



## The Daily Bulletin: 2023-01-25

### PUBLIC/HOUSE BILLS

H 2 (2023-2024) [EXTEND DEADLINE FOR EXPENDITURE OF FUNDS](#). Filed Jan 25 2023, *AN ACT TO EXTEND THE DEADLINE FOR THE EXPENDITURE OF FUNDS PREVIOUSLY PROVIDED AS A DIRECTED GRANT TO THE ROWAN COUNTY SHERIFF'S OFFICE*.

Requires that funds appropriated to the Department of Public Safety in SL 2021-180 (2021 Appropriations Act) that were provided as a directed grant to the Rowan County Sheriff's Office for expenses incurred enforcing the law not revert until September 30, 2023. Specifies that those funds are still subject to the requirements set forth in SL 2021-180, Section 5.2(b)(1)-(3) and (5) until September 30, 2023. Section 5.2(b)(1)-(3) and (5) provide as follows: (1) directed grants are subject to the provisions of GS 143C-6-23(b)-(k) (concerning administration, oversight and reporting requirements for state grant funds); (2) directed grants of \$100,000 or less may be made in a single annual payment in the discretion of the Director of the Budget, grants of more than \$100,000 must be made in quarterly or monthly payments in the discretion of the Director of the Budget and state agencies administering a directed grant must begin disbursement of funds to a non-State entity that meets all applicable requirements as soon as practicable, but no later than 100 days after the date SL 2021-180 became law; (3) beginning on the first day of a quarter following the deadline above and quarterly thereafter, State agencies administering directed grants must report the specified information to the specified NCGA Division on the status of funds disbursed for each directed grant until all funds are fully disbursed; and (4) Directed grants to nonprofit organizations are for nonsectarian, nonreligious purposes only.

**Intro. by Warren.**

UNCODIFIED, Rowan

[View summary](#)

**Government, Budget/Appropriations, Public Safety and  
Emergency Management, State Agencies, Department of  
Public Safety**

H 3 (2023-2024) [UNC REPORT ON COMPUTER SCIENCE CREDIT](#). Filed Jan 25 2023, *AN ACT TO REQUIRE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO STUDY AND REPORT ON ANY DECISION MADE REGARDING WHETHER TO INCORPORATE ONE OR MORE COMPUTER SCIENCE COURSES INTO THE MINIMUM COURSE REQUIREMENTS FOR UNDERGRADUATE ADMISSION FOR THE UNIVERSITY OF NORTH CAROLINA SYSTEM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ADVANCING WOMEN IN STEM*.

Requires the UNC Board of Governors to conduct study as the title indicates. Requires the Board of Governors to report its results by March 1, 2023, to the specified NCGA committee. The results must include the advantages and disadvantages of a computer science requirement for admission; if applicable, how computer science has already been incorporated into current minimum course requirements for admission; any decision on incorporating computer science as a minimum course requirement for admission along with the rationale; or if no decision has been made, a timeline.

**Intro. by Paré, White, K. Baker, Blackwell.**

STUDY

[View summary](#)

**Education, Higher Education, Government, State Agencies,  
UNC System**

H 4 (2023-2024) [INCREASING ENGAGEMENT IN STEM GRANT PROGRAM](#). Filed Jan 25 2023, *AN ACT TO ESTABLISH THE INCREASING ENGAGEMENT IN STEM PROGRAM, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON ADVANCING WOMEN IN STEM.*

Requires the Superintendent of Public Instruction to establish the Increasing Engagement in STEM (science, technology, engineering and math) Program, a grant program for public school units to engage in experiential STEM education targeted at students in sixth, seventh, and eighth grade. Sets forth a deadline and certain program criteria for grant applications. Allowable uses of the fund include, but are not limited to, stipends for participating teachers and partnering with third parties for services or hosting competitions that further the Program's purpose. Establishes a 2024 deadline for recipient selection by the Superintendent of the Department of Public Instruction as well as selection criteria aimed to select public school unit grantees that reflect the geographic and population diversity of the state. Sets a cap of 20 total grantees. Conditions grantee funding on the public school unit's designation of students who completed the grant-funded activities along with a matched set of students with similar demographic characteristics who did not complete the grant activities to the Common Educational Data Analysis and Reporting System. Requires evaluation and analysis of student outcomes related to matriculation, STEM, and employment when possible and in a manner directed by the Superintendent of Public Instruction. Requires the North Carolina Longitudinal Data System, in cooperation with agencies with the relevant data, to report those outcomes annually to the specified NCGA committee starting in 2028 and ending in 2039.

Requires that the Superintendent of Public Instruction submit an initial report about the application process to the specified NCGA committee by May 15, 2024; specifies information that must be included in the report. Requires public school unit grant recipients to submit a final report about the outcome of the grant by the end of the 2024-25 school year. Requires the Superintendent of Public Instruction to submit a final report to the specified NCGA committee by December 15, 2025; includes information that must be included in the report. Appropriates \$1 million from the General Fund to the Department of Public Instruction for the program for 2023-24; specifies that the funds do not revert and instead remain available until the end of the 2024-25 fiscal year. States the General Assembly's intent to reauthorize the program for the 2025-26 school year.

Effective July 1, 2023.

**Intro. by Paré, White, K. Baker, Willingham.**

[APPROP](#)

[View summary](#)

[Education, Elementary and Secondary Education, Government, Budget/Appropriations, State Agencies, Department of Public Instruction](#)

H 6 (2023-2024) [UNIFORMED HEROES VOTING ACT](#). Filed Jan 25 2023, *AN ACT TO CLARIFY THAT NO VOTER MAY BE DENIED THE OPPORTUNITY TO VOTE DUE TO THE VOTER APPEARING IN THE VOTING PLACE IN UNIFORM, SUCH AS LAW ENFORCEMENT OR THE MILITARY.*

Amends GS 163-166.3 (limiting access to voting enclosures) to add subsection (a1) providing that no law enforcement officer, correctional officer, first responder, or member of the military may be refused entry to a voting site because they appear in their uniform.

**Intro. by D. Hall, Carson Smith, Miller, Pyrtle.**

[GS 163](#)

[View summary](#)

[Government, Elections, Public Safety and Emergency Management, Military and Veteran's Affairs](#)

H 7 (2023-2024) [STANLY COMM. COLL. SAFETY FUNDS](#). Filed Jan 25 2023, *AN ACT TO APPROPRIATE FUNDS FOR STANLY COMMUNITY COLLEGE FOR A PUBLIC SAFETY TRAINING FACILITY AND A SECONDARY ROAD FOR ENTRY AND EXIT.*

Appropriates \$16.5 million for 2023-24 from the General Fund to the Community Colleges System Office to be allocated to Stanly Community College as follows: \$15 million for a facility to house the Basic Law Enforcement Training program and

\$1.5 million to build a secondary road to enter and exit the main campus. Effective July 1, 2023.

**Intro. by Sasser.**

[APPROP](#)

[View summary](#)

[Education, Higher Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, Community Colleges System Office](#)

H 8 (2023-2024) [COMPUTER SCI. GRAD. REQUIREMENT](#). Filed Jan 25 2023, *AN ACT TO ALLOW COMPUTER SCIENCE COURSES TO FULFILL ONE SCIENCE ELECTIVE CREDIT AND TO REQUIRE COMPLETION OF COMPUTER SCIENCE COURSES FOR GRADUATION FROM HIGH SCHOOL.*

#### Section 1

Amends GS 115C-12 by adding to the powers and duties of the State Board of Education (Board), applicable beginning with students entering grade nine in the 2024-25 school year. Requires the Board to require that one full credit of a computer science course (that is, as defined in new GS 115C-81.90 below and approved by a local board of education) be used to fulfill one academic credit in science, except for the requirement for biology or physical science courses. Requires the Board to set forth criteria to determine if middle school courses qualify for the computer science credit.

#### Section 2

Enacts new GS 115C-81.90 setting forth computer science requirements and offerings in high school and middle school. Requires students to complete a high school level computer science course to graduate unless they enrolled in a North Carolina public school after completing eleventh grade on or after July 1, 2023. Allows for computer science courses to fulfill other science requirements adopted by the Board as set forth in Section 1, above. Defines computer science as the study of computers and algorithmic processes, including their principles, hardware and software designs, implementation, and impact on society, as defined by the North Carolina Computer Science Standards. Defines computer science course as a course set in a middle school or high school that teaches computer science as a standalone subject for one semester or a full-year course. Requires the content of computer science courses to focus on teaching students how to create new technologies as well as the use of existing technologies. Defines exploratory computer science course as a course set in a middle school that serves as an introduction to computer science and surveys the field of computer science (prohibits an exploratory computer science course from satisfying the computer science graduation requirement).

Effective July 1, 2025, and beginning with the 2025-26 school year, middle schools are required to offer an exploratory computer science course. Requires the Board, in consultation with the Department of Public Instruction (DPI), to adopt a list of approved courses that fulfill the exploratory computer science requirement by July 1, 2025. Requires the list to be made public on DPI's website.

Requires the Board, in consultation with DPI, to adopt a list of approved courses that fulfill the computer science requirement by July 1, 2023. Requires the list to be made public on DPI's website. Allows students to take computer science requirement in middle school or high school so long as the course meets or exceeds the high school standards requirements established by the Board. Requires both exploratory computer science courses and computer science courses to meet in person; allows for a virtual or distance option when an in-person setting is not feasible.

From July 1, 2024 until July 1, 2026, allows for public school units to submit a signed notification to DPI certifying that a computer science course was not available for pupils to fulfill the computer science requirement and is waived for those pupils. Requires DPI to maintain a list of those public school units.

With the exception of the exploratory computer science course requirement (discussed above), the remainder of the act is effective when it becomes law and applies to students entering grade nine in the 2024-25 school year.

**Intro. by Paré, Torbett, Blackwell, Hardister.**

[GS 115C](#)

[View summary](#)

**Education, Elementary and Secondary Education,  
Government, State Agencies, Department of Public  
Instruction, State Board of Education**

H 9 (2023-2024) **FAIR MAPS ACT**. Filed Jan 25 2023, *AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE FOR AN INDEPENDENT REDISTRICTING PROCESS, TO ESTABLISH THE NORTH CAROLINA CITIZENS REDISTRICTING COMMISSION, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES.*

Part I.

Subject to voter approval at the November 2024 general election, enacts Section 25 to Article II of the NC Constitution to charge the NCGA with establishing by law an independent process to revise the electoral districts for Congress and the NCGA after return of the decennial census, subject to the following limitations. Prohibits NCGA or gubernatorial involvement in revising electoral districts. Requires each NCGA member and US House member to represent equal numbers of inhabitants, as possible. Mandates districts to consist of contiguous territory. Mandates that the districts remain unaltered until the return of another decennial census. Grants adopted electoral districts legislative force and effect. Makes conforming changes to Sections 3, 5, and 22 of Article II to charge the NCGA with establishing an independent process to revise legislative districts and the apportionment of legislators among those districts. Makes these constitutional amendments effective upon certification.

