUBLIC WATER OR SEWER SYSTEMS THAT CONDITION THE PROVISION OR EXTENSION OF WATER OR SEWER SERVICES UPON THE ANNEXATION OF THE AREA TO BE SERVED BY THE CITY OR WATER AND SEWER SERVICE SYSTEM AND APPROPRIATING FUNDS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO DEVELOP INFORMATION FOR PRIVATE DRINKING WATER WELL OWNERS TRANSITIONING TO PUBLIC WATER SUPPLIES.*

House committee substitute to the 2nd edition makes the following changes. Deletes the proposed changes to GS 160A-58.24 (content of contracts for water or sewer service) that prohibited agreements between cities and public water/sewer systems that condition provision or extension of water and/or sewer services upon annexation of the area to be served by the city or the public water/sewer districts. Further amends GS 160A-464 (Interlocal cooperation agreements), which prohibits interlocal undertakings by cities and public water/sewer districts that condition the provision or extension of water and/or sewer services on the annexation of the area to be served by the city or the public water/sewer district. Adds that this limitation does not affect the authority of an individual city or an individual public water or sewer system to require annexation for the provision of water or sewer service but only prohibits agreements between a city and public water system for the specified purpose. Appropriates \$5,000 for 2021-22 from the General Fund to the Public Water Supply Section of the Division of Water Resources of the Department of Environmental Quality to establish information resources for individuals transitioning from use of private drinking water wells due to connection to public water supplies, including procedures for abandonment of a private drinking water well. Changes the effective date of the act to March 1, 2021 (was, January 1, 2021). Amends the act's long title.

Intro. by Iler.

APPROP, GS 160A

[View summary](#)

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

H 965 (2021) **SBIR/STTR INCENTIVE MODIFICATIONS**. Filed May 11 2021, *AN ACT TO MODIFY AND ENHANCE THE ONE NORTH CAROLINA SMALL BUSINESS PROGRAM.*

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

Adds to the proposed revisions to the NC Small Business Innovation Research (SBIR)/Small Business Technology Transfer Research (STTR) Incentive Program under GS 143B-437.80 to specify that a grant to a business partnered with a public institution of higher education in the State does not count toward the maximum grant limitation set by the statute, as amended.

Further amends the SBIR/STTR matching requirements set forth in GS 143B-437.81 to specify that an award to a business partnered with a public institution of higher education in the State does not count toward the maximum award limitation set by the statute, as amended.

Intro. by Johnson, K. Hall, Saine, Reives.

APPROP, GS 143B

[View summary](#)

Business and Commerce, Development, Land Use and

**Housing, Community and Economic Development,
Government, Budget/Appropriations**

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 amendment #1 amends the 4th edition by changing the title of GS 35A-1121, making clarifying changes to the section, and limiting the number of transactions or protective arrangements a clerk of superior court can order under the statute without appointing a guardian to a single transaction.

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 241 (2021) **MODIFIED UTILITY VEHICLE DEF/USE OF FUNDS. (NEW)** Filed Mar 11 2021, *AN ACT AMENDING MOTOR VEHICLE LAWS REGULATING MODIFIED UTILITY VEHICLES AND DIRECTING THE USE OF CERTAIN FUNDS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION*.

Conference report makes the following changes to the 5th edition.

Deletes proposed GS 20-53.6, permitting an owner of an all-terrain vehicle or a utility vehicle to apply to the Division of Motor Vehicles (DMV) for a certificate of title upon submitting an application with specified content and paying the \$52 application fee. Deletes the conforming changes to GS 20-54.

Amends GS 20-286(10), excluding modified utility vehicles from the definition of *motor vehicle*, as the term is used in Article 12, Motor Vehicle Dealers and Manufacturers Licensing Law.

Revises the directive set forth in Section 3, now requiring the Department of Transportation (DOT), Ferry Division, to lease a passenger ferry for operation between Hatteras and Ocracoke for a term to end by August 15, 2021 (was, September 12, 2021), and requiring DOT to use \$700,000 (was, \$943,000) of the funds appropriated from the Highway Fund to DOT in SL 2020-91 (DOT 2020-21 FY Budget/Governance) to lease and operate the ferry. Adds new requirements for the Ferry Division to exercise the opt-out clause of the lease when it determines the State-owned ferry for passenger service on the identified route can be operationalized within 30 days if the cost of opting out is less than the cost of completing the lease term. Requires any remaining funds at the lease's expiration or termination to be deposited in the Ferry Statewide reserve account in accordance with State law.

Changes the act's long title.

Intro. by Jarvis, Sawyer, Johnson.

GS 20

[View summary](#)

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

S 323 (2021) **JOINT MUNICIPAL POWER AGENCIES/INVESTMENTS**. Filed Mar 18 2021, *AN ACT TO AUTHORIZE MONEYS DEPOSITED IN CERTAIN DECOMMISSIONING FUNDS ESTABLISHED BY NORTH CAROLINA MUNICIPAL POWER AGENCY NUMBER 1 TO BE INVESTED THROUGH THE STATE TREASURER'S ANCILLARY GOVERNMENTAL PARTICIPANT INVESTMENT PROGRAM AND TO ADDRESS THE INVESTMENT OF FUNDS DEPOSITED IN THE SWAIN COUNTY SETTLEMENT TRUST FUND*.

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

Further amends GS 147-69.2 to explicitly authorize the State Treasurer to invest funds deposited in the Swain County Settlement Trust Fund pursuant to subdivision (b)(8) in a strategy composed primarily of equity securities traded on a public securities exchange or market organized and regulated pursuant to the laws of the jurisdiction of the exchange or market and issued by any company incorporated or otherwise created or located within or outside the United States as long as the investments meet the two specified conditions of the subdivision; however, excludes these investments from the 65% cap placed on the market value of all invested assets of Retirement Systems under the subdivision. Authorizes the State Treasurer to require a minimum deposit of up to \$100,000 and assess reasonable fees of up to 15 basis points per annum to defray administration costs as a condition of making an investment pursuant to subdivision (b)(8). Also provides for the State Treasurer's authority to invest such funds in general obligations, obligations of other states, obligations of cities, obligations of domestic and foreign companies meeting specified rating requirements, and asset-backed securities meeting specified rating requirements, as described in subdivisions (b)(1) through (6) of the statute. Makes conforming changes to GS 147-69.6, which establishes parameters for the Swain County Settlement Trust Fund. Makes conforming changes to the act's long title.

