



The Daily Bulletin: 2023-03-27

PUBLIC/HOUSE BILLS

H 481 (2023-2024) **MODERNIZE DEBT SETTLEMENT PROHIBITION**. Filed Mar 27 2023, *AN ACT TO MODERNIZE AND EXPAND THE PROHIBITION OF DEBT SETTLEMENT BY MAKING DEBT SETTLEMENT AN UNFAIR TRADE PRACTICE, CLARIFYING THE DEFINITION OF DEBT SETTLEMENT, EXPANDING CIVIL REMEDIES AVAILABLE TO DEBTORS, AND LIMITING DEBT SETTLEMENT ACTS THAT ARE AUTHORIZED AND TO MAKE OTHER ADMINISTRATIVE AND TECHNICAL CHANGES.*

Recodifies Article 56 of GS Chapter 14 as Article 7 of GS Chapter 75, now titled Adjusting and Debt Settlement Prohibited (was, Debt Adjusting). Makes the following changes to the Article.

Modifies and adds to the Article's defined terms. Defines debt adjusting as entering into or making a contract with a debtor whereby the debtor agrees to pay a certain amount of money periodically to the person engaged in the debt adjusting business and that person, for consideration, agrees to distribute or distributes the money among one or more creditors pursuant to an agreed upon plan. Modifies the definition used for debt adjusting to no longer include the business or practice of holding oneself out as acting or offering or attempting to act for consideration as an intermediary between debtor and creditors to settle, compound, or alter payment terms of a debtor, and receiving money or other property for payment to or distribution among the debtor's creditors. Adds the defined term debt settlement, defined to mean the business whereby any person holds themselves out as acting for consideration as an intermediary between a debtor and one or more of the debtor's creditors for the purpose of reducing, settling, or altering the terms of the payment of any debt of the debtor (previously, included in the definition of debt adjusting; eliminates further specifications previously provided). Amends the definition of person to include "other entity." Eliminates the defined terms debt adjuster and nominal consideration. Adds the defined term affiliate.

Adds a new provision to expressly prohibit any person, directly or through affiliates, from engaging in, offering to engage in, or attempting to engage in debt adjusting or debt settlement. Modifies the existing language concerning criminal punishment for a violation of the Article to include debt settlement, thereby making both debt adjusting and debt settlement a Class 2 misdemeanor. Additionally, expands the provisions regarding enjoining actions brought under the Article, to include debt settlement, and allow a superior court judge to enjoin the continuation or offering of any debt adjusting or debt settlement business or services as an unfair trade practice. Adds that the authorized actions and remedies are in addition to other remedies available under GS Chapter 75.

Makes clarifying changes to the provisions providing for authorized acts under the Article and modifies the language to reflect the Article's defined terms, as amended. More specifically includes as an authorized act a licensed attorney acting within the attorney-client relationship with the debtor who has entered into any arrangement with a person engaged in, directly or through affiliates, in debt adjusting or debt settlement, excluding services provided to a debtor by an attorney or in the name of an attorney. Adds to the conditions for credit counseling, education and debt management by an organization to qualify as an authorized act to now require that the organization charges no fee or a fee to cover debt management plan administration that is no more than \$40 for origination or setup and 10% of the monthly payment disbursed under the plan, which is no more than \$40. Eliminates the previously authorized act of intermittent or casual adjustment of a debtor's debt for compensation for an individual or person who is not a debt adjuster, not engaged in or holding oneself out as being engaged in debt adjusting.

Deems contracts for debt adjusting or debt settlement void per se and deems any violation of the Article as an unfair trade practice under GS 75-1.1.

Applies to offenses committed on or after July 1, 2023.

Intro. by Howard, Setzer, Saine, Everitt.

GS 14, GS 75

[View summary](#)

Business and Commerce, Consumer Protection, Courts/Judiciary, Civil, Civil Law, Criminal Justice, Criminal

Law and Procedure

H 482 (2023-2024) **FUNDS FOR YADKINVILLE FD.** Filed Mar 27 2023, *AN ACT TO APPROPRIATE FUNDS FOR THE YADKINVILLE FIRE DEPARTMENT.*

Appropriates \$500,000 for 2023-24 from the General Fund to the Office of State Budget and Management for a directed grant to the Town of Yadkinville to support the needs of the Yadkinville Fire Department; prohibits using the funds for any other purpose. Effective July 1, 2023.

Intro. by Howard.

APPROP, Yadkin

[View summary](#)

Government, Budget/Appropriations, State Agencies, Office of State Budget and Management

H 483 (2023-2024) **AUTO SUBSIDY ELIGIBILITY/CHILDCARE TCHR/PILOT.** Filed Mar 27 2023, *AN ACT APPROPRIATING FUNDS TO ESTABLISH A PILOT PROGRAM THAT WOULD ALLOW A CHILD CARE TEACHER EMPLOYED FULL TIME BY A LICENSED CHILD CARE PROGRAM IN THE STATE TO BE DEEMED AUTOMATICALLY ELIGIBLE FOR CHILD CARE SUBSIDY FOR THE TEACHER'S PRESCHOOL-AGE CHILDREN.*

Appropriates \$10 million for each year of the 2023-25 fiscal biennium from the General Fund to the Department of Health and Human Services, Division of Child Development and Early Education (Division), for a pilot program that gives automatic eligibility for child care subsidies for the preschool-age children (8 weeks to 5 years old) of all full-time (defined as a minimum of 35 hours per week) child care teachers employed by a licensed child care program in this State. Requires the teacher to have completed, be in the process of completing, or enroll at the first available semester in an Introduction to Early Childhood class at any NC local community college in this State. Requires a child care teacher who does not have an Early Childhood Education Infant/Toddler Certificate or Child Development Certificate to commit to remaining in college and completing either certificate within 18 months. Requires classes taken under this act to be free to the teacher, paid for by the T.E.A.C.H. Early Childhood North Carolina Scholarship Program.

Requires the pilot to be implemented within 120 days from when the act becomes effective. Requires the Division to select counties from across the State to participate, with a focus on counties with the highest percentage of child care capacity lost during the past 10 years. Sets out guidance for determining the amount of the subsidy. Prohibits child care centers from charging copayments or any other fees in addition to the subsidy amount. Requires county agencies to use existing child care subsidy funding before applying for additional funding.

Requires the Division to submit an initial report to the specified NCGA committee and division by March 31, 2024, and quarterly reports thereafter. Specifies the content of the reports.

Effective July 1, 2023.

Intro. by Willis, K. Baker, Bradford, Loftis.

STUDY

[View summary](#)

Education, Preschool, Government, State Agencies, Department of Health and Human Services

H 484 (2023-2024) **MENTAL HEALTH CONFIDENTIAL INFO. DISCLOSURE.** Filed Mar 27 2023, *AN ACT TO MODIFY THE LAW PERTAINING TO THE RELEASE OF CONFIDENTIAL INFORMATION BY MENTAL HEALTH PROVIDERS TO CONFORM TO FEDERAL REGULATIONS.*

Amends GS 122C-53(a) (pertaining to when a mental health facility must disclose mental health records when it has client consent) as follows. Requires that the contents of the client's or their legal representative's revocable written consent for

release of mental health information conform to the core elements for authorizations set forth in the federal Privacy Rule (45 CFR 164, Part E) (currently, no reference to federal law; removes the requirements that the release be to a specified person and valid for a specified period). Requires the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services of the Department of Health and Human Services (Division) to adopt temporary rules to implement the act. Specifies that the temporary rules remain in place in until permanent rules are adopted and become effective.

Effective October 1, 2023, and applies to releases of information consented to on or after that date.