Enacts Article 1B, Redistricting, to GS Chapter 120 as follows. Sets forth 14 defined terms. Establishes the NC Citizen Redistricting Commission (Commission), charged with preparing preliminary, proposed, and alternative plans for legislative and congressional apportionment and to adopt final plans for the purpose of nominating and electing legislative and congressional members. Details Commission member eligibility, including residency and voter registration requirements, and a number of disqualifications, among them: contributing more than \$2,000 to any candidate for public office, having been a staff member or legal counsel to the NCGA, having served in the NCGA or Congress at the time of or during the eight years preceding their application, having served in any other public office at the time of or for any period in the four years preceding their application, having held any political appointment, and having been a member of an organization that advocates overthrowing or attacking any governmental body in the US. Bars a person having served or is serving as a member of the Commission from holding any public office during their term and for three years following termination of service. Details member application procedures, including applying to the State Auditor with relevant information and disclosures for eligibility review, then to the Human Relations Commission for review and submission of a diverse group of up to 60 applicants to the NCGA, as specified, with eight legislatively appointed members from the pool of candidates and seven randomly selected members by the Human Relations Commission from the pool of candidates. Sets terms at 10 years. Details other parameters of the Commission, including appointment of a chair, removal from office, vacancies, and reimbursement of member expenses. Provides for a \$1,200 stipend for each month the Commission meets. Details Commission staffing and the application of open meetings and public records laws.

Enumerates eight criteria that all redistricting plans must meet, including minimization of the number of split communities of interest, as defined, and excluding favoritism or disfavoritism of an incumbent or consideration of member residency in preparation of a plan. Provides for Commission adoption of preliminary, proposed, alternative, and final plans depending on appointed member affiliations. Directs the State Auditor to submit to the Commission a list of qualified persons who can serve as a special master and meets the requirements of a Commission member, who must draw and submit a plan which the Commission must adopt in the event a plan cannot be adopted pursuant to the statute. Provides for appointment of the special master by the Commission, depending on appointed member affiliations. Requires adoption of all plans by October 1 following each federal census. Details the maximum time line the Commission must follow in adoption of a plan, which provides for public hearings following receipt of data from the Census Bureau; release of preliminary plans to the public and further public hearings; release of proposed plans, alternative plans and summaries; and the Commission holding a vote to adopt final plans, or selection of a special master to prepare, release and present a plan to the Commission that the Commission must adopt. Provides for extensions for good cause, as specified.

Mandates the Commission hold a minimum of 25 public hearings across the State, requiring providing the seven enumerated resources for public input, including sufficient time to review the plan, and access to demographic data and mapping software.

Authorizes the NCGA to assign to the Commission the duty to prepare district plans for local governments if their governing board or an appropriate court so requests.

Provides for Commission member terms to begin on January 1, 2025, and conclude on June 30, 2030, for any redistricting that might occur prior to the return of the 2030 federal census.

Makes the above statutory and uncodified provisions effective January 1, 2025, subject to voter approval of the constitutional amendments set forth in this Part.

Part II.

Makes conforming changes to GS 120-2.3 regarding judgments invalidating apportionment or redistricting acts.

Makes conforming changes to GS 120-2.4, requiring a court to grant the Commission two weeks' time to remedy any defects a court has identified in a plan apportioning or redistricting legislative or congressional districts prior to the court imposing its own substitute plan. Makes further conforming changes.

Repeals GS 120-133 which provides for the confidentiality of NCGA redistricting communications until plans become law.

Effective January 1, 2025, subject to voter approval of the constitutional amendments set forth in Part I of the act.

**Intro. by Harrison, Morey, Reives, Staton-Williams.**

**CONST, GS 120**

[View summary](#)

**Constitution, Government, Elections, General Assembly**

H 10 (2023-2024) **REQUIRE SHERIFFS TO COOPERATE WITH ICE**. Filed Jan 25 2023, *AN ACT TO REQUIRE COMPLIANCE WITH IMMIGRATION DETAINERS AND ADMINISTRATIVE WARRANTS AND TO REQUIRE CERTAIN REPORTS FROM LOCAL LAW ENFORCEMENT*.

Amends GS 162-62 to require the administrator or equivalent of any county jail, local or district confinement facility, satellite jail, or work release unit (facility) to attempt to determine if any prisoner who is confined for any period in their facility and charged with a specified felony offense or crime is a legal resident (previously, limited to prisoners charged with a felony or an impaired driving offense). Offenses and crimes which trigger the duty include: (1) any felony under GS 90-95 (violations of the Controlled Substances Act); (2) Articles 6 (concerning homicide), 7B(rape and other sex offenses), 10 (kidnapping and abduction), 10A (human trafficking), or 13A (criminal gangs) of GS Chapter 14; (3) Class A1 misdemeanor or felony under Article 8 (assaults) of GS Chapter 14; and (4) violation of GS 50B-4.1 (violation of valid protective order). Requires the administrator to make a query to Immigration and Customs Enforcement (ICE) if the administrator is unable to determine that the prisoner is a legal resident or citizen (currently, qualifies the requirement with "where possible").

Establishes three requirements that must be met when any person charged with a criminal offense is confined for any period in a facility and the administrator or equivalent has been notified that ICE has issued a detainer and administrative warrant that reasonable appears to be the person in custody. Requires the prisoner to be taken before a state judicial official prior to the prisoner's release, who must be provided with the detainer and administrative warrant, or copies thereof. Requires release of the prisoner, unless continued custody is required by other legal process, upon the earlier of (1) 48 hours from receipt of the detainer and administrative warrant, (2) ICE takes custody of the prisoner, or (3) ICE rescinds the detainer. Provides full criminal and civil immunity for State and local law enforcement officers and agencies acting pursuant to the statute.

Requires facility administrators or equivalents to report annually, beginning October 1, 2024, to the specified NCGA committee on seven specified items concerning compliance with the statute from the preceding July 1 to June 30, including: (1) the number of times the facility made a query of ICE, (2) the number of times ICE sent a detainer request for a prisoner, (3) the number of times a prisoner was held then released following the rescinding of a detainer order by ICE, and (4) the number of times a prisoner was held who would have otherwise been eligible for release from custody.

Effective December 1, 2023, and applies to offenses committed on or after that date.

**Intro. by D. Hall, B. Jones, Saine, Carson Smith.**

**GS 162**

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

H 11 (2023-2024) **SCHOOLS FOR THE DEAF AND BLIND**. Filed Jan 25 2023, *AN ACT TO PROVIDE THAT THE EASTERN NORTH CAROLINA SCHOOL FOR THE DEAF, THE NORTH CAROLINA SCHOOL FOR THE DEAF, AND THE GOVERNOR MOREHEAD SCHOOL FOR THE BLIND ARE GOVERNED BY BOARDS OF TRUSTEES AND TO PROVIDE FOR THE DUTIES OF THE BOARDS AND ADMISSION PROCESS FOR SCHOOLS FOR THE DEAF AND BLIND*.

Includes whereas clauses. Renames Article 9C, GS Chapter 115C, as Schools for Deaf and Blind Students (was, Schools for Students with Visual and Hearing Impairments). Amends the Article as follows.

Enacts GS 115C-150.10 to provide eight defined terms applicable to the Article. Defines *school* to include the Governor Morehead School for the Blind (*school for the blind*), and the Eastern NC School for the Deaf and the NC School for the Deaf (*school for the deaf*). Defines school for the deaf and blind to include the same three schools.

Replaces the content of GS 115C-150.11. Grants the State Board of Education (State Board) general supervision over the schools for the deaf and blind (schools). Requires the State Board to establish equivalent service areas for each school for the deaf that cover the entire state with consideration of geographic proximity and population of service areas. Charges the State Board with evaluating the effectiveness of the schools for the deaf and blind and measuring the educational performance and growth of students placed in each school through a flexible accountability system. Subjects boards of trustees for the schools for the deaf and blind to rules adopted by the State Board pursuant to GS Chapter 150B. Houses the schools within the Department of Public Instruction (DPI) for purposes of public fund distribution, but provides for independent operation of the schools by each board of trustees (currently, DPI is the sole governing body for the Governor Morehead School for the Blind, the Eastern NC School for the Deaf, and the NC School for the Deaf, with the Superintendent of Public Instruction responsible for administration, including staffing and oversight). Requires DPI to include employees of the schools in coverage for professional liability policies purchased by DPI for its employees and facilitate the purchase of other insurance policies for those schools. Requires DPI to provide services, support, and assistance to schools in the same manner and degree as for a local administrative unit on all other matters.

Repeals GS 115C-150.12, which sets the Article's scope to include all schools governed by the Article.

Enacts GS 115C-150.12A, requiring each school to be governed by a separate board of trustees. Sets board membership to include five voting members appointed by the NCGA and the State Board of Education, and two nonvoting members, including the president (or their designee) of the respective alumni association, and an appointee of the DHHS Secretary following consultation with the Division of Services for the Deaf and Hard of Hearing or the Division of Services for the Blind, as appropriate. Provides for four-year terms. Details member qualifications, declarations and filling of vacancies, and board meetings, procedures, ethics, and leadership. Requires all members to receive at least 12 hours of training every two years, provided by the UNC School of Government or other qualified sources at the choice of the board.

Enacts GS 115C-150.12B, requiring each board of trustees to appoint a school director to act as secretary to the board and manage the daily operations of the school, along with other board prescribed duties. Deems the director equivalent to a school superintendent and subject to the duties of a superintendent under Article 18. Charges the director with recommending school personnel to the board and the supervision of school administrative staff. Requires the board to employ and provide salary and benefits for a principal, teachers, and other employees pursuant to relevant GS Chapter 115C Articles specified. Deems all employees of the schools State employees. Requires school personnel to be paid in accordance with the appropriate State salary schedule for local school administrative unit personnel, with personnel eligible for bonuses paid to local unit personnel to the extent that the school for the deaf and blind personnel meet all qualifications other than the employer. Deems the board responsible for providing human resources and employment-related services for the school, with discretion to delegate some or all of this authority to the director or the director of human resources.

Enacts GS 115C-150.12C, directing a board of trustees to adopt necessary rules for the administration of the school to implement the Article. Details 36 powers and duties of boards, including duties relating to providing a sound basic education, complying with federal law and policies relating to the education of children with disabilities, accepting and administering any federal or private funds or assistance, and complying with state school safety requirements. Includes authority to provide preschool programs. Exempts the board from rulemaking procedures of Article 2A, GS Chapter 150B.

Repeals GS 115C-150.13, which requires the State Board to adopt rules for DPI to implement the Article, pursuant to GS Chapter 150B.