Intro. by Newton.

[Catawba, Swain, GS 147, GS 159B](#)

[View summary](#)

[Banking and Finance, Environment, Energy, Government, State Agencies, Department of State Treasurer](#)

S 326 (2021) [ELECTION DAY INTEGRITY ACT. \(NEW\)](#) Filed Mar 18 2021, *AN ACT TO AMEND THE DATE BY WHICH MAIL-IN ABSENTEE BALLOTS MUST BE RECEIVED BY THE COUNTY BOARD OF ELECTIONS IN ORDER TO BE COUNTED, TO REQUIRE PUBLISHING OF THE DATE ABSENTEE BALLOTS ARE AVAILABLE AND THE DEADLINE FOR REQUESTING AN ABSENTEE BALLOT, AND TO PROVIDE FOR THE REPORTING OF BALLOTS BY THE COUNTY BOARDS OF ELECTIONS.*

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

Deletes the proposed changes to GS 163-22 and GS 163-33 that specified that the State Board of Elections (State Board) or county boards of elections (county boards) do not have the authority to accept private monetary donations for the purpose of administering elections or employing individuals on a temporary basis.

Deletes the changes to the deadline for county boards to receive a completed request form for an absentee ballot application and absentee ballots under GS 163-230.1.

Deletes the appropriation of \$5 million to the State Board for 2021-22 for the establishment of a program to identify individuals in the State who need a photo ID to vote in person.

Further amends GS 163-231(b)(2) to require absentee ballots to be accepted after the stated deadline if the ballots are received in accordance with Article 21A of GS Chapter 163, Uniform Military and Overseas Voters Act (was, if the ballots issued under Article 21A are received by the county board no later than the end of business on the business day before the canvass conducted by the county board). Makes conforming changes to the statutory cross references to this provision in GS 163-234, and GS 163-89.

Further amends GS 163-232.1 by making a technical change and by making language gender neutral.

Further amends GS 163-234 by requiring that only absentee ballots returned to the county board by 5:00 pm on the day before election day in a property executed container-return envelope or absentee ballots received pursuant to GS 163-231(b)(2) must be counted (removes the specification that this requirement is except to the extent federal law requires otherwise). Requires the county board to also comply with GS 163-230.1 (simultaneous issuance of absentee ballots with application) in counting absentee ballots received pursuant to GS 163-231(b)(2). Makes language gender neutral.

Further amends GS 163-89 to specify that an absentee ballot received by the county board under GS 163-231(b)(1) (those received by the county board no later than 5:00 pm on the day of the statewide primary or general election or county bond election) may be challenged on the day of any statewide primary or general election or county bond election beginning no earlier than noon and ending no later than 5:00 pm, or by the chief judge at the time of closing of the polls (was, applicable to the absentee ballot of any voter).

Adds the following content.

Amends GS 163-227.10 by adding the requirement that each county board and the State Board publish on its website and on materials sent to voters the date by which absentee ballots are available for voting.

Amends GS 163-230.1 by adding that each county board and the State Board must publish on its website and on materials sent to voters the date by which a completed request form for an absentee application and absentee ballots must be received.

Enacts new GS 163-232.2 setting out the following reporting requirements. Requires each county board to report the following to the State Board during each day of the one-stop early voting period: (1) the number of absentee ballots that have been spoiled due to the voter voting in person at a one-stop voting site; and (2) the number of outstanding absentee ballots. Requires each county board of elections to report, from the day after the day of the election through the day after the receipt deadline for absentee ballots, to the State Board by 5:00 pm each day: (1) the number of absentee ballots that have been counted; (2) the number of outstanding absentee ballots; and (3) the number of voted provisional ballots. Requires the State Board to publish each report on its website daily.

Makes organization changes to the act.

Amends the act's titles.

Intro. by Daniel, Newton, Hise.

GS 163

[View summary](#)

Government, Elections, Local Government

S 470 (2021) **NORTH CAROLINA REGULATORY SANDBOX ACT**. Filed Apr 1 2021, *AN ACT TO ENACT THE NORTH CAROLINA REGULATORY SANDBOX ACT AND TO ESTABLISH THE NORTH CAROLINA INNOVATION COUNCIL*.

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

Modifies and adds to the provisions establishing and governing the NC Innovation Council (Council) in new GS 169-4 as follows. Makes technical and clarifying changes to the provisions setting forth the four Council members legislatively appointed. Provides for Council members to serve four-year terms, beginning on October 1, 2021, except that the initial terms of half of the gubernatorially and legislatively appointed members are for a term of two years, and four-years thereafter. Bars serving more than two consecutive terms. Provides for filling vacancies and the Secretary of State to call the first meeting where the Council must elect an ex-officio member to serve as chair and an appointed member to serve as vice-chair for a two-year term. Now allows for Council members to receive per diem compensation and necessary travel and subsistence expenses while engaged in the official discharge of their official duties as is provided by law for members of State boards and commissions (previously provided for reasonably travel expenses only).

Adds to GS 169-8, stating that new GS Chapter 169 does not allow the Council or an applicable State agency to grant an innovation waiver that alters or amends GS Chapters 24 (Interest), 25A (Retail Installment Sales Act), 25B (Credit), or 75 (Monopolies, Trusts, and Consumer Protection), or Article 15 of GS Chapter 53 (Consumer Finance Act), Article 70 of GS Chapter 58 (Collection Agencies), Article 20 of GS Chapter 66 (Loan Brokers), or any other criminal or consumer protection laws.