Intro. by Blackwell, Sasser, K. Baker, Crutchfield.

[GS 122C](#)

[View summary](#)

[Government, State Agencies, Department of Health and Human Services, Health and Human Services, Mental Health](#)

H 485 (2023-2024) [PROVISIONAL BALLOT/SAME-DAY REGISTRATION](#). Filed Mar 27 2023, *AN ACT TO REQUIRE THAT CERTAIN INDIVIDUALS SEEKING TO REGISTER AND VOTE ON THE SAME DAY MUST VOTE A PROVISIONAL BALLOT.*

Amends Article 7A of GS Chapter 163 (pertaining to registration of voters) by enacting new GS 163-82.6B. Requires voting by provisional ballot for individuals who register to vote and who then vote at a one-stop voting site in the voter's county of residence that same day under the procedures set forth in GS 163-227.2. Applies to individuals seeking same-day registration on or after the date the act becomes law.

Intro. by Davis, Mills, Warren, Blackwell.

[GS 163](#)

[View summary](#)

[Government, Elections](#)

H 486 (2023-2024) [ADVOCACY FOR LONG-TERM CARE RESIDENTS/FUNDS](#). Filed Mar 27 2023, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF AGING AND ADULT SERVICES, TO ENHANCE PROTECTIONS FOR RESIDENTS OF LONG-TERM CARE FACILITIES BY MOVING THE STATE'S LONG-TERM CARE OMBUDSMAN PROGRAM TOWARD NATIONAL STANDARDS.*

Contains whereas clauses. Appropriates \$950,000 from the General Fund to the Department of Health and Human Services, Division of Aging and Adult Services (Division) in recurring funds for the 2023-24 fiscal year and \$982,000 in recurring funds for the 2024-25 fiscal year. Specifies that the funds are to create ten full-time equivalent ombudsman positions within the Division's Office of State Long-Term Care Ombudsman. Effective July 1, 2023.

Intro. by Ball, White, Potts, Majeed.

[APPROP](#)

[View summary](#)

[Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Social Services, Adult Services](#)

H 487 (2023-2024) [POW/MIA FLAGS/STATE BLDGS & AMP SCHOOLS](#). Filed Mar 27 2023, *AN ACT REQUIRING POW/MIA FLAGS TO BE FLOWN AT STATE-OWNED BUILDINGS AND PUBLIC SCHOOLS IF THE FLAG CAN BE ATTACHED TO AN EXISTING FLAGPOLE.*

Enacts new GS 144-10 requiring the "Prisoner of War/Missing in Action (POW/MIA)" flag to be displayed and flown over all State-owned buildings and at all public school buildings whenever the US flag is displayed if the POW/MIA flag can be attached to an existing flagpole. Sets out requirements for the flag and its display. Requires the flags to be purchased for State-owned buildings in the same manner as the State flag. Allows local boards of education to accept donations of the flag or purchase of flags with available funds.

Intro. by Goodwin, Wray, Lowery, Pierce.

[GS 144](#)

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Government, State Property**

H 488 (2023-2024) [CODE COUNCIL REORG. AND VAR. CODE AMEND.](#) Filed Mar 27 2023, *AN ACT TO REORGANIZE THE BUILDING CODE COUNCIL AND CREATE THE RESIDENTIAL CODE COUNCIL AND TO AMEND VARIOUS PROVISIONS OF THE NORTH CAROLINA STATE BUILDING CODE AND LAND DEVELOPMENT REGULATIONS.*

Section 1

Amends Article 9, concerning the Building Code Council and Building Code, in GS Chapter 143, as follows.

Repeals GS 143-136(c), which created a Residential Code for One- and Two-Family Dwellings Committee within the Building Code Council and set out the Committee's duties.

Enacts new GS 143-136.1 creating the 13-member Residential Code Council, consisting of the specified members appointed by the NCGA, upon recommendation of the Speaker of the House or President Pro Tempore, and Governor. Requires the Residential Code Council to review and consider any proposal for revision or amendment to the North Carolina Residential Code, including applicable provisions from other specified codes applicable to residential construction. Requires the Residential Code Council to also consider any appeal or interpretation arising under GS 143-141 (now concerning appeals to the Building Code Council and Residential Code Council) pertaining to the North Carolina Residential Code and make disposition of the appeal or issue an interpretation. Sets out staggered membership terms, with appointments for six terms following the specified initial appointments. Sets out provisions governing the filling of vacancies and member compensation.

Enacts new GS 143-137.1 setting out requirements for meetings of the Residential Code Council, for the adoption of rules at its first meeting, committees, staffing, and fiscal affairs. Sets out requirements for a quorum and prohibits voting by proxy.

Amends GS 143-136 by setting the scope of the Building Code Committee of the Building Code Council as all structures except for those subject to the North Carolina Residential Building Code (was, except those subject to the North Carolina State Building Code: Residential Code for One- and Two-Family Dwellings). Makes additional clarifying changes. Replaces references to the "North Carolina State Building Code: Residential Code for One- and Two-Family Dwellings" with "North Carolina Residential Building Code" throughout the Article.

Amends GS 143-138 to also give the Residential Code Council, in addition to the Building Code Council, authority to prepare and adopt a North Carolina State Building Code. Makes conforming changes throughout the statute and Article to give the Residential Code Council authority parallel to that given to the Building Code Council. Requires at least one public hearing before the adoption of any volume of the Code (was, before the adoption of the Code), or any part of the Code. Makes the adoption of any volume or any part of the North Carolina State Building Code a rule that must be adopted under Article 2A (Rules) of GS Chapter 150B (Administrative Procedure Act). Specifies that for Article 9, "North Carolina State Building Code" or "Code" refers to all Code volumes prepared and adopted by the Building Code Council or Residential Code Council, including the 10 specified Code volumes, including the North Carolina Building Code, North Carolina Energy Conservation Code, North Carolina Energy Conservation Code, and North Carolina Residential Code. Makes changes throughout the statute and Article to specify which duties lie with the Building Code Council or Residential Code Council. Requires the Residential Code Council to revise or amend the North Carolina Residential Code, including provisions applicable to dwellings covered by the North Carolina Residential Code, from the North Carolina Energy Conservation Code, North Carolina Electrical Code, North Carolina Fuel Gas Code, North Carolina Plumbing Code, and North Carolina Mechanical Code every six years; requires the first six-year revision to be effective January 1, 2031. Refers to the "North Carolina Fire Code" instead of the "NC State Building Code (Fire Prevention)" or "North Carolina Fire Prevention Code." Refers to the "Energy Conservation Code" instead of the "Energy Code" or "Energy Efficiency Code." Makes additional clarifying and technical changes.

Amends GS 143-139 by also giving the Residential Code Council power to adopt procedural requirements in the North Carolina State Building Code.

Amends GS 143-140.1 by requiring the Residential Code Council by January 1, 2026, to promulgate rules, procedures, and policies for the approval of alternative designs and construction that follow the North Carolina State Building Code.

Amends GS 143-142 to require the responsible Code Council to not only make a thorough, but also continuing, study of the State's building laws. Clarifies that the Councils are to, from time to time, recommend statutory changes to the NCGA.

Amends GS 143-138.1, GS 143-139.1, GS 143-139.2, GS 143-140, GS 143-141, and GS 143-143.3 by making conforming changes to account for including of the Residential Code Council. Makes additional clarifying changes. Makes a clarifying change to GS 143-143.2. Makes conforming changes to GS 160D-702, GS 160D-804, GS 160D-1104, GS 160D-1106, GS 160D-1109, and GS 160D-1110 by removing or updating references to the North Carolina Code for One- and Two-Family Dwellings.

Effective January 1, 2025.