Enacts GS 115C-150.13A, requiring schools for the deaf and blind to admit students in accordance with criteria, standards, and procedures established through rules adopted by the board subject to: five listed considerations a board's eligibility criteria must include, including parental input and choice, and four required components of a board's admission procedure, including an admission committee to make recommendations, with a final admission decision resting with the director or their designee. Allows for either temporary assignment or education program assignment admission statuses, as described. Provides for disenrollment due to reevaluation of eligibility criteria by the admission committee. Deems the local unit or charter school to have the initial responsibility of identifying and evaluating the special education needs of a student and providing a special education program and related services pursuant to Article 9. Makes the school for the deaf and blind responsible for providing a free appropriate public education if a parent submits an application to the school for enrollment and the child is determined to meet the eligibility criteria, subject to continued eligibility; transfers the responsibility back to the local unit or charter school immediately upon a determination of a child's subsequent ineligibility. Encourages parents to seek mediation under Article 9 in resolving disputes regarding eligibility determinations or an individualized education program (IEP) prior to seeking a due process hearing under Article 9. Allows parents to seek an impartial due process hearing following a final determination of eligibility by a director, with the student's stay put placement to be the local unit or charter school.

Replaces the provisions of GS 115C-150.14 to now provide for free tuition, and free room and board at the election of the parent, for education programs provided by the schools for state residents (previously provided for free tuition and room and board). Enacts GS 115C-150.14A, authorizing schools to enroll nonresident students, defined as out-of-state students and foreign exchange students, in the education program who otherwise meet eligibility criteria at the full, unsubsidized per capita cost for the period of the student's attendance, including tuition, and room and board if elected (previously, GS 115C-150.14 allowed for admitting foreign exchange students only). Requires schools that seek to enroll nonresident students to submit a plan prior to enrollment to the board for approval. Includes defined terms.

Amends GS 115C-150.15 as follows. Requires local superintendents to provide written consent requests, as now stated, along with any information materials provided by the school for the blind and school for the deaf in the relevant service area (previously not included), to parents or custodians (was, parents, guardians, or custodians) of any children who are deaf or hard of hearing or blind or visually impaired by October 1 annually, requesting consent for the release of contact information and hearing or vision status to the schools so they can send information on services offered. Makes conforming and technical changes. Adds a new subsection to direct a superintendent or similar authority to share with a school director a copy of all current evaluation data and a copy of the current or proposed IEP for any enrolled child identified as a child with a disability who is deaf, hard of hearing, blind, or visually impaired, upon the written request of the child's parent or custodian of a student who has applied to a school for the deaf or school for the blind.

Enacts GS 115C-150.16, exempting schools for the deaf and blind from the Chapter's requirements except as otherwise provided. Deems schools a State agency, subject to all requirements for State agencies except as provided. Specifies that schools are not considered local school administrative units.

Makes conforming changes to GS 115C-5 and GS 115C-105.51.

Exempts employees of a school for the deaf or blind from the provisions of the State Human Resources Act, except Articles 6 and 7 of GS Chapter 126 relating to equal employment and private personnel records.

Amends GS 138-5, capping compensation of school board of trustee members at \$50 per diem for attending trustee meetings or performing related duties.

Explicitly exempts the schools from the Administrative Procedure Act, GS Chapter 150B, as set out in GS 150B-1.

Repeals Section 10, SL 2013-247, which authorizes DPI to reorganize staffing of the schools, and Section 8.15(b), SL 2013-360, which requires DPI to retain all proceeds generated from the rental of building space on the residential school campuses and use receipts generated only to staff and operate the schools.

Makes the above provisions effective July 1, 2024.

Directs the State Board to adopt rules by August 4, 2023, applicable for the 2023-24 school year only, for eligibility criteria, standards, and procedures for the schools' admissions following consultation with the Superintendent of Public Instruction and

school directors, subject to requirements and considerations identical to those required of board rules under Article 9C, GS Chapter 115C, as amended. Exempts this rulemaking from Article 2A, GS Chapter 150B.

Directs DPI to continue its administrative duties and responsibilities for the schools subject to Article 9, GS Chapter 115C, as of June 30, 2024, until the board of trustees for each school has successfully transitioned into the administrative role, no later than October 1, 2024.

Requires appointment of the initial members of the boards of trustees for the schools by November 1, 2023, to take office effective January 1, 2024. Provides for legislative appointment pursuant to vacancy appointment procedures if the NCGA is adjourned to a date certain that is more than 20 days after the date of adjournment when the act becomes law. Sets staggered terms of initial appointees, with terms expiring June 30, 2026, or June 30, 2028. Provides for four-year terms for subsequent appointees.

Requires the director of each school to call the initial meeting of each board by January 15, 2024.

Directs DPI to collaborate with personnel and boards of the schools to develop a transition plan for the change in school administration, effective July 1, 2024. Requires DPI to provide an initial report by December 15, 2023, and a final report by March 15, 2024, to the specified NCGA committee on the plan. Lists three required components of the plan, including an estimate of the administrative costs of the schools for DPO over the prior three school years.

**Intro. by Blackwell, Fontenot, Paré, Wheatley.**

GS 115C, GS 126, GS 138, GS 150B

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**Education, Elementary and Secondary Education, Employment and Retirement, Government, State Agencies, Department of Health and Human Services, Department of Public Instruction, State Board of Education, State Government, State Personnel, Health and Human Services, Health**

H 13 (2023-2024) [REEVALUATE COUNTY TIER SYSTEM](#). Filed Jan 25 2023, *AN ACT REQUIRING THE JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE TO STUDY AND EVALUATE THE THREE-TIER SYSTEM FOR COUNTY ECONOMIC STATUS DESIGNATIONS*.

Subject to certain exceptions, current law (GS 143B-437.08) requires the Secretary of Commerce (Secretary) to annually assign each county a development factor based on certain criteria and then to rank those counties into economic development tiers, which amongst other things, can be used to evaluate certain funding requests.

Requires the Joint Legislative Economic Development and Global Engagement Oversight Committee (Committee) to conduct a study on the economic development tier ranking including (1) whether the NGCA should eliminate the use of the economic development tier system for all noneconomic development programs and direct State agencies to develop other criteria, (2) whether the NGCA should end the use of the tier system for all economic development programs and direct the Department of Commerce to develop alternative funding criteria, (3) alternatives to the tier system for assessing economic well-being that may better serve counties with areas of prosperity and areas that lag in economic development, and (4) efforts in other states and at the federal level to identify economic well-being based on geographic boundaries other than county, and identify which incentive programs use a geographic factor other than tier level in their decision-making process. Requires the Committee to report its findings and any recommended legislation to the 2024 Regular Session of the 2023 General Assembly upon its convening.

**Intro. by Moss.**

STUDY

[View summary](#)

**Development, Land Use and Housing, Community and Economic Development, Government, General Assembly,**



## Local Government

H 14 (2023-2024) [BACK THE BLUE ACT OF 2023](#). Filed Jan 25 2023, *AN ACT REQUIRING THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE COST AND BENEFIT OF EXCLUDING LAW ENFORCEMENT RETIREMENT PAY FROM THE STATE INDIVIDUAL INCOME TAX.*

Requires the Revenue Laws Study Committee (Committee) to conduct a study on the costs and benefits reasonably anticipated from excluding from State income tax liability the retirement pay received by members of law enforcement with at least five years of creditable service, including increased sufficiency of retirement benefits of law enforcement retirees and State revenue losses. Requires the Committee to report its findings and any recommended legislation to the 2024 Regular Session of the 2023 General Assembly upon its convening.

**Intro. by Moss.**

STUDY

[View summary](#)

**Employment and Retirement, Government, General Assembly, Public Safety and Emergency Management, Tax**

H 15 (2023-2024) [STUDY ON ELIMINATING THE GROCERY TAX](#). Filed Jan 25 2023, *AN ACT REQUIRING THE REVENUE LAWS STUDY COMMITTEE TO STUDY THE FEASIBILITY AND EFFECT OF EXCLUDING GROCERIES FROM LOCAL SALES TAXES.*

Requires the Revenue Laws Study Committee (Committee) to study costs and benefits of excluding groceries from the local sales tax, including increased purchasing power for lower-income residents of the State and local revenue losses. Requires the Committee to report its findings and any recommended legislation to the 2024 Regular Session of the 2023 General Assembly upon its convening.

**Intro. by Moss.**

STUDY

[View summary](#)

**Business and Commerce, Government, General Assembly, Tax, Local Government**

H 16 (2023-2024) [AMEND HOUSE TEMP. RULES - COMMITTEE LIST](#). Filed Jan 25 2023, *A HOUSE RESOLUTION TO AMEND THE 2023 HOUSE TEMPORARY RULES TO MODIFY THE LIST OF STANDING COMMITTEES.*

Amends the 2023 House Temporary Rules enacted in House Resolution 1 (HR 1) by adding the Unemployment Insurance Committee to the list of standing committees in Rule 27.

**Intro. by D. Hall.**

HOUSE RES

[View summary](#)

**Government, General Assembly**

H 17 (2023-2024) [ELECT THE SBE/SPI AS SBE CHAIR](#). Filed Jan 25 2023, *AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO ELECT MEMBERS OF THE STATE BOARD OF EDUCATION, TO MAKE THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE CHAIR OF THE STATE BOARD OF EDUCATION AS AN EX OFFICIO MEMBER, AND TO REQUIRE THAT VACANCY APPOINTMENTS BY THE GOVERNOR SHALL BE SUBJECT TO CONFIRMATION BY THE GENERAL ASSEMBLY.*

Effective January 1, 2026, and subject to voter approval at the November 2024 general election, amends Section 4, Article IX of the NC Constitution to revise membership of the State Board of Education (SBE) as follows. Designates the Superintendent of Public Instruction as SBE's chair, rather than secretary, and includes the Superintendent among SBE members listed.

Replaces existing provisions that call for the appointment of eleven members by the Governor to serve eight year terms from

legislatively divided districts. Instead, provides for a number of members equal to the membership of the US House of Representative apportioned to the State, to be elected to four-year terms by district voters from districts established by the NCGA in a manner prescribed by law. Requires vacancies for elected members to be filled in a manner prescribed by law by the NCGA (current law requires vacancies of appointed members to be filled by the Governor without legislative confirmation). Applies to terms of office beginning January 1, 2027.

**Intro. by Blackwell, Torbett, Hardister, Willis.**

CONST

[View summary](#)

**Constitution, Government, General Assembly, State Agencies, State Board of Education, State Government, Executive**

H 18 (2023-2024) [ELK CONSERVATION PERMIT AUCTION/RAFFLE](#). Filed Jan 25 2023, *AN ACT TO DIRECT THE WILDLIFE RESOURCES COMMISSION TO ISSUE TWO ELK CONSERVATION PERMITS BY AUCTION AND RAFFLE AND TO MAKE CONFORMING CHANGES TO VARIOUS WILDLIFE STATUTES.*

#### Section 1

Directs the Wildlife Resources Commission (WRC) to issue (1) one Elk Conservation Permit and one Youth Elk Conservation Permit by raffle and (2) one Elk Conservation Permit by auction. Requires the permits to be issued in 2024 and apply for the 2024 elk season pursuant to rules adopted by the WRC. Authorizes the WRC to adopt rules to establishing the cost of a raffle ticket and a limit on tickets purchased by an individual. Neither permit is transferable and may not be resold or reassigned. Only legal residents of North Carolina are eligible for the Youth Elk Conservation permit.