Intro. by Johnson, Hise.

GS 169

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Business and Commerce, Insurance

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

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

Part III.

Adds to proposed GS 115C-84.3, which grants remote instruction authority to public school units in a county that has received a good cause waiver from the school calendar opening and closing dates under GS 115C-84.2(d). Regarding the prohibition on using remote instruction to satisfy the minimum required number of instructional days or hours for the school calendar except as permitted by subsection (b) of the proposed statute, adds that local boards can provide virtual instruction as provided in Part 3A of Article 16 of GS Chapter 115C, as enacted. Makes a clarifying change.

Makes a technical change to the proposed conforming changes to Section 6 of SL 2018-32, relating to renewal school systems.

Part IIIA.

Makes a technical correction to the authority granted to public school units regarding remote instruction during the 2021-22 school year.

Deletes the content of previous Part IIIB., which (1) authorized a public school unit to provide virtual instruction during the 2021-22 school year to a student with consent of that student's parent or legal guardian in accordance with a virtual instruction plan providing the specified required information, so long as the plan is submitted by the governing board to DPI by June 1, 2021; (2) directed the Department of Public Instruction (DPI) to make available a copy of each governing board's remote instruction plan to the specified NCGA committee and the Working Group on Virtual Academies, as enacted by the act, by July 1, 2021; and (3) established 13 requirements of a virtual instruction plan.

Deletes the content of previous Part IIIC., which directed the Superintendent of Public Instruction to establish a Working Group on Virtual Academies, provided for the Working Group to review in data and information gained from the 2020-21 school year and from the virtual instruction plans submitted by public school units for the 2021-22 school year and report to the specified NCGA committee by January 15, 2022.

Adds the following content, organized as new Part IIIB.

Enacts new Part 3A to Article 16 of GS Chapter 115C, permitting local boards to apply to the State Board of Education (State Board) for approval of *virtual academies*, defined as public schools that provides a majority of instructional hours through virtual instruction to all students enrolled in the school. Limits total enrollment in all virtual academies granted to the local board to 10% of the total student enrollment of that unit. Additionally limits the number of virtual academies that can be granted from one to five virtual academies based on student enrollment in the unit at the time of application. Details requirements of virtual academies, including complying with all requirements of a public school and providing software and hardware needed to an enrolled student to participate in the virtual academy. Provides that virtual academies are not required to provide transportation or food services to enrolled students. Details student eligibility expansively to include (1) any student whose parent or guardian applies for admission on that student's behalf and commits to providing internet connectivity, including students with an individualized education program (IEP) if certain criteria are met, and (2) students suspended from another public school and assigned to the virtual academy. Provides for virtual academies to require attendance in-person for specified reasons. Authorizes the State Board to establish rules for student monitoring. Details the approval process for virtual academies, which includes submission of a plan meeting specified requirements, with State Board review and approval of the plan for a period of five years, with the option for an additional five-year renewal upon resubmission of the application. Authorizes revocation of approval based on substantial noncompliance with the new Part's requirements or the approved plan. Allows for the unit to obtain written approval for plan modifications from the State Board. Requires assignment of a school code and principal for each school. Requires the State Board to evaluate approved virtual academies based on specified measures and annually report to the specified NCGA committee by November 15.

Directs the State Board to adopt emergency rules for the new Part's implementation for use in the 2021-22 school year only. Requires the State Board to make its first evaluation report by November 15, 2022.

Allows a local unit that has been assigned a school code to operate with virtual instruction as the primary means of instruction by May 1, 2021, to continue such operation to satisfy the minimum required number of instructional days or hours for the 2021-22 school calendar.

Authorizes charter schools to provide blended learning that includes virtual instruction during the 2021-22 school year if the Office of Charter Schools has approved a curriculum amendment allowing such for that school year by September 1, 2021.

Applies beginning with the 2021-22 school year.

Adds the following new content, organized as Part VIII.

Makes the following social studies standard course of study changes apply in order to provide additional time for the development of content and to ensure sufficient professional development opportunities delayed due to COVID-19: (1) the course requirements of GS 115C-81.45(d), Founding Principles of the United States of America and North Carolina: Civic Literacy, applicable to all students entering the ninth grade in the 2022-23 school year; and (2) the course requirements of GS 115C-81.65, Economics and Personal Finance, applicable to all students entering the ninth grade in the 2022-23 school year. Bars implementation of all other revisions to the social studies standard course of study prior to the 2022-23 school year. Makes conforming changes to renumber the remaining Parts of the act.

Part IX.

Expands the proposed extension for a continuing professional license applicant whose license expires June 30, 2021, to meet the exam requirements established by the State Board as of June 30, 2021, applicable to applicants holding a current initial professional license, residency license, lateral entry license, or limited license expiring June 30, 2021, to also include those who have not met the coursework requirements established by the State Board as of June 30, 2021, granting an extension until September 30, 2021.

Modifies the qualifications for a residency license under GS 115C-270.20(a)(5) to allow for the individual to hold a bachelor's degree and/or an advanced degree (was bachelor's degree only).

Part X.

Deletes the proposed changes to GS 115C-84.2(f)(5), establishing an alternative plan for year-round schools for local school administrative units with both single- and multi-track instructional calendars as new sub-subdivision d. Instead, revises the second of the three plans a year-round school is permitted to use to provide instructional days throughout the entire school calendar year to describe the plan as providing students be schedules to attend four quarters of between 43 and 47 instructional days each school calendar year, with vacation periods for students of between 14 and 18 days separating each quarter (was, providing students be scheduled to attend 45 instructional days followed by 15 days of vacation, repeated throughout the school calendar year). Applies beginning with the 2021-22 school year.

Adds the following new content.

Part XI.

