



The Daily Bulletin: 2022-01-19

PUBLIC/HOUSE BILLS

H 605 (2021) **2022 PRIMARY DATE. (NEW)** Filed Apr 19 2021, *AN ACT TO SET THE DATE FOR THE 2022 PRIMARY AS JUNE 7, 2022; TO ALLOW THE STATE BOARD OF ELECTIONS TO ISSUE TEMPORARY RULES FOR CONDUCTING THE 2022 PRIMARIES AND ELECTIONS; AND TO ADDRESS OTHER MATTERS RELATING TO THE 2022 PRIMARY.*

Senate committee substitute to the 3rd edition deletes the content of the previous edition and now provides as follows.

Sets the date of the 2022 primary election as June 7, 2022, notwithstanding state law or any court order issued prior to January 18, 2022.

Amends SL 2021-56 (Revise Local Gov't Redistricting/Census) as follows. SL 2021-56 delays certain regular municipal elections scheduled for 2021 until specified dates in 2022. Postpones the election dates established by that act for delayed elections, now providing for election dates beginning with primaries and elections on June 7, 2022 (was, March 8, 2022), and general elections on July 26, 2022 (was, April 26, 2022), with election dates based on the method of election.

Further amends SL 2021-56, postponing the expiration of the changes made by that act in Section 1.5 to GS 163-111 (regarding voter registration and changes to party affiliation between primaries), GS 163-82.6 (regarding voter registration between primaries upon qualification), and GS 163-302 (regarding absentee voting deadlines in municipal and special elections), which become effective March 9, 2022, to now provide for their expiration on August 31, 2022 (was, June 1, 2022).

Exempts bond referendums held on the date of the 2022 statewide primary from the timely notice requirements of GS 159-61(c). Requires local governments holding such referendums to comply instead with notice requirements set by the State Board of Elections (State Board).

Authorizes the State Board to issue temporary rules amending GS Chapter 163 or Title 8 of the Administrative Code concerning the timing of the 2022 primaries and general elections, to be effective for those elections only, and allowed only as necessary to ensure orderly and timely operations. Makes these rules subject to the Administrative Procedure Act and requires publishing such rules in the Register as quickly as possible. Makes such rules void 10 days after the final certifications of all 2022 elections.

Establishes the filing period for all offices on the 2022 ballot to be from 8:00 a.m. on March 24, 2022, until 5:00 p.m. on April 1, 2022. Deems candidates who filed during the filing period in December 2021 who have not withdrawn their notice of candidacy to have filed during the filing period established by the act. Specifies that state law concerning withdrawal of candidacy applies.

Requires all covered persons and candidates filing a notice of candidacy who are also required to file a statement of economic interest under state ethics laws set forth in GS Chapter 138A, Article 2, to do so by April 15, 2022. Sets specified deadlines for other individuals to file a statement of economic interest, including nominated individuals, individuals seeking to qualify by petition or by write-in votes, or candidates of a new party chosen by convention.

Changes the act's titles.

Intro. by Winslow, Dahle, Hawkins, Mills.

UNCODIFIED

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Government, Elections, State Agencies, State Board of Elections, Local Government

PUBLIC/SENATE BILLS

S 219 (2021) [SURVEYOR LIC. & ED. REQ'S/CONSTR. CONTRACT REV'S. \(NEW\)](#) Filed Mar 9 2021, *AN ACT TO REVISE THE EDUCATION REQUIREMENTS FOR LICENSURE OF A PROFESSIONAL LAND SURVEYOR, TO MAKE VARIOUS TECHNICAL CHANGES, TO CLARIFY THE DESIGN-BUILD AND DESIGN-BUILD BRIDGING STATUTES, TO PROHIBIT WAIVER OF FUTURE CLAIMS FOR PROGRESS PAYMENTS ON CONSTRUCTION CONTRACTS, TO REQUIRE ATTORNEYS' FEES IN CERTAIN LIEN CLAIMS, AND TO DEFINE THE TERM "SUPPLIER" AS USED IN A PROVISION OF THE ALCOHOL CONTROL LAWS.*

Conference report to the 4th edition makes the following changes.