Requires the WRC to authorize a nonprofit wildlife conservation organization to conduct an auction for one Elk Conservation License and allows contracting with the nonprofit wildlife conservation organization to conduct the auction. Requires the nonprofit wildlife conservation organization to be involved in the reintroduction of elk into North Carolina. Gives the nonprofit 25% of the proceeds of the auction, with remaining proceeds deposited in the Wildlife Resources Fund and used for the conservation and management of elk. Allows WRC to retain the actual costs of administering the raffle, with remaining raffle proceeds deposited in the Wildlife Fund and for the conservation and management of elk.

Requires the WRC to adopt rules on manner of take, to provide a method to report the successful harvest of an elk, and for tagging requirements.

Requires WRC to report, by March 1, 2025, to the specified NCGA committee and division on the effectiveness of the auction and raffle programs, including how much money was raised, whether to continue the programs, and if so, legislative recommendations to improve the programs.

#### Section 2

Amends GS 113-129(7c) to add elk to the statute's definition of "game animals."

#### Section 3

Amends GS 113-291.8 governing requirements to display hunter orange while hunting to add a new "hunting elk during an open elk season" in addition to currently existing deer firearms season. Requires those persons to wear hunter orange in a "manner that is visible from all directions." Deletes statutory references to penalties in effect only until October 1, 1992, and during the 1987 big game hunting season. Makes other technical and conforming changes. Effective December 1, 2023.

**Intro. by Moss, Sasser, Gillespie, Miller.**

GS 113

[View summary](#)

**Animals, Government, State Agencies, Department of Natural and Cultural Resources (formerly Dept. of Cultural Resources)**

H 19 (2023-2024) [CODIFY ROE AND CASEY PROTECTIONS](#). Filed Jan 25 2023, *AN ACT TO CODIFY THE ESSENTIAL HOLDINGS OF ROE V. WADE AND PLANNED PARENTHOOD OF SOUTHEASTERN PA V. CASEY*.

Identical to [S19](#), filed 1/25/23.

Enacts Article 1M in GS Chapter 90, to be known as "Codify Roe and Casey Protections" providing as follows. Sets out the Article's purpose. Prohibits the State from imposing an undue burden on the ability of a woman to choose whether to terminate a pregnancy before fetal viability. Specifies that the State may: (1) restrict the ability of a woman to choose whether to terminate a pregnancy after fetal viability, unless termination is necessary to preserve the woman's life or health or (2) enact laws, rules, or regulations to further the health or safety of a woman seeking to terminate a pregnancy. Defines undue burden to mean any burden that places a substantial obstacle in the path of a woman seeking to terminate a pregnancy before fetal viability. Specifies that the Article does not affect laws regarding conscience protection.

Appropriates \$500,000 for 2023-24 from the General Fund to the Department of Health and Human Services to fund public education efforts about birth control and pregnancy prevention. Effective July 1, 2023.

**Intro. by Reives, Carney, Cunningham, Everitt.**

[View summary](#)

**Government, Budget/Appropriations, State Agencies,  
Department of Health and Human Services, Health and  
Human Services, Health, Health Care Facilities and Providers**

H 20 (2023-2024) [CASH COMMITMENT ACT](#). Filed Jan 25 2023, *AN ACT TO PROHIBIT RETAIL BUSINESSES FROM REFUSING CASH PAYMENTS*.

Enacts Article 51, GS Chapter 66 to be cited as the Cash Commitment Act. States the Article's purpose. Establishes a requirement for any person selling retail goods or services that accepts in-person payments at a physical location in the State to accept cash payments for sales made at that location. Prohibits charging customers paying cash higher prices than customers not paying in cash. Describes two instances in which the Article's provisions do not apply, including (1) instances of system failure that prevent processing cash payment or lack of sufficient cash to make change; or (2) the person provides a device at the location that converts cash to a prepaid card, subject to six specified criteria, including prohibiting charging a fee for use of the device. Specifies that the Article does not require persons to accept \$100 or larger bills; sunsets this provision five years after October 1, 2023, at which time the Secretary of Commerce (Secretary) must have adopted a rule, then effective, to specify the denomination of bills persons are not required to accept under the Article. Requires acceptance of \$1, \$5, \$10, and \$50 bills.

Allows the Secretary to adopt implementing rules and authorizes the Secretary to prescribe additional exceptions to the Article's requirements. Authorizes the Secretary to assess a civil penalty of up to \$2,500 for first violations and up to \$5,000 for subsequent violations. Establishes a private right of action for a person to seek relief against a person who violates the Article, as described.

Effective October 1, 2023.

**Intro. by B. Jones, McNeely, Winslow, Lowery.**

**GS 66**

[View summary](#)

**Business and Commerce, Courts/Judiciary, Civil, Civil Law,  
Government, State Agencies, Department of Commerce**

H 21 (2023-2024) [ENERGY SECURITY ACT OF 2023](#). Filed Jan 25 2023, *AN ACT TO REQUIRE PUBLIC UTILITIES TO PROVIDE SECURITY SYSTEMS FOR SUBSTATIONS TO PROTECT AGAINST VANDALISM AND OTHER THREATS*.

Enacts new GS 62-334, the "Energy Security Act of 2023." Requires public utilities to provide security systems at substations to protect against vandalism and other security threats. Requires public utilities to continuously operate the security systems 24 hours a day. Effective July 1, 2024.

**Intro. by Moss.**

GS 62

[View summary](#)

**Government, Public Safety and Emergency Management,  
Public Enterprises and Utilities**

## PUBLIC/SENATE BILLS

S 3 (2023-2024) [NC COMPASSIONATE CARE ACT](#). Filed Jan 25 2023, *AN ACT ENACTING THE NORTH CAROLINA COMPASSIONATE CARE ACT*.

Enacts new Article 5H to GS Chapter 90, to be cited as the "NC Compassionate Care Act," requiring the Department of Health and Human Services (DHHS) to issue "registry identification cards" to persons who qualify as qualified patients or designated caregivers under the Article's provisions. Sets forth legislative findings, the purpose of the Act, and defined terms for the Article.

Establishes an 11-member Compassionate Use Advisory Board (Advisory Board), consisting of seven gubernatorially appointed members and four legislatively appointed members, appointed for up to two four-year terms. States member qualifications. Provides for meetings, vacancies, and member expenses. Grants the Advisory Board authority to approve adding a debilitating medical condition to those defined by the Article by majority vote of members present and voting, and requires the Board to meet at least twice per year for that purpose. Requires initial appointments to be made within 45 days of the date the act becomes law and staggers initial terms.

Sets standards for physicians issuing written certification of debilitating medical conditions under the Article. Requires physicians to complete a ten-hour continuing medical education course on prescribing cannabis and an annual three-hour supplemental medical education course thereafter. Requires maintaining records of compliance for six consecutive years with permitted inspection by the Department of Health and Human Services (DHHS) or the NC Medical Board or its agents. Establishes a requirement for physicians to register written certifications in the medical cannabis registry database electronically, and limits issuance to patients with whom the physician has a bona fide physician-patient relationship. Includes patient screening and patient education requirements. Requires physicians to have a physical office in the state to conduct in-person exams. Requires physicians to reevaluate patients as needed to determine the efficacy of the use of cannabis as a treatment for the patient's medical condition, at least quarterly in the first year and annually thereafter, with the Medical Cannabis Production Commission (Commission, as established below) authorized to set shorter reevaluation intervals or in-person exam requirements. Sets requirements for checking patients' prescription history. Requires physicians to update the medical cannabis registry database within three days after any change is made to the original written certification. Charges DHHS with monitoring written certifications and referring cases to the NC Medical Board or SBI as appropriate. Prohibits physicians from evaluating patients or advertising on the site of a medical cannabis center. Prohibits physicians who provide written certifications from being employed by or have any direct or indirect economic interest in a supplier or independent testing laboratory, or profiting from a patient obtaining a written certification, aside from visit fees. Authorizes the Commission to adopt rules regarding physicians and the issuance of written certifications.

Specifies criteria and procedures for DHHS's issuance or renewal of registry identification cards. Provides for limited issuance of registry identification cards to minors. Details required card information; notice requirements for information changes; and DHHS's authority to deny, suspend or revoke cards. Directs DHHS to adopt implementing rules and to establish requirements for card issuance that include six specified components, which must include setting a limit on the number of written certifications a physician may issue; requires adoption within 270 days of the date the act becomes law. Requires cardholders to carry the card and valid identification whenever the cardholder is carrying cannabis or cannabis-infused products. Also requires the cardholder to disclose to any law enforcement officer that the cardholder holds a valid registry identification card when approached or addressed by the officer and display both the registry identification card and valid identification at the request of a law enforcement officer.

Requires DHHS to create a secure, confidential, electronic medical cannabis registry database of all qualified patients and designated caregivers to whom DHHS has issued cards, consisting of the name, address, and photo of the cardholder; the name, address, and hospital affiliation of the physician that issued the respective written certification; and a photo of the cardholder. Allows law enforcement to contact DHHS to confirm cardholders. Deems card applicants' information confidential and not public record, with limited exceptions for authorized DHHS employees and law enforcement. Makes it a Class 2 misdemeanor for any person (including a State or local employee) to breach confidentiality of such protected information, punishable by a civil penalty of up to \$1,000. Specifies that the provisions do not prevent DHHS from notifying law enforcement of falsified or fraudulent information submitted with a card application.

Establishes the 11-member Medical Cannabis Production Commission (Commission) with oversight of medical cannabis supplier licensing and licensee discipline. Requires approval of licensee applications upon recommendation by DHHS, as described, by majority vote of members present and voting. Details Commission membership, terms, leadership, vacancies, removal, quorum, and member expenses. Details disciplinary authority. Requires the Commission to consult with the NC Medical Care Commission to adopt implementing rules to establish qualifications and requirements of licensure, for production by a supplier, and for proper regulation of medical cannabis centers and cannabis product facilities operated by suppliers; ensure equitable distribution of medical cannabis centers across the State; and establish civil penalties for minor violations. Includes member disqualifications concerning conflicts of interest as an owner or employee of a licensed medical cannabis supplier or testing lab, or as a qualified patient, a designated caregiver, or physician issuing written certifications. Requires initial appointments to be made within 45 days of the date the act becomes law and staggers initial terms.