Makes the following applicable for the 2021-22 school year, if the total kindergarten average daily membership (ADM) for the first month of the 2021-22 school year for a local unit is 5% or more than that of the first month of the 2019-20 school year for that unit: (1) prohibits the average class size for kindergarten in that unit from exceeding one teacher per 20 students; and (2) prohibits an individual class in kindergarten in that unit from exceeding one teacher per 23 students at the end of the second school month and for the remainder of the school year.

Part XII.

Amends Section 3.2 of SL 2021-25 (Additional COVID-19 Response & Relief), increasing the amount of federal funds to be received by the State under the American Rescue Plan Act (ARPA) for the Elementary and Secondary Emergency Relief Fund from \$3,260,772,535 to \$3,599,191,706. Make conforming adjustments to the total federal funds set forth in the schedule. Removes the provision that appropriates federal funds received by the State under the ARPA from the Elementary and Secondary Emergency Relief Fund only up to the estimated amount set forth in the schedule, as now amended.

Amends Section 3.5 of SL 2021-25, which requires DPI to use the Elementary and Secondary Emergency Relief Fund funds appropriated in Section 3.2 of that act to allocate the federal grant funds to public school units pursuant to the specified provisions under the ARPA, and to reserve a specified amount of the funds pursuant to the specified provisions under the ARPA to be used in specified amounts for two specified purposes. Increases the amount of funds required to be reserved from \$21.5 million to \$359,919,171, and provides for 24 additional allocations in the amounts specified for the following uses, with applicable requirements and restrictions set forth for each:

1. To be held in reserve by DPI to be allocated to public school units as grants to support COVID-19 related needs, as specified;
2. To be held in a reserve by DPI to be allocated to public school units as grants to support COVID-19 related needs, as specified;

3. For the deployment of a competency-based education platform that meets certain objectives, with interim and final reporting deadlines provided;
4. To support a common learning management system to be used for in-person and remote instruction for grades K-5 for up to three years, and authorizing use for the kindergarten readiness program based on the Science of Reading;
5. For teacher and principal professional development for implementing the Science of Reading and the requirements of the Excellent Public Schools Act of 2021;
6. To contract with external research partners under SL 2021-1, as enacted by SL 2021-3 to assess the impact of COVID-19 on public school units and the State's responses;
7. For five new time-limited and full-time equivalent positions in the Office of Learning Recovery and Acceleration and associated operating costs in response to the pandemic;
8. To support the expansion of the NC Preschool Pyramid Model across and within local unit preschool programs and to support its implementation in kindergarten;
9. To establish a grant program in response to the pandemic to contract with school health support services to provide additional physical and mental health support services for students, and to contract with specified persons and entities to identify and locate missing students, with annual reporting requirements provided;
10. To contract with a third-party entity for a period of up to two years to develop and implement a system of tracking expenditures of State and federal funds provided for subscription services and technology in response to the pandemic;
11. To establish one new time-limited and full-time equivalent position within DPI to manage new software platforms for public school units funded pursuant to Section 3.5 of SL 2021-25;
12. For the School Planning Section to contract with a third-party entity in response to the pandemic to make available to all local units and counties a consolidated education-related expense database and a software platform to advertise nationwide requests for proposal from local units and counties for education-related products and services;
13. To be allocated to public school units on the basis of ADM in response to the pandemic to contract with a third-party entity for technology to mitigate cyberbullying, monitor student online activity, monitor classroom educational devices, and assist with suicide prevention services;
14. To local school administrative units and charter schools to account for additional students enrolled during the 2021-22 school year as a result of the pandemic, at the rate of \$600 per month for each student enrolled above the number of students accounted for in the funded ADM for the unit or school from the 2020-21 school year;
15. To be allocated to public school units to provide teachers with up to an eleventh month salary, with eligibility limited to growth and veteran teachers, as defined;
16. For outreach to and support of NC families affected by COVID-19;
17. To contract with Schools That Lead, Inc., to establish the Schools That Lead Program to provide professional development to teachers and principals beginning with the 2021-22 school year and ending with the 2023-24 school year in up to 75 schools, with a certain amount required to be used to contract with an independent research organization to measure the impacts of the Program, with reporting requirements provided;
18. To provide coaching support and professional development for principals and school improvement leadership teams in local units, as specified, with authority to use a specified amount for 20 time-limited or full-time equivalent DPI positions to support such activities;
19. To be transferred to the UNC Board of Governors to be allocated to the National College Advertising Corps, Inc. to support a temporary expansion of the placement of college advisers in NC public schools through their program over a two-year period, as specified, with matching and reporting requirements provided;
20. To be allocated to Communities in Schools of NC, Inc. to provide for the extension of nine-month contracts for its employees to provide assistance and enrichment activities over the summers for K-12 students experiencing learning loss and negative impacts from COVID-19;
21. To be used for career and technical education programs to provide options for students outside traditional classroom instruction during the pandemic, with a specified amount used to provide grants to local units to create pilot programs for the expansion of credentials and certifications and a specified amount used as grants to nationally certified programs focused on developing critical skills necessary for students to succeed in the retail sector;
22. To be allocated to the NC Education Corps to partner with public school units to recruit, train, and deploy corps members to work as tutors and mentors with public school students;
23. To contract with the State Education Assistance Authority to establish and administer the Student Success Program to allow parents of eligible children to use federal funds intended to mitigate the negative impacts of COVID-19 towards allowable educational uses of their choice to address student learning loss and provide supplemental educational support, subject to DPI obtaining a letter of determination by the US Department of Education that this use is consistent with federal law and guidelines

(as directed within 15 days of the date the act becomes law and with notice upon receipt of a determination to the Authority as specified), with details for the Program including eligibility, grant amounts, applications and priority, uses and limitations, administration and funding;

24. To reallocate any funds that are unencumbered from the Elementary and Secondary School Emergency Relief III Fund reserve of funds pursuant to the specified provisions of ARPA on August 15, 2023, for expenditures on or after that date to meet additional needs of the elementary and secondary schools of the State within federal law and guidelines, as determined by the State Board.

