



## The Daily Bulletin: 2021-07-02

### PUBLIC/HOUSE BILLS

H 168 (2021) [RETIREMENT ADMINISTRATIVE CHANGES ACT OF 2021.-AB](#) Filed Feb 25 2021, *AN ACT MAKING ADMINISTRATIVE CHANGES RELATED TO CONTRIBUTION-BASED BENEFIT CAP LIABILITIES UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM (LGERS) AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM (TSERS); CLARIFYING WITHDRAWAL LIABILITIES UNDER LGERS AND TSERS; CLARIFYING AND STANDARDIZING THE DEFINITION OF "ACTUARIAL EQUIVALENT" UNDER LGERS AND TSERS; REQUIRING EMPLOYING UNITS TO ADOPT WRITTEN POLICIES FOR SPECIAL SEPARATION BUYOUTS FOR LAW ENFORCEMENT OFFICERS; GIVING THE DEPARTMENT OF STATE TREASURER AND THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES LIMITED AUTHORITY TO ADOPT ADMINISTRATIVE FEES UNDER CERTAIN PLANS; CLAWING BACK DISABILITY INCOME PLAN OVERPAYMENTS UNDER THE OPTIONAL RETIREMENT PROGRAM; AND ADDRESSING SPECIAL RETIREMENT ALLOWANCE PAYMENTS UPON THE DEATH OF THE DESIGNATED BENEFICIARY.*

AN ACT MAKING ADMINISTRATIVE CHANGES RELATED TO CONTRIBUTION-BASED BENEFIT CAP LIABILITIES UNDER THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM (LGERS) AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM (TSERS); CLARIFYING WITHDRAWAL LIABILITIES UNDER LGERS AND TSERS; CLARIFYING AND STANDARDIZING THE DEFINITION OF "ACTUARIAL EQUIVALENT" UNDER LGERS AND TSERS; REQUIRING EMPLOYING UNITS TO ADOPT WRITTEN POLICIES FOR SPECIAL SEPARATION BUYOUTS FOR LAW ENFORCEMENT OFFICERS; GIVING THE DEPARTMENT OF STATE TREASURER AND THE SUPPLEMENTAL RETIREMENT BOARD OF TRUSTEES LIMITED AUTHORITY TO ADOPT ADMINISTRATIVE FEES UNDER CERTAIN PLANS; CLAWING BACK DISABILITY INCOME PLAN OVERPAYMENTS UNDER THE OPTIONAL RETIREMENT PROGRAM; AND ADDRESSING SPECIAL RETIREMENT ALLOWANCE PAYMENTS UPON THE DEATH OF THE DESIGNATED BENEFICIARY. SL 2021-75. Enacted July 2, 2021. Effective July 1, 2021.

**Intro. by C. Smith, Kidwell, McNeill.**

[GS 128](#), [GS 135](#), [GS 159](#)

[View summary](#)

[Education, Employment and Retirement, Government, Public Safety and Emergency Management, State Agencies, Department of State Treasurer, State Government, State Personnel, Local Government](#)

H 238 (2021) [PROHIBIT POSSESSION OF SKIMMING DEVICE](#). Filed Mar 8 2021, *AN ACT TO PROHIBIT THE POSSESSION OF CREDIT CARD SKIMMING DEVICES.*

AN ACT TO PROHIBIT THE POSSESSION OF CREDIT CARD SKIMMING DEVICES. SL 2021-68. Enacted July 2, 2021. Effective December 1, 2021, and applies to offenses committed on or after that date.

**Intro. by Torbett.**

[GS 14](#)

[View summary](#)

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

H 272 (2021) [REVISE HEALTH STANDARD FOR LEAD](#). Filed Mar 11 2021, *AN ACT TO UPDATE THE CHILDHOOD LEAD POISONING PREVENTION LAW TO ENSURE THAT YOUNG CHILDREN ARE NOT EXPOSED TO HAZARDOUS LEAD IN*

*DRINKING WATER.*

AN ACT TO UPDATE THE CHILDHOOD LEAD POISONING PREVENTION LAW TO ENSURE THAT YOUNG CHILDREN ARE NOT EXPOSED TO HAZARDOUS LEAD IN DRINKING WATER. SL 2021-69. Enacted July 2, 2021. Effective December 1, 2021.