Directs the Commission to establish a medical cannabis supply system to provide a safe, regulated supply of cannabis appropriate for medical use by qualified patients that are valid cardholders; ensure statewide access to safe and affordable cannabis to cardholders; establish a system that is well-regulated and financially viable; and to generate revenue sufficient for the Commission to verse and DHHS to maintain and operate the system. Directs the Commission to adopt regulatory rules that consist of at least 14 specified components, such as security, sanitation, storage and transportation requirements. Directs the Commission to establish, maintain, and control a computer software tracking system that traces cannabis from seed to sale and allows real time, 24-hour access by DHHS and the Commission to data from all production facilities, medical cannabis centers, and testing labs. Details further requirements of the tracking system. Explicitly requires medical cannabis suppliers to use the tracking system or integrate its own system with the system established by the Commission. Authorizes the Commission to contract to establish the tracking system, so long as the vendor does not have a direct or indirect financial interest in a medical cannabis supplier or testing lab. Allows for legislative appropriations to establish the system, but states the NCGA's intent that the operation be funded by authorized fees.

Establishes criteria for licensing medical cannabis suppliers to (1) grow, cultivate, produce, or sell cannabis or cannabis-infused products; (2) operate a business to produce cannabis or cannabis-infused products; or (3) establish or operate a medical cannabis center for the sale of cannabis, cannabis-infused products, and paraphernalia relating to the administration of cannabis to qualified patients and designated caregivers who hold valid registry identification cards. Requires suppliers to begin cultivation within 120 days of receiving a license and begin selling cannabis or cannabis-infused products in medical cannabis centers within 270 days of initiating cultivation. Includes criminal history check requirements. Specifies licensure disqualifications, including being less than 21, or having served a sentence of any of the listed felonies within the previous five years. States sales and supply restrictions of licensees. Establishes monthly fees and reporting requirements for licensees. Authorizes DHHS to impose fines of up to \$10,000 on suppliers for certain enumerated violations, including improperly disclosing confidential patient information or failing to maintain required records. Authorizes the Commission to require financial audits at cost to the supplier. Provides for criminal immunity for licensed medical cannabis suppliers as specified, excluding conduct described in four instances, such as driving while impaired by cannabis.

Provides civil and criminal immunity for a registry identification cardholder for purchasing or possessing cannabis for medical use if the quantity does not exceed an "adequate supply" for the patient as determined by their physician. Adequate supply is defined by the act to, among other things, (1) apply only to cannabis from an intrastate source and (2) limit permitted supply to an amount reasonably needed for a 30-day period. Provides for exclusion of the weight of other ingredients infused or added to cannabis for consumption or use by a qualified patient in determining whether the patient is in possession of an amount that exceeds the patient's adequate supply. Also provides immunity and protection from penalties for licensed suppliers of cannabis or cannabis-infused products consistent with the Article. Prohibits law enforcement from considering a qualified patient or designated caregiver's possession or use differently than any other lawful possession or use of a controlled substance so long as the possession or use complies with the Article.

Specifies that the new Article does not authorize a registry identification cardholder to engage in the smoking of cannabis or the vaping of cannabis for medical use in seven places identified by the act, including (1) in a public place or a place open to the public, (2) in any place of employment, (3) in a vehicle, or (4) in or within 1,000 feet of the property line of a church, child care facility, public school or nonpublic school, community college or UNC facility or grounds, unless the use occurs within a private residence. Provides further specifications relating to smoking or vaping near a child care facility or community college or UNC facility or grounds. Makes smoking or vaping cannabis in violation of these prohibitions an infraction punishable by a fine of up to \$25.

Makes it a Class G felony to manufacture, sell, deliver, or possess with intent to manufacture, sell, or deliver cannabis in violation of this Article at a medical cannabis center or production facility. Makes it a Class H felony to create, sell, deliver, or possess with intent to sell or deliver counterfeit cannabis in violation of this Article at a medical cannabis center or production facility. Makes it a Class A1 misdemeanor to possess an amount of cannabis up to 1 1/2 ounces in violation of this Article, at a medical cannabis center or production facility. Makes it a Class H felony to possess an amount of cannabis that exceeds 1 1/2 ounces in violation of this Article, at a medical cannabis center or production facility. Makes it a Class 1 misdemeanor to provide DHHS with false or misleading information in relation to a registry identification card or license. Makes it a Class I felony for any person who has been issued a valid registry identification card who is found to be in possession of cannabis in violation of this Article. Adds that if a person is convicted of a violation of GS 90-95(h)(1) (trafficking in marijuana), and it is found that the offense was committed at a medical cannabis center or production facility or with cannabis from a medical cannabis center or production facility, then the person must be sentenced at a felony class level one class higher than the principal felony for which the person was convicted, and an additional 12 months will be added to the mandatory minimum sentence. Prohibits sentencing at a level higher than a Class C felony. Requires an indictment or information for the felony to allege the facts that qualify the offense for an enhancement under this provision. Adds that one pleading is sufficient for all felonies that are tried at a single trial. Specifies that these new penalties can be imposed in addition to any other penalties provided by law.

Requires DHHS to establish a web-based verification system allowing DHHS personnel, State and local law enforcement personnel, and medical cannabis centers to enter a registry identification card number to determine whether the number corresponds with a current, valid registry identification card. Limits the information that the system may disclose to seven specified items. Specifies who may have access to the system. Requires before cannabis or cannabis-infused products are dispensed to a registry identification cardholder that a medical cannabis center employee access the system and determine that: (1) the registry identification card presented at the medical cannabis center is valid; (2) each person presenting a registry identification card is the person identified on the card; (3) the amount to be dispensed would not cause a qualifying patient to exceed the limit on obtaining no more than an adequate supply of cannabis or cannabis-infused products during any thirty-day period; (4) the cannabis to be dispensed complies with the delivery method; and (5) after making the determinations required in (3), but before dispensing cannabis or cannabis-infused products to a registry identification cardholder, a medical cannabis center employee must enter specified information into the system on the amount of the product, who it is dispensed to, date and time it is to be dispensed, and the dispensing center's registry identification number.

Requires DHHS to perform annual inspections of the premises of licensees, including any production facility or medical cannabis center. Establishes security measures and inspection requirements of suppliers, production facilities, and medical cannabis centers, including requiring suppliers to implement security measures adopted by the Commission in consultation with the SBI, and subjecting production facilities and medical cannabis centers owned and operated by a supplier to random inspection by DHHS and the SBI in accordance with rules adopted by the Commission.

Establishes hour, location, and age restrictions for medical cannabis centers. Prohibits licensed medical cannabis centers from selling cannabis or cannabis-infused products between 7:00 p.m. and 7:00 a.m. Bars locating a medical cannabis center within 1,000 linear feet of the property line of a church, child care facility, public school or nonpublic school, or community college or UNC facility or grounds. Limits entry to individuals who are qualified patients, designated caregivers, and persons whose job duties require their presence in the medical cannabis center. Requires employees to be 21 or older. Prohibits consuming cannabis or cannabis-infused products on the site of the medical cannabis center. Prohibits cannabis, cannabis-infused products, and paraphernalia from being visible to the public from the outside of the medical cannabis center. Authorizes the Commission to establish rules to allow the delivery of cannabis, cannabis-infused products, and paraphernalia used to administer cannabis products by medical cannabis centers to the home of a qualified patient or designated caregiver.

Requires DHHS to establish standards for and license up to five independent testing labs to test cannabis and cannabis-infused products that are to be sold in this State. Requires an independent testing lab to analyze a representative sample before the sale

or transfer to a medical cannabis center by a production facility; requires the lab to report the results of all required testing to DHHS and the Commission. Makes an independent testing lab responsible for selecting, picking up, and testing samples.

Requires DHHS to adopt rules to establish certain standards related to testing, lab licensing, and lab fees, as well as remedial actions that may be taken for samples which do not meet the established standards. Includes disqualifications for owners or employees of a supplier, production facility, or medical cannabis center.

Establishes advertising restrictions as follows. Requires the production facility or medical cannabis center logo, advertising, and signage to be tasteful, respectful, and medically focused; prohibits it from appealing to minors or containing cartoon-like figures or attempts at humor. Prohibits suppliers from using marijuana leaves or cannabis slang on their signs, logos, packaging or structures, as well as prohibiting the use of neon in signs, logos, packaging, or on structures. Requires suppliers to submit logos or signs to DHHS for review. Requires medical cannabis centers to only use signs that include its name, logo and hours of operation. Establishes prohibited advertisements by suppliers and centers, such as distributing handbills in public areas.

Authorizes the Commission to take action against a licensee or retailer who engages in nonconforming signage or advertising. Establishes parameters for medical cannabis center websites. Requires production facilities and medical cannabis centers owned and operated by a supplier to have a discreet, professional appearance compatible with existing commercial structures or land uses in the immediate area. Requires DHHS to consult with the Commission to adopt rules to define and monitor standards for centers' names, signage, and logo.

Requires suppliers to safely package and accurately label cannabis or cannabis-infused products and requires items sold at a medical cannabis center to be properly labeled and in child-resistant packaging. Prohibits labels from including strain names and requires labels to include at least 10 specified items, including the name of the medical cannabis center, the percentage of tetrahydrocannabinol and the percentage of cannabidiol within a profile tolerance range of 10%, and the length of time it takes for the product to take effect. Requires cannabis products to be placed in child-resistant packaging before leaving the medical cannabis center. Requires DHHS to adopt rules that accomplish three specified objectives, including establishing restrictions on the forms and appearance of edible cannabis-infused products in order to reduce their appeal to minors.

Requires the destruction and disposal of (1) production center cannabis by-product, cannabis scrap, and harvested cannabis not intended for distribution to a medical cannabis center or independent testing lab, and (2) cannabis and cannabis-infused products that are not sold to qualifying patients by medical cannabis centers. Requires keeping documentation of the destruction or disposal for at least one year and requires a record of the date of destruction and the amount destroyed. Requires a medical cannabis center to also destroy all unused cannabis products that are returned to the center by a formerly qualifying patient who no longer qualifies or by the former qualifying patient's caregiver.

Expresses legislative intent that the NC Collaboratory undertake scientific research regarding the administration of cannabis or cannabis-infused products as a part of medical treatment and directs the Collaboratory to create the North Carolina Cannabis Research Program. Details parameters for the research and includes immunity for the Collaboratory and its partners to possess, transport, test, and dispose of cannabis within the scope of its research.

Establishes the North Carolina Medical Cannabis Program Fund within DHHS to ensure there are funds to carry out DHHS's responsibilities under this Article. Requires revenues in excess of the amount needed to implement, administer, and enforce the Article to be distributed to the General Fund annually.

Appropriates system revenues from license fees and monthly revenue fees to the Commission, with three authorizes uses, with priority to costs associated with establishing and operating the regulated medical cannabis supply system. Provides for revenues in excess of the authorized uses to be annually transferred to the General Fund.

Requires DHHS, in consultation with the Commission and Advisory Board, to report annually on the effectiveness of the medical cannabis program and any recommended changes. Sets out nine items that must be included in the report, while protecting the identity of specified individuals and entities. Requires the report to be submitted to the specified NCGA committees annually by October 1, beginning in the first year in which cannabis or cannabis-infused products are sold in medical cannabis centers. Authorizes DHHS to develop surveys for qualified patients, and the Commission to require completion of the survey by the patients.