Intro. by Ballard, Davis, Lee.

STUDY, UNCODIFIED, GS 115C, GS 116

[View summary](#)

Business and Commerce, Occupational Licensing, Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, State Agencies, Department of Public Instruction

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

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

Part X.

Adds to the proposed changes to GS 115C-84.2(f)(5), which revises the second of the three plans a year-round school is permitted to use to provide instructional days throughout the entire school calendar year (sub-subdivision b.). Reinstates previously proposed changes to the subdivision (added by the 2nd edition and removed by the 4th edition), establishing an alternative plan for year-round schools for local school administrative units with both single- and multi-track instructional calendars as new sub-subdivision d. Permits a plan for a single-track instructional calendar that is identical to at least one track of a multi-track instructional calendar adopted by the local board that meets the statutory requirements of either the plan described in sub-subdivision a. or c., which provides for staggered quarters or sessions.

Intro. by Ballard, Davis, Lee.

STUDY, UNCODIFIED, GS 115C, GS 116

[View summary](#)

Business and Commerce, Occupational Licensing, Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, State Agencies, Department of Public Instruction

S 722 (2021) **REVISE LOCAL GOVERNMENT REDISTRICTING/CENSUS. (NEW)** Filed May 18 2021, *AN ACT TO REQUIRE THAT ELECTIONS IN LOCAL GOVERNMENTS WITH ONE OR MORE OFFICES UP FOR ELECTION IN 2021 WHERE THE CANDIDATE FOR THAT OFFICE IS ELECTED BY DISTRICT SHALL BE DELAYED UNTIL 2022; TO REQUIRE LOCAL GOVERNMENTS WITH DELAYED 2021 ELECTIONS TO REVIEW AND REVISE THOSE ELECTORAL DISTRICTS FOLLOWING THE RELEASE OF THE 2020 U.S. CENSUS DATA; TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF RALEIGH SHALL BE HELD IN EVEN-NUMBERED YEARS; AND TO ALLOW RESOLUTIONS REDISTRICTING COUNTY ELECTORAL DISTRICTS TO BECOME EFFECTIVE UPON ADOPTION FOR THE 2022 ELECTIONS*.

House committee substitute adds the following to the 3rd edition.

Adds a new Section 1.4 requiring the board of county commissioners, in each county where the county is divided into electoral districts for the purpose of nominating or electing persons to the board of commissioners, to review and revise its electoral districts and adopt a resolution containing the revised electoral districts by November 17, 2021. Specifies that the resolution becomes effective upon its adoption.

Enacts substantively identical provisions barring elections to be held to the Charlotte-Mecklenburg Board of Education (CM BOE) or the Lexington City Board of Education (LC BOE) for 2021 and requiring members elected in 2017 (or persons filling vacancies for those terms) to hold over in office until their successors are elected and qualified at the time of the general election for county offices in 2022, with results determined by specified state law. Sets the filing period for candidates from noon July 25, 2022, and noon August 12, 2022. Provides for members elected in 2022 to serve terms commencing on December 6, 2022, and expiring December 2, 2025. Conditions these provisions on the CM BOE or the LC BOE, as appropriate, not receiving the federal decennial census information for 2020 by July 19, 2021, and provides the procedure for the BOE regarding the adoption of a resolution stating that that has happened by July 26, 2021. Requires the adopted resolution to be submitted to the respective county board of elections and the State Board of Elections (State Board), with notice of the delay to be published as provided.

Amends the Charter of the City of Raleigh, found in SL 1949-1184, as amended, providing for city council election by nonpartisan plurality method pursuant to GS 163-292 (was nonpartisan election and runoff election pursuant to GS 163-293). Additionally provides for elections to be held in even-numbered years with all other related dates determined in accordance with the state uniform municipal laws. Directs that there be no municipal elections held in the City in 2021, and directs that the next municipal election be held on November 8, 2022. Extends the terms of mayor and council members serving on the effective date of the act until their successor is elected and qualified. Requires municipal elections to be conducted in 2022 and biennially thereafter.

Excludes from the act's scope offices elected at large in any municipality where there is an election of municipal officers scheduled for 2021 where less than the entire jurisdiction is eligible to vote for candidates for one or more offices on the 2021 ballot, and that municipality has notified the county board at least five business days prior to the opening of the 2021 filing period provided under state law for the election method of that municipality. If so notified, directs the county board to open the filing period for the offices elected at large only for that municipality and conduct the election in 2021 in accordance with the municipality's charter and state election law.

Changes the act's titles.

Intro. by Daniel, Newton, Hise.

Davidson, Mecklenburg, Wake, GS 163

[View summary](#)

[Government, Elections, Local Government](#)

S 722 (2021) [REVISE LOCAL GOVERNMENT REDISTRICTING/CENSUS. \(NEW\)](#) Filed May 18 2021, *AN ACT TO REQUIRE THAT ELECTIONS IN LOCAL GOVERNMENTS WITH ONE OR MORE OFFICES UP FOR ELECTION IN 2021 WHERE THE CANDIDATE FOR THAT OFFICE IS ELECTED BY DISTRICT SHALL BE DELAYED UNTIL 2022; TO REQUIRE LOCAL GOVERNMENTS WITH DELAYED 2021 ELECTIONS TO REVIEW AND REVISE THOSE ELECTORAL DISTRICTS FOLLOWING THE RELEASE OF THE 2020 U.S. CENSUS DATA; TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF RALEIGH SHALL BE HELD IN EVEN-NUMBERED YEARS; AND TO ALLOW RESOLUTIONS REDISTRICTING COUNTY ELECTORAL DISTRICTS TO BECOME EFFECTIVE UPON ADOPTION FOR THE 2022 ELECTIONS.*

House amendment #1 amends the 4th edition by adding Section 1.8 directing the City of Raleigh to review and revise its electoral districts in accordance with state and federal law and deliver the revised districts to county election officials by March 31, 2022.

Intro. by Daniel, Newton, Hise.