Section 2

Amends GS 143-138(b5) (permit exclusions for certain minor activities in residential buildings under the State Building Code [Code]), GS 143-183(b21) (same exclusions pertaining to commercial buildings), and GS 160D-1110(c) (pertaining to building code enforcement by local governments) to raise the value of the project performed under the Code from \$20,000 to \$40,000 before a permit is required. Makes conforming changes to refer to the "North Carolina Fire Code" instead of the "North Carolina Fire Prevention Code." Amends GS 160D-1110(d) to enact new subsection preventing local governments from requiring more than one building permit for simultaneous projects at the time of the application located at the same address and subject to the State Residential Code (Residential Code). Effective October 1, 2023, and applies to permit applications for construction, installation, repair, replacement, remodeling, renovation, or alteration projects submitted on or after that date.

Section 3

Enacts new GS 160D-804, subsection (j), pertaining to local government regulations of private roadway pavement design standards for subdivisions. Specifies that GS 160D-804(j) only applies to construction of new privately owned roads, driveways, parking lots, and driving areas associated with parking lots, or streets within a new development or subdivision that the developer designates as private and that are intended to remain privately owned after construction. Prohibits local governments from adopting roadway pavement design standards for new roadway construction that are more stringent than the minimum roadway pavement design standards adopted by the State Department of Transportation (DOT). Requires local governments to accept engineered pavement design standards that do not meet minimum standards required by DOT if the proposed design standard is signed and sealed by a professional engineer duly licensed under GS Chapter 89C and meets vehicular traffic and fire apparatus access requirements. If a roadway is constructed to pavement design standards that do not meet minimum standards required by a regulation adopted by the local government, the developer must include disclosures to prospective buyers as outlined in GS 136-102.6(f) (pertaining to subdivision street disclosures) before entering into any agreement or any conveyance with any prospective buyer. Shields local government from liability (both statutory and common law) from any claim arising out of, or attributed to, the plan review or acceptance of signed and sealed pavement design standards submitted pursuant to GS 160D-804(j). Clarifies that the new subsection should not be interpreted to limit the authority of local governments or DOT to regulate private roads, driveways, or street connections to a public system, or to regulate transportation and utilities, pursuant to GS 160D-804(c), or as otherwise authorized by law. Applies to permit applications submitted on or after October 1, 2023.

Section 4

Amends GS 143-138 (Code) and GS 160D-1104 (Code enforcement by local governments) to prevent a local government from adopting or enforcing a local ordinance, resolution, or any other policy that requires or the Code from requiring routine exterior sheathing inspections for structures or dwellings covered by the Code or Residential Code.

Section 5

Defines Appendix B as the Appendix B Building Code Summary for All Commercial Projects (Except 1 and 2-Family Dwellings and Townhouses) within the North Carolina State Building Code: Administrative Code and Policies. For purposes of this section, "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. Sets forth other definitions. Prohibits a local government from requiring a permit applicant to complete Appendix B with a set of plans submitted for review, notwithstanding the current Appendix B rules. Requires the Council to adopt rules to

amend the current Appendix B rules and to have Appendix B be consistent with the act. Specifies that the rules adopted by the Council must be substantively identical to the language barring local governments from requiring an applicant to complete Appendix B, set forth above. Exempts the Council's rules under the act from review by the Rules Review Commission set forth under the Administrative Procedures Act. Specifies that the rules will become effective on the earlier of the thirty-first legislative day or the day of adjournment of the next regular session of the General Assembly that begins at least 25 days after the date the Commission approves the rules. Specifies that this section sunsets once the Council's rules become effective.

Section 6

Defines *R402 Rules* as provisions and tables within Section 402, Building Thermal Envelope, North Carolina – Residential Provisions, of the North Carolina Energy Conversation Code. For purposes of this section, "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. Sets forth other definitions. Requires the Council to amend the R402 Rules to include, as an optional alternative to residential ceiling insulation minimums, minimum insulation requirements for the use of air-impermeable insulation in unvented attic and unvented enclosed rafter assemblies. Sets forth requirements related to air-impermeable alternatives to R-38 insulation in the ceilings. Specifies that this section sunsets once the Council's rules become effective.

Section 7

For purposes of this section, "Council" is defined as the Building Code Council. Prohibits the Council from adopting rules to amend the following parts of the Code's Residential Code for One- and Two-Family Dwellings: Part V (Mechanical) and Part VI (Fuel Gas). Effective when the section becomes law and applies retroactively to March 1, 2023. Sunsets this section on the effective date of the 2024 version of the Code's Residential Code for One- and Two-Family dwellings, as adopted by the Council and approved by the Rules Review Commission.

Section 8

Adopts the following definitions to be used in the section. "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. "Code" means the current North Carolina State Building Code collection and amendments to the Code, as adopted by the Council.

Notwithstanding the Code, prevents the Council from: (1) adopting rules to amend the Code's Residential Code for One- and Two-Family dwellings' Part IV – Energy Conservation (Chapter 11) or (2) preparing and adopting a new code provision, or any part of the Code, that relates to energy conservation or efficiency of buildings, dwellings, and structures to which the North Carolina State Residential Code applies. Effective when the section becomes law and applies retroactively to March 1, 2023. Sunsets this section on January 1, 2031.

Section 9

Adopts the following definitions to be used in the section. "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. "Code" means the current North Carolina State Building Code collection and amendments to the Code, as adopted by the Council. Requires the Council to adopt rules to amend the North Carolina Residential Code to include three-family (triplex) and four-family (quadplex) dwellings within its scope by modifying, transitioning, and establishing minimum prescriptive requirements to address the design and construction of those dwellings and make conforming changes to the Code in accordance with the act. Specifies that in amending rules pursuant to this subsection, the Council cannot require greater than a 2-hour fire resistance rating for triplex and quadplex wall, floor, and ceiling separation assemblies or require automatic fire sprinkler systems within the North Carolina Residential Code. Sunsets when the permanent rules adopted by the Council become effective.

Section 10

Amends GS 113A-60(a) (pertaining to local erosion and sedimentation control programs) as follows. Allows the applicant to choose between paying a fee that is either (1) calculated on the basis of the number of acres disturbed or (2) a fee limit of no more than \$100 per lot developed on a lot that is less than one acre, including a lot that is part of a common plan of development, if applicable. (Currently, the fee is calculated on the basis of either the number of acres disturbed or in the case of a single-family lot in a residential development or common plan of development that is less than one acre, set at no more than \$100 per lot developed, with no mention of applicant choice.)

Section 11

Requires the Department of Environmental Quality (DEQ) to develop a plan, by September 1, 2023, for submission to US EPA that eliminates any program redundancies between the State's Sedimentation Pollution Control Act of 1973 (Act), and its implementation of requirements for stormwater discharges from construction activities set forth under the 2022 Clean Water Act National Pollution Discharge Elimination System (NPDES) general permit for stormwater discharges from construction activities (Construction Permit), 87 Federal Register 3522, through NPDES General Permit NCG010000 (NCG01). Requires the plan to include measures to streamline permitting requirements to ensure persons conducting land-disturbing activity are required to apply for one permit addressing all federal, State, and local requirements, and, if applicable, that permit may be issued by a local government with delegated authority to operate a local program in order to eliminate (1) unnecessary costs to, and duplication of efforts by, persons initiating land-disturbing activities; (2) unnecessary delays in project development; and (3) inefficient use of DEQ personnel and staff of local governments that administer delegated erosion and sedimentation control programs. Requires DEQ to report to the Environmental Review Commission on the status of its activities pursuant to this section quarterly, beginning August 1, 2024, until such time as the NCGA repeals the reporting requirement.