**Intro. by Warren, Lambeth, Adcock, Potts.**

[GS 130A](#)

[View summary](#)

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

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.*

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. SL 2021-76. Enacted July 2, 2021. Effective July 2, 2021.

**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 629 (2021) [PHYSICIAN ASST/NURSE PRACTIT./STOP ACT CLAR.](#) Filed Apr 21 2021, *AN ACT TO MAKE CLARIFICATIONS REGARDING THE CONDITIONS IN WHICH A PHYSICIAN ASSISTANT OR NURSE PRACTITIONER MUST CONSULT WITH A SUPERVISING PHYSICIAN PRIOR TO PRESCRIBING A TARGETED CONTROLLED SUBSTANCE.*

AN ACT TO MAKE CLARIFICATIONS REGARDING THE CONDITIONS IN WHICH A PHYSICIAN ASSISTANT OR NURSE PRACTITIONER MUST CONSULT WITH A SUPERVISING PHYSICIAN PRIOR TO PRESCRIBING A TARGETED CONTROLLED SUBSTANCE. SL 2021-70. Enacted July 2, 2021. Effective October 1, 2021.

**Intro. by Moffitt, Potts, Sasser, Adcock.**

[GS 90](#)

[View summary](#)

[Health and Human Services, Health, Health Care Facilities and Providers, Public Health](#)

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 AND HEALTH INSURERS.*

AN ACT PROHIBITING ORGAN TRANSPLANT DISCRIMINATION ON THE BASIS OF DISABILITY BY HEALTH CARE PROVIDERS AND HEALTH INSURERS. SL 2021-64. Enacted July 1, 2021. Effective Oct. 1, 2021.

**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; 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; AND MODIFYING THE CONSUMER AND FAMILY ADVISORY COMMITTEES.*

AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER MODIFICATIONS TO LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; 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; AND MODIFYING THE CONSUMER AND FAMILY ADVISORY COMMITTEES. SL 2021-77. Enacted July 2, 2021. Section 7.2 is effective December 1, 2021, and applies to offenses committed on or after that date. Section 7.3 is effective January 1, 2022. Section 8 is effective July 1, 2022. Remainder is effective July 2, 2021.

**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](#)

## PUBLIC/SENATE BILLS

S 116 (2021) [PUTTING NORTH CAROLINA BACK TO WORK ACT. \(NEW\)](#) Filed Feb 18 2021, *AN ACT TO WITHDRAW FROM THE FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION (FPUC) AND THE MIXED EARNERS UNEMPLOYMENT COMPENSATION (MEUC) AGREEMENT, TO APPROPRIATE TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES THE SUM OF TWO HUNDRED FIFTY MILLION DOLLARS FROM THE CHILD CARE AND DEVELOPMENT BLOCK GRANT UNDER THE AMERICAN RESCUE PLAN ACT, TO REQUIRE INDIVIDUALS TO RESPOND TO EMPLOYER REQUESTS, AND TO MAKE ADMINISTRATIVE CHANGES TO THE UNEMPLOYMENT INSURANCE LAWS.*

The Governor vetoed the act on July 2, 2021. The Governor's objections and veto message are available here: <https://webservices.ncleg.gov/ViewBillDocument/2021/52446/0/S116-BD-NBC-9054>

**Intro. by Johnson, Sawyer, Britt.**

[APPROP, GS 96](#)

[View summary](#)

[Business and Commerce, Corporation and Partnerships, Employment and Retirement, Government, State Agencies, Department of Health and Human Services](#)

S 367 (2021) [UNC SELF-LIQUIDATING CAPITAL PROJECTS. \(NEW\)](#) Filed Mar 29 2021, *AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.*

AN ACT TO AUTHORIZE THE ACQUISITION OR CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENT PROJECTS OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA. SL 2021-74. Enacted July 2, 2021. Effective July 2, 2021.

