



## The Daily Bulletin: 2021-08-09

### PUBLIC/HOUSE BILLS

H 132 (2021) [JUVENILE CODE REV'S/CIP RECOMMENDATIONS.-AB](#) Filed Feb 23 2021, *AN ACT TO MAKE REVISIONS TO THE JUVENILE CODE PURSUANT TO RECOMMENDATIONS BY THE COURT IMPROVEMENT PROGRAM.*

AN ACT TO MAKE REVISIONS TO THE JUVENILE CODE PURSUANT TO RECOMMENDATIONS BY THE COURT IMPROVEMENT PROGRAM. SL 2021-100. Enacted August 6, 2021. Effective October 1, 2021.

**Intro. by Stevens.**

[GS 7B](#)

[View summary](#)

[Courts/Judiciary, Juvenile Law, Abuse, Neglect and Dependency, Government, Local Government, Health and Human Services, Social Services](#)

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

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

Amends the changes to GS 20-287, eliminating the proposed affirmative defense to penalties for violations by persons required to obtain a license who have not obtained a license if the person promptly applies for and is issued the appropriate license.

Revises the proposed changes to the grounds for denial or disciplinary action of licensees by the Division of Motor Vehicles (DMV) set forth in GS 20-294. Maintains rather than modifies as grounds for denial or disciplinary action (1) making (was, *knowingly* making) a material misstatement in an application for a license and (2) making (was, *knowingly* making) a material misstatement in an application for a dealer license plate. Permits responsible persons, including officers, directors, and sales representative licensees (previously, permitted officers, directors, members, and sales representative licensees) to be charged individually for actively and knowingly participating in the giving of an incorrect certificate of title or failing to give a certificate of title to a purchaser, a lienholder, or the DMV after the vehicle is sold.

Deletes the proposed changes to various sections of GS Chapters 20 and 150B regarding the transfer of vehicle dealer license and safety and emissions inspection hearings to the Office of Administrative Hearings (OAH). Instead directs the DMV to study the feasibility of transferring such hearings to OAH and sets out ten required components for the study, including (1) providing a five-year history of hearings conducted by the DMV, (2) identifying associated personnel requirements for the hearings, (3) providing an itemized estimate of the costs of the hearings, (4) providing new procedures for administering the hearings if transferred, and (5) providing a plan for implementing the transfer of hearings. Requires the DMV to report to the specified NCGA committee and division by January 31, 2022.

Revises the proposed changes to GS 20-58.3A and GS 20-58.4 relating to security interests on certificates of title for manufactured homes. Now adds that a commission contractor of the DMV is not subject to a claim or cause of action related to the renewal or release of the perfection of a security interest if the claim is based on reliance on a submitted application or documents evidencing release or satisfaction, or the automatic expiration of a perfection of a security interest pursuant to the respective statute (previously, made contractors not subject to claims under Article 31, GS Chapter 143, Tort Claims against State Departments and Agencies). Amends the proposed changes to GS 20-58.4, which requires the DMV to treat the release of a security interest in a manufactured home upon satisfaction or other discharge as a proper release. Now prohibits cancellation of a security interest if the secured party files an objection within 15 days after the notice was sent (no longer specifically prohibiting the DMV from cancelling the security interest).

Makes the proposed changes to GS 20-58.4A, regarding the DMV's implementation of a statewide electronic lien system to process the notification, release, and maintenance of security interests and certificate of title data, applicable to contracts with qualified vendors and service providers entered into by the DMV pursuant to that statute on or after October 1, 2021.

Adds the following new content, subject to the act's effective date of October 1, 2021.

Amends GS 20-16.2, GS 20-17.8, and GS 20-19, postponing the effective date of driver's license revocations from the tenth to the thirteenth calendar day after the mailing of the revocation order, applicable to revocations due to refusing chemical analysis or violating restrictions imposed upon licenses restored for driving while impaired. Effective October 1, 2021, and applies to notifications of revocations mailed by the DMV on or after that date.

Amends GS 20-183.4C to create a new exception from the inspection requirement applicable to used vehicles before a dealer can offer them for sale, excepting used vehicles offered for sale by an auctioneer pursuant to the judgment or order of any court, on behalf of receivers, trustees, administrators, executors, guardians, governmental entities, or other persons, appointed by or acting under a judgment or order of any court.