Davidson, Mecklenburg, Wake, GS 163

[View summary](#)

[Government, Elections, Local Government](#)

S 724 (2021) [EXPAND ACCESS TO VOTER ID & VOTING.](#) Filed Jun 7 2021, *AN ACT TO EXPAND VOTER ACCESS BY ESTABLISHING A VOTING PORTAL FOR VISUALLY IMPAIRED VOTERS TO VOTE BY ABSENTEE BALLOT ONLINE, ALLOWING FOR THE ONLINE SUBMISSION OF VOTER REGISTRATION APPLICATION FORMS, AND STATING THE INTENT OF THE GENERAL ASSEMBLY TO FUND A PROGRAM TO IDENTIFY AND ASSIST VOTERS NEEDING PHOTO IDENTIFICATION.*

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

Part I.

Amends proposed GS 163-231.1, by adding that the State Board of Elections (State Board) must establish and maintain a portal for the visually impaired to vote an absentee ballot in accordance with the statute. Requires that completed absentee ballots cast through the visually impaired portal be counted in accordance with GS 163-230.1 and GS 163-234 (was, absentee ballots cast under this statute must comply with all other provisions of the Article, and if so, the ballot must be counted under those same statutes). Deletes the provision allowing, when submitting absentee ballots through the visually impaired portal, for the visually impaired voter and witness to sign the application electronically. Instead, provide that when submitting voted absentee ballots through the visually impaired portal, (1) the voted absentee ballots must be returned electronically to the county board of elections by 7:30 pm on the day of the statewide primary or general election or county bond election; (2) the voted absentee ballot must be witnessed in accordance with the specified statute, provided that a notary must not be permitted unless remote notarization is allowed by State law; and (2) the signatures of the visually impaired voter and witness must be submitted at the same time as the voted ballots and requires the State Board to adopt rules to address signatures.

Part II.

Amends proposed GS 163-82.5A as follows. Requires the State Board to notify the individual that the application cannot be processed and submitted (was, denial of the application and notification of the denial) if the State Board cannot verify the driver's license, date of birth or Social Security number, and requires the notification to state the deficiencies which the individual needs to cure. Requires that the individual be given an opportunity to cure those deficiencies or to otherwise register to vote. Makes an additional clarifying change.

Deletes the proposed changes to GS 163-82.10(a1) that added specified identifying information submitted during the online voter registration application process to the information that is confidential.

Makes Section 2 of the act effective January 1, 2022. Allows the State Board to begin rulemaking to implement the new statute's provisions before January 1, 2022 (was, December 1, 2021), so long as no temporary or permanent rule becomes effective prior to that date. Authorizes the State Board to initiate any needed requests for proposals for development of the secure internet site prior to January 1, 2022 (was, December 1, 2021).

Intro. by Newton, Daniel, Hise.

[GS 163](#)

[View summary](#)

[Government, Elections, State Agencies, State Board of Elections](#)

LOCAL/HOUSE BILLS

H 85 (2021) [CLEVELAND CTY BD OF ED VACANCIES. \(NEW\)](#) Filed Feb 16 2021, *AN ACT TO PROVIDE THAT THE CLEVELAND COUNTY BOARD OF EDUCATION SHALL FILL A VACANCY ON THE BOARD BY APPOINTING THE RECOMMENDATION OF THE COUNTY EXECUTIVE COMMITTEE OF THE RELEVANT POLITICAL PARTY.*

AN ACT TO PROVIDE THAT THE CLEVELAND COUNTY BOARD OF EDUCATION SHALL FILL A VACANCY ON THE BOARD BY APPOINTING THE RECOMMENDATION OF THE COUNTY EXECUTIVE COMMITTEE OF THE RELEVANT POLITICAL PARTY. SL 2021-28. Enacted June 9, 2021. Effective June 9, 2021.

Intro. by Hastings, Saine.

[Cleveland](#)

[View summary](#)

[Education, Government, Elections](#)

H 375 (2021) [FRANKLINVILLE/LIBERTY/RAMSEUR/ANNEXATIONS.](#) Filed Mar 23 2021, *AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR THE TOWNS OF FRANKLINVILLE, LIBERTY, AND RAMSEUR.*

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

Makes technical corrections to the lead-in language to the proposed changes to 160A-58.1, providing for the statute's previous amendments by session laws 2021-17 and 2021-21. Makes changes to reflect the statute's current provisions.

Intro. by McNeill.

[Person, Randolph, GS 160A](#)

[View summary](#)

LOCAL/SENATE BILLS

S 51 (2021) [EVEN-YEAR ELECT CRAVEN LOCAL GOV'TS. \(NEW\)](#) Filed Feb 3 2021, *AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF HAVELOCK, TOWNS OF BRIDGETON, COVE CITY, DOVER, RIVER BEND, AND TRENT WOODS, AND THE FIRST CRAVEN SANITARY DISTRICT, SHALL BE HELD IN EVEN-NUMBERED YEARS.*

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

Makes organizational changes. Changes the act's titles.

Adds the following new content.

Amends the Charter of the City of Havelock, found in SL 1959-952, as amended, providing for regular elections of the mayor and board of commissioners in even-numbered years in accordance with the state uniform municipal election laws to elect commissioners for staggered terms of four years and the mayor for a term of four years (currently held in odd-numbered years). Eliminates language providing for the election winners. Prohibits the City from conducting a municipal election in 2021 and extends the terms of office for the mayor and commissioners serving on the effective date of the act by one year. Requires regular municipal elections to be conducted in 2022 and biennially thereafter.

Amends the Charter of the Town of Bridgeton, found in SL 1989-621, providing for regular municipal elections to be held biennially in even-numbered years beginning in 2022 (currently held in odd-numbered years). Makes conforming changes. Prohibits the Town from conducting a municipal election in 2021 and extends the terms of office for the mayor and commissioners serving on the effective date of the act by one year. Requires regular municipal elections to be conducted in 2022 and biennially thereafter.