**Intro. by Lee.**

UNCODIFIED

[View summary](#)**Government, Budget/Appropriations, State Agencies, UNC System**

S 605 (2021) [NORTH CAROLINA FARM ACT OF 2021](#). Filed Apr 6 2021, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS CONCERNING AGRICULTURE AND FORESTRY.*

AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS CONCERNING AGRICULTURE AND FORESTRY. SL 2021-78. Enacted July 2, 2021. Section 2 is effective December 1, 2021, and applies to offenses committed on or after that date. Section 3 is effective December 1, 2021, and applies to offenses committed on or after that date. Section 5 is effective December 1, 2021, and applies to offenses committed on or after that date. Section 6 is effective December 1, 2021, and applies to offenses committed on or after that date. The remainder of the act is effective July 2, 2021.

**Intro. by B. Jackson, Sanderson, Edwards.**

GS 1, GS 7A, GS 14, GS 20, GS 95, GS 96, GS 105, GS 106, GS 143, GS 150B

[View summary](#)**Agriculture, Courts/Judiciary, Civil, Civil Law, Motor Vehicle, Court System, Criminal Justice, Criminal Law and Procedure, Development, Land Use and Housing, Property and Housing, Environment, Environment/Natural Resources, Government, APA/Rule Making, State Agencies, Department of Agriculture and Consumer Services, Department of Transportation, Tax, Immigration**

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

AN ACT TO CLARIFY AND REAFFIRM THE STATUTORY AUTHORITY OF LANDLORDS TO RECOVER OUT-OF-POCKET EXPENSES AND LITIGATION COSTS IN SUMMARY EJECTMENT PROCEEDINGS AND TO MAKE VARIOUS CHANGES TO THE LANDLORD/TENANT STATUTES. SL 2021-71. Enacted July 2, 2021. Part I is effective July 2, 2021 and is intended to apply retroactively to all pending controversies as of that date. Sections 2.3, 2.4, and 2.5 are effective July 2, 2021 and apply to decedents dying on or after that date. Remainder is effective July 2, 2021.

**Intro. by Britt, Perry, Newton.**

GS 28A, GS 42

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

S 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.*

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 OF PROPOSED FINANCING ARRANGEMENTS. SL 2021-72. Enacted July 2, 2021. Section 1.1 is effective July 1, 2022, and applies to assessments imposed on or after that date. Section 2.1 is effective July 2, 2021 and expires July 1, 2022. Section 3.1 is effective July 1, 2022. Remainder is effective July 2, 2021.

**Intro. by Burgin.**

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

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[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/HOUSE BILLS

H 236 (2021) [AMEND ORANGE/CHATHAM COUNTY BOUNDARY LINE](#). Filed Mar 8 2021, *AN ACT TO ANNEX TO ORANGE COUNTY CERTAIN DESCRIBED PROPERTY LOCATED IN CHATHAM COUNTY.*

AN ACT TO ANNEX TO ORANGE COUNTY CERTAIN DESCRIBED PROPERTY LOCATED IN CHATHAM COUNTY. SL 2021-67. Enacted July 2, 2021. Effective June 30, 2021.