Provides for construction of the Article. Provides a severability clause.

Amends GS 105-164.13 to exempt from sales tax cannabis or cannabis-infused products sold by a medical cannabis center to a registry identification cardholder.

Amends GS 106-121 (definitions under Food, Drugs, and Cosmetics Act) to exclude cannabis and cannabis-infused products manufactured by a production facility or sold by a medical cannabis center from the definition of the terms drug and food.

Effective December 1, 2023, amends GS 15A-974, regarding the exclusion or suppression of unlawfully obtained evidence. Adds new subsection (a1) to bar the suppression of evidence obtained as the result of a search that was supported by probable cause at the time of the search solely on the basis that either: (1) a subsequent determination that a substance believed to be a controlled substance at the time of the search was not a controlled substance; or (2) a subsequent determination that the presence of a controlled substance at the time of the search was not a violation of law.

Amends GS 90-87 to exclude from the defined term marijuana, an adequate supply of cannabis for medical use in compliance with new Article 5H.

**Intro. by Rabon, Lee, Lowe.**

[GS 90, GS 105, GS 106](#)

[View summary](#)

[Agriculture, Courts/Judiciary, Criminal Justice, Government, State Agencies, UNC System, Department of Health and Human Services, Tax, Health and Human Services, Health](#)

S 4 (2023-2024) [ELIMINATE TAX ON GOV'T RETIREES](#). Filed Jan 25 2023, *AN ACT TO EXEMPT RETIREMENT INCOME OF GOVERNMENT EMPLOYEES*.

Amends GS 105-153.5(b), which provides permitted deductions from a taxpayer's adjusted gross income for State income tax purposes, to allow deduction of amounts received during a taxable year from State, local, or federal government retirement plans for at least 20 years of government employment. Effective for taxable years beginning on or after January 1, 2024.

**Intro. by Burgin.**

[GS 105](#)

[View summary](#)

[Government, State Government, State Personnel, Tax, Local Government](#)

S 12 (2023-2024) [CODIFY ROE AND CASEY PROTECTIONS](#). Filed Jan 25 2023, *AN ACT TO CODIFY THE ESSENTIAL HOLDINGS OF ROE V. WADE AND PLANNED PARENTHOOD OF SOUTHEASTERN PA V. CASEY*.

Enacts Article 1M in GS Chapter 90, to be known as "Codify Roe and Casey Protections" providing as follows. Sets out the Article's purpose. Prohibits the State from imposing an undue burden on the ability of a woman to choose whether to terminate a pregnancy before fetal viability. Specifies that the State may: (1) restrict the ability of a woman to choose whether to terminate a pregnancy after fetal viability, unless termination is necessary to preserve the woman's life or health or (2) enact laws, rules, or regulations to further the health or safety of a woman seeking to terminate a pregnancy. Defines undue burden to mean any burden that places a substantial obstacle in the path of a woman seeking to terminate a pregnancy before fetal viability. Specifies that the Article does not affect laws regarding conscience protection. Appropriates \$25,000 for 2023-24 from the General Fund to the Office of State Budget and Management as a grant to the NC Obstetrical and Gynecological Society to educate providers about this act. Effective July 1, 2023.

**Intro. by Batch.**

[APPROP, GS 90](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Office of State Budget and Management, Health and Human Services, Health, Health Care Facilities and Providers](#)



S 15 (2023-2024) [HANDS FREE NC](#). Filed Jan 25 2023, *AN ACT MAKING IT UNLAWFUL TO USE A WIRELESS COMMUNICATION DEVICE WHILE OPERATING A MOTOR VEHICLE ON A PUBLIC STREET, HIGHWAY, OR PUBLIC VEHICULAR AREA.*

Titles the act "The Hands Free NC Act."

Repeals GS 20-137.3 (pertaining to unlawful use of a mobile phone while operating a vehicle by persons under 18 years of age), GS 20-137.4 (pertaining to unlawful use of a mobile phone while operating a school bus), and GS 20-137.4A (pertaining to unlawful use of mobile telephone for text messaging or electronic mail while operating a vehicle).

Enacts new GS 20-137.3A as follows. Prohibits operating a motor vehicle (1) with a wireless communication device in the person's hand, (2) while holding or supporting a wireless communication device with the person's body, not including wearable technology that does not require physical exertion to support, (3) while watching a video or movie or communicating by video on a wireless communication device, or (4) while texting on a wireless communication device. Defines wireless communication device as (1) a cell phone, personal digital assistant, electronic device with mobile data access, laptop computer, pager, smartwatch, broadband personal communication device, electronic game, and portable computing device or (2) a device through which personal wireless services, as defined in specified federal law, are transmitted. Defines operating a motor vehicle as operating a motor vehicle on a public street, highway, or public vehicular area, excluding where vehicle is off, or to the side of, a public street, highway, or public vehicular area in a location where the motor vehicle can safely remain stationary. Defines texting to mean entering text into, or reading text from, a wireless communication device. Sets out exceptions to the prohibition when (1) the device is used to communicate an emergency to one of the specified public safety entities; or (2) the device is used in the performance of official duties by one of six specified classes of public safety officers, public utilities vehicle operators, and radio response operators. Prohibits persons under 18 from operating a motor vehicle while using a wireless communication device unless for following the recommended route by an electronic navigation system or communicating in an emergency situation, as specified. Specifies that the statute does not prohibit the use of equipment installed by the manufacturer and integrated into the vehicle by any person while operating a motor vehicle. First offenses (for a person with no prior or no offense in the prior 36 months) are an infraction punishable by a \$100 fee with no insurance points. Second offenses (where a person is guilty of a first offense within the previous 36 months) are an infraction with a \$150 fine and insurance points. Third and subsequent offenses (where a person is guilty of two or more offenses within the previous 36 months) are an infraction with a \$200 fine and insurance points. Violations by school bus operators are subject to the penalties above but the person will be guilty of a Class 2 misdemeanor instead of an infraction. Clarifies that the statute does not authorize seizure of a wireless communication device. Prohibits local governments from passing ordinances regulating this topic. Directs the Commissioner of Motor Vehicles and the Department of Public Instruction to incorporate in its driver education and licensing programs instructions designed to encourage compliance with the statute and requirements and penalties specified by law.

Amends GS 58-36-75 to require the North Carolina Rate Bureau to assign one insurance point under the Safe Drive Incentive Plan for a person convicted for a second offense and two insurance points for a person convicted for a third or subsequent offense.

Amends GS 20-11 as follows. Prohibits limited learner's permit holders and limited provisional license holders from using a wireless communication devices while operating a motor vehicle (was, prohibits the use of a mobile telephone or other additional technology associated with a mobile telephone). Amends the criteria to be met in order to obtain such permits and licenses to require that the individual have not been convicted of a violation of new GS 20-137.3A (was, a violation of GS 20-137.3, which makes it unlawful for a person under age 18 to use a mobile phone while driving). Makes additional conforming changes. Makes the failure to comply with restrictions regarding the use of a wireless communication device while operating a motor vehicle an infraction punishable under GS 20-137.3A (was, failure to comply with the restriction regarding the use of a mobile phone while operating a motor vehicle in an infraction punishable by a \$25 fine).

Applies to offenses committed on or after July 1, 2023. Requires issuing only warning tickets for the first six months. Provides a savings clause for offenses committed before the effective date of the act.

**Intro. by Burgin, Corbin, Woodard.**

GS 20, GS 58

[View summary](#)

**Business and Commerce, Insurance, Courts/Judiciary, Motor Vehicle, Government, Public Safety and Emergency Management, State Agencies, Department of Public**

**Instruction, Department of Transportation, Public Enterprises  
and Utilities**

S 16 (2023-2024) **PRESERVING COMPETITION IN HEALTH CARE ACT.-AB** Filed Jan 25 2023, *AN ACT PRESERVING COMPETITION IN HEALTH CARE BY REGULATING THE CONSOLIDATION AND CONVEYANCE OF HOSPITALS.*

Enacts new Article 11C, Preserving Competition in Health Care Act, to GS Chapter 131E. Sets forth defined terms. Defines *hospital entity* to include any licensed hospital, whether corporate or governmental, and any affiliated entity. Defines *transaction* as:

- the disposition of a material amount of assets or operations of any hospital entity to any person or entity other than another hospital entity that controls, is controlled by, or is under common control with such hospital entity;
- the transfer of control or governance of a hospital entity to a person or entity other than another hospital entity that controls, is controlled by, or is under common control with such hospital entity;
- any binding legal obligation between two or more persons that results in a transfer of control, responsibility, or governance of a substantial portion of a hospital entity's assets to an acquiring entity;
- any transaction that would be subject to review under the Article if it was structured as a purchase, merger, or joint venture;
- any transaction determined by the Attorney General (AG) to merit review because the transaction would have a meaningful effect on competition in any part of the State among hospital entities;
- any of the above transactions that is entered into by a hospital entity or by any person or entity that controls, is controlled by, or is under common control with such hospital entity; or
- dispositions of a substantial portion of a hospital entity's assets made in the course of a bankruptcy proceeding.

Excludes from the Article's scope transactions that are in the usual and regular course of a hospital entity's activities which the AG has provided a written waiver for the transaction. Deems the AG's determination final and not subject to judicial review unless found to be arbitrary and capricious.

Establishes the following procedure for hospital entities to notify the AG of proposed transactions and the AG to review and make determinations with respect to transactions subject to the Article.

Requires hospital entities subject to the Article to provide the AG with written notice of a proposed transaction and certification that a copy of the Article has been provided to each member of the governing board or board of trustees of the hospital entity. Allows for a single written notice to suffice for both the hospital entity and acquiring entity, subject to the AG requesting more information as needed. Provides for the effect of the notice and directs the AG to adopt rules regarding required content and manner of the written notice. Requires the AG to provide the hospital entity and acquiring entity with written acknowledgement of receipt of the written notice, at which time a 90-day review period begins within which the AG must notify the hospital entity in writing of its decision to either object to or take no action regarding the proposed transaction. Provides for the AG to extend the review period for up to 60 days. Prohibits the parties consummating the transaction during the review period.

Additionally requires the hospital entity to give written notice of the proposed transaction by publication in at least one newspaper in general circulation in each relevant county, as specified, within five days after providing written notice to the AG. Details requirements of the published written notice and deems failure to provide this notice as sufficient grounds for the AG to object to the proposed transaction. Requires the hospital entity and acquiring entity to hold at least one public hearing within 30 days after providing written notice to the AG, but not within 14 days after publication of written notice. Details hearing requirements, including seven days' written notice to the AG of the time, date, and location of the public hearing. Also requires the hospital entity and acquiring entity to give written notice to the relevant local governing bodies, as specified. Requires AG approval to conduct the public hearing electronically. Provides specific hearing requirements for hospital entities that are nonprofits or publicly owned entities. Allows the AG to conduct an additional public hearing, subject to similar notice requirements. Deems the parties to the proposed transaction responsible for the costs of all public hearings. Excludes dispositions made in the course of a bankruptcy proceeding. Allows the AG to partially or completely waive the public hearing requirements.