Amends the Charter of the Town of Cove City, found in SL 1907-64, as amended, providing for regular municipal elections to be held quadrennially rather than biennially, beginning in 2024 (currently held in odd-numbered years). Adds that elections are to be held in accordance with state uniform municipal election laws (previously identified specific state laws). Prohibits the Town from conducting a municipal election in 2023 and extends the terms of office for the mayor and commissioners serving on the effective date of the act whose terms are set to expire in 2023 by one year. Requires regular municipal elections to be conducted in 2024 and quadrennially thereafter.

Adds the following to the Charter of the Town of Dover, found in SL 1901-375. Explicitly provides for the mayor and five-member board of commissioners to be the Town's governing body, with the mayor and commissioners elected for two-year terms. Provides for biennial regular municipal elections beginning in 2022 to be conducted in accordance with state uniform municipal election laws. Requires a mayor and commissioners to be elected to fill the seats of the officers whose terms are expiring. Requires results to be determined with the nonpartisan plurality method of elections. Prohibits the Town from conducting a municipal election in 2021 and extends the terms of office for the mayor and commissioners serving on the effective date of the act by one year. Requires regular municipal elections to be conducted in 2022 and biennially thereafter.

Revises the proposed changes to the Town of River Bend, making technical changes to the lead-in language identifying the Charter to reflect current language and corrects the existing language provided. Further amends the Charter, as now identified, to provide for staggered four-year terms (was two-year terms without explicitly requiring staggered terms) for commissioners, and a four-year rather than two-year term for mayor. Makes technical changes.

Revises the proposed changes to the Charter of the Town of Trent Woods, found in SL 1959-718, as amended. Corrects a GS Chapter cross-reference. Clarifies that the proposed change to require regular municipal elections be held in each even-numbered year applies beginning in 2022 and thereafter (was in 2022), and that the mayor and commissioners be elected to serve two-year terms beginning in 2022 and thereafter and biennially thereafter (was in 2022 and biennially thereafter). Makes technical changes. Extends the terms of the Mayor and commissioners serving on the effective date of the act by one year (was those elected in 2019 by one year until 2022). Requires that regular municipal elections be conducted in 2022 and biennially thereafter (was in 2022).

Amends SL 2009-55 to require elections for the First Craven Sanitary District to be held in even-numbered years in accordance with the state uniform municipal election laws, with members from Seats 1 and 2 elected in 2022 and quadrennially thereafter, and members from Seats 3, 4, and 5 in 2024 and quadrennially thereafter (was odd-numbered years). Prohibits the First Craven Sanitary District from conducting elections in 2021 and extends the terms of office for members serving on the effective date of the act by one year. Requires regular municipal elections to be conducted in 2022 and biennially thereafter.

Intro. by Sanderson.

Craven

[View summary](#)

Government, Elections

S 125 (2021) [VACANCIES/ROWLAND & MAYOR'S TERM/RED SPRINGS](#). Filed Feb 23 2021, *AN ACT TO REVISE THE METHOD BY WHICH VACANCIES ARE FILLED FOR ELECTIVE OFFICE IN THE TOWN OF ROWLAND AND TO EXTEND THE TERM OF MAYOR FROM TWO TO FOUR YEARS IN THE TOWN OF RED SPRINGS.*

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

Makes technical corrections to the lead-in language of the proposed changes to the Roland Town Charter, found in SL 1998-105. Eliminates the existing disqualifications listed for the town mayor and commissioners and the authority of the Board to declare the position of a violator to be vacant and proceed with filling the vacancy if certain determinations are made regarding the violation. Makes a technical change to the proposed changes regarding the filling of vacancies pursuant to State law rather than by special election. Makes further conforming changes to the Charter to provide for referenda (was, special elections and referenda) to be held only as provided by general law or applicable local legislative acts (reflecting the elimination of special elections to fill vacancies in the offices of mayor or commissioner).

Intro. by Britt.

UNCODIFIED, Hoke, Robeson

[View summary](#)

Government, Elections

S 194 (2021) [RE-STAGGER TERMS/ALDERMEN/N.TOPSAIL BEACH](#). Filed Mar 8 2021, *AN ACT TO RETAIN THE STAGGERED TERMS OF MEMBERS SERVING ON THE BOARD OF ALDERMEN IN THE TOWN OF NORTH TOPSAIL BEACH.*

House committee substitute to the 1st edition makes the following changes. Deletes the proposed changes to Section 3.3 of the Charter of the Town of North Topsail Beach, that set out specified staggered terms for the Board of Alderman. Instead, sets out a provision that requires that for the 2021 municipal election, all five board of aldermen seats must be on the ballot. Specifies that the three candidates receiving the highest number of votes are elected for four-year terms, and the two candidates receiving the next highest number of votes are elected for two-year terms. Requires that beginning in 2023 the board of aldermen be elected as provided for in the Town's Charter and GS Chapter 163.

Changes the act's long title.

Intro. by Lazzara.

UNCODIFIED, Onslow

[View summary](#)

Government, Elections

ACTIONS ON BILLS**PUBLIC BILLS****H 64: GOVERNMENT TRANSPARENCY ACT OF 2021. (NEW)**

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

Senate: Conf Com Appointed

H 84: SEX OFFENDER PREMISES RESTRICTIONS.

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/09/2021

House: Added to Calendar

House: Failed Concur In S Com Sub

House: Conf Com Appointed

H 128: AN ACT TO REEMPLOY NC'S WORKFORCE. (NEW)

House: Added to Calendar

House: Failed Concur In S Com Sub

House: Failed Concur In S Com Sub

H 203: EXTEND DEADLINE FOR POLICE TELECOMMUNICATORS.

House: Pres. To Gov. 6/9/2021

H 238: PROHIBIT POSSESSION OF SKIMMING DEVICE.

Senate: Reptd Fav

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

H 272: REVISE HEALTH STANDARD FOR LEAD.