Section 12

Amends GS 153A-284 to limit a county's power to require a developed property to connect to its sewer line to when when the county has adequate capacity to transport and treat the proposed new wastewater from the premises at the time of connection.

Section 13

Amends GS 160D-925 (pertaining to stormwater management) by deleting local government authorization to adopt a resolution that requires financial arrangements to ensure adequate funds are available for the maintenance and replacement costs of stormwater control projects. Instead, enacts GS 160D-925 (d1), which prevents a local government from adopting any regulation that requires an owner of a privately owned and maintained stormwater control project to make payments to the local government for the purpose of ensuring assets are available for maintenance, repair, replacement, and reconstruction costs of (1) the owner's stormwater control project or (2) other stormwater control projects within the local government's jurisdiction. Allows a local government to require an owner of a privately owned and maintained stormwater control project to establish and retain funds for maintenance, repair, replacement, and reconstruction costs for the owner's stormwater control project, which may not exceed 10% of the stormwater control project's original cost of construction and must be retained by the owner of the system.

If, prior to the effective date of GS 160-925(d1), a local government has required an owner of a privately owned and maintained stormwater control project to make payments to the local government for the purpose of ensuring assets are available for maintenance, repair, replacement, and reconstruction costs of the owner's stormwater control project or other stormwater control projects within the local government's jurisdiction, once the act becomes effective, requires the local government to make such funds accessible to the owner to cover necessary maintenance, repair, replacement, and reconstruction costs for the owner's stormwater control project. For stormwater control projects in residential communities, in the event maintenance, repair, replacement, or reconstruction of a project is needed, specifies that such funds must be exhausted before the local government may assess costs of the necessary work on individual homeowners within the community, or any applicable owner's association.

Section 14

Contains a severability clause.

Intro. by Brody, D. Hall, Cotham, Riddell.

[GS 113A](#), [GS 143](#), [GS 153A](#), [GS 160D](#)

[View summary](#)

[Development, Land Use and Housing, Building and Construction, Land Use, Planning and Zoning, Property and Housing, Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality \(formerly DENR\), Local Government, Public Enterprises and Utilities](#)

H 489 (2023-2024) [INCREASE DISABLED VETERAN PROP TAX BENEFIT](#). Filed Mar 27 2023, *AN ACT TO INCREASE THE DISABLED VETERAN PROPERTY TAX HOMESTEAD EXCLUSION*.

Amends GS 105-277.1C by increasing the appraised value of a residence than can be excluded from taxation under the disabled veteran property tax homestead exclusion, from the first \$45,000 to the first \$54,000 of appraised value. Effective for taxes imposed for taxable years beginning on or after July 1, 2023.

Intro. by Winslow, Cleveland, Goodwin, Chesser.

GS 105

[View summary](#)

[Government, Tax, Military and Veteran's Affairs](#)

H 490 (2023-2024) [TAX DEDUCTION FOR OVERTIME AND BONUS PAY](#). Filed Mar 27 2023, *AN ACT TO ALLOW AN INDIVIDUAL INCOME TAX DEDUCTION FOR OVERTIME PAY AND FOR BONUS PAY UP TO TWO THOUSAND FIVE HUNDRED DOLLARS*.

Amends GS 105-153.5(b) (pertaining to tax deductions for State individual income tax) to allow individuals to deduct (1) any income received as overtime compensation pursuant to sections 206 and 207, the minimum wage and maximum hours provisions, of the federal Fair Labor Standards Act and (2) bonus pay not to exceed \$2,500. Effective for taxable years beginning on or after January 1, 2023.

Intro. by Bell.

GS 105

[View summary](#)

[Employment and Retirement, Government, Tax](#)

PUBLIC/SENATE BILLS

S 41 (2023-2024) [GUARANTEE 2ND AMEND FREEDOM AND PROTECTIONS. \(NEW\)](#) Filed Jan 30 2023, *AN ACT TO AUTHORIZE CONCEALED CARRY PERMIT HOLDERS TO CARRY FIREARMS ON CERTAIN SCHOOL PROPERTY AT CERTAIN TIMES AND TO AUTHORIZE CONCEALED CARRY FOR CERTAIN LAW ENFORCEMENT FACILITY EMPLOYEES, TO REPEAL PISTOL PURCHASE PERMITS, AND TO LAUNCH A STATEWIDE FIREARM SAFE STORAGE AWARENESS INITIATIVE TO EDUCATE THE PUBLIC ABOUT THE IMPORTANCE OF THE SAFE STORAGE OF FIREARMS AND TO FACILITATE THE DISTRIBUTION OF GUN LOCKS*.

The Governor vetoed the act on March 24, 2023. The Governor's objections and veto message are available here: <https://webservices.ncleg.gov/ViewBillDocument/2023/2417/0/S41-BILL-NBC-10038>.

Intro. by Britt, Daniel, Perry.

GS 14, GS 122C

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Education, Elementary and Secondary Education, Government, Public Safety and Emergency Management, State Agencies, Department of Health and Human Services, Department of Public Safety, Health and Human Services, Health, Public Health](#)

S 370 (2023-2024) [MOBILE DRIVERS LICENSE](#). Filed Mar 27 2023, *AN ACT TO PROVIDE FOR MOBILE DRIVERS LICENSES*.

Amends GS 20-7 to allow for the issuance of a mobile drivers license when requested by an applicant for whom a valid license exists or is issued, to supplement the valid license and to be treated as the legal equivalent of a valid license.

Amends GS 20-4.01 to define a *mobile drivers license* as a supplemental digital version of a valid drivers license that is (1) approved by the Commissioner of Motor Vehicles; (2) issued by the Division of Motor Vehicles (DMV); (3) comprised of the same data elements as are found on a valid drivers license; and (4) capable of, and limited to, being linked to, and displayed by, a mobile device owned by the person to whom the valid drivers license is issued.

The above provisions are effective July 1, 2025.

Requires the DMV to study and make a plan for implementing mobile drivers licenses. Sets out nine issues that must be addressed, including anticipated changes to staffing needs for the Division for implementation of mobile drivers licenses, security and confidentiality of drivers license information and an estimated time line for implementation, including steps required to facilitate mobile drivers licenses. Requires a report to the NCGA and specified NCGA committee chairs and division by January 1, 2024.

Intro. by Johnson, Moffitt.

STUDY, GS 20

[View summary](#)

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

S 371 (2023-2024) **OPIOID OVERDOSE PREVENTION ACT**. Filed Mar 27 2023, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO PURCHASE OPIOID ANTAGONISTS FOR LOCAL HEALTH DEPARTMENTS TO DISTRIBUTE FREE OF CHARGE TO NORTH CAROLINA RESIDENTS.*

Appropriates \$15 million in recurring funds for 2023-24 and \$15 million in recurring funds for 2024-25 from the General Fund to the Department of Health and Human Services, Division of Public Health, to purchase opioid antagonists for local health departments for the purpose of reversing opioid-related drug overdoses and reducing the number of opioid-related deaths.

Requires the local health departments to then distribute opioid antagonists free of charge to North Carolina residents. Effective July 1, 2023.

Intro. by Batch, Garrett, Robinson.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Agencies, Department of Health and Human Services, Health and Human Services, Health, Public Health

S 372 (2023-2024) **COMMUNITY HEALTH CENTER GRANTS FOR LARCS**. Filed Mar 27 2023, *AN ACT APPROPRIATING FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, TO PROVIDE GRANTS TO NONPROFIT COMMUNITY HEALTH CENTERS FOR THE PURCHASE AND DISTRIBUTION OF LONG-ACTING REVERSIBLE CONTRACEPTIVES.*

Appropriates \$5 million from the General Fund to the Department of Health and Human Services, Division of Public Health for 2023-24 to be used to award grants to nonprofit community health centers for the purchase and provision of long-acting reversible contraceptives for underserved, uninsured, or medically indigent patients. Defines long-acting reversible contraceptives to mean a drug or device that meets four specified criteria, including that the design is a temporary method of birth control that can be discontinued and is an FDA approved contraceptive. Effective July 1, 2023.