Lists eight considerations the AG must address in making a determination about the proposed transaction, including whether the proposed transaction is in the public interest and whether there is an objection by a local governing body. Includes an

additional eight considerations the AG must address in making a determination about a proposed transaction that would alter the control or governance of a nonprofit or publicly owned hospital entity, including whether the proposed transaction would result in private inurement to any person. Finally, requires the AG to consider whether the transaction complies with Article 2 of the Chapter for those that involve a hospital owned by a municipality or a hospital authority.

Authorizes the AG to demand the hospital entity giving notice to provide information the AG deems reasonably necessary to complete a review of the transaction. Deems failure to timely provide such information sufficient grounds to object to the transaction. Grants the AG authority to contract, consult and receive advice from any State or US agency, or contract with experts or consultants, to assist in transaction review. Allows the AG to request from the Department of Health and Human Services (DHHS) a report of the anticipated effects of any proposed transaction on access to, or the pricing of, health care services in any part of the State; allows extension of the review period upon requests of such reports so long as the total review period does not exceed 180 days from the AG's notice that the parties have submitted a complete notice. Authorizes the AG to impose specified fees upon the acquiring entity, including contractual costs of the AG, and up to \$50,000 for the AG's actual review costs and DHHS's actual costs for report preparations. Allows the acquiring entity to seek an order from a court to limit its liability for imposed fees. Details procedures for such an objection and the effect of failing to pay imposed fees.

Establishes requirements for instances in which the AG objects to the proposed transaction. Requires the AG to file an action seeking injunctive relief in superior court within 30 days after notifying the parties of the objection, subject to the parties mutually agreeing to extend the filing deadline. Details procedures of such actions based on whether the hospital entity is a nonprofit or publicly owned entity, or a for-profit entity. In either instance, the court can issue a final determination approving the transaction, approving the transaction subject to modification, or disapproving the transaction. Allows appeal of the court's decision, except prohibits the AG from appealing a court's approval of the transaction subject to the same modification the AG initially sought. Allows any party to decline to enter into a transaction modified by court order. Deems modified transactions entered into not subject the AG's objection.

Following the AG not objecting to the proposed transaction or a final determination by a court approving the transaction, subjects the acquiring entity to post-transaction monitoring by an independent health care access monitor for at least three years. Details requirements for such monitoring through a contract between DHHS and the acquiring entity. Requires the independent health care access monitors retained by DHHS to quarterly report to the AG and DHHS as specified. Authorizes the AG to extend the post-transaction monitoring period for up to seven years, but caps monitoring at ten years following consummation of the transaction, and requires DHHS and the Department of Justice to each pay 25% of the remaining monitoring costs beyond the initial three year monitoring period. Establishes annual reporting requirements for the acquiring entity or any foundation or charitable trust established in a transaction in which the hospital entity was a nonprofit or publicly owned entity. Creates a procedure for the AG to file an action to unwind the transaction or a court to alter control or governance of assets involved in a transaction if upon review of the post-transaction monitoring, the AG deems it reasonable and necessary.

Prohibits an acquiring entity from changing the financial assistance policy regarding uninsured or underinsured in effect immediately proceeding consummation of the transaction without first providing 120 days' written notice to the AG, its hospital staff, and patients who have previously benefited from the hospital entity's policy, with a limited exception for increases to applicable eligibility income limits. Details notice requirements for patients who previously benefited from the policy. Includes education requirements for the acquiring entity's physicians regarding new financial assistance policies and verbally informing patients of the new policy during the notice period.

Deems any transaction in violation of the Article void. Subjects each member of the governing board and each chief financial officer of the transaction entered in violation of the Article up to \$1 million per transaction, with the AG instituting the action and a court determining the penalty amount. Prohibits DHHS from issuing hospital licensed to any party of a transaction entered in violation of the notice, public hearing, and review requirements of the Article. Specifies the effect of the Article on the AG's authority and the effect of the Article's penalties and remedies.

Effective December 1, 2023, and applies to activities occurring on or after that date.

**Intro. by Burgin, Corbin, Mayfield.**

GS 131E

[View summary](#)

**Business and Commerce, Government, State Agencies,  
Department of Health and Human Services, Department of**

**Justice, Health and Human Services, Health, Health Care  
Facilities and Providers**

S 19 (2023-2024) **CODIFY ROE AND CASEY PROTECTIONS**. Filed Jan 25 2023, *AN ACT TO CODIFY THE ESSENTIAL HOLDINGS OF ROE V. WADE AND PLANNED PARENTHOOD OF SOUTHEASTERN PA V. CASEY*.

Enacts Article 1M in GS Chapter 90, to be known as "Codify Roe and Casey Protections" providing as follows. Sets out the Article's purpose. Prohibits the State from imposing an undue burden on the ability of a woman to choose whether to terminate a pregnancy before fetal viability. Specifies that the State may: (1) restrict the ability of a woman to choose whether to terminate a pregnancy after fetal viability, unless termination is necessary to preserve the woman's life or health or (2) enact laws, rules, or regulations to further the health or safety of a woman seeking to terminate a pregnancy. Defines undue burden to mean any burden that places a substantial obstacle in the path of a woman seeking to terminate a pregnancy before fetal viability. Specifies that the Article does not affect laws regarding conscience protection.

Appropriates \$500,000 for 2023-24 from the General Fund to the Department of Health and Human Services to fund public education efforts about birth control and pregnancy prevention. Effective July 1, 2023.

**Intro. by Blue, Batch, Hunt.**

**APPROP, GS 90**

[View summary](#)

**Government, Budget/Appropriations, State Agencies,  
Department of Health and Human Services, Health and  
Human Services, Health, Health Care Facilities and Providers**

S 20 (2023-2024) **SAFE SURRENDER INFANTS/SAFE SLEEP PROG. FUNDS**. Filed Jan 25 2023, *AN ACT TO REVISE THE LAWS PERTAINING TO THE SAFE SURRENDER OF INFANTS UNDER THE ABUSE, NEGLECT, AND DEPENDENCY LAWS, TO MAKE CONFORMING STATUTORY CHANGES, AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO EXPAND THE SAFE SLEEP NORTH CAROLINA CAMPAIGN*.

Enacts Article 5A, Safe Surrender of Infants, to GS Chapter 7B. States the Article's purpose and scope, limiting the scope exclusively to safely surrendered infants, defined to mean an infant reasonably believed to be under seven days of age and without signs of abuse or neglect who is voluntarily delivered to an individual pursuant to new Article 5A by the infant's parent who does not express an intent to return for the infant, as enacted in GS 7B-101. Explicitly excludes from the Article's scope surrendered infants not reasonably believed to be seven days old, infants that show signs of abuse or neglect, when there's reasonable belief that the surrendering individual was not the infant's parent, or when there was reason to believe the parent intended to return for the infant at the time of surrender.

Creates a duty for the following individuals to take temporary custody of an infant reasonably believed to be under seven days of age that is voluntarily delivered to the individual by the infant's parent who does not express an intent to return for the infant: a health care provider on duty or at a hospital or at a local or district health department or a nonprofit community center; a first responder; and a social services worker on duty or at a local department of social services. Does not require a court order. Details duties of the individual taking temporary custody of the surrendered infant, including immediately notifying the department of social services of the county. Allows the individual to inquire about personal information of the parents or the child so long as the individual discloses that the parent is not required to provide the information. Requires the individual to provide the surrendering parent information created by the Department of Health and Human Services (DHHS), Division of Social Services (DSS) regarding the surrender of infants and parental rights. Grants full immunity to individuals to whom an infant is surrendered, less conduct that constitutes gross negligence, wanton conduct, or intentional wrongdoing.

Details confidentiality requirements for the surrendering parent's identity. Requires the individual taking an infant into temporary custody to provide any personal information obtained about the infant or the infant's parents and the circumstances of surrender to the director of the department of social services (dss director), which may only be disclosed to local law enforcement to determine if the infant is a missing child, contact with the non-surrendering parent, or as ordered by a court. Identifies authorized disclosure of the information by the dss director, including to a health care provider, placement provider,

agencies involved in adoption placement, court, and guardian ad litem. Deems the confidentiality provisions do not apply if dss determines the juvenile is not a safely surrendered infant or is the victim of a crime.

Deems the dss director to have the surrendering parents' rights to legal and physical custody of the infant without obtaining a court order. Authorizes dss to apply ex parte after properly published notice for a district court order finding that the infant has been safely surrendered and confirming dss's custody for purposes of obtaining certified identifying documents of the child or benefits for the minor. Enumerates seven duties of the dss director, including verifying the infant's age and that there are no signs of abuse or neglect (with treatment as a juvenile who has been reported to be an abused, neglected, or dependent juvenile if the infant is found to be over seven days old or has signs of abuse or neglect); notifying law enforcement to investigate whether the infant is a missing child; contacting the non-surrendering parent if known; arrange genetic testing if there is uncertainty and a parent seeks custody; and initiate a termination of parental rights for the surrendering parent after 60 days of surrender if the surrendering parent has not sought custody and the infant has not been placed with the non-surrendering parent. Establishes three criteria for the infant to be placed with the non-surrendering parent. Provides for treating the juvenile as if reported of abuse, neglect or dependency if the known non-surrendering parent is suspected to have created such circumstances; bars the surrendering parent from being party to the dss assessment or a petition filed under GS 7B-302.

Sets extensive requirements for the dss director to publish notice in a qualified newspaper within 14 days from the date of surrender that an infant has been surrendered and taken into dss custody. Requires the notice to be published once a week for three successive weeks. Details content requirements. Requires the publisher to file an affidavit at the preliminary hearing for termination of parental rights for the safely surrendered infant, if commenced.

Provides for the surrendering parent's right to seek custody prior to the filing of a termination of parental rights petition; requires the dss director to treat such a request as a report of neglect and comply with the provisions of GS 7B-302. Specifies a surrendering parent can execute relinquishment of their parental rights for adoption. Provides for immunity under GS 14-322.3 for the surrendering parent. Directs DSS to create information about infant safe surrender and parental rights, which must be posted on its website and available for distribution to agencies where individuals who may receive surrendered infants are on duty, and other agencies upon request. Details required content. Directs DSS to create a printable and downloadable medical history form that is optional for surrendering parents, that includes instructions on completion and return.

Amends GS 7B-101 to exclude safely surrendered infants from the defined term *neglected juvenile*. Adds *non-surrendering parent* and *surrendering parent* to the defined terms.