Authorizes the Department of Transportation (DOT) to manage and procure information technology goods and services, and contract for up to five information technology projects for the DMV system modernization, and exempts such projects from the Department of Information Technology's oversight and requirements. Projects authorized include electronic services, mail intake, handling, and management systems and practices. Directs DOT to notify DIT of the nature and scope of such projects undertaken, and to report to the specified NCGA committees and division within 30 days of contracting for a project undertaken.

Amends SL 2021-24, which allows for a person who is at least 16 and less than 18 years old to obtain a limited provisional license after holding a limited learner's permit for at least six rather than 12 months. Extends the sunset of the session law from December 31, 2021, to December 31, 2022.

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

**STUDY, GS 20**

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

[View summary](#)

H 805 (2021) **PREVENT RIOTING AND CIVIL DISORDER**. Filed May 3 2021, *AN ACT TO INCREASE THE PENALTIES FOR RIOTING OR INCITING RIOTING THAT CAUSES DAMAGE TO PROPERTY, SERIOUS BODILY INJURY, OR DEATH AND ASSAULTING EMERGENCY PERSONNEL DURING A RIOT OR STATE OF EMERGENCY; TO ALLOW RECOVERY OF TREBLE DAMAGES FOR PROPERTY DAMAGE OR PERSONAL INJURY CAUSED BY RIOTING OR LOOTING; AND TO REQUIRE PRETRIAL RELEASE CONDITIONS FOR RIOTING AND LOOTING OFFENSES TO BE DETERMINED BY A JUDGE.*

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

Revises the proposed changes to GS 14-288.2, which sets out punishments for rioting or inciting rioting. Now makes it a Class H felony for any person to brandish any dangerous weapon or use a dangerous substance in the course of a riot (was, for any person to possess any dangerous weapon or substance, and did not specify that the offense must happen in the course of the riot). Modifies the new Class F felony created, now making it a Class F felony to willfully engage in a riot where in the course of the riot, the person causes property damage of more than \$1,500 or serious bodily injury (previously, more broadly required the riot to result in such property damage or serious bodily injury). Similarly, modifies the new Class E felony created, now making it a Class E felony to willfully engage in a riot where in the course of the riot, the person causes a death (previously, more broadly required the death to result from the riot). Additionally, modifies the new Class D felony created, now making it a Class D felony to willfully incite or urge another to engage in a riot and such inciting or urging causes a death (previously, required that such inciting or urging be a contributing cause of a riot in which a death results). Changes the act's long title.

**Intro. by Moore, McNeill, Miller, Sauls.**

**GS 14, GS 15A**

[View summary](#)**Courts/Judiciary, Criminal Justice, Criminal Law and Procedure****PUBLIC/SENATE BILLS**

S 105 (2021) **2021 APPROPRIATIONS ACT**. Filed Feb 17 2021, *AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.*

House committee substitute makes various changes to the 3rd edition. We will not be including a summary of the Appropriations Act. For the content of the bill, please follow the [View NCGA Bill Details link](#). Further information on the budget, including the committee report, can be found on the “News” section of the General Assembly’s website at: <https://www.ncleg.gov/News>.(link is external)

**Intro. by B. Jackson, Harrington, Hise.**

APPROP, GS 7A, GS 58, GS 105, GS 106, GS 113A, GS 115C, GS 116, GS 119, GS 126, GS 131E, GS 138, GS 150B

[View summary](#)

**Agriculture, Alcoholic Beverage Control, Business and Commerce, Corporation and Partnerships, Insurance, Courts/Judiciary, Court System, Development, Land Use and Housing, Education, Elementary and Secondary Education, Environment, Environment/Natural Resources, Government, APA/Rule Making, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Department of Agriculture and Consumer Services, Department of Public Instruction, Department of Revenue, State Government, State Personnel, State Property, Tax, Local Government, Health and Human Services, Health, Health Care Facilities and Providers, Health Insurance, Public Health, Military and Veteran's Affairs, Transportation**

**LOCAL/HOUSE BILLS**

H 19 (2021) **REMOVE VARIOUS SATELLITE ANNEXATION CAPS. (NEW)** Filed Jan 27 2021, *AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR VARIOUS MUNICIPALITIES.*

AN ACT REMOVING THE CAP ON SATELLITE ANNEXATIONS FOR VARIOUS MUNICIPALITIES. SL 2021-101.  
Enacted Aug. 9, 2021. Effective Aug. 9, 2021.

**Intro. by Sasser, Moss.**

Stanly, GS 160A

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

H 365 (2021) **ASHEVILLE AIRPORT/PITT CONTRACTED AMBULANCES. (NEW)** Filed Mar 23 2021, *AN ACT TO EXPAND THE AUTHORIZED USES FOR AIRPORT FACILITIES AND PREMISES GOVERNED BY THE GREATER ASHEVILLE REGIONAL*

*AIRPORT AUTHORITY AND TO ALLOW PITT COUNTY TO USE ATTACHMENT AND GARNISHMENT AND LIEN FOR COUNTY-CONTRACTED AMBULANCE SERVICES SUPPLEMENTED BY COUNTY FUNDS.*

Senate amendment to the 3rd edition adds the following new content.

Amends SL 2014-72, which modifies GS 44-51.4 and GS 44-51.5 to allow Union County to use attachment and garnishment and lien for county-contracted ambulance services supplemented by county funds. Makes the provisions apply to Pitt County in addition to Union County. Makes conforming changes to the act's titles.

**Intro. by Moffitt.**

UNCODIFIED, Buncombe, Pitt

[View summary](#)

**Development, Land Use and Housing, Land Use, Planning and Zoning, Government, Public Safety and Emergency Management, Health and Human Services, Health, Health Care Facilities and Providers, Transportation**

## ACTIONS ON BILLS

### PUBLIC BILLS

**H 64: GOVERNMENT TRANSPARENCY ACT OF 2021. (NEW)**

*Senate: Conf Com Appointed*

**H 78: VARIOUS EDUCATION CHANGES. (NEW)**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 96: ALLOW PHARMACISTS TO ADMIN. INJECTABLE DRUGS.**

*House: Ratified*

**H 121: CLARIFY EQIP FUNDING/DREDGING COST-SHARE. (NEW)**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 273: MODIFY BUILDERS INVENTORY TAX EXCLUSION.**

*Senate: Reptd Fav*

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

*Senate: Conf Com Appointed*

**H 415: UPDATE CHIROPRACTIC LAWS.**

*Senate: Reptd Fav*

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

**H 461: STATE AUDITOR CLARIFYING AMENDMENTS.**

*House: Regular Message Received For Concurrence in S Amend*

*House: Cal Pursuant 36(b)*

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

*Senate: Reptd Fav*

**H 554: DESIGNATE 2023 AS YEAR OF THE TRAIL.**

*Senate: Reptd Fav*

**H 650: OMNIBUS DMV BILL.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

*Senate: Re-ref Com On Judiciary*

**H 729: CHARTER SCHOOLS OMNIBUS.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

**H 805: PREVENT RIOTING AND CIVIL DISORDER.**

*Senate: Reptd Fav Com Substitute*

*Senate: Com Substitute Adopted*

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

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

*House: Withdrawn From Cal*

*House: Placed On Cal For 08/11/2021*

**S 105: 2021 APPROPRIATIONS ACT.**

*House: Reptd Fav Com Substitute*

*House: Ruled Material*

*House: Re-ref Com On Appropriations*

**S 299: NCDOI NAIC ACCREDITATION.-AB**

*House: Withdrawn From Cal*

*House: Placed On Cal For 08/11/2021*

**S 301: EXPAND EXPUNCTION ELIGIBILITY.**

*House: Withdrawn From Cal*

*House: Placed On Cal For 08/11/2021*

**S 347: CAPTIVE INSURANCE AMENDMENTS.**

*House: Withdrawn From Cal*

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

**S 688: SPORTS WAGERING.**

*Senate: Reptd Fav*

*Senate: Re-ref Com On Commerce and Insurance*

**LOCAL BILLS**

**H 19: REMOVE VARIOUS SATELLITE ANNEXATION CAPS. (NEW)**

*House: Ratified*

*House: Ch. SL 2021-101*

**H 206: LOUISBURG ECONOMIC DEVELOPMENT INITIATIVE.**

*Senate: Passed 3rd Reading*

**H 365: ASHEVILLE AIRPORT/PITT CONTRACTED AMBULANCES. (NEW)**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

**S 150: VARIOUS LOCAL ACT CHANGES. (NEW)***Senate: Conf Report Adopted**Senate: Ordered Enrolled***© 2021 School of Government The University of North Carolina at Chapel Hill**

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