Intro. by Batch, Garrett, Marcus.

APPROP

[View summary](#)

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

S 373 (2023-2024) [FELONY LIABILITY FOR OPERATING UNLICENSED ACH](#). Filed Mar 27 2023, *AN ACT MAKING THE OPERATION OF AN UNLICENSED ADULT CARE HOME A CLASS H FELONY THAT REQUIRES PAYMENT OF A ONE THOUSAND DOLLAR FINE FOR EACH OFFENSE*.

Amends GS 131D-2.6 by increasing the penalty for establishing, conducting, managing, or operating an adult care home without a license from a Class 3 misdemeanor to a Class H felony; also increases the applicable penalty to \$1,000 for each offense (was, no more than \$50 for the first offense and no more than \$500 for subsequent offenses). Applies to offenses committed on or after December 1, 2023.

Intro. by Batch, Grafstein.

[GS 131D](#)

[View summary](#)

[Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Social Services, Adult Services](#)

S 374 (2023-2024) [REGULATION OF ACCESSORY DWELLING UNITS](#). Filed Mar 27 2023, *AN ACT TO INCREASE AFFORDABLE HOUSING BY ALLOWING FOR THE CONSTRUCTION OR SITING OF ACCESSORY DWELLING UNITS*.

Identical to [H 409](#), filed 3/16/2023.

Enacts GS 160D-917 (pertaining to accessory dwelling units [ADU]) as follows. Defines ADU as an attached or detached residential structure that is used in connection with or that is accessory to a primary single-family dwelling and that has less total square footage than the primary single-family dwelling. Requires local governments to allow for the development of at least one ADU which conforms to the State Residential Code for One- and Two-Family Dwellings for each detached single-family dwelling in areas zoned for residential use that allow for development of detached single-family dwellings. Permits ADU's to be built or sited at any time before, concurrently, or after the primary dwelling unit has been constructed or sited. Clarifies that GS 160D-917 is not intended to restrict local governments from permitting ADU's in other areas not mentioned by the statute nor is it intended to impact covenants or other contractual agreements among property owners relating to dwelling type restrictions.

Specifies that development and permitting of ADU's are not subject to any of the following requirements; (1) owner-occupancy of any dwelling unit; (2) minimum parking requirements or other parking restrictions; (3) conditional use zoning. Bars local governments from doing any of the following in permitting ADU's: (1) barring the connection of the ADU to existing utilities serving the primary unit and (2) charging any fee other than a building permit that does not exceed the amount charged for a single-family dwelling unit similar in nature. Allows the local government to regulate the ADU's pursuant to GS Chapter 160D, except as provided under the new law, so long as the regulations do not act to discourage development or siting of ADU's through unreasonable costs or delay. Authorizes local governments to impose setback minimums for ADU's, subject to certain specifications. Effective October 1, 2023.

Requires local governments to adopt land use ordinances and regulations or to amend them to implement new GS 160D-917 by no later than October 1, 2023.

Intro. by Moffitt, Mayfield.

[GS 160D](#)

[View summary](#)

[Development, Land Use and Housing, Land Use, Planning and Zoning, Property and Housing, Government, Local Government](#)

S 375 (2023-2024) [HEALTH CARE FREEDOM ACT](#). Filed Mar 27 2023, *AN ACT TO PROHIBIT A HEALTH CARE PROVIDER FROM REFUSING TO TREAT A PATIENT BASED ON VACCINATION STATUS*.

Enacts new GS 90-21.13A making it a Class 2 misdemeanor for a health care provider to refuse to give health care or professional services to an individual seeking health care treatment for an emergency medical condition (as defined under federal law) based on the individual's vaccination status at the time the treatment is requested or during the course of the treatment. Subjects violators to disciplinary action by the appropriate licensing agency. Allows an individual to commence a civil action for violations and entitles a prevailing plaintiff to damages (punitive and actual), injunctive and other court-approved relief, and reasonable attorneys' fees and costs. Effective October 1, 2023.

Intro. by Johnson.

GS 90

[View summary](#)

Courts/Judiciary, Criminal Justice, Criminal Law and Procedure, Health and Human Services, Health, Health Care Facilities and Providers

S 376 (2023-2024) **EXPANDING MEMBERS' ACCESS TO HOA RECORDS**. Filed Mar 27 2023, *AN ACT TO ALLOW MEMBERS OF HOMEOWNERS' ASSOCIATIONS TO REQUEST IN WRITING THE OPPORTUNITY TO REVIEW MANAGEMENT CONTRACTS BETWEEN COMMUNITY ASSOCIATIONS AND COMMUNITY ASSOCIATION MANAGERS*.

Amends GS 47C-3-118 (pertaining to the North Carolina Condominium Act) and GS 47F-3-118 (pertaining to the North Carolina Planned Community Act) by requiring the association, upon written request, to give a unit or lot owner, respectively (or the owner's authorized agents), the contract(s) between the *association* (as defined) and the *community association manger* (as defined) related to the management of the association. Requires providing either a physical copy of the contract or allowing review of the contract in person.

Intro. by Johnson.

GS 47C, GS 47F

[View summary](#)

Development, Land Use and Housing, Property and Housing

S 377 (2023-2024) **COMMUNITY COLLEGE SYSTEM SALARY INCREASES**. Filed Mar 27 2023, *AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY COLLEGE PERSONNEL FOR LEGISLATIVELY MANDATED SALARY INCREASES AND RECRUITMENT AND RETENTION*.

Appropriates \$129,304,522 in recurring funds from the General Fund to the Community Colleges System Office (CCSO) for 2023-24 fiscal year and \$258,609,104 in recurring funds for the 2024-25 fiscal year to provide legislatively mandated salary increases for community college personnel in the amount of 10% in the 2023-24 fiscal year and an additional 10% in the 2024-25 fiscal year. Requires the funds to be used, at the discretion of the community college, for merit pay, across-the-board increases, recruitment bonuses, retention increases, and any other compensation increase pursuant to policies adopted by the State Board of Community Colleges (Board). Requires the Board to report to the NCGA and the Fiscal Research Division on the use of the funds by no later than March 1, 2024.

Appropriates \$25 million in nonrecurring funds from the General Fund to the CCSO for the 2023-2024 fiscal year to be allocated to community colleges to be used for the recruitment and retention of employees working in six specified areas.

Effective July 1, 2023.

Intro. by Burgin, McInnis, Woodard.

APPROP

[View summary](#)

Government, Budget/Appropriations, State Agencies, Community Colleges System Office

S 378 (2023-2024) [CODE COUNCIL REORG. AND VAR. CODE AMEND.](#) Filed Mar 27 2023, *AN ACT TO REORGANIZE THE BUILDING CODE COUNCIL AND CREATE THE RESIDENTIAL CODE COUNCIL AND TO AMEND VARIOUS PROVISIONS OF THE NORTH CAROLINA STATE BUILDING CODE AND LAND DEVELOPMENT REGULATIONS.*

Identical to [H 488](#), filed 3/27/23.

Section 1

Amends Article 9, concerning the Building Code Council and Building Code, in GS Chapter 143, as follows.

Repeals GS 143-136(c), which created a Residential Code for One- and Two-Family Dwellings Committee within the Building Code Council and set out the Committee's duties.

Enacts new GS 143-136.1 creating the 13-member Residential Code Council, consisting of the specified members appointed by the NCGA, upon recommendation of the Speaker of the House or President Pro Tempore, and Governor. Requires the Residential Code Council to review and consider any proposal for revision or amendment to the North Carolina Residential Code, including applicable provisions from other specified codes applicable to residential construction. Requires the Residential Code Council to also consider any appeal or interpretation arising under GS 143-141 (now concerning appeals to the Building Code Council and Residential Code Council) pertaining to the North Carolina Residential Code and make disposition of the appeal or issue an interpretation. Sets out staggered membership terms, with appointments for six terms following the specified initial appointments. Sets out provisions governing the filling of vacancies and member compensation.

Enacts new GS 143-137.1 setting out requirements for meetings of the Residential Code Council, for the adoption of rules at its first meeting, committees, staffing, and fiscal affairs. Sets out requirements for a quorum and prohibits voting by proxy.

Amends GS 143-136 by setting the scope of the Building Code Committee of the Building Code Council as all structures except for those subject to the North Carolina Residential Building Code (was, except those subject to the North Carolina State Building Code: Residential Code for One- and Two-Family Dwellings). Makes additional clarifying changes. Replaces references to the "North Carolina State Building Code: Residential Code for One- and Two-Family Dwellings" with "North Carolina Residential Building Code" throughout the Article.

Amends GS 143-138 to also give the Residential Code Council, in addition to the Building Code Council, authority to prepare and adopt a North Carolina State Building Code. Makes conforming changes throughout the statute and Article to give the Residential Code Council authority parallel to that given to the Building Code Council. Requires at least one public hearing before the adoption of any volume of the Code (was, before the adoption of the Code), or any part of the Code. Makes the adoption of any volume or any part of the North Carolina State Building Code a rule that must be adopted under Article 2A (Rules) of GS Chapter 150B (Administrative Procedure Act). Specifies that for Article 9, "North Carolina State Building Code" or "Code" refers to all Code volumes prepared and adopted by the Building Code Council or Residential Code Council, including the 10 specified Code volumes, including the North Carolina Building Code, North Carolina Energy Conservation Code, North Carolina Energy Conservation Code, and North Carolina Residential Code. Makes changes throughout the statute and Article to specify which duties lie with the Building Code Council or Residential Code Council. Requires the Residential Code Council to revise or amend the North Carolina Residential Code, including provisions applicable to dwellings covered by the North Carolina Residential Code, from the North Carolina Energy Conservation Code, North Carolina Electrical Code, North Carolina Fuel Gas Code, North Carolina Plumbing Code, and North Carolina Mechanical Code every six years; requires the first six-year revision to be effective January 1, 2031. Refers to the "North Carolina Fire Code" instead of the "NC State Building Code (Fire Prevention)" or "North Carolina Fire Prevention Code." Refers to the "Energy Conservation Code" instead of the "Energy Code" or "Energy Efficiency Code." Makes additional clarifying and technical changes.

Amends GS 143-139 by also giving the Residential Code Council power to adopt procedural requirements in the North Carolina State Building Code.

Amends GS 143-140.1 by requiring the Residential Code Council by January 1, 2026, to promulgate rules, procedures, and policies for the approval of alternative designs and construction that follow the North Carolina State Building Code.

Amends GS 143-142 to require the responsible Code Council to not only make a thorough, but also continuing, study of the State's building laws. Clarifies that the Councils are to, from time to time, recommend statutory changes to the NCGA.

Amends GS 143-138.1, GS 143-139.1, GS 143-139.2, GS 143-140, GS 143-141, and GS 143-143.3 by making conforming changes to account for including of the Residential Code Council. Makes additional clarifying changes. Makes a clarifying

change to GS 143-143.2. Makes conforming changes to GS 160D-702, GS 160D-804, GS 160D-1104, GS 160D-1106, GS 160D-1109, and GS 160D-1110 by removing or updating references to the North Carolina Code for One- and Two-Family Dwellings.

Effective January 1, 2025.

Section 2

Amends GS 143-138(b5) (permit exclusions for certain minor activities in residential buildings under the State Building Code [Code]), GS 143-183(b21) (same exclusions pertaining to commercial buildings), and GS 160D-1110(c) (pertaining to building code enforcement by local governments) to raise the value of the project performed under the Code from \$20,000 to \$40,000 before a permit is required. Makes conforming changes to refer to the "North Carolina Fire Code" instead of the "North Carolina Fire Prevention Code." Amends GS 160D-1110(d) to enact new subsection preventing local governments from requiring more than one building permit for simultaneous projects at the time of the application located at the same address and subject to the State Residential Code (Residential Code). Effective October 1, 2023, and applies to permit applications for construction, installation, repair, replacement, remodeling, renovation, or alteration projects submitted on or after that date.

Section 3

Enacts new GS 160D-804, subsection (j), pertaining to local government regulations of private roadway pavement design standards for subdivisions. Specifies that GS 160D-804(j) only applies to construction of new privately owned roads, driveways, parking lots, and driving areas associated with parking lots, or streets within a new development or subdivision that the developer designates as private and that are intended to remain privately owned after construction. Prohibits local governments from adopting roadway pavement design standards for new roadway construction that are more stringent than the minimum roadway pavement design standards adopted by the State Department of Transportation (DOT). Requires local governments to accept engineered pavement design standards that do not meet minimum standards required by DOT if the proposed design standard is signed and sealed by a professional engineer duly licensed under GS Chapter 89C and meets vehicular traffic and fire apparatus access requirements. If a roadway is constructed to pavement design standards that do not meet minimum standards required by a regulation adopted by the local government, the developer must include disclosures to prospective buyers as outlined in GS 136-102.6(f) (pertaining to subdivision street disclosures) before entering into any agreement or any conveyance with any prospective buyer. Shields local government from liability (both statutory and common law) from any claim arising out of, or attributed to, the plan review or acceptance of signed and sealed pavement design standards submitted pursuant to GS 160D-804(j). Clarifies that the new subsection should not be interpreted to limit the authority of local governments or DOT to regulate private roads, driveways, or street connections to a public system, or to regulate transportation and utilities, pursuant to GS 160D-804(c), or as otherwise authorized by law. Applies to permit applications submitted on or after October 1, 2023.

Section 4

Amends GS 143-138 (Code) and GS 160D-1104 (Code enforcement by local governments) to prevent a local government from adopting or enforcing a local ordinance, resolution, or any other policy that requires or the Code from requiring routine exterior sheathing inspections for structures or dwellings covered by the Code or Residential Code.

Section 5

Defines Appendix B as the Appendix B Building Code Summary for All Commercial Projects (Except 1 and 2-Family Dwellings and Townhouses) within the North Carolina State Building Code: Administrative Code and Policies. For purposes of this section, "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. Sets forth other definitions. Prohibits a local government from requiring a permit applicant to complete Appendix B with a set of plans submitted for review, notwithstanding the current Appendix B rules. Requires the Council to adopt rules to amend the current Appendix B rules and to have Appendix B be consistent with the act. Specifies that the rules adopted by the Council must be substantively identical to the language barring local governments from requiring an applicant to complete Appendix B, set forth above. Exempts the Council's rules under the act from review by the Rules Review Commission set forth under the Administrative Procedures Act. Specifies that the rules will become effective on the earlier of the thirty-first legislative day or the day of adjournment of the next regular session of the General Assembly that begins at least 25 days after the date the Commission approves the rules. Specifies that this section sunsets once the Council's rules become effective.

Section 6

Defines R402 Rules as provisions and tables within Section 402, Building Thermal Envelope, North Carolina – Residential Provisions, of the North Carolina Energy Conversation Code. For purposes of this section, "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. Sets forth other definitions. Requires the Council to amend the R402 Rules to include, as an optional alternative to residential ceiling insulation minimums, minimum insulation requirements for the use of air-impermeable insulation in unvented attic and unvented enclosed rafter assemblies. Sets forth requirements related to air-impermeable alternatives to R-38 insulation in the ceilings. Specifies that this section sunsets once the Council's rules become effective.

Section 7

For purposes of this section, "Council" is defined as the Building Code Council. Prohibits the Council from adopting rules to amend the following parts of the Code's Residential Code for One- and Two-Family Dwellings: Part V (Mechanical) and Part VI (Fuel Gas). Effective when the section becomes law and applies retroactively to March 1, 2023. Sunsets this section on the effective date of the 2024 version of the Code's Residential Code for One- and Two-Family dwellings, as adopted by the Council and approved by the Rules Review Commission.

Section 8

Adopts the following definitions to be used in the section. "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. "Code" means the current North Carolina State Building Code collection and amendments to the Code, as adopted by the Council.

Notwithstanding the Code, prevents the Council from: (1) adopting rules to amend the Code's Residential Code for One- and Two-Family dwellings' Part IV – Energy Conservation (Chapter 11) or (2) preparing and adopting a new code provision, or any part of the Code, that relates to energy conservation or efficiency of buildings, dwellings, and structures to which the North Carolina State Residential Code applies. Effective when the section becomes law and applies retroactively to March 1, 2023. Sunsets this section on January 1, 2031.

Section 9

Adopts the following definitions to be used in the section. "Council" means the Building Code Council. On or after January 1, 2025, "Council" means the Residential Code Council. "Code" means the current North Carolina State Building Code collection and amendments to the Code, as adopted by the Council. Requires the Council to adopt rules to amend the North Carolina Residential Code to include three-family (triplex) and four-family (quadplex) dwellings within its scope by modifying, transitioning, and establishing minimum prescriptive requirements to address the design and construction of those dwellings and make conforming changes to the Code in accordance with the act. Specifies that in amending rules pursuant to this subsection, the Council cannot require greater than a 2-hour fire resistance rating for triplex and quadplex wall, floor, and ceiling separation assemblies or require automatic fire sprinkler systems within the North Carolina Residential Code. Sunsets when the permanent rules adopted by the Council become effective.

Section 10

Amends GS 113A-60(a) (pertaining to local erosion and sedimentation control programs) as follows. Allows the applicant to choose between paying a fee that is either (1) calculated on the basis of the number of acres disturbed or (2) a fee limit of no more than \$100 per lot developed on a lot that is less than one acre, including a lot that is part of a common plan of development, if applicable. (Currently, the fee is calculated on the basis of either the number of acres disturbed or in the case of a single-family lot in a residential development or common plan of development that is less than one acre, set at no more than \$100 per lot developed, with no mention of applicant choice.)

Section 11

Requires the Department of Environmental Quality (DEQ) to develop a plan, by September 1, 2023, for submission to US EPA that eliminates any program redundancies between the State's Sedimentation Pollution Control Act of 1973 (Act), and its implementation of requirements for stormwater discharges from construction activities set forth under the 2022 Clean Water Act National Pollution Discharge Elimination System (NPDES) general permit for stormwater discharges from construction activities (Construction Permit), 87 Federal Register 3522, through NPDES General Permit NCG010000 (NCG01). Requires the plan to include measures to streamline permitting requirements to ensure persons conducting land-disturbing activity are required to apply for one permit addressing all federal, State, and local requirements, and, if applicable, that permit may be

issued by a local government with delegated authority to operate a local program in order to eliminate (1) unnecessary costs to, and duplication of efforts by, persons initiating land-disturbing activities; (2) unnecessary delays in project development; and (3) inefficient use of DEQ personnel and staff of local governments that administer delegated erosion and sedimentation control programs. Requires DEQ to report to the Environmental Review Commission on the status of its activities pursuant to this section quarterly, beginning August 1, 2024, until such time as the NCGA repeals the reporting requirement.

Section 12

Amends GS 153A-284 to limit a county's power to require a developed property to connect to its sewer line to when when the county has adequate capacity to transport and treat the proposed new wastewater from the premises at the time of connection.

Section 13

Amends GS 160D-925 (pertaining to stormwater management) by deleting local government authorization to adopt a resolution that requires financial arrangements to ensure adequate funds are available for the maintenance and replacement costs of stormwater control projects. Instead, enacts GS 160D-925 (d1), which prevents a local government from adopting any regulation that requires an owner of a privately owned and maintained stormwater control project to make payments to the local government for the purpose of ensuring assets are available for maintenance, repair, replacement, and reconstruction costs of (1) the owner's stormwater control project or (2) other stormwater control projects within the local government's jurisdiction. Allows a local government to require an owner of a privately owned and maintained stormwater control project to establish and retain funds for maintenance, repair, replacement, and reconstruction costs for the owner's stormwater control project, which may not exceed 10% of the stormwater control project's original cost of construction and must be retained by the owner of the system.

If, prior to the effective date of GS 160-925(d1), a local government has required an owner of a privately owned and maintained stormwater control project to make payments to the local government for the purpose of ensuring assets are available for maintenance, repair, replacement, and reconstruction costs of the owner's stormwater control project or other stormwater control projects within the local government's jurisdiction, once the act becomes effective, requires the local government to make such funds accessible to the owner to cover necessary maintenance, repair, replacement, and reconstruction costs for the owner's stormwater control project. For stormwater control projects in residential communities, in the event maintenance, repair, replacement, or reconstruction of a project is needed, specifies that such funds must be exhausted before the local government may assess costs of the necessary work on individual homeowners within the community, or any applicable owner's association.

Section 14

Contains a severability clause.

Intro. by Jarvis, Moffitt, Perry.

GS 113A, GS 143, GS 153A, GS 160D

[View summary](#)

Development, Land Use and Housing, Building and Construction, Land Use, Planning and Zoning, Property and Housing, Environment, Environment/Natural Resources, Government, State Agencies, Department of Environmental Quality (formerly DENR), Local Government, Public Enterprises and Utilities

LOCAL/SENATE BILLS

S 379 (2023-2024) **ALLOW CHANGES/RESIDENT DISTRICTS/JOHNSTON CO.** Filed Mar 27 2023, *AN ACT TO ALLOW THE JOHNSTON COUNTY BOARD OF COMMISSIONERS TO REDISTRIBUTE THEIR RESIDENCY DISTRICTS.*

Amends GS 153A-22.1, as enacted by SL 1995-215, as amended (allowing certain County Boards of Commissioners [Board] to redefine the boundaries of the electoral residency districts in their county so long as the Board follows certain procedures) to

allow the Johnston County Board of Commissioners to avail itself of that same redistricting procedure. (Currently, law only applies to Henderson, Moore, and Wake counties.) Applies to elections held on or after the 2024 election cycle.

Intro. by Sawrey.

[Johnston, GS 153A](#)

[View summary](#)

[Government, Elections](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 10: REQUIRE SHERIFFS TO COOPERATE WITH ICE.

House: Withdrawn From Com

House: Placed On Cal For 03/28/2023

H 458: EMINENT DOMAIN.

House: Passed 1st Reading

House: Ref to the Com on Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

H 460: FUNDS FOR CHIN PAGE LIFT STATION.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Appropriations, if favorable, Rules, Calendar, and Operations of the House

H 461: PERSON COUNTY MEGASITE FUNDING.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Appropriations, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 463: NC FARMLAND AND MILITARY PROTECTION ACT.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

H 465: N.C. RES. ENLISTED MILITARY PAY TAX DEDUCTION.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Finance, if favorable, Rules, Calendar, and Operations of the House

H 466: ALLOW TEMPORARY DWELLINGS DURING CONSTRUCTION.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Local Government - Land Use, Planning and Development, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 467: LOBBYIST FAST PASS.

House: Passed 1st Reading

House: Ref to the Com on State Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House

H 469: FORECLOSURES/EXTEND SERVICEMEMBER PROTECTIONS.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

H 471: STATE AUDITOR/INFO. SYSTEMS/CORRECTIVE ACTION.

House: Passed 1st Reading

House: Passed 1st Reading

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

H 472: REQUIRE STATE AUDITOR TO BE A CPA.

House: Passed 1st Reading

House: Passed 1st Reading

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

H 473: MODIFY LOW-SPEED VEHICLE DEFINITION.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Transportation, if favorable, Rules, Calendar, and Operations of the House

H 474: FACILITATE SMALL HOUSING.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

House: Ref To Com On Rules, Calendar, and Operations of the House

H 475: REVISE CERTAIN BALLOT & 48-HOUR REPORT REQS.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Election Law and Campaign Finance Reform, if favorable, Rules, Calendar, and Operations of the House

H 476: INCREASE PERSONAL NEEDS ALLOWANCE/MEDICAID.

House: Passed 1st Reading

House: Passed 1st Reading

House: Ref to the Com on Appropriations, if favorable, Rules, Calendar, and Operations of the House

H 481: MODERNIZE DEBT SETTLEMENT PROHIBITION.

House: Filed

H 482: FUNDS FOR YADKINVILLE FD.

House: Filed

H 483: AUTO SUBSIDY ELIGIBILITY/CHILDCARE TCHR/PILOT.

House: Filed

H 484: MENTAL HEALTH CONFIDENTIAL INFO. DISCLOSURE.

House: Filed

H 485: PROVISIONAL BALLOT/SAME-DAY REGISTRATION.

House: Filed

H 486: ADVOCACY FOR LONG-TERM CARE RESIDENTS/FUNDS.

House: Filed

H 487: POW/MIA FLAGS/STATE BLDGS & SCHOOLS.

House: Filed

H 488: CODE COUNCIL REORG. AND VAR. CODE AMEND.

House: Filed

H 489: INCREASE DISABLED VETERAN PROP TAX BENEFIT.

House: Filed

H 490: TAX DEDUCTION FOR OVERTIME AND BONUS PAY.

House: Filed

S 41: GUARANTEE 2ND AMEND FREEDOM AND PROTECTIONS. (NEW)

Senate: Placed On Cal For 03/28/2023

S 51: KAYLA'S ACT: PROTECTING DOM. VIOLENCE VICTIMS.

Senate: Reptd Fav

Senate: Reptd Fav

S 90: SEARCHES OF STUDENT'S PERSON.

Senate: Reptd Fav

Senate: Reptd Fav

S 135: REGISTERED VET. TECH. MODIFICATION.

Senate: Reptd Fav

Senate: Reptd Fav

S 193: CAREER DEVELOPMENT PLANS.

Senate: Reptd Fav

Senate: Reptd Fav

S 206: STOP COUNTERFEIT PILLS ACT.

Senate: Reptd Fav

Senate: Reptd Fav

S 228: PRIVATE CONDEMNATION/WITHDRAW DEPOSIT.

Senate: Withdrawn From Com

Senate: Withdrawn From Com

Senate: Re-ref to Judiciary. If fav, re-ref to Rules and Operations of the Senate

S 239: REDUCE BARRIERS TO STATE EMPLOYMENT.

Senate: Reptd Fav

Senate: Reptd Fav

S 321: MEDICAL DEBT DE-WEAPONIZATION ACT.

Senate: Withdrawn From Com

Senate: Withdrawn From Com

Senate: Re-ref to Health Care. If fav, re-ref to Judiciary. If fav, re-ref to Finance. If fav, re-ref to Rules and Operations of the Senate

S 362: FUNDS/FARMLAND PRESERVATION.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

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

Senate: Withdrawn From Com

Senate: Withdrawn From Com

Senate: Re-ref to Appropriations/Base Budget. If fav, re-ref to Rules and Operations of the Senate

S 363: ESTABLISH INDEPENDENT STATE FIRE MARSHAL.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

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

S 364: NONDISCRIMINATION IN STATE EMPLOYEE HIRING.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

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

S 365: DEVELOPMENT REGULATIONS/MULTIJURISDICTION.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

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

S 366: BAN DELTA-8 & DELTA-9 ON SCHOOL GROUNDS.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

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

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

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

S 367: INTERCEPT COMMUNICATIONS/ALL PARTIES CONSENT.

Senate: Passed 1st Reading

Senate: Passed 1st Reading

S 370: MOBILE DRIVERS LICENSE.

Senate: Filed

S 371: OPIOID OVERDOSE PREVENTION ACT.

Senate: Filed

S 372: COMMUNITY HEALTH CENTER GRANTS FOR LARCS.

Senate: Filed

S 373: FELONY LIABILITY FOR OPERATING UNLICENSED ACH.

Senate: Filed

S 374: REGULATION OF ACCESSORY DWELLING UNITS.

Senate: Filed

S 375: HEALTH CARE FREEDOM ACT.

Senate: Filed

S 376: EXPANDING MEMBERS' ACCESS TO HOA RECORDS.

Senate: Filed

S 377: COMMUNITY COLLEGE SYSTEM SALARY INCREASES.

Senate: Filed

LOCAL BILLS

H 457: UNION/MECKLENBURG COUNTY BOUNDARY.*House: Passed 1st Reading**House: Ref to the Com on Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House***H 459: SMITH REYNOLDS AIRPORT DEANNEXATION.***House: Passed 1st Reading**House: Ref to the Com on Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House***H 462: CITY OF WASHINGTON/DEANNEXATION OF AIRPORT.***House: Passed 1st Reading**House: Passed 1st Reading**House: Ref to the Com on Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House***H 464: WASHINGTON-WARREN AIRPORT AUTHORITY.***House: Passed 1st Reading**House: Passed 1st Reading**House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House***H 468: CAMERA ENFORCEMENT OF GREENSBORO SCHOOL ZONES.***House: Passed 1st Reading**House: Passed 1st Reading**House: Ref to the Com on Transportation, if favorable, Judiciary 2, if favorable, Rules, Calendar, and Operations of the House***H 470: GREENSBORO/WINSTON-SALEM CIVIL SERVICE BOARD.***House: Passed 1st Reading**House: Passed 1st Reading**House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House***H 477: HALIFAX-NORTHAMPTON AIRPORT AUTHORITY/LEASES.***House: Passed 1st Reading**House: Passed 1st Reading**House: Ref to the Com on Local Government, if favorable, Rules, Calendar, and Operations of the House***S 5: 35TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Withdrawn From Com**Senate: Withdrawn From Com**Senate: Re-ref to State and Local Government. If fav, re-ref to Finance. If fav, re-ref to Rules and Operations of the Senate***S 79: 8TH SENATORIAL DISTRICT LOCAL ACT-1.***Senate: Withdrawn From Com**Senate: Withdrawn From Com**Senate: Re-ref to State and Local Government. If fav, re-ref to Rules and Operations of the Senate***S 208: GREATER ASHEVILLE REGIONAL AIRPORT AUTHORITY.***Senate: Reptd Fav**Senate: Reptd Fav***S 276: UNION COUNTY/USE WHEEL LOCKS.***Senate: Reptd Fav**Senate: Reptd Fav*

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