Enacts GS 7B-1105.1 to establish parameters for a preliminary hearing regarding a safely surrendered infant. Requires a preliminary hearing within 10 days of filing of a petition to terminate parental rights of the surrendering or non-surrendering parent, or during the next term of court if no court is held in that county during that period. Provides for a closed hearing unless the surrendering parent appears and requests for the hearing to be open. Provides for the purpose of the hearing and the court's required inquiries of the dss director. Directs the court to determine whether any diligent efforts are required to identify or locate the surrendering parent, and specifies the required efforts of dss and required service. Provides for service of the non-surrendering parent. Requires the court to order service by publication and specify notice content, meeting enumerated requirements. Requires an affidavit of the publisher to be filed upon completion of the service by publication. Requires the court to issue the order within 30 days of the hearing unless additional time is needed for investigation. Specifies that no summons is required for a parent who is served by publication.

Amends GS 7B-1111 to exclude from the grounds warranting a court to terminate parental rights upon finding the parental rights of the parent has been terminated involuntarily with respect to another child of the parent, instances when the parent's parental rights were terminated as a result of the other child being a safely surrendered infant.

Makes conforming changes to GS 7B-401.1 (regarding when a parent cannot be a party to a abuse, neglect, dependency proceeding); GS 7B-500 (repealing existing law regarding taking temporary custody of a safely surrendered infant); GS 7B-501 (regarding duties for individuals taking a juvenile into temporary custody); GS 7B-1111 (regarding termination of parental rights); GS 14-322.3 (regarding abandonment of an infant); and GS 115C-47, GS 115C-218.75, GS 115C-548, GS 115C-556, and GS 115C-565 (regarding local boards of education, charter schools, and nonpublic schools' duty to ensure certain students annually receive information on lawfully abandoning an infant).

Effective October 1, 2023.

Appropriates \$250,000 in recurring funds from the General Fund to DHHS, Division of Public Health for each year of the 2023-24 fiscal biennium to fund expansion of the Safe Sleep North Carolina Campaign administered by the UNC

Collaborative for Maternal and Infant Health. Effective July 1, 2023.

**Intro. by Burgin, Corbin, Ford.**

[APPROP, GS 7B, GS 14, GS 115C](#)

[View summary](#)

[Courts/Judiciary, Civil, Civil Law, Juvenile Law, Abuse, Neglect and Dependency, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Government, Budget/Appropriations, Public Safety and Emergency Management, State Agencies, UNC System, Department of Health and Human Services, Health and Human Services, Health, Health Care Facilities and Providers, Social Services, Child Welfare](#)

## LOCAL/HOUSE BILLS

H 5 (2023-2024) [TOWN OF FUQUAY-VARINA DEANNEXATION](#). Filed Jan 25 2023, *AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FUQUAY-VARINA.*

Removes nine tracts, as described, from the corporate limits of the Town of Fuquay-Varina. Provides a savings clause for the validity of any liens of the City for outstanding ad valorem taxes or special assessments. Effective June 30, 2023. Deems property in the described territory as of January 1, 2023, no longer subject to municipal taxes for taxable years beginning on or after July 1, 2023.

**Intro. by Paré.**

[UNCODIFIED, Wake](#)

[View summary](#)

H 12 (2023-2024) [STANLY CTY AIRPORT AUTHORITY/MEMBERS & AMP LEASES](#). Filed Jan 25 2023, *AN ACT INCREASING THE NUMBER OF MEMBERS OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO MAY SERVE AS MEMBERS OF THE STANLY COUNTY AIRPORT AUTHORITY AND AUTHORIZING THE AIRPORT AUTHORITY TO ENTER INTO LEASES AND CONTRACTS FOR TERMS NOT TO EXCEED THIRTY YEARS.*

Amends SL 1971-419, as amended, increasing the membership of the Stanly County Airport Authority (Authority) to seven total members, now including one additional member appointed by the Stanly County Board of Commissioners (Board) and one additional member currently serving as a county commissioner. Establishes staggered terms for appointees. Replaces previous oath requirements to instead require oaths of office to be administered pursuant to state law. Eliminates the Board's authority to appoint an additional commissioner to serve as a voting alternate to the sole commissioner previously appointed. Revises the powers and duties of the Authority to now authorize the Authority to lease property or facilities, or contract for airport operations or activities, for terms of up to 30 years (was, 25 years) within the parameters of existing law.

**Intro. by Sasser.**

[Stanly](#)

[View summary](#)

[Transportation](#)

## LOCAL/SENATE BILLS

S5 (2023-2024) [35TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 35TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Johnson.**

[Cabarrus, Union](#)

[View summary](#)

S6 (2023-2024) [25TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 25TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Galey.**

[Alamance, Randolph](#)

[View summary](#)

S7 (2023-2024) [16TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 16TH SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Adcock.**

[Wake](#)

[View summary](#)

S8 (2023-2024) [2ND SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 2ND SENATORIAL DISTRICT.*

Blank bill.

**Intro. by Perry.**

[Beaufort, Craven, Lenoir](#)

[View summary](#)

S 9 (2023-2024) [APEX TOWN COUNCIL TO APPOINT TOWN CLERK](#). Filed Jan 25 2023, *AN ACT TO AMEND THE CHARTER OF THE TOWN OF APEX TO ALLOW THE TOWN COUNCIL TO APPOINT THE TOWN CLERK.*

Amends Section 4.4 of the Charter of the Town of Apex, set out in SL 1985-356, as amended. Requires the town council to appoint a town clerk to keep a journal of town council proceedings, maintain records of the town, and perform other duties as the council directs (previously, provided for the town manager to appoint a town clerk to keep the journal of board of commissioner proceedings, maintain records of the town, and perform other duties as the town manager directs).

**Intro. by Adcock, Batch.**

[Wake](#)

[View summary](#)

[Government](#)

S10 (2023-2024) [29TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 29TH SENATORIAL DISTRICT*.

Blank bill.

**Intro. by Craven.**

[Anson, Montgomery, Randolph, Richmond, Union](#)

[View summary](#)

S11 (2023-2024) [10TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 10TH SENATORIAL DISTRICT*.

Blank bill.

**Intro. by Sawrey.**

[Johnston](#)

[View summary](#)

S13 (2023-2024) [43RD SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 43RD SENATORIAL DISTRICT*.

Blank bill.

**Intro. by Overcash.**

[Gaston](#)

[View summary](#)

S14 (2023-2024) [49TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 49TH SENATORIAL DISTRICT*.

Blank bill.

**Intro. by Mayfield.**

[Buncombe](#)

[View summary](#)

S17 (2023-2024) [33RD SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Jan 25 2023, *AN ACT RELATING TO THE 33RD SENATORIAL DISTRICT*.

Blank bill.

**Intro. by Ford.**

[Rowan, Stanly](#)

[View summary](#)

S18 (2023-2024) [STANLY CTY AIRPORT AUTHORITY/MEMBERS & AMP LEASES](#). Filed Jan 25 2023, *AN ACT INCREASING THE NUMBER OF MEMBERS OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO MAY SERVE AS MEMBERS OF THE*



*STANLY COUNTY AIRPORT AUTHORITY AND AUTHORIZING THE AIRPORT AUTHORITY TO ENTER INTO LEASES AND CONTRACTS FOR TERMS NOT TO EXCEED THIRTY YEARS.*

Identical to [H12](#), filed 1/25/23.

Amends SL 1971-419, as amended, increasing the membership of the Stanly County Airport Authority (Authority) to seven total members, now including one additional member appointed by the Stanly County Board of Commissioners (Board) and one additional member currently serving as a county commissioner. Establishes staggered terms for appointees. Replaces previous oath requirements to instead require oaths of office to be administered pursuant to state law. Eliminates the Board's authority to appoint an additional commissioner to serve as a voting alternate to the sole commissioner previously appointed. Revises the powers and duties of the Authority to now authorize the Authority to lease property or facilities, or contract for airport operations or activities, for terms of up to 30 years (was, 25 years) within the parameters of existing law.

**Intro. by Ford.**

[Stanly](#)

[View summary](#)

[Government, Transportation](#)

## ACTIONS ON BILLS

### PUBLIC BILLS

**H 2: EXTEND DEADLINE FOR EXPENDITURE OF FUNDS.**

*House: Filed*

**H 3: UNC REPORT ON COMPUTER SCIENCE CREDIT.**

*House: Filed*

**H 4: INCREASING ENGAGEMENT IN STEM GRANT PROGRAM.**

*House: Filed*

**H 6: UNIFORMED HEROES VOTING ACT.**

*House: Filed*

**H 7: STANLY COMM. COLL. SAFETY FUNDS.**

*House: Filed*

**H 8: COMPUTER SCI. GRAD. REQUIREMENT.**

*House: Filed*

**H 9: FAIR MAPS ACT.**

*House: Filed*

**H 10: REQUIRE SHERIFFS TO COOPERATE WITH ICE.**

*House: Filed*

**H 11: SCHOOLS FOR THE DEAF AND BLIND.**

*House: Filed*

**H 13: REEVALUATE COUNTY TIER SYSTEM.**

*House: Filed*

**H 14: BACK THE BLUE ACT OF 2023.***House: Filed***H 15: STUDY ON ELIMINATING THE GROCERY TAX.***House: Filed***H 16: AMEND HOUSE TEMP. RULES - COMMITTEE LIST.***House: Rules Suspended**House: Filed**House: Passed 1st Reading**House: Added to Calendar**House: Adopted***H 17: ELECT THE SBE/SPI AS SBE CHAIR.***House: Filed***H 18: ELK CONSERVATION PERMIT AUCTION/RAFFLE.***House: Filed***H 19: CODIFY ROE AND CASEY PROTECTIONS.***House: Filed***H 20: CASH COMMITMENT ACT.***House: Filed***H 21: ENERGY SECURITY ACT OF 2023.***House: Filed***S 3: NC COMPASSIONATE CARE ACT.***Senate: Filed***S 4: ELIMINATE TAX ON GOV'T RETIREES.***Senate: Filed***S 12: CODIFY ROE AND CASEY PROTECTIONS.***Senate: Filed***S 15: HANDS FREE NC.***Senate: Filed***S 16: PRESERVING COMPETITION IN HEALTH CARE ACT.-AB***Senate: Filed***S 19: CODIFY ROE AND CASEY PROTECTIONS.***Senate: Filed***S 20: SAFE SURRENDER INFANTS/SAFE SLEEP PROG. FUNDS.***Senate: Filed***LOCAL BILLS****H 5: TOWN OF FUQUAY-VARINA DEANNEXATION.***House: Filed***H 12: STANLY CTY AIRPORT AUTHORITY/MEMBERS & AMP LEASES.**

*House: Filed*

**S 5: 35TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 6: 25TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 7: 16TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 8: 2ND SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 9: APEX TOWN COUNCIL TO APPOINT TOWN CLERK.**

*Senate: Filed*

**S 10: 29TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 11: 10TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 13: 43RD SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 14: 49TH SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 17: 33RD SENATORIAL DISTRICT LOCAL ACT-1.**

*Senate: Filed*

**S 18: STANLY CTY AIRPORT AUTHORITY/MEMBERS & AMP LEASES.**

*Senate: Filed*

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