Senate: Reptd Fav

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

H 297: DMV DEPLOYED ARMED FORCES EXEMPTIONS. (NEW)

Senate: Reptd Fav

Senate: Re-ref Com On Judiciary

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

Senate: Amend Adopted A1

Senate: Amend Tabled A2

Senate: Passed 2nd Reading

H 344: SYSTEM DEVELOPMENT FEES UPDATE.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 383: MEDICAID MODERNIZED HOSPITAL ASSESSMENTS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 453: HUMAN LIFE NONDISCRIMINATION ACT/NO EUGENICS. (NEW)

Senate: Reptd Fav

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

Senate: Reptd Fav

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

H 642: DOWN SYNDROME ORGAN TRANS. NONDISCRIM. ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 659: GUILFORD/ROCKINGHAM FUNDS EXTENSION.

House: Reptd Fav

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

H 734: DEPT. OF HEALTH & HUMAN SERVICES REVISIONS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

H 743: REMOVE ID MARK/INCREASE PUNISHMENT.

House: Cal Pursuant 36(b)

House: Placed On Cal For 06/09/2021

House: Added to Calendar

House: Concurred In S Com Sub

House: Ordered Enrolled

H 812: CLARIFY REMOTE MEETINGS DURING EMERGENCIES.

House: Pres. To Gov. 6/9/2021

H 831: CITIES/PROHIBITED SERVICE AGREEMENTS.

House: Reptd Fav Com Sub 2

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

H 945: ESPORTS INCENTIVE PROGRAM.

House: Reptd Fav

House: Re-ref Com On Finance

H 965: SBIR/STTR INCENTIVE MODIFICATIONS.

House: Reptd Fav

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

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

S 43: PROTECT RELIGIOUS MEETING PLACES.

Senate: Ratified

S 50: ESTATE PLANNING LAW CHANGES.

House: Amend Adopted A1

House: Amend Failed A2

House: Passed 2nd Reading

House: Passed 3rd Reading

House: Ordered Engrossed

S 208: LABOR LAW CHANGES.

House: Withdrawn From Com

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

S 241: MODIFIED UTILITY VEHICLE DEF/USE OF FUNDS. (NEW)

House: Conf Com Reported

House: Added to Calendar

Senate: Conf Com Reported

Senate: Placed On Cal For 06/10/2021

House: Conf Report Adopted

S 255: 2021 AOC LEGISLATIVE CHANGES.-AB

Senate: Ratified

S 323: JOINT MUNICIPAL POWER AGENCIES/INVESTMENTS.

House: Reptd Fav Com Substitute

House: Cal Pursuant Rule 36(b)

S 326: ELECTION DAY INTEGRITY ACT. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

S 345: PA - TEAM-BASED PRACTICE.

House: Withdrawn From Com

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

S 375: CADC SUPERVISION REQS.

House: Withdrawn From Com

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

S 448: AMENDMENTS TO SCHEDULE VI OF THE CSA.

House: Added to Calendar

House: Withdrawn From Cal

House: Cal Pursuant Rule 36(b)

House: Cal Pursuant Rule 36(b)

S 470: NORTH CAROLINA REGULATORY SANDBOX ACT.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

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

House: Withdrawn From Com

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

S 582: HIGH SCHOOL ADJUNCT INSTRUCTORS/CC PREP.

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Enrolled

S 654: K-12 COVID-19 PROVISIONS.

House: Withdrawn From Com
House: Re-ref to the Com on Appropriations, if favorable, Rules, Calendar, and Operations of the House
House: Reptd Fav Com Substitute
House: Re-ref Com On Rules, Calendar, and Operations of the House
House: Reptd Fav Com Sub 2
House: Cal Pursuant Rule 36(b)
House: Added to Calendar
House: Amend Failed A1
House: Amend Failed A2
House: Amend Failed A3
House: Passed 2nd Reading
House: Passed 3rd Reading

S 693: EXPEDITE CHILD SAFETY AND PERMANENCY.

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

S 722: REVISE LOCAL GOVERNMENT REDISTRICTING/CENSUS. (NEW)

House: Passed 1st Reading
House: Ref to the Com on Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House
House: Reptd Fav
House: Re-ref Com On Rules, Calendar, and Operations of the House
House: Passed 1st Reading
House: Ref to the Com on Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House
House: Reptd Fav
House: Re-ref Com On Rules, Calendar, and Operations of the House
House: Reptd Fav Com Substitute
House: Cal Pursuant Rule 36(b)
House: Added to Calendar
House: Amend Adopted A1
House: Passed 2nd Reading
House: Passed 3rd Reading
House: Ordered Engrossed

S 724: EXPAND ACCESS TO VOTER ID & VOTING.

Senate: Reptd Fav Com Substitute
Senate: Com Substitute Adopted
Senate: Re-ref Com On Rules and Operations of the Senate

S 725: PROHIBIT PRIVATE MONEY IN ELECTIONS ADMIN.

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

LOCAL BILLS

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

House: Ratified
House: Ch. SL 2021-28

H 253: BURGAW TDA MEMBERS/SURF CITY PARKING. (NEW)

Senate: Reptd Fav

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

H 287: CITY OF RANDLEMAN CHARTER CONSOLIDATION.

Senate: Reptd Fav

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

H 375: FRANKLINVILLE/LIBERTY/RAMSEUR/ANNEXATIONS.

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

Senate: Re-ref Com On Finance

H 386: SUNNY POINT RAIL ROW FIREARM DISCHARGE BAN. (NEW)

Senate: Reptd Fav

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

S 51: EVEN-YEAR ELECT CRAVEN LOCAL GOV'TS. (NEW)

House: Reptd Fav Com Substitute

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

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

House: Reptd Fav Com Substitute

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

House: Reptd Fav

House: Cal Pursuant Rule 36(b)

House: Added to Calendar

House: Passed 2nd Reading

House: Passed 3rd Reading

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

House: Reptd Fav Com Substitute

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

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