**Intro. by Insko, Reives, Meyer.**

[Orange](#)

[View summary](#)

[Development, Land Use and Housing, Property and Housing, Government, Tax](#)

## LOCAL/SENATE BILLS

S 74 (2021) [TOWN OF CHAPEL HILL CHARTER/INVESTMENTS](#). Filed Feb 9 2021, *AN ACT AMENDING THE CHARTER OF THE TOWN OF CHAPEL HILL TO AUTHORIZE THE TOWN TO INVEST EMPLOYEE BENEFIT FUNDS HELD IN TRUST IN ONE OR MORE OF THE TYPES OF SECURITIES OR OTHER INVESTMENTS AUTHORIZED BY STATE LAW FOR THE STATE TREASURER.*

AN ACT AMENDING THE CHARTER OF THE TOWN OF CHAPEL HILL TO AUTHORIZE THE TOWN TO INVEST EMPLOYEE BENEFIT FUNDS HELD IN TRUST IN ONE OR MORE OF THE TYPES OF SECURITIES OR OTHER INVESTMENTS AUTHORIZED BY STATE LAW FOR THE STATE TREASURER. SL 2021-65. Enacted July 2, 2021. Effective July 2, 2021.

**Intro. by Foushee, Murdock.**

[Orange](#)

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[Employment and Retirement](#)

S 294 (2021) [FAYETTEVILLE PWC/SMALL BUSINESS ENTERPRISE](#). Filed Mar 11 2021, *AN ACT AUTHORIZING THE FAYETTEVILLE PUBLIC WORKS COMMISSION TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM.*

AN ACT AUTHORIZING THE FAYETTEVILLE PUBLIC WORKS COMMISSION TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM. SL 2021-66. Enacted July 2, 2021. Effective July 2, 2021.

**Intro. by deViere, Clark.**

[Cumberland](#)

[View summary](#)

[Business and Commerce](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

#### **H 67: GSC TECHNICAL CORRECTIONS 2021.**

*House: Regular Message Received For Concurrence in S Com Sub*

*House: Cal Pursuant 36(b)*

#### **H 68: GSC LICENSING BOARDS AND COMM'NS/RULE CRIMES.**

*House: Ratified*

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

*House: Signed by Gov. 7/2/2021*

*House: Ch. SL 2021-75*

#### **H 238: PROHIBIT POSSESSION OF SKIMMING DEVICE.**

*House: Signed by Gov. 7/2/2021*

*House: Ch. SL 2021-68*

#### **H 272: REVISE HEALTH STANDARD FOR LEAD.**

*House: Signed by Gov. 7/2/2021*

*House: Ch. SL 2021-69*

#### **H 344: SYSTEM DEVELOPMENT FEES UPDATE.**

*House: Signed by Gov. 7/2/2021*

*House: Ch. SL 2021-76*

#### **H 619: ALCOHOL BEV. MANUFACTURE SALES TAX EXEMPTION.**

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

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

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

*House: Signed by Gov. 7/2/2021*

*House: Ch. SL 2021-70*

#### **S 196: GSC SALE OF PROPERTY AMEND/DELAY PROSEC SPLIT. (NEW)**

*Senate: Regular Message Received For Concurrence in H Com Sub*

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

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

*Senate: Regular Message Received For Concurrence in H Com Sub*

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

**S 224: STEVE TROXLER AGRICULTURAL SCIENCES CENTER.**

*House: Withdrawn From Com*

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

**LOCAL BILLS**

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

*House: Ratified*

*House: Ch. SL 2021-67*

**H 375: FRANKLINVILLE/LIBERTY/RAMSEUR/ANNEXATIONS.**

*House: Regular Message Received For Concurrence in S Com Sub*

*House: Cal Pursuant 36(b)*

**S 41: REMOVE CERTAIN SATELLITE ANNEXATION CAPS.**

*Senate: Regular Message Received For Concurrence in H Com Sub*

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

**S 74: TOWN OF CHAPEL HILL CHARTER/INVESTMENTS.**

*Senate: Ratified*

*Senate: Ch. SL 2021-65*

**S 122: TOWNS OF SPRUCE PINE & WEAVERVILLE DEANNEX. (NEW)**

*House: Withdrawn From Cal*

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

**S 150: MORGANTON AMEN./BOATING FINE/HILDEBRAN ELECT. (NEW)**

*House: Withdrawn From Cal*

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

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