Revises the proposed definition for the term *land surveyor apprenticeship* added to GS 89C-3 to include land surveyor-related classroom instruction as approved by the State Board of Examiners for Engineers and Surveyors (was, instruction of 480 hours as approved by the Board).

Changes the effective date of the proposed changes to GS Chapter 89C in Section 1 of the act from December 1, 2021, to July 1, 2022, applicable to applications for licensure pursuant to GS Chapter 89C on or after that date.

Modifies the proposed changes to GS 143-128.1A, which governs design-build contracts. Regarding the two project team selection options of a design builder to respond to a governmental entity's request for qualifications, adds to the parameters applicable to design-builders using the second project team selection option, which requires the design-builder to list proposed licensed contractors and design professionals for the project along with an outline of open subcontractor selection and authorizes the design builder to self-perform some of the work with employees of the design-builder. Bars a design-builder using the second project team selection option from entering into negotiated contracts with first-tier subcontractors.

Deletes the proposed changes to GS 143-129, which excluded from the provisions of Article 8, Public Contracts, contracts by a public entity with a design-builder executed pursuant to GS 143-128.1A or GS 143-128.1B, or with a private developer executed pursuant to GS 143-128.1C.

Changes the effective date of the proposed changes to GS Chapter 143, Article 8, from December 1, 2021, to March 1, 2022, applicable to contracts entered into, amended, or renewed on or after that date.

Changes the effective date of proposed GS 22B-5, which invalidates waivers of liens or claims as a condition of progress payment under construction agreements or design professional agreements, from December 1, 2021, to March 1, 2022, applicable to liens attached on or after that date.

Changes the effective date of the proposed changes to GS 44A-35, which amends provisions regarding the award of attorneys' fees by a presiding judge over a suit brought or defended under the provisions of Article 2 or 3 of the Chapter (governing statutory liens on real property and model payment and performance bonds), from December 1, 2021, to March 1, 2022, applicable to claims arising on or after that date.

Adds the following new content. Amends GS 18B-1119, which bars a supplier or its employees, agents, or affiliates from acquiring, possessing, or otherwise maintaining an ownership interest in a wholesaler except as expressly authorized in the Chapter. More specifically prohibits maintaining an ownership interest in its wholesaler (was, a wholesaler). Now defines *supplier* under the statute to mean a manufacturer, bottler, importer, or owner of one or more brands of malt beverages, unfortified wine, or fortified wine distributed by its wholesaler; excludes a wholesaler that either: (1) possesses a wine importer permit or a malt beverages importer permit or (2) is an importer in another state, provided such malt beverages, unfortified wine, or fortified wine is transferred to it through an unaffiliated and independent third party.

Changes the act's long title.

Intro. by McInnis.

GS 18B, GS 22B, GS 44A, GS 89C, GS 143

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Alcoholic Beverage Control, Business and Commerce, Occupational Licensing, Courts/Judiciary, Civil, Civil Law, Development, Land Use and Housing, Building and Construction, Property and Housing, Government, Local Government

ACTIONS ON BILLS

PUBLIC BILLS

H 605: 2022 PRIMARY DATE. (NEW)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

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

Senate: Reptd Fav

Senate: Placed on Today's Calendar

Senate: Passed 2nd Reading

Senate: Passed 3rd Reading

Senate: Special Message Sent To House

House: Special Message Received For Concurrence in S Com Sub

House: Added to Calendar

House: Concurred In S Com Sub

House: Ordered Enrolled

S 219: SURVEYOR LIC. & ED. REQ'S/CONSTR. CONTRACT REV'S. (NEW)

Senate: Conf Com Reported

Senate: Placed on Today's Calendar

Senate: Conf Report Adopted

House: Conf Com Reported

House: Added to Calendar

House: Conf Report Adopted

Senate: Ordered Enrolled

No local actions